

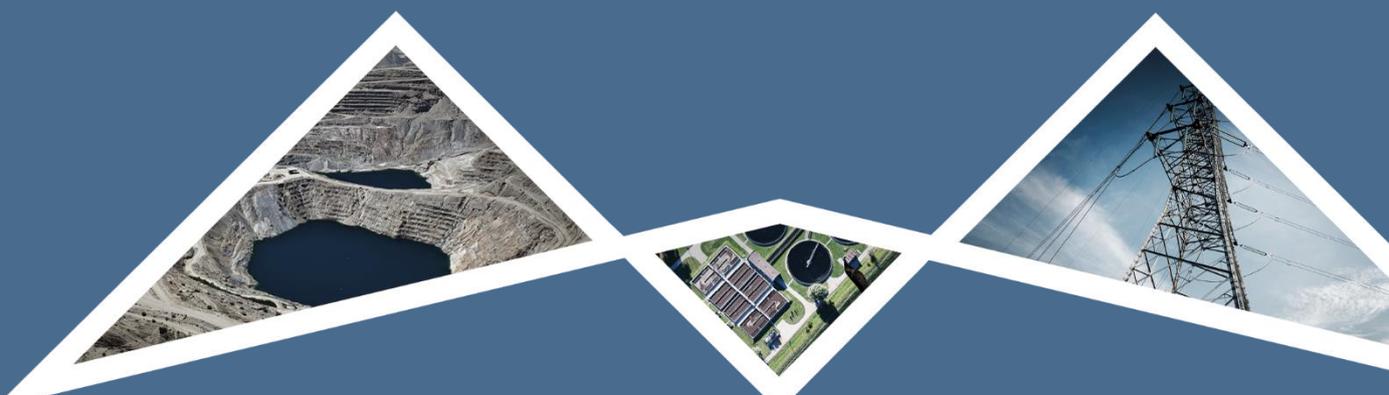


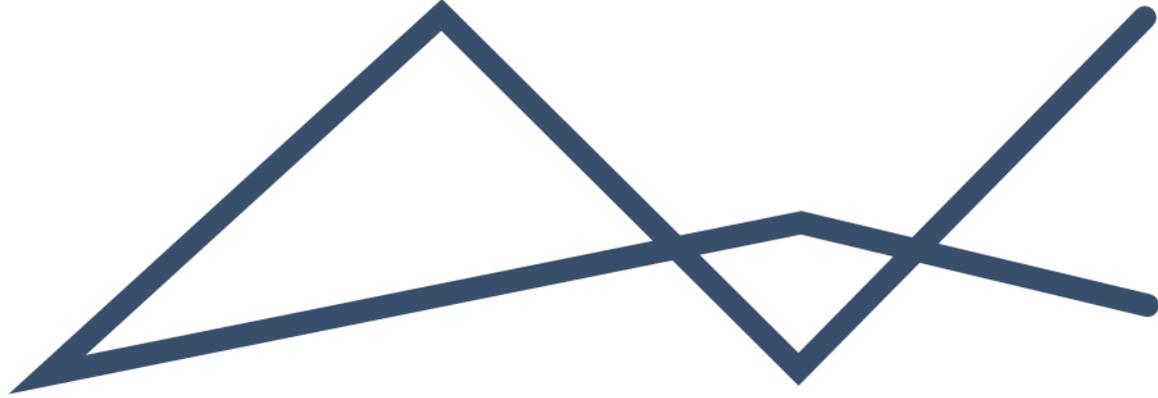
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PUBLIC PARTICIPATION REPORT

PROPOSED SELKIRK AVENUE PIPELINE PROJECT





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Table of Contents

1	INTRODUCTION.....	1
2	OBJECTIVES OF THE PUBLIC PARTICIPATION	1
3	LEGAL COMPLIANCE.....	2
4	IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)	3
4.1	LIST OF ORGANS OF STATE IDENTIFIED AