# EXTERNAL REVIEW FINAL SCOPING REPORT

# BOTSWANA SOUTH AFRICA (BOSA) TRANSMISSION PROJECT

# August 2017

Prepared by



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NORTH-WEST UNIVERSITY YUNIBESITI YA BOKONE-BOPHIRIMA NOORDWES-UNIVERSITEIT POTCHEFSTROOMKAMPUS

## **EXECUTIVE SUMMARY**

Global Green Environmental Consultants in association with the Environmental Assessment Research Group (EARG) from the North West University (Potchefstroom campus) was appointed by Aurecon, in accordance with GNR 982, Regulation 13(2), to conduct an external review of the Final Scoping Report for the Botswana South Africa (BOSA) Transmission Project. The review was conducted by two reviewers according to the NWU Report Quality Review Package, adapted to also include DBSA and IFC Standards. The review concludes as follows:

- The Final Scoping Report contains sufficient information to inform decision making by the competent environmental authority and complies with minimum legal requirements in terms of the 2014 NEMA EIA Regulations, GNR 982 (in particular Regulation 21 and Appendix 2).
- The Final Scoping Report successfully incorporated DBSA and IFC standard requirements. Review of compliance with these standards can only be concluded at the end of the EIA process.
- The Final Scoping Report complies with the legal requirements for public participation and stakeholder engagement, prescribed in the 2014 NEMA EIA Regulations, GNR 982 (in particular Chapter 6),
- The Final Scoping Report has successfully incorporated and addressed the main recommendations and issues raised in the External Review Report for the Draft Scoping Report (DSR), dated July 2017.

If there are any uncertainties or additional information required please feel free to contact the undersigned.

Prof Francois Retief

Lead Reviewer 10-08-2017

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	DOCUMENT CONTROL											
Project	BOSA Transmission Project – External Review											
GG reference ID	GGR-10/08/2017	Client	Aurecon									
Lead reviewer	Prof F P Retief	Client Contact	Diane Erasmus									
			Tel: 083 3086750									
2 <sup>nd</sup> Reviewer	Me C Cilliers	Documents Reviewed	Final Scoping Report and related Annexures									
Date of the Review	7-10 August 2017	Reviewed against	NEMA, EIA Regulations 2014 and relevant Guidelines, DBSA Safeguard Standards, IFC Performance Standards									

#### 1. INTRODUCTION AND BRIEF

Global Green Environmental Consultants was appointed by Aurecon as external reviewer for the Botswana South Africa (BOSA) Transmission Project, in accordance with GNR 982, Regulation 13(2), which states that:

"In the event where the EAP or specialist does not comply with subregulation (1)(a), the proponent or applicant must prior to conducting public participation as contemplated in chapter 5 of these Regulations, appoint another EAP or specialist to externally review all work undertaken by the EAP or specialist at the applicant's cost."

The external review was conducted in collaboration with the Environmental Assessment Research Group (EARG) of the North West University (NWU). In this regard we confirm that Global Green and NWU act independently and has no vested interest in the development project under review. External review and specifically report quality review is a particular focus of Global Green and the EARG. Various review reports as well as peer reviewed papers have been published which include comparative report quality reviews between different EIA regimes (Kidd and Retief, 2009; Retief et al, 2011; Sandham et al, 2012); report quality within specific provinces in South Africa (Sandham et al, 2005; Sandham and Pretorius, 2008); quality related to specific industries such as mining (Sandham et al, 2008a), as well as report quality related to specific sectors such as water management (Sandham et al 2008b), biodiversity and conservation (Hallat et al, 2015), biological control (Sandham et al, 2010), manufacturing (Sandham et al, 2013), etc.

As an introduction to the review this section briefly introduces the agreed scope of work as well as the individual reviewers, namely Prof Francois Retief and Me Charlotte Cilliers.

### 1.1 SCOPE OF WORK – REVIEW OF FINAL SCOPING REPORT

The overall scope of work as specified in the signed sub-consultancy agreement dated 21<sup>st</sup> February 2017 which includes the following seven deliverables. This particular report relates to the review of the Final Scoping Report, stakeholder engagement and compliance with IFC standards, and therefore deliverables 2, 5 and 6.

