



The Construction of Culvert on Road L1511

Public Participation Summary Report

Prepared by



Prepared for:



Client:

KwaZulu Natal Department of Transport

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Public Participation Summary Report for the Construction of Culvert on Road L2013

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KwaZulu Natal Department of Transport

Competent Authority:

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1.1 INTRODUCTION

1.2 Background

Vumesa (Pty) Ltd was appointed by KwaZulu-Natal Department of Transport [KZN DoT] to provide professional engineering services for the construction of a culvert structure on local road L1511 for Okhahlamba Local Municipality (Bergville). These services all need the necessary environmental Authorisations and environmental monitoring during the planning and construction stage of the programme. The road was identified by the KwaZulu Natal Department of Transport as one of the problematic roads that needed to be attended to as it is currently inaccessible after rains and not safe to be used by community members.

1.1 The Public Participation Process

The Public Participation Process (PPP) is designed to enable all interested and affected parties (I&APs) to voice their opinion, observations and/or concerns which enables the practitioner to evaluate all aspects of the proposed development, with the objective of improving the project by maximising its benefits while minimising its adverse effects.

I&APs include all interested stakeholders, specialists, and the various relevant organs of state.

The primary aims of the public participation process are:

- To inform I&APs and key stakeholders of the proposed;
- Notify owner or person in control of the land and adjacent to the development;
- To initiate meaningful and timeous participation of I&APs;
- To identify issues, observations and concerns of key stakeholders and I&APs with regards to the application for the development;
- To promote transparency and an understanding of the project and its potential environmental impacts (both positive and negative);
- To provide information used for decision-making;
- To provide a structure for liaison and communication with I&APs and key stakeholders;
- To ensure inclusivity whereby the needs, interests and values of I&APs are considered in the decision-making process;
- To focus on issues relevant to the project, and issues considered important by I&APs and key stakeholders; and
- To provide responses to I&AP queries.

The public participation process must adhere to the requirements of Regulations 40 and 44 (GNR 326) under the NEMA (as amended).

A number of key activities have taken place and will continue to occur through the BA process. These include the following:

- Identification of key stakeholder from the different levels of government, non-government organisations (NGO), the various community wards and individual land owners;
- The development of a database capturing details of stakeholders;
- The engagement of public leaders whom the general public rely on for information;
- The fielding of queries from I&APs and providing of appropriate information;
- The convening of stakeholder and I&AP forums when required;

- The documentation of all I&AP interactions and incorporating into the PPP and BA process providing the relevant decision makers sufficient information to consider;
- The PPP allows for information to be disseminated to all I&APs via background information documents and other such information packs; and
- Site visits can be arranged when required.

At Gedezar Consulting conducted the Public Participation Process (PPP) for the Construction of Culvert on Road L1511.

Communities that surround the developments were invited to “inform and be informed” about developments in order to achieve the most positive impacts possible. It is also noted that engaging stakeholders even before developments are built can achieve the best impacts. It is for this reason that the PPP that forms part of the BA becomes the basis of a long-term stakeholder engagement process.

1.2 Purpose of the Report

The principal purpose of this Public Participation Summary Report is to:

- Summarise the public participation processes undertaken for the BA Process;
- Highlight what has been done to date;
- Synthesise the issues and concerns identified by I&APs and various stakeholders during the public participation process; and
- Synthesise comments on the proposed development

1.3 Terms of Reference for Public Participation

One of the main aims of the public participation process is to serve as a structure for communication and consultation with I&APs. An outline of the communication efforts that was launched as part of this process are listed below. It should, however, be noted that this plan was adapted throughout the process to ensure successful communication and consultation by the public participation consultants to all I&APs. The project team recognises successful communication as a relevant, timely, and continuous tool that enables the targeted project team, individual and groups of I&APs.

The terms of reference for the implementation of a successful and robust public participation programme, were as follows:

- Identification of I&APs in the vicinity of the study area;
- Provision to all I&APs of an opportunity to comment or raise concerns regarding the project;
- Maintenance of procedures for communication with I&APs and receiving, documenting and responding to relevant communication from I&APs;
- Identification and elimination of any sources of misunderstandings between the Applicant, Consultants and the I&APs;
- Always aim to improve the communication between the Consultants, the Applicant and I&APs;
- Present the project in an objective way by supplying all appropriate, relevant and accurate information and facts in an unbiased manner to ensure a better understanding of the proposed project; and
- Ensure that the public participation process is an independent and transparent process.

