



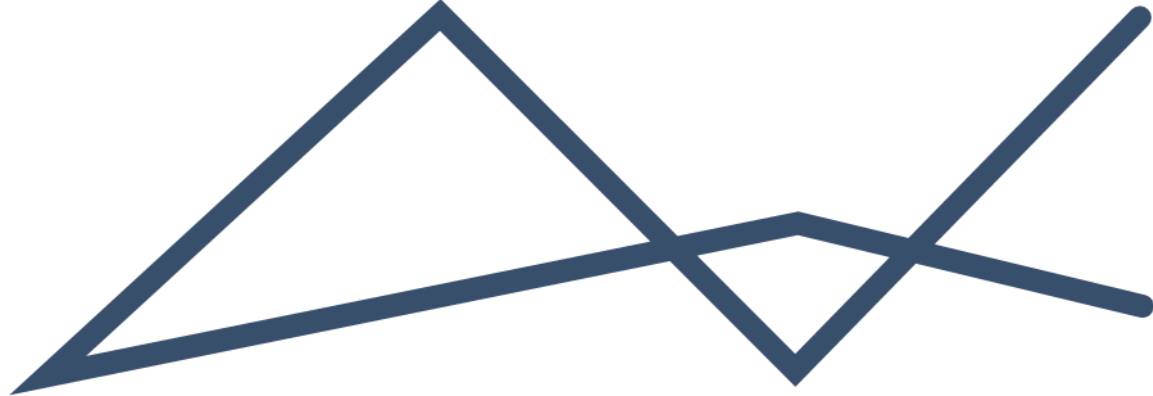
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PUBLIC PARTICIPATION REPORT

OLIE RIVIER PIVOT EXPANSION EIA






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Abbreviation List:

EA	Environmental Authorisation
EIA	Environmental Impact Assessment
I&AP	Interested and Affected Party
MPRDA	Mineral and Petroleum Resource Development Act
NEMA	National Environmental Management Act
PPP	Public Participation Process
PPR	Public Participation Report

1 INTRODUCTION

Williet Boerdery (Pty) Ltd has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required application processes (including the statutory public participation), and to compile and submit the required documentation in support of application for:

- Environmental Authorisation (EA) in accordance with the National Environmental Management Act (NEMA)- Listed activity:
 - GNR 984: Activity 15: “the clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-
 - (i) The undertaking of a linear activity; or
 - (ii) Maintenance purposed undertaken in accordance with a maintenance management plan.”

The project will involve the clearance of 70 hectares of indigenous vegetation for the purposes of creating new cultivation (pivot) areas.

The proposed project is located on the Remaining Extent of the Farm Olie Rivier 170 (registration division: Kimberly), located along the R357 from Kimberly to Douglas, in the Siyancuma Local Municipality, Pixley Ka Seme District Municipality. The site is located approximately 26km north-east of the town Douglas and 77km south-west of the town Kimberly. The centre point of the site is: 28°57'26.5"S and 24°0'32.731"E.

2 OBJECTIVES OF THE PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides: “*The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement*”. This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as...“*a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently*”¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The PPP is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

- During the EIA Process:
 - Contribute relevant local information and knowledge to the environmental assessment;
 - Verify that their issues have been recorded;
 - Comment on the findings of the environmental assessments; and
 - Provide relevant local information and knowledge to the environmental assessment.

¹ Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the proposed Sasol Irenedale Water Pipeline Project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process for the authorisation project;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and
- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This PPR lists all verbal and written issues raised by I&APs and stakeholders from the 30-day initial notification and call to register period from the 19 November 2020 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

2.1 Legal Compliance

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely the National Environmental Management Act (NEMA, Act No. 107 of 1998).

Adherence to the requirements of the above-mentioned Act will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Act. The details of the Integrated PPP are provided below.

3 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)

An initial I&AP database has been compiled from historic projects in the area and Windeed searches to obtain the contact details of the surrounding landowners. The I&APs referred to in the PPR include:

- Pre-identified and registered landowners and surrounding landowners;
- Pre-identified and registered key stakeholders;
- Regulatory authorities;



- Specialist interest groups; and
- All I&APs who responded to the initial notifications and requested to be registered.

Efforts to pre-identify key I&APs involved various avenues such as consultation with the proponent and known landowners within the study area, review of related previously conducted studies, and identification of key interest groups and authorities within the vicinity of the study area and municipality. Refer Appendix C 1 for the Key Stakeholder/I&AP Database.

All landowners whose properties are within the study area have been notified about the project via post, fax and/or email as well as through advertisements and/or site notices inviting them to participate in the EIA process. Refer to Appendix C 2 or the landowner, key stakeholder and I&AP initial notifications.

