



MOPANI DISTRICT MUNICIPALITY WATER AND  
SANITATION REVITALISATION PROGRAMME-  
REFURBISHMENT AND UPGRADE OF THE  
GIYANI WASTEWATER TREATMENT WORKS.

## COMMENTS AND RESPONSES REPORT

PREPARED ON BEHALF OF:

DEPARTMENT OF WATER AND SANITATION

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*Leaders in Environmental Management*



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## ABBREVIATIONS

DWS : Department of Water and Sanitation

EA : Environmental Authorization

EAP : Environmental Assessment Practitioner

EIMS : Environmental Impact Management Services

EMPR : Environmental Management Programme

I&AP : Interest and Affected Parties

NEMA : National Environmental Management Act

PPP : Public Participation Process

## 1. INTRODUCTION

This Comments and Responses Report (CRR) has been compiled as an appendix to the Basic Assessment Report for the proposed refurbishment and upgrade of the Waste Water Treatment Works (WWTW), Giyani in the Limpopo Province. This CRR outlines the Public Participation Process (PPP) followed for an application for Environmental Authorization (EA). The Minister of Water and Sanitation has issued a Directive (in terms of Section 41 (1)(ii) of the Water Services Act, Act 108 of 1997) to Lepelle Northern Water (LNW) to immediately intervene on the Giyani water and waste water treatment works and associated infrastructure, in order to restore water supply to the residents. Consequently the need to upgrade certain water and waste water infrastructure in, and around, Giyani, Limpopo Province was identified. In this regard, Environmental Impact Management Services (Pty) Ltd (EIMS) was then appointed by South Zambezi Consulting Engineers as an independent Environmental Assessment Practitioner (EAP) to assist in undertaking a PPP, conducting a Basic Assessment (BA), and submitting the BA Report and an Environmental Management Programme (EMPR) in support of the EA application for the proposed refurbishment and upgrade of the Waste Water Treatment Works (WWTW), Giyani in the Limpopo Province.

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 – as amended) 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" (Greyling, 1999, p. 20). 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:

- Raise issues of concern and suggestions for enhanced benefits;
- Verify that their issues have been recorded;
- Assist in identifying reasonable alternatives;
- Contribute relevant local information and knowledge to the environmental assessment;
- Comment on the findings of the environmental assessments; and
- Obtain information on the outcome, i.e. the competent authority's decision, and how and by when the decision can be appealed.

This CRR lists all verbal and written issues raised by I&APs and stakeholders during the public participation period undertaken for the BA process. A breakdown of the public participation process is given within the following sections.

## **2. PUBLIC PARTICIPATION DURING THE BASIC ASSESSMENT PROCESS**

The Public Participation Process outlined below follows the requirements of Regulation 41 of GN R. 982 promulgated under the National Environmental Management Act (Act 107 of 1998) (NEMA), as amended.

### **2.1. NOTICES AND ADVERTISEMENTS**

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

#### **2.1.1. INITIAL NOTIFICATION**

Notification during the initialisation of the project was undertaken as follows:

- Two advertisements (in English) were placed in the Sowetan and the Soutpansberger newspapers. The Sowetan newspaper was verified by the relevant ward councillor (Ward 11) of the Greater Giyani Local Municipality as the most widely read newspaper within the study area. The Soutpansberger newspaper was chosen by the Project team in an effort to make the public participation process as inclusive as possible (refer to Appendix E1 for proof of advertisement placement);
- Three (3) A2 Correx notices (in English and Xitsonga) was placed in the study area (refer to Appendix E1 for proof of site notice placement);
- Initial notification letters, faxes, and/or emails (in English and Xitsonga) were sent out to all pre-identified key I&APs such as government organisations, NGOs and other organisations that might be affected (refer to Appendix E2 proof of I&APs notification);
- A3 posters notices (in English and Xitsonga) were placed at local public gathering places within the town of Giyani such as the Giyani Khensani Hospital, a local Shoprite supermarket notice board and the Greater Giyani Local Municipality notice board (please refer to Appendix E1 for photographic proof of posters placed at local public gatherings); and
- A4 notices were hand delivered to surrounding landowners/properties (refer to Appendix E1 for proof of the site notice distribution list).

The notices and written notification provided I&APs the opportunity to submit their issues/queries/concerns to the independent Environmental Assessment Practitioner (EAP), Environmental Impact Management Services (Pty) Ltd (EIMS), of which the contact person, contact number, email and faxes were clearly stated on the notice. Comments/concerns and queries were encouraged to be submitted in either of the following manners:

- ↘ Electronically (fax, email)
- ↘ Telephonically, or
- ↘ Written letters.

All comments received by EIMS to date have been included in this report as part of the Basic Assessment Report submitted to the National Department of Environmental Affairs (DEA – the competent authority). Table 1 below summarises the PPP.