1.4 Public Participation Summary

The Public Participation Process commenced in November 2020. During this time comment forms and Background Information Document (BID) flyers were distributed to neighbouring properties as well as to other I&APs by hand and electronically. I&APs were introduced to the project and encouraged to register on the database.

An advertisement was placed in the Ladysmith Gazette newspaper on the **13th May 2021** followed by a mandatory 30-day comment period which was open for the I&APs to raise their issues and concerns regarding the proposed activity.

A Consultation Basic Assessment Report (cBAR) was compiled and distributed to the relevant authorities and to the public for review, for a 30-day comment period in which I&APs had the opportunity to raise any further issues and concerns, until the finalisation of the document for submission to the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (KZN EDTEA).

Activity	Description	Reference
Newspaper advertisement	Ladysmith Gazette newspaper on the 13 th May 2021.	Appendix E2
Public Meetings/Focus Group Meeting	A focus group meeting was held on the 2 nd November 2020. Minutes of the meeting and registers are available.	Appendix E3.3 & 3.4
Issues Trail / Comments and Response Report	Comments, issues of concern and suggestions received from stakeholders thus far have been captured in a Comment and Response Report.	Appendix E4
Competent Authority Engagement	KZN EDTEA engagement and Reference number obtained.	Appendix E4.1
Stakeholders Notification	Stakeholders were introduced to the project and encouraged to register on the database. Flyers were distributed by hand and electronically	Appendix E5
Identify stakeholders	Stakeholders were identified and a database of all I&APs was compiled.	Appendix E6
Erection of site notices	Site notices were erected on the project alignment and at central points of assembly.	Appendix E7
Distribution of a BID	BID for the proposed project was compiled in English and isiZulu and distributed to key stakeholders by hand on 2 nd November 2020 and electronically on 10 th February 2021.	Appendix E8
Email Reminder of Commenting Period for cBAR	Stakeholders were sent email reminder of the commenting period ending date.	N/A
Release of final Reports	The final Basic Assessment Report is the product of all comments and studies, before being submitted to KZN EDTEA for review and decision-making.	N/A

1.5 Identification of I&APS

The first step in the PP Process entailed the identification of key I&APs and Stakeholders, including:

- Local and provincial government;
- Affected and neighbouring landowners;
- Environmental Non-Governmental Organisations; and
- Community Based Organisations.

An I&AP Database has been compiled which has been maintained and updated throughout the duration of the BA process. The I&AP Database is attached to the fBAR as an **Appendix E6**.

2 SITE NOTIFICATION

The NEMA EIA Regulations (2014) require that a site notice be fixed at a place conspicuous to the public at the boundary or on the fence of the site where the activity to which the application relates is to be undertaken and on any alternative sites. The purpose of this is to notify the public of the project and to invite the public to register as stakeholders and inform them of the PP Process. At Gedezar Consulting erected site notices at various noticeable locations around the perimeter of the site and at strategic locations on or near the proposed road servitude.

2.1 Site Notice

ISAZISO SOKUFAKWA KWESICELO SEMVUME

UHLELO OLUHLONGOZWAYO ELOKWAKHIWA KOMGWAQO KANYE NE BHULOHO EMGWAQENI U L1511, NGAPHANSI KUKA MASIPALA UKHAHLAMBA KUMKHANDLU UTHUKELA KUSIFUNDAZWE SA KWA-ZULU NATAL.

Lesisaziso sikhishwa ngaphansi komthetho wohlelo lokuvikelwa kweZemvelo owagunyazwa kumthetho ka Hulumeni owaziwa ngokuthi unombolo GNR 982 ka 2014, ngokwenxenye ka 24 (5) okungumthetho kaZwelonke wokuphathwa kwezemvelo ngokomthetho kanombolo 107 ka 1996. Loluhelelo oluhlongozwa uMnyango wezoku-Thutha KwaZulu-Natal, lokuthuthukisa umgwaqo ngokwakha ibhuloho kwisigodi sase Ngoba ngaphansi kuka Masipala wendawo Ukhahlamba kumkhandlu uThukela esifundazwe saKwaZulu Natali.