3.1 LIST OF KEY I&APS IDENTIFIED AND NOTIFIED

The following key I&AP's, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- | | |
|--|--|
| • Botanical Society | • Northern Cape Department of Environment and Conservation |
| • Cilliers Blaauwkrantz Trust | • Northern Cape Department of Nature and Conservation |
| • CJ Mulke Trust | • Northern Cape Department of Roads and Public Works |
| • Commission on Restitution of Land Rights: Northern Cape and Free State Regional Office | • Northern Cape Department of Social Development |
| • Conservation South Africa (CSA) | • Northern Cape Department of Water and Sanitation |
| • Department of Agriculture | • Northern Cape Provincial Heritage Resource Agency |
| • Department of Roads Transport and Public Works | • Northern Cape Department of Environment and Nature Conservation (DENC) |
| • Department of Rural Development and Land Reform | • Oranje Vaal Water Users Association |
| • Department of Water Affairs (Springbok) | • Pixley Ka Seme District Municipality |
| • Department of Water Affairs (Upington) | • Regional Land Claims Commission Free State and Northern Cape |
| • Endangered Wildlife Trust | • SANRAL |
| • Endangered Wildlife Trust (EWT) | • Siyancuma Local Municipality |
| • Faveur Boerdery PTY Ltd | • South African Civil Aviation Authority |
| • Genade Plase Pty Ltd | • South African Heritage Resources Agency |
| • Kaaldraai Trust | • South African Radio Astronomy Observatory (SARAO) |
| • NC Department of Agricultural & Land Reform | • Succulent Society of South Africa (SSSA) |
| • NC Department of Environment and Nature Conservation (DENC) Kimberley | • Vickie Trust |
| • NC Department of Environment and Nature Conservation (DENC): Springbok | |



- WESSA PE Office
- Williet Boerdery Pty Ltd
- Youngberg Investments PTY Ltd

4 NOTIFICATION OF INTERESTED AND AFFECT PARTIES

This section provides details on the notifications that were distributed as part of the consultation process to date.

4.1 Initial Notification of Landowners and I&APs

The PPP commenced on the 19th November 2020 with an initial notification and call to register. Notification during this initial consultation was given in the manner described below.

4.1.1 REGISTERED LETTERS, FAXES AND EMAILS

Notification letters registered mail in English and Afrikaans were distributed to pre-identified I&APs through either registered mail, faxes, and/or emails. Please refer to Appendix C 2 for initial notification and proof of initial notification.

The notification documents included the following information:

- List of anticipated activities to be authorised;
- Sufficient detail of the proposed development to enable I&APs to assess/surmise what impact the development will have on them or on the use of their land;
- The purpose of the proposed project;
- Details of the application processes associated with proposed activities;
- Details of the affected properties (including a locality map);
- Details of the South African environmental legislation that must to be adhered to;
- Date by which the I&AP must register and send comments through to EIMS;
- Contact details of the EAP.

4.1.2 Newspaper Advertisements

Advertisements describing the proposed project and EIA process were placed in the Noordkaap Bulletin (English and Afrikaans) with adequate circulation in the vicinity of the study area on the 19th November 2020. The newspaper adverts included the following information:

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix C 3 for proof of adverts placed.



4.1.3 SITE NOTICE PLACEMENT

Four (4) A1 Correx site notices (in English and Afrikaans) were placed at 4 locations surrounding the project area on the 19th November 2020. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix C 4 for proof of site notice.

4.2 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF REPORTS AND OTHER STUDIES

Notification (in English and Afrikaans) regarding the availability of the Scoping Report and associated appendices has been provided to pre-identified and registered I&APs were distributed through either fax, registered mail and/or emails. The notification includes details regarding where a hard copy of the report can be accessed. Contact details have been provided to I&APs if they require assistance accessing the information or require copies of the reports and the recorded presentation.

The Scoping report and associated appendices have been made available for public review and comment from the **SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES**

The table below provides a summary of the opportunities provided to I&APs for participation in the public participation process to date.

Table 1: Opportunities Provided for Public Participation

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
Initial Public Notification (announcement of project and call to register)	Newspaper advertisements	Noordkaap Bulletin	19 th November 2020
	Placement of site notices.	4 A1 site notices (English and Afrikaans) along and around the study area (4 placement locations).	19 th November 2020
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	19 th November 2020
Scoping report public review and comment	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, fax, and/or post.	1 st April 2021



5 NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE DECISION

Interested and Affected Parties will be notified via fax, registered mail and/or email of the decision once available including the appeal process should they wish to appeal the decision.

6 RECORD OF ISSUES RAISED

The comments presented in Appendix C 5 are those that have been received and addressed from 19th November 2020 to date and will be updated post the public review period of the Scoping Report.

6.1 HOW ISSUES RAISED WERE ADDRESSED

Issues raised were addressed in a transparent manner and included in the compilation of the Scoping Report in the following manner:

- Issues raised were used quantitatively to calculate the significance of impacts both real and perceived; and
- Issues raised were used to provide further suggestions and recommendations with regard to potential management options for impacts.

6.2 Summary of Comments That Were Received

To date the only comment received has been a request for the project documents to be upload to the SAHRIS website from the South African National Heritage Resource Agency.

All comments and/or queries received are included in this report and presented Appendix C 5 and Appendix C 6. These appendices will be updated post the review period of the Scoping Report for submission to the competent authority.

7 CONCLUSIONS AND RECOMENDATIONS

The comments and issues raised through the public participation has been considered and used inform the compilation of the Scoping report. This report will be updated for submission to the competent authority following the 30-day public review period of the Scoping report and associated appendices.