**TABLE 1: OPPORTUNITIES PROVIDED FOR PUBLIC PARTICIPATION**

<b>PUBLIC PARTICIPATION PHASE</b>			
<b>ACTION</b>	<b>DESCRIPTION</b>	<b>PUBLICATION/PLACE</b>	<b>DATE</b>
Announcement of Basic Assessment Project.	Newspaper Advertisement.	Sowetan and Soutpansberger newspapers.	22 January 2016.
Initial Public Notification.	Placement of site notices.	A2 notice boards were placed around the study area.	22 January 2016.
Initial Public Notification.	Notification of key I&APs.	Key I&APs were notified via registered post, fax and/or email.	Registered letters and Emails – 25 January 2016. Faxes – 27 January 2016.
Basic Assessment Report Public Notification.	Notification of key I&APs of the availability of the Basic Assessment Report for public review.	Key I&APs were notified via registered post, fax and/or email.	10 February 2016.

## **2.2. IDENTIFYING INTERESTED AND AFFECTED PARTIES**

The I&APs for this project include all pre-identified and registered key stakeholder groups and individuals. The key I&APs were mostly pre-identified but some were registered as a result of the initial notification documents (site notices, advertisement, and notification letters/faxes/emails that were distributed within organisations and/or departments (refer to Appendix E5 for the full register of the key I&APs, local authorities, and organs of state).

The proposed activity's study includes a single property (Portion 0 on the Remainder of the farm Greater Giyani No. 891 – LT) and the landowner is the Government of South Africa. The relevant representatives of the National Department of Rural Development and Land Reform (DRDLR), who are the mandated authority for Government land, were notified and invited to comment (refer to Appendix E5 for the full register of the key I&APs, including the DRDLR).



### 3. SUMMARY OF ISSUES RAISED BY I&AP'S

All comments received during the PPP have been included in this IRR (Appendix E6) and summarised in Table 2

**TABLE 2: SUMMARY OF ISSUES RAISED BY I&APS**

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
<b>Key Stakeholders</b>					
<b>Landowner/s</b>					
Dr. Vela Mngwengwe (relevant representative of the National Department of Rural Development and Land Reform (DRDLR))	X	2016-01-25	Dr. Vela Mngwengwe forwarded the notice to Mr Julius Mashaphu asking him to determine if the development is not going to impact on any occupant, if any.	EIMS sent a follow up email to Mr. Julius Mashaphu from the DRDLR to seek advice regarding Mr. Vele Mngwengwe's request.	N/A
<b>Land occupier</b>					
Lucas	X	2016-01-25	Mr. Lucas phoned EIMS asking for more details regarding received notification (during the site notice placement visit). Lucas occupies land near the Waste Water Treatment Works (WWTW) proposed site location Mr. Lucas wanted to know if their properties will be affected, for example, if they	EIMS clarified that this proposed development consists of 3 project components: upgrading of the existing Giyani WWTW, installation of 3 new reservoirs, and quarrying of 6 new borrow pits at various locations where pipelines are being erected. Development will only occur within the vicinity of the proposed project	N/A

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
			will build some components of the WWTW on other surrounding properties.	footprint. In addition, EIMS informed Lucas that should he have any further comments/concerns, he can contact EIMS at the details provided in the notice.	
<b>Ward councillor</b>					
Clr. . Yvonne P Matukane (Ward 11 Greater Giyani Local Municipality)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Local Municipality</b>					
Clr. MC Chaamano (Municipal Manager, Greater Giyani Local Municipality)	X	2016-01-25	No comment received to date.	N/A	N/A
Clr. Pat Hlungwani (Executive Mayor, Greater Giyani Local Municipality)	X	2016-01-25	No comment received to date.		
Clr. S.S Mathebela ( Speaker, Greater Giyani Local Municipality)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>District Municipality</b>					
Clr. N.A Ngoepe (Municipal Manager, Mopani District Municipality)	X	2016-01-25	No comment received to date.	N/A	N/A
Clr. Leswafo Joshua Matlou (Executive Mayor, Mopani District Municipality)	X	2016-01-25	No comment received to date.	N/A	N/A
Clr. NV Mathonsi (Speaker, Mopani District Municipality)	X	2016-01-25	No comment received to date.	N/A	N/A

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
<b>Community Liaison Officers</b>					
Mrs. Noza Baloyi (Pipeline A, Thomo Village)	X	2016-01-25	No comment received to date	N/A	N/A
Mrs. Sizaphe Nelson Khosa (Pipeline B, Vuhehli Village)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. Vukosi (Pipeline C/D, Giyani Section E Village)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. D. Nkuna (Pipeline D, Maphata Village)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. Makito Mphahele (Pipeline F1, Nwadzekudzeku Village)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. Vumbhoni Dorcad (Pipeline F2, Muyexe Village)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Organs of State</b>					
<b>Eskom</b>					
Mr. John Geeringh (Senior Environmental Advisor Eskom GC - Land Development)	X	2016-01-25	No comment received to date.	N/A	N/A
Ms. Lungile Motsisi (Servitude and Investigations Department)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Transnet</b>					
Mr. Eddie Seaton (Senior Manager – CRE Transnet Property)	X	2016-01-25	Mr. Eddie Seaton forwarded the initial notification for this project to Mr. Andre Bodenstein to enquire if Transnet property in Limpopo is	This was noted by EIMS	N/A