#### External review deliverables:

- The peer review shall ascertain whether or not the draft version of the Scoping Report contains sufficient information to inform decision making by the competent environmental authority, and the Peer Review Report shall specify the nature of any information gaps (if any).
- 2. The peer review shall ascertain whether or not the draft version of the Final Scoping Report meets the minimum legal requirements for a Scoping Report in terms of the 2014 NEMA EIA Regulations (refer to Regulation 21), and the Peer Review Report shall specify the nature of any minimum requirement that has not been complied with (if any).
- 3. The peer review shall ascertain whether or not the draft versions of the Final Environmental Impact Report (EIR) and Environmental Management Programme (ESMP) meet the minimum legal requirements for an EIR and ESMP in terms of the 2014 NEMA EIA Regulations (refer to Regulations 23), and the Peer Review Report shall specify the nature of any minimum requirement that has not been complied with (if any).
- 4. The peer review shall ascertain whether or not the draft versions of the EIA and ESMP contain sufficient information to inform decision making by the competent environmental authority, and the Peer Review Report shall specify the nature of any information gaps (if any).
- 5. The peer review shall ascertain whether or not the Stakeholder Engagement followed during the environmental impact assessment process were adequate in terms of the 2014 NEMA EIA Regulations (Refer to Chapter 6 of the Regulations) and the IFC Performance Standards, specifically whether issues raised have received adequate attention, and where necessary have been adequately addressed.
- 6. The peer review shall also ascertain at a high level, whether or not the Scoping Report, EIR and EMP comply with IFC Performance Standards, as based on the Equator Principles.
- 7. Aquatic aspects will be addressed in such a manner so that the Water Use Licence Applications requirements would be addressed should these be required.

### 1.2 REVIEWERS

The following two reviewers took part in the external review for the BOSA Transmission Project (see Annexure A for CV summaries):

- Prof Francois Retief Global Green and NWU
- Me Charlotte Cilliers Global Green

### 2. EXTERNAL REVIEW METHODOLOGY

Various international packages and guidelines have been developed for EIA report quality review. The Lee-Colley package (Lee and Colley, 1992) is probably the most well-known and widely applied. In terms of South Africa, extensive progress has been made to adapt international report review packages to the local context (see for example Retief 2007; Sandham and Pretorius 2008; Sandham et al, 2012). The review package used for this review is the so-called 'NWU Report Quality Review Package' adapted from the Lee-Colley package and continually updated as policy and legislation changes. The most recent version of the package has been adapted to the 2014 EIA Regulations and subsequent 2017 amendments. However, for the purpose of this review the package was also adapted to include DBSA and IFC standards as per the scope of work described in section 1.1. The 'NWU Report Quality Review Package' has been successfully applied to EIA quality review – the results of which have been published in various reports and peer reviewed academic journals as highlighted in section 1.

The review criteria included under section 3.2 and summarised in Table 3.2 deal specifically with the requirements for Scoping as per deliverables 1, 2, 5 and 6. We therefore did not include the content of the entire review package at this stage of the review process.

### 2.1. CONTENT OF THE REVIEW PACKAGE

The NWU Report Quality Review Package is intended for use by competent authorities, developers and consultancies, statutory consultees and non-governmental organisations and researchers involved in environmental assessment. It is designed as a self-contained package with the following components:

- a list of criteria (called Review Areas and Categories) to be used in each report review;
- an evaluation sheet/table on which to record the findings from applying the criteria.

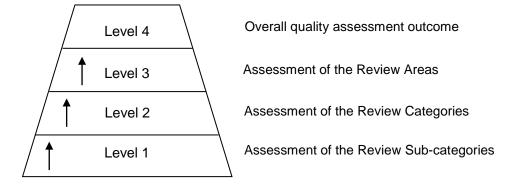
It was decided that the criteria should, as far as possible, satisfy the following requirements:

- each should be well defined and unambiguous;
- each should be capable of reasonably consistent and objective application;
- each should serve a distinct purpose different from the purposes of other criteria;
- each should be considered sufficiently important to merit influencing the ultimate assessment of report quality;

 the number of criteria should be as few as possible, consistent with covering all topics identified as essential (judged, in this instance, by reference to the South African legislative minimum requirements and DBSA / IFC standards);

To facilitate their use, the criteria are arranged in a hierarchical (or pyramidal) structure. The reviewer commences the review at the lowest level, i.e. the base of the pyramid, which contains simple criteria relating to specific tasks and procedures. Then, drawing upon these assessments, he/she progressively moves upwards from one level to another in the pyramid applying more complex criteria to broader tasks and procedures in the process until the overall assessment of has been completed (see Figure 2.1).

