

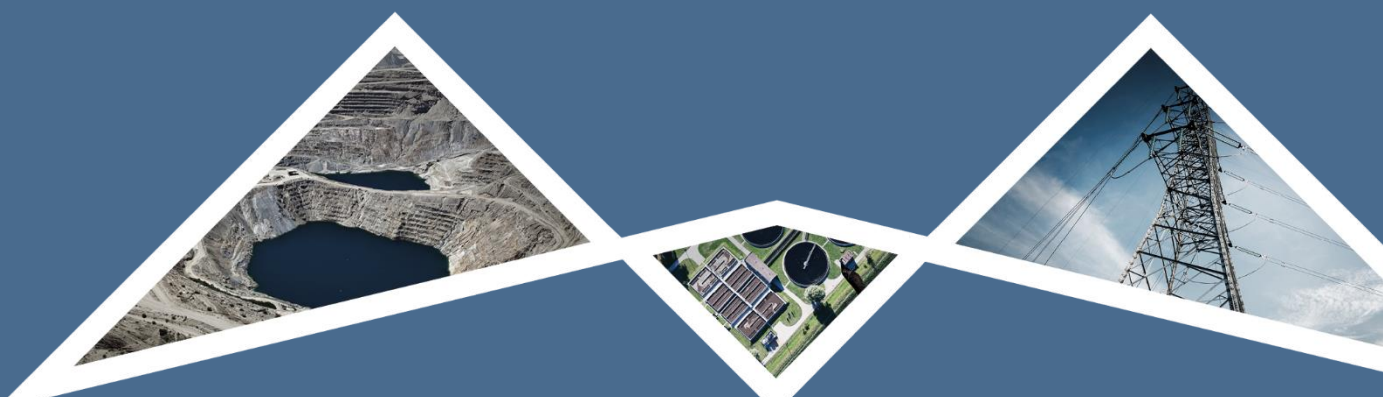


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PUBLIC PARTICIPATION REPORT

PROPOSED ESKOM DX GAMOHAAN SEVEN MILES PROJECT





DOCUMENT DETAILS

EIMS REFERENCE: 1524
DOCUMENT TITLE: PROPOSED ESKOM DX GAMOHAAN SEVEN MILES PROJECT

DOCUMENT CONTROL

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REVISION AND AMENDMENTS

REVISION DATE:	REV #	DESCRIPTION
2022/10/04	ORIGINAL DOCUMENT	PPR for Public Review and Comment



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Abbreviation List:

BA	Basic Assessment
DFFE	Department of Forestry, Fisheries and the Environment
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
I&AP	Interested and Affected Party
NEMA	National Environmental Management Act
NWA	National Water Act
PPP	Public Participation Process
PPR	Public Participation Report



1 INTRODUCTION

Eskom SOC Limited (hereafter referred to as the applicant) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required authorisation 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 NEMA- Listed activity: Listing Notice 3: Activity 12.
- General Authorisation registration in accordance with the National Water Act – NWA (Act 36 of 1998) – Section 21 Water Uses

The applicant wishes to construct a new 22kV powerline from the existing Gamohaam substation along the R31 provincial road toward Kuruman where the powerline will turn north at the Bathlaros intersection for 1,1km towards the community of Mamoratwe at which point the powerline will turn east towards Seven Miles where it will cross the Kuruman watercourse. The proposed crossing of the Kuruman watercourse requires a GA registration. The section of the proposed powerline that runs parallel to the R31 and then turn north towards Mamoratwe will require the removal of indigenous vegetation which required an EA prior to commencement. The proposed powerline will be located on the Remaining Extent of the Farm Kuruman Reserve 690. The start, middle and end coordinates of the proposed powerline from the Gamohaam sub-station until the watercourse are:

Start: 27°22'46.38"S, 23°21'39.29"E;

Middle: 27°23'22.44"S, 23°22'53.62"E; and

End: 27°22'49.50"S, 23°22'59.86"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 Basic Assessment (BA) 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

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



- Provide relevant local information and knowledge to the environmental assessment.

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 Eskom Dx Gamohaam - Seven Mile 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 Public Participation Report (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 17th August 2022 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 Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. 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 B 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 B 2 for the landowner, key stakeholder and I&AP initial notifications.

3.1 LIST OF AUTHORITIES NOTIFIED

The following authorities, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- Commission on Restitution of Land Rights: Northern Cape and Free State Regional Office;
- National Department Of Agriculture, Land Reform And Rural Development;
- National Department of Environmental Affairs
- National Department of Forestry, Fisheries and the Environment;
- National Department of Water and Sanitation; and
- North West Agriculture and Rural Development;
- Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform;
- Northern Cape Department of Agriculture, Land Reform and Rural Development;
- Northern Cape Department of Economic Development and Tourism
- Northern Cape Department of Environment and Conservation;
- Northern Cape Department of Roads and Public Works;
- Northern Cape Department of Social Development;
- Northern Cape Department of Water and Sanitation;
- Northern Cape Provincial Heritage Resource Agency;
- South African Heritage Resources Agency (SAHRA).

3.2 LIST OF OTHER KEY I&APS AND STAKEHOLDERS IDENTIFIED AND NOTIFIED

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

- Eskom Soc Ltd;
- SANPARKS;
- South African National Biodiversity Institute;
- Nico Fourie Trust
- Jood Family Communal Property Association;
- South African National Roads Agency Ltd: Northern Region;



4 NOTIFICATION OF INTERESTED AND AFFECTED 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 17th August 2022 with an initial notification and call to register ending on the 19th September 2022. 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 Setswana were distributed to pre-identified I&APS through either registered mail, faxes, and/or emails. Please refer to Appendix B 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 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 NoordkaapBulletin Newspaper (in English and SeTswana) with adequate circulation in the vicinity of the study area on the 18th March 2022. 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 B 4 for proof of adverts placed.

4.1.3 SITE NOTICE PLACEMENT

Six (6) A1 Correx site notices (in English and Setswana) were placed at 6 locations along, within and surrounding the development footprint of the proposed project study area on the 18th August 2022. 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 B 3 for proof of site notice and site notice distribution.

4.2 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	NoordkaapBulletin	18 th August 2022
	Placement of site notices.	6 A1 site notices (English and Setswana) along, within and around the study area (6 placement locations).	17 th August 2022
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	18 th August 2022

5 NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE DECISION

Interested and Affected Parties will be notified via either fax, registered mail and/or email, where contact details are available 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 are those that have been received and addressed from 17th August 2022 to date and will be updated post the public review period of the BA Report.

6.1 How Issues were Raised

Issues raised were addressed in a transparent manner and included in the compilation of the Basic Assessment Report for the Proposed Eskom DX Gamohaam Seven Miles Project in the following manner:

6.2 Summary of Issues that were Raised

- I&AP Registrations.
- An Instruction from SAHRA to upload the report onto SAHRIS once available for review and comment.



- Proposed powerline route runs on land under Tribal Authority and not municipal land and not municipal land and might interfere with that development.
- Radiation impacts from the 22kv line to residents and stray animals.
- Economic benefits of the project to local SMMEs and process to be followed in choosing contractors

All comments and/or queries received are included in this report and presented in Appendix B 5 Appendix B 6 for submission to the competent authority, the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform. Please refer to Appendix B 6 for proof of correspondence.

7 CONCLUSION AND RECOMMENDATIONS

This report will be updated for submission to the (the competent authority), following the 30-day public review period of the Basic Assessment Report and associated appendices.