Ngenxa yohlelo olungenhla uMnyango wezoku-Thutha KwaZulu-Natal, okungabahlongozi balentuthuko, benze uwaningo-mbiko abahlose ukulufaka njengesicelo semvume kumnyango wakwaZulu-Natal ophathelene neZomnotho neNtuthuko, nezokuVakasha kanye noKonglwa kweZemvelo (KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA)) njengokuqokethwe emthethweni wokonglwa kwemvelo.

UKUBUKEZWA KOCWANINGO-MBIKO OLWENZIWE

Le misebenzi esohlwini elandelayo eyafakelwa isicelo:

- Isaziso Sohlu 1 – GNR 327 2014: 19
- Isaziso Sohlu 3 – GNR 324 2014: 14

Njengengxenywe yokubandakanywa komphakathi, nawe uyacelwa ukuba uthathe iqhaza ngokuyohloa lombiko-cwaningo bese uphawula ngalo. Lombiko wocwaningo uzotholakala kulezindawo ezilandelayo:

- Iwikhansela lendawo uCllr Mthokozisi Msimang
- eNkatolo ye Nkosi Hlongwane

UNGAXHUMANA NOBANI?

Abakwa At Gedezar Consulting, njengabacwaningi abazimele baqokelwe ukwenza uphenyo ngocwaningo oludingakalayo ngaloluhelelo oluhlongozwayo. Abathanda ukuzibandakanya ngokwentshisakalo nangokuthinteka kuloluhelelo oluhlongozwayo bayacelwa ukuba bazibhalise ngokuthumela imininingwane yabo (igama, isibongo, izinombolo otholakala kuzo kanye nekheli) nentshisakalo yabo kubacwaningi kungakafiki umhla 30 February 2020, xhumana no:

NK. NONJABULO DLADLA

At Gedezar Consulting
31 Macleary Road, Northern Park
Pietermaritzburg, 3201
Direct: 033 342 0577
Fax: 086 723 4520

E-mail: nonjabulodl@gedezar.co.za



3 BACKGROUND INFORMATION DOCUMENT

A briefing paper or BID for the project was compiled. The aim of this document is to provide a brief outline of the application and the nature of the development. It is also aimed at providing preliminary details regarding the BA process, and explains how I&APs could become involved in the project. The briefing paper was distributed to all identified I&APs and stakeholders, together with a registration/comment sheet inviting I&APs to submit details of any issues, concerns or inputs they might have with regards to the project.

3.1 BACKGROUND INFORMATION DOCUMENT

BASIC ASSESSMENT PROCESS	
FOR THE PROPOSED CONSTRUCTION OF CULVERT STRUCTURE ON THE ROAD L1511 PROJECT IN OKHAHLAMBA LOCAL MUNICIPALITY WITHIN UTHUKELA DISTRICT MUNICIPALITY	
	BACKGROUND INFORMATION DOCUMENT February 2021
WHAT DOES THIS DOCUMENT TELL YOU?	
<p>This document aims to provide you, as an Interested and Affected Party (I&AP), with background information regarding the proposed project for the construction of culvert structure on the road L1511. The proposed project is undertaken by the Province of KwaZulu-Natal Department of Transport.</p> <p>This document will provide information regarding the Basic Assessment (BA) process to be undertaken for the proposed project. Furthermore, the document advises how you can become involved in the project, receive information and/or raise issues, which may concern and/or be of interest to you. The sharing of information forms the basis of the public participation process and offers you the opportunity to become actively involved in the project from the outset. Public participation plays an important role in the undertaking of a BA as input from I&APs ensures that all potential issues are considered within the study.</p>	
WHAT DOES THE PROJECT ENTAIL?	
<p>The Province of KwaZulu-Natal Department of Transport has proposed the construction of a double celled box 2.4m x 2.4m culvert structure on the road L1511 in Okhahlamba Local Municipality under uThukela District Municipality. There is currently no existing river crossing on the proposed location, the previous culvert structure was washed away during floods.</p> <p>Project area: L1511 road is located in Ngoba area which is approximately 26,0 km from Bergville via R616, the coordinates for the structure location are 28°51'57.30"S and 29°16'48.00"E. The gravel road L1511 is about 5.0m wide along the length of the structure. The proposed river crossing structure for L1511 will better connect communities and also provide access to different services and markets for local community members.</p> <p>The proposed project will consist of construction of: L1511 Culvert</p> <p>The proposed infrastructure will consist of the following dimensions: L1511 double celled 30m x 2.5m box culvert.</p>	
WHAT ARE THE POTENTIAL ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT?	
<p>During the assessment process specialist and desk-top studies combined with a site visit will identify potential issues which require further investigation within the Basic Assessment Report.</p>	