Figure 2.1. The review pyramid (environmental assessment reports)



#### 2.2 APPLYING THE REVIEW PACKAGE

EIA reports should be reviewed independently by at least two persons and any significant differences in the review results should be systematically examined by them to see whether they can be resolved. As already indicated in section 1.2, two reviewers took part in this particular review. The evaluation resulting from applying each criterion is recorded by the reviewers on the evaluation table using a standard list of assessment symbols as described in Table 2.1. 'Letters' rather than 'numbers' are used as symbols to discourage reviewers from crude aggregation to obtain assessments at the higher levels in the pyramid. The evaluation table should not only be used to record the chosen assessment symbols, but also to record, in a brief summary, the principal justification for the evaluation score. This discourages 'over-mechanical' reviews.

The current version of NWU Report Quality Review Package has been extensively tested, particularly at the higher levels in the assessment pyramid (see for example Sandham and Pretorius 2008; Sandham et al, 2008a, 2008b, 2010, 2012). The results show a substantial level of

agreement in the assessments made by different reviewers of the same report. Subsequent experience in using the Review Package has supported earlier conclusions on its consistency.

Symbol	Explanation
A	Relevant tasks well performed, no important tasks left incomplete.
В	Generally satisfactory and complete, only minor omissions and inadequacies.
С	Can be considered just satisfactory despite omissions and/or inadequacies.
D	Parts are well attempted but must, as a whole, be considered just unsatisfactory because of omissions or inadequacies.
E	Not satisfactory, significant omissions or inadequacies.
F	Very unsatisfactory, important task(s) poorly done or not attempted.
NA	Not applicable. The Review Topic is not applicable or it is irrelevant in the context of this Statement.

 Table 2.1. List of evaluation symbols

The final scoping report was evaluated against review areas and categories derived from GNR 982 and specifically Regulation 21 and Appendix 2, which describes the purpose and content requirements for scoping reports. In line with the scope of work DBSA and IFC standards were also included as well as any relevant guideline documents. The ultimate aim of the review was to determine to what extent the reports provide sufficient information for decision making and if the reports comply with minimum legal requirements.

### 3. REVIEW RESULTS

This section deals with results of the external review for the Final Scoping Report. In line with the methodology described in the previous section the results are presented as 'main results' in relation to the different Review Areas (section 3.1) and 'detailed results' in terms of the different Review Categories (section 3.2).

#### 3.1 MAIN RESULTS

Table 3.1 provides a summary of the main review results. Measured against the designed review categories it is concluded *that relevant tasks are well performed, with no important tasks left incomplete (grade A).* 

	SUMMARY OF REVIEW AREAS	Α	В	С	D	Е	F
1	Description of the activity and decision making context	Х					
2	Motivation of need and desirability	Х					
3	Key issues and impacts identified	Х					
4	Public participation and stakeholder engagement	Х					
5	Plan of Study for EIA	Х					
FINAL	_ GRADE	х					

Table 3.1: Summary of main review results for the DSR

### 3.2 DETAILED REVIEW RESULTS

This section presents the detailed review results per Review Area and Review Category. Table 3.2 summarises the results and provide brief justification for the review scores. The results reflect the combined views of the two reviewers.

