



**ENVIRONMENTAL AUTHORISATION APPLICATION FOR THE
PROPOSED LOW-COST MIXED-USE HOUSING
DEVELOPMENT ON THE REMAINDER OF PORTION 83 OF
MIDDELVLEI 255 IQ AND PORTION 68 OF THE
FARM LUIPAARDSVLEI 243 IQ WITHIN
THE JURISDICTION OF THE RAND WEST CITY LOCAL
MUNICIPALITY**

SCOPING/FULL EIA PROCESS

PUBLIC PARTICIPATION PLAN

JULY 2020

REV 0

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1. PUBLIC PARTICIPATION PROCESS

This document presents the approach to the public participation process to be followed for the proposed Low-Cost Mixed-Use housing development on the remainder of Portion 83 of Middelvlei 255 IQ and Portion 68 of the farm Luipaardsvlei IQ. The site is over 68 hectares in extent and triggers listed activities in Listing Notice 1, 2 and 3 of the EIA Regulations, 2014 as amended.

Objectives of public participation

Public participation is required by the NEMA EIA Regulations in South Africa and forms an integral part of all phases of the EIA process. Its purpose is to provide a source of information for the EIA, with the following objectives:

- Inform stakeholders about the proposed project and its alternatives, and all potential environmental impacts;
- Provide an opportunity for the public to present their views, concerns and values, and to influence project design in a positive manner;
- Obtain local and traditional knowledge;
- Reduce conflict through early identification of contentious issues;
- Increase public confidence in the process and provide transparency and accountability in decision making by the project proponent and the authorities.

According to Section (2)(4)(f) and (o) of the NEMA Act:

- the participation of all interested and affected parties (I&APs) in environmental governance must be promoted and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured, and
- the environment is held in public trust for the people, the beneficial use of environmental resources must serve the public interest and the environment must be protected as the people's common heritage.

In order to give effect to the above sections, it is essential to ensure that there is adequate and appropriate opportunity for public participation (PP) in decisions that may affect the environment. Section 24(1A) (c) of the Act allows for this participation by requiring that the person conducting PP comply with any regulated procedure related to public consultation and information gathering through the public participation process (PPP).

At a minimum, the PPP undertaken will allow for the following:

- to provide for the opportunity for all role players including potential and RI&APs, EAPs, state departments, organs of state, and the competent authority (CA) to obtain clear, accurate and understandable information about the environmental impacts of the proposed activity or implications of a decision;
- to provide for role- players to voice their support, concerns and questions regarding the project, application or decision;
- to provide the opportunity for role-players to suggest ways for reducing or mitigating any negative impacts of the project and for enhancing its positive impacts;
- to enable the person conducting PP to incorporate the needs, preferences and values of potential I&AP's into its proposed development that becomes the subject of an application for an environmental authorization (EA);
- to provide opportunities for clearing up misunderstandings about technical issues, resolving disputes and reconciling conflicting interests;
- to encourage transparency and accountability in decision-making;
- to contribute toward maintaining a healthy, vibrant democracy; and
- to give effect to the requirement for procedural fairness of administrative action as contained in the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

2. PRE-APPLICATION PHASE

Public Participation will be undertaken before the submission of an application for Environmental Authorisation (EA), but the relevant CA and potential and RI &APs will be provided with at least a period of 30 days with an opportunity to comment on reports and plans after the submission of an application for EA.

MGTD Environmental (EAP) will open and maintain a register of I&APs. A registered I&AP is entitled to comment on all reports released during the public participation process.

2.1 NOTIFICATION

All potential and I&APs have a right to be informed early and in an informative and proactive way regarding proposals that may affect their lives or livelihoods. Early communication can aim to build trust among participants, allow more time for public participation, and improve community analysis and increases opportunities to modify the proposal in regards to the comments and information gathered during the PPP.

Notification of a proposal to all I&APs will be given through several methods including fixing of notice boards, providing written notice, placing advertisements on local newspaper and on MGTD Environmental website.

A Background Information document will be released initially to the councillors before the project is advertised on local newspaper, MGTD Environmental website, Dropbox and the relevant ward Facebook page (if available). Microsoft Teams Meetings will be held where required with organs of state or Interested and Affected Parties.