Specialist studies which have been identified and will be conducted include:

- Ecological Impact Assessment;
- Wetland Delineation; and Functionality
- Heritage Impact Assessment

Input from the public through the public participation process provides valuable input in the identification of issues requiring investigation within this BA process. The study will highlight areas that should be avoided in order to minimise potential impacts, and evaluate the project alternatives.

The Basic Assessment will aim to achieve the following:

- to provide an overall assessment of the social and biophysical environment of the affected area by the proposed construction of the project;
- to undertake a detailed assessment of the project in terms of environmental criteria including the rating and significance of impacts;
- to identify and recommend appropriate mitigation measures for significant environmental impacts; and
- to undertake a fully inclusive public participation process to ensure that I&AP issues and concerns are recorded and commented on.

WHY ARE ENVIRONMENTAL STUDIES NEEDED?

In terms of the Environmental Impact Assessment (EIA) Regulations Government Notice Regulation (GNR) No. 326 of 2014, published in terms of Section 24(5), and read with Section 44, of the National Environmental Management Act (NEMA) (Act No. 107 of 1998), the KwaZulu Natal Department of Transport will require environmental authorisation (EA) from the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (KZN EDTEA) for undertaking the proposed project as it includes activities listed under Government Notice Regulation (GNR) No.327 and Government Notice Regulation (GNR) No. 324 of the NEMA EIA.

The following activities of GNR 327 are being applied for the EIA:

Government Notice Regulation (GNR) No. 327 of 2017 Activity 19; The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.

Government Notice Regulation (GNR) No. 324 of 2017 Activity 14 In KwaZulu-Natal [d] the development of [x] buildings exceeding 10 square metres in size, in [aa] areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.

Province of KwaZulu-Natal Department of Transport has appointed At Gedezar Consulting as independent Environmental Assessment Practitioner (EAP) to undertake the required environmental studies. As part of these environmental studies, all Interested and Affected Parties (I&APs) will be actively involved through a public participation process (PPP).

PUBLIC PARTICIPATION PROCESS

It is important that relevant I&APs are identified and involved in the public participation process from the onset of the project. To ensure effective public participation, the process includes the following steps:

STEP 1: Advertise the BA Process (local newspaper)

STEP 2: Register I&APs and key stakeholders on the database (on-going)

STEP 3: Consultation with, and transfer of information to, I&APs through consultation and stakeholder engagement

STEP 4: Invite I&AP comment and input on the draft BA report (30-day comment period)

STEP 5: Record all comments, issues and concerns raised by I&APs within an issues trail, which will form an integral part of BA Reports

HOW CAN YOU GET INVOLVED?

1. By responding (by phone, fax or e-mail) to our invitation for your involvement in the process;
2. By completing the attached comment form and mailing or faxing it to At Gedezar Consulting;
3. In writing contacting consultants if you have a query, comment or require further project information; and
4. By reviewing and commenting on the draft BA Report within the allowed 30-day review period.

COMMENTS AND QUERIES

If you consider yourself an I&AP for this proposed project, we urge you to make use of the opportunities created by the public participation process to become involved in the process and provide comment, or raise those issues and concerns which affect and/or interest you, or about which you would like more information. Your input into this process forms a key part of the environmental studies and we would like to hear from you to obtain your views on the proposed project.