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
			affected by this proposed project.		
Mr. Andre Bodenstein (Geo-Spatial (Inland) Transnet Property)	X	2016-01-25	Mr. Andre Bodenstein informed EIMS that Transnet is not affected.	EIMS thanked Mr. Bodenstein for his response and let him know that his comment is duly noted.	N/A
<b>South African National Roads Agency Ltd (SANRAL)</b>					
Ms. Mpathi Moko	X	2016-01-25	No comment received to date.	N/A	N/A
<b>South African Local Government Association (SALGA)</b>					
Ms. I Chauke	X	2016-01-25	No comment received to date.	N/A	N/A
<b>National Department of Water and Sanitation</b>					
Mr. Lincoln Seoloane (Assistant Director Administration)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Water and Sanitation</b>					
Mr. Malegodi Mahlatji	X	2016-01-25	No comment received to date.	N/A	N/A
<b>National Department of Provincial and Local Government</b>					
Mr. Radithoana Selepe	X	2016-01-25	No comment received to date.	N/A	N/A
<b>National Department of Rural Development and Land Reform</b>					
Mr. Gugile Nkwinti (Minister)	X	2016-01-25	No comment received to date.	N/A	N/A
Dr. Vela Mngwengwe (Chief Director: State Land Administration)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. Mduduzi Shabane (General Director)	X	2016-01-25	No comment received to date.	N/A	N/A

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
Mr. Mincoln Seoloane (Assistant Director Administration)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Rural Development and Land Reform</b>					
Mr. Julius Mashaphu (Chief Director)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. Tinyiko Makamu (Acting Director , Property Management)	X	2016-01-25	No comment received to date.	N/A	N/A
Mr. Melton Tshililo	X	2016-01-25	No comment received to date.	N/A	N/A
<b>National Department of Environmental Affairs</b>					
Ms. Milicent Solomons (Director – Environmental Impact Evaluation)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>National Department of Transport</b>					
Mr. Sam Monareng	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Other Competent Authorities</b>					
<b>National Department of Mineral Resources</b>					
Mr. Khayaletu Matrose (Director General)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Mineral Resources</b>					
Mr. A.K. Karivhe	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Economic Development, Environment and Tourism</b>					
Ms. Maylene Broderick (Head of	X	2016-01-25	No comment received to date.	N/A	N/A

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
Department)					
<b>Limpopo Department of Co-operate Governance, Human Settlements and Traditional Affairs</b>					
Mr. Motupa Evans Selumo	X	2016-01-25	No comment received to date.	N/A	N/A
<b>National Department of Agriculture, Forestry and Fisheries</b>					
Mr. Thoko Buthelezi (Agriland Land Liason)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Agriculture</b>					
Ms. Dikeledi Felicia Malatji (Agricultural Engineering)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>South African Heritage Resources Agency (SAHRA) - National</b>					
Ms. Veliswa Baduza (CEO)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Police, Roads and Transport</b>					
Ms. Kate Machaba (Head of Department, Acting)	X	2016-01-25	No comment received to date.	N/A	N/A
Henlie Du Plessis (Head of Department)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Health and Social Development</b>					
Ms. Daisy Mafebu (Head of Department)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Limpopo Department of Land Restitution Support</b>					
Mr. Tele Maphoto (Chief Director)	X	2016-01-25	No comment received to date	N/A	N/A

Interested and Affected Parties	Consulted	Date	Issue	Response	Report Reference
<b>South African Civil Aviation Authority</b>					
Lizelle Stroh	X	2016-01-25	Ms. Lizelle Stroh responded to the notice by indicating that the EAP/Applicant follow the SACAA procedures in providing consent and or comment to the proposed development.	EIMS thanked Ms. Stroh for the response and indicated that they will provide her with the required information.	N/A
<b>Other Interested and Affected Parties</b>					
<b>Wildlife and Environment Society South Africa (WESSA)</b>					
Claire Herbst	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Agricultural Research Council</b>					
Shadrack Moephuli (CEO)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Endangered Wildlife Trust</b>					
Constant Hoogstad	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Earthlife Africa</b>					
Mabule Mokhine (Branch Coordinator)	X	2016-01-25	No comment received to date.	N/A	N/A
Makoma Lekalakala (Senior Programme Officer)	X	2016-01-25	No comment received to date.	N/A	N/A
<b>Koopedi OR (Man'ombe Nature Reserve)</b>	X	2016-01-25	No comment received to date.	N/A	N/A