2.2 IDENTIFYING AND APPROACHING SPECIFIC I&AP'S

Over and above the placement of general notices on site or in the media inviting I&APs to participate in the application process, certain stakeholders will be specifically approached (organs of state, the owner or person in control of the land etc. are automatically regarded as I&AP's).

The following means of identifying stakeholders will be used:

- established lists and databases, held by consultancies, authorities or research institutions; and
- network or chain referral systems according to which key stakeholders are asked to assist in identifying other stakeholders.

2.3 REGISTERED INTERESTED AND AFFECTED PARTIES

Commenting periods and consultation with organs of state and state departments

All organs of state which have jurisdiction in respect of the activity to which the application relates will be given 30 days to comment on the reports within a period of 30 days. The EAP will attempt to consult with every organ of state that administers a law relating to a matter affecting the environment relevant to that application for an environmental authorization when such competent authority.

2.4 ACCESS TO AND REVIEW OF THE BASIC ASSESSMENT REPORT

The availability of the Scoping Phase and EIA Phase Reports for public review for 30 days will be announced via adverts in a Newspaper circulating nationally/locally and email communication to interested and affected parties as well as government departments. Minimum requirements for public participation are prescribed by Regulations 39 to 44 in the EIA Regulations and Section 24 (4) (a) (v) of the National Environmental Management Act, 1998 (Act 107 of 1998).

The process will be undertaken as follows:

- Placing the draft Reports (Scoping Phase and EIA Phase) on the ward's Facebook Account; Dropbox and MGTD Environmental Website;

- Inviting organs of state to access the Draft Reports from the project-specific website;
- Notifying adjacent occupiers/landowners of the availability of the report;
- All comments received will be collated into a report, responded to and incorporated into the final Scoping and EIA Phase Reports and
- The final reports will then be made available to the Registered Interested & Affected parties including organs of state and submitted to GDARD at the same time.

Written comments on reports and plans submitted by RI&APs will be recorded in the reports and plans and such written comments, including responses to such comments and records of interactions will be attached to the reports and plans that are submitted to the CA.

2.5 RESPONDING TO COMMENTS

All comments received from RI&APs will be acknowledged by the EAP, with the EAP indicating how the comments received will be responded to. Comments and responses will be recorded in the comments and response report that is submitted with the reports.

2.6 NOTIFYING I&APS OF THE DEPARTMENT’S DECISION

The EAP will in writing notify registered I&APs of the outcome of the decision on authorisation within 14 days of the date the decision was made by the competent authority.

2.7 ENGAGEMENT TOOLS

ENGAGEMENT TECHNIQUE	APPROPRIATE APPLICATION OF TECHNIQUE
One-on-one interviews (Microsoft Teams/Zoom)	<ul style="list-style-type: none"> • Solicit views and opinions (e.g. ward councillors, municipal officials) • Enable stakeholders to speak freely and confidentially about controversial and sensitive issues. • Build personal relations with stakeholders.
Print Media Information Centre and Information Boards	<ul style="list-style-type: none"> • Place Site Notices on site.
Radio announcements	<ul style="list-style-type: none"> • Disseminate project information to large audiences.
Correspondence by phone/email/Text/Instant messaging	<ul style="list-style-type: none"> • Distribute project information to government officials, organisations, agencies and companies • Invite stakeholders to meetings
Gates Website	<ul style="list-style-type: none"> • Present project information to a large audience of stakeholders, and in particular communities • Allow the group of stakeholders to provide their views and opinions • Distribute technical and non-technical project information • Record discussions, comments/questions raised and responses
Surveys	<ul style="list-style-type: none"> • Gather opinions and views from individual stakeholders

Stakeholder group consultation methods

STAKEHOLDER GROUP	CONSULTATION METHODS
Government officials	<ul style="list-style-type: none">• Phone / email / text messaging• One-on-one interviews• Formal meetings
Neighbouring communities	<ul style="list-style-type: none">• Print media, text messaging and radio announcements• Surveys
Vulnerable Groups	<ul style="list-style-type: none">• Print media, text messaging and radio announcements• Facebook
NGO's and conservation organisations	<ul style="list-style-type: none">• Phone / fax / email / text messaging