		Evaluation Symbols							
Reference	Review Areas and Categories	Α	В	С	D	E	F	N/A	Review Comments and Justification
	Review Area 1: Description of the activity and decision making context								
GNR 982 Appendix 2(1)(a)	1.1 Was the relevant policies and legislation relevant to the activity identified?	Х							The strategic context in terms of energy is well covered especially in the attached Inception Report – Annexure H.
GNR 982 Appendix 2(1)(c)	1.2 Was the preferred activity and technology alternative identified and confirmed through an impact and risk assessment and ranking process?	Х							The DSR clearly explains the preferred activity and corridor alternative – see Annexure F and H.
GNR 982 Appendix 2(1)(d)	1.3 Has the preferred site been identified and confirmed, through a detailed site selection process, which includes an impact and risk assessment process inclusive of cumulative impacts and a ranking process of all the identified alternatives focusing on the geographical, physical, biological, social, economic, and cultural aspects of the environment?	X							See section 4 and Annexure F A high level analysis has been conducted which justifies the preferred corridor. Cumulative impacts have not been explicitly addressed as part of the corridor selection process, although cumulative thinking is reflected in the analysis.
GNR 982 Reg 8(a)	1.4 Were the details of the applicant and consulting team provided?	Х							See section 1.2.1 and 1.2.3
GNR 982 Appendix 2(2)(a)(i)(ii)	1.5 Were the details of the EAP who prepared the report; and the expertise of the EAP, including a curriculum vitae included?	Х							See Annexure A
GNR 982 Appendix 2(2)(b)(i)(ii) (iii)	1.6 Was the location of the activity, including the 21 digit Surveyor General code of each cadastral land parcel included, and where available, the physical address and farm name?	X							See section 4.1 and Annexure D
GNR 982 Appendix 2(2)(c)(i)(ii)	1.7 Was a plan included which locates the proposed activity or activities applied for at an appropriate scale, or, if it is a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or on land where the property has not been defined, the coordinates within which the activity is to be undertaken?	X							See section 4.1 and Annexure D
GNR 982 Appendix 2(2)(d)	1.8 Was a description of the scope of the proposed activity provided, including a description of all listed and specified activities triggered; and/or a description of the activities to be undertaken, including associated structures and infrastructure?	X							See sections 2.3.3 and 4.2 and 4.3 It was agreed at the pre-application meeting that Activity 12 of GNR 983 be added as a listed activity – which was done as part of the DSR. In terms of associated structures and infrastructure it is assumed that the development of the Watershed B substation will require a separate environmental authorisation. Ideally the substation authorisation should have been included in the application for the transmission line.

## **Table 3.2:** Detailed review results for the Final Scoping Report

GNR 982 Appendix 2(2)(e)	1.9 Was a description of the policy and legislative context within which the development is proposed been provided, including an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks and instruments that are applicable to this activity and are to be considered in the assessment process?	X				The legislative framework is well described in section 2.3 – also in relation to the DBSA and IFC standards.
GNR 982 Appendix 2(2)(j)(i)(ii)( iii)	1.10 Was an undertaking under oath or affirmation by the EAP provided in relation to the correctness of the information in the report; the inclusion of comments and inputs from stakeholders and interested and affected parties; and any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested or affected parties included?	Х				See Annexure B
GNR 982 Appendix 2(2)(k)	1.11 Was an undertaking under oath or affirmation by the EAP in relation to the level of agreement between the EAP and interested and affected parties on the plan of study for undertaking the environmental impact assessment included?	X				See Annexure B
GNR 982 Appendix 2(1)(b)&(f)	<ul> <li>Review Area 2: Motivation of need and desirability</li> <li>2.1 Was the need and desirability of the proposed activity motivated, including the need and desirability of the activity in the context of the preferred location?</li> </ul>	X				The Final Inception Report included in Annexure H provides a detailed justification (i.e need) for the proposed project from an energy planning perspective. The development planning context has also been included in terms of local IDPs and SDFs.
DEA 2017 ISBN: 978- 0-9802694- 4-4	2.2 Has the timing of the development been motivated?	X				The justification for the project in terms of energy planning over time in the region is well motivated in the Final Inception Report included as Annexure H. However, Section 1.3 of the Scoping Report acknowledges the limitation in terms of dealing with climate change in the impact assessment up to this point in the process. Therefore provision is made to deal with climate change as a specific specialist study in the plan of study for EIA.
DEA 2017 ISBN: 978- 0-9802694- 4-4	2.3 Has the location for the activity been motivated?	Х			<u> </u>	The rational and outcome of the evaluation of the different corridor alternatives is well described in Annexure F. Further consideration of location will be included in more detail the Assessment Phase, as also requested through the public participation process.