By completing and submitting the accompanying response form, you automatically register yourself as an I&AP for this project, and ensure that your comments, concerns or queries raised regarding the project will be noted.

Interested I&AP's are invited to register by submitting their name, contact information and interest in the project to the Environmental and Public Participation consultant before the 30th March 2021.

At Gedezar Consulting
31 Macleroy Road, Northern Park
Pietermaritzburg, 3201
Direct | 033 342 0677
Fax | 086 723 4520
E-mail | Nonjabulodl@gedezar.co.za



BASIC ASSESSMENT PROCESS

**FOR THE PROPOSED CONSTRUCTION OF CULVERT STRUCTURE ON THE ROAD L1511
PROJECT IN OKHAHLAMBA LOCAL MUNICIPALITY WITHIN UTHUKELA DISTRICT MUNICIPALITY**

BACKGROUND INFORMATION DOCUMENT

February 2021

YOUR COMMENTS AND QUERIES ARE WELCOME

Please complete this Comment Form in full before 30 March 2021, and return to:

Ms. Nonjabulo Dladla
 31 Maderoy Road, Pietermaritzburg, 3201
 E-mail: NonjabuloD@gedstar.co.za Phone: 033 342 0677
 Fax: 086 723 4520

TITLE (Prof/Mr/Ms)		FIRST NAME	
SURNAME			
CAPACITY (e.g. Secretary/Director)			
ORGANISATION			
POSTAL ADDRESS		POSTAL CODE	
TEL. NO.: ()		CELL NO.:	
FAX NO.: ()		E-MAIL ADDRESS:	

What comments / concerns would you like to raise regarding this proposed project? (Please use additional pages, if required)

PLEASE REGISTER THE FOLLOWING PERSON(S) ON THE PROJECT DATABASE:

Name:	Organisation:
Contact details:	
Address:	
Tel.:	Fax:
Cell:	
E-mail:	

IF YOU WOULD NOT LIKE TO RECEIVE ANY FURTHER INFORMATION REGARDING THIS PROPOSED PROJECT AND WOULD PREFER TO BE REMOVED FROM THE PROJECT DATABASE, PLEASE TICK THE BOX BELOW AND RETURN THE FORM TO THE PUBLIC PARTICIPATION CONSULTANTS WHO'S CONTACT DETAILS ARE PROVIDED ABOVE.

YES, please remove me from the project database	SIGNATURE:
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5

4 ADVERTISEMENT

In compliance with the EIA Regulations (2014), notification of the commencement of the BA process for the project was advertised in a local newspaper, Ladysmith Gazette on the **13th May 2021**. I&APs were requested to register their interest in the project and become involved in the BA process. The primary aim of this advertisement was to ensure that the widest group of I&APs possible was informed and invited to provide input and questions and comments on the project. I&APs were also notified of the availability of the Consultation Basic Assessment Report for public review.

4.1 Advertisement

ISAZISO SOKUFAKWA KWESICELO SEMVUME:
UHLELO OLUHLONGOZWAYO LOKWAKHIWA KWAMA BHULOHO NGAPHANSI KUKA MASIPALA OKHAHLAMBA,
ESIFUNDAZWENI SA KWA-ZULU NATAL:

<p>REFERENCE NO YA L1511 CALVERT NEAS REF NO: KZN/EIA/001566/2021 EDTEA REF NO: DC23004/2021</p>	<p>REFERENCE NO YA L2013 CALVERT NEAS REF NO: KZN/EIA/0015627/2021 EDTEA REF NO YA L2013: DC23/005/2021</p>
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Lesi yisaziso esikhishwe ngokwemibandela yeMithethonqubo yomthelela wezemvelo (Environmental Impact Regulations) eshicilelwe eSazisweni sikaHulumeni GNR 326 ka 7 2014 ohambisana nomthetho KaZwelonke wokuphathwa kwemvelo ka 1998 (uMthetho 107 ka1998). Umnyango wezoku-Thutha wesifundazwe sa-KwaZulu-Natali (KZN Department of Transport) ufaka isicelo emnyangweni, woku Thuthukiswa koMnotho, ezoku-Vakasha kanye Nezemvelo, phecelezi (Department of Economic Development, Tourism and Environmental Affairs) (EDTEA).

UMSEBENZI OHLONGOZWAYO

Okuhlongozwa uMnyango wezoku-Thutha wesifundazwe saKwaZulu-Natali uhlelo lokwakhiwa kwama bhuloho emigwaqeni uL1511 kanye no L2013. Umgwaqo u L1511 use ndaweni yase Ngoba (Ward 3), Umgwaqo uL2013 usendaweni yase Hoffenthal (Ward 5). Ngaphansi kuka masipala Okhahlamba esifundazweni saKwaZulu Natali. Ukwakhiwa kwalamabhuloho kudinga imvumo kuMnyango waKwaZulu-Natal ophathelene nezokuthuthukiswa kweZomnotho neNtuthuko, nokuVakasha kanye nokongiwa kweZemvelo (KZN DEDETA).

Abakwa At Gedezar Consulting baqashwe njengoNgoti bezeMvelo abazimele ukuthi babhekane nocwaningo lwezemvelo. Njengengxenywe yokubandakanywa kwomphakathi, uyacelwa ukuba uthathe iqhaza ngokuyohlola lembiko-cwaningo bese uphawula ngayo. Lembiko wocwaningo uyatholakala kusukela ngomhlaka 13 May 2021 kuya kumhlaka 14 June 2021 kulezindawo ezilandelayo:

- eNKantolo yeNkosi (AmaNgwane Tribal Court)
- Ema hovisi ekhansela uMsimang ka ward 3 - uyothola Umbiko Cwaningo we bhuloho (Culvert) L1511
- Ema hovisi ekhansela uHlatshwayo ka ward 5 - uyothola Umbiko Cwaningo we bhuloho (Culvert) L2013

Abathanda ukuzibandakanya ngokwentshisakalo nabathintekayo kuloluhlelo luhlongozwayo bayacelwa ukuba bazibhalise ngokuthumela imininigwane yabo kanye nentshisakalo yabo kosesikhundleni sokuxhumana nomphakathi ungakafiki umhla 14 June 2021.

At Gedezar Consulting
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 Northern Park, Pietermaritzburg 3201
 Direct | 033 342 0677
 Fax | 086 723 4520
 E-mail | Nonjabulodl@gedezar.co.za



@Gedezar Consulting
Green is the Future!!!

5 PUBLIC REVIEW OF THE CBAR

The cBAR was made available for authority and public review for a total of 30 days from 13th May 2021 to 14th June 2021. The report was available at the following public locations within the study area, which were all readily accessible to I&APs:

- AmaNgwane Traditional Authority
- Ward Councillor Offices

6 COMMENTS AND RESPONSES TRAIL

Issues and concerns raised during the PPP have been compiled into an Issues Trail presented in a Comment and Responses Report. The Issues Trail to date has been attached as **Appendix E4**, in which all comments received and responses provided have been captured. This report includes correspondence received from I&APs to date.

6.1 Comments and Responses Trail

Please Refer to **Appendix E4** of the fBAR.

7 ENGAGEMENTS

OWNERS AND OCCUPIERS OF LAND ADJACENT TO THE SITE	
Ingonyama Trust Board	
LOCAL AUTHORITY	
Mr Sboniso Khumalo	oKhahlamba Local Municipality
Ms Cindy Coetzee	uThukela District Municipality
PROVINCIAL AUTHORITY	
Mrs Bernadet Pawandiwa	Amafa KwaZulu-Natal
Ms Onwabile Ndzumo Ms Nozipho Mthembu	KwaZulu-Natal Department of Economic Development Tourism and Environmental Affairs [uThukela]
Ms Judy Reddy	Department of Transport
Nerrisha Pillay	Ezemvelo KZN Wildlife
Mr Sboniso Khumalo	Okhahlamba Local Municipality
Ms Cindy Coetzee	uThukela District Municipality
STATE DEPARTMENTS	
Mrs Jabulile Mngoma Madibe	National Department of Water and Sanitation

8 ENVIRONMENTAL AUTHORISATION

On receipt of environmental authorisation (positive or negative) for the project, I&APs registered on the project database will be informed of this authorisation and its associated terms and conditions by correspondence and advertisement.