GNR 982 Appendix	<ul><li>Review Area 3: Key issues and impacts identified</li><li>3.1 Have the key issues to be addressed in the assessment phase been identified?</li></ul>	Х				All key issues are identified and described in the PoS for EIA – see sections 6 and 8.
2(1)(e) GNR 982 Appendix 2(1)(g)	3.2 Have suitable measures to avoid, manage or mitigate identified impacts been identified and the extent of the residual risks that need to be managed and monitored been determined?				NA	The MCDM process used to identify the preferred corridor did apply avoidance as a particular consideration – see Annexure F. However, suitable measures for mitigation etc. will only be dealt with as part of the EIA phase – as discussed during the pre-application
						meeting. See review categories 3.7 below. The latter recommendation is in line with international best practice understanding of scoping.
GNR 982 Appendix 2(2)(h)(iv)	3.3 Was a description provided of the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects?	×				The MCDM process / methodology relied on various specialist inputs related to geographical, physical, biological, social, economic, heritage and cultural aspects. Moreover, the specialist studies included under Annexure G covers a range of high level descriptive specialist inputs related to the preferred corridor. The different specialist studies did not seem to have worked from the same project description and corridor alignment – see for example the Heritage Specialist Study. This need to be acknowledged and dealt with in the final Scoping Report.
GNR 982 Appendix 2(2)(h)(v)	3.4 Was a description provided of the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts- can be reversed; may cause irreplaceable loss of resources; and can be avoided, managed or mitigated?				NA	The applicability of this requirement was included for discussion in the agenda of the pre-application meeting with DEA dated 12-12-2016. It seems from the record of the pre-application meeting that DEA agreed with the approach proposed by Aurecon – to deal with the impacts as part of the Assessment Phase. The latter recommendation is also in line with international best practice understanding of scoping. However, aspects and impacts were identified at a high level in section 8.5.4 and Table 3.2 – which should guide a more detailed assessment in the next phase of the process.
GNR 982 Appendix 2(2)(h)(vi)	3.5 Was a description provided of the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives?	X				The MCDM process / methodology to identify the preferred corridor alternative is well described in Annexure F. The way 'significance' is dealt with under section 8.5 is in line with the terminology of Appendix 2 of GNR 982 and the general understanding of the term in the impact assessment literature.

GNR 982 Appendix 2(2)(h)(vii)	3.6 Was a description provided of positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects?				NA	The applicability of these requirements was included in the agenda of the pre-application meeting with DEA dated 12-12-2016. It seems from the record of the pre-application meeting that DEA agreed with the approach proposed by Aurecon which is to deal with this particular requirement as part of the EIA phase. The external review
GNR 982 Appendix 2(2)(h)(viii)	3.7 Was a description provided of the possible mitigation measures that could be applied and level of residual risk?				NA	would strongly supports this view.
GNR 982 Appendix 2(2)(h)(ix)	3.8 Was a description provided of the outcome of the site selection matrix?	Х				See Annexure F.
GNR 982 Appendix 2(2)(h)(x)	3.9 Was a motivation provided if no alternatives, including alternative locations for the activity, were investigated?				NA	Alternative locations / corridors for the development were extensively investigated – see Annexure F
GNR 982 Appendix 2(2)(h)(xi)	3.10 Was a concluding statement provided indicating the preferred alternatives, including preferred location of the activity?	X				See section 4.1 and Annexure F.
DBSA SS1	3.11 Have key issues in relation to environmental and social risks and impacts been identified?	Х				See section 2.3
DBSA SS2	3.12 Have key issues in relation to protection of biodiversity and sustainable management and use of natural resources been identified?	Х				See section 2.3
DBSA SS3	3.13 Have key issues in relation to involuntary resettlement as well as economic and/or physical displacement been identified?	Х				See section 2.3
DBSA SS4	3.14 Have key issues in relation to community engagement, especially with vulnerable communities, been identified?	X				See section 2.3
DBSA SS5	3.15 Have key issues in relation to the use of pesticides been identified?	Х				See section 2.3
DBSA SS6	3.16 Have key issues in relation to protection of heritage resources been identified?	Х				See section 2.3
IFC PS2	3.17 Have key issues in relation to labour and working conditions been identified?	X				See section 2.3
IFC PS3	3.18 Have key issues in relation to resource efficiency and pollution prevention been identified?	Х				See section 2.3
IFC PS4	3.18 Have key issues in community health, safety and security been identified?	Х				See section 2.3
			1			

	Review Area 4: Public participation and stakeholder		
GNR 982 Appendix 2(2)(h)(ii)	<ul> <li>4.1 Was a full description provided of the details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs?</li> </ul>	Х	See section 7 and Annexure E
GNR 982 Appendix 2(2)(h)(iii)	4.2 Was a summary provided of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them?	X	See Annexure E
	Review Area 5: Plan of Study for EIA		
GNR 982 Appendix 2(1)(f)	5.1 Has the level of assessment to be undertaken been agreed, including the methodology to be applied, the expertise required as well as the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site through the life of the activity, including the nature, significance, consequence, extent, duration and probability of the impacts to inform the location of the development footprint within the preferred site?	X	See section 8
GNR 982 Appendix 2(2)(i)(i)	5.2 Was a plan of study for undertaking the environmental impact assessment process to be undertaken been described, including a description of the alternatives to be considered and assessed within the preferred site, including the option of not proceeding with the activity?	X	See section 8.2
GNR 982 Appendix 2(2)(i)(ii)	5.3 Was a description of the aspects to be assessed as part of the EIA process been included?	X	See section 8.3 and 8.5.4 and Table 32
GNR 982 Appendix 2(2)(i)(iii)	5.4 Was aspects to be assessed by specialists been included?	X	See section 8.3
GNR 982 Appendix 2(2)(i)(iv)	5.5 Was a description of the proposed method of assessing the environmental aspects, including a description of the proposed method of assessing the environmental aspects including aspects to be assessed by specialists been included?	X	See section 8.5
GNR 982 Appendix 2(2)(i)(v)	5.6 Was a description of the proposed method of assessing duration and significance provided?	X	See section 8.5
GNR 982 Appendix 2(2)(i)(vi)	5.7 Was an indication provided of the stages at which the competent authority will be consulted?	X	See section 8.6
GNR 982 Appendix	5.8 Were particulars of the public participation process that will be conducted during the EIA process provided?	Х	See section 8.7

2(2)(i)(vii)						
GNR 982 Appendix 2(2)(i)(viii)	5.9 Was a description of the tasks that will be undertaken as part of the environmental impact assessment process provided?	X				See section 8.4
GNR 982 Appendix 2(2)(i)(ix)	<ul> <li>5.10 Were suitable measures to avoid, reverse, mitigate or manage identified impacts identified and the extent of the residual risks that need to be managed and monitored determined?</li> </ul>				NA	This will form part of the EIA phase – see Review categories 3.6 and 3.7 above.

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# ANNEXURE A: CV SUMMARIES OF REVIEWERS



environmental assessment.

the NWU Vice Chancellors Award for Community Service. Overall, Francois is acknowledged as a leading scholar and researcher in the field of

## CURRICULUM VITAE



Personal Details:

Name: Me Charlotte Cilliers Date of birth: 14 Oct 1987 Nationality: RSA Experience: 5 years

#### Position with Global Green:

Director

#### Highest Academic Qualification:

Masters in Environmental Management – *cum laude* 



#### Main Qualifications:

- 2016: Masters in Environmental Management, North West University, Potchefstroom campus *cum laude*
- 2012: BSc Town and Regional Planning, North West University, Potchefstroom campus

#### EXPERIENCE

Me Cilliers started her professional career as a town and regional planner. She has been working in the field of environmental assessment since joining Global Green in 2012. Under the supervision of Prof Retief, she completed her Masters in Environmental Management (*cum laude*) at the North West University (NWU) focussing on the capacity of local government to deliver on their environmental management mandate.

Over the past five years she has been involved in a wide range of impact assessments in the following sectors:

- Housing,
- Agriculture,
- Energy,
- Bulk services infrastructure,
- Waste management,
- Tourism.

She has also been involved in EIA external review projects and therefore is experienced in EIA evaluation and review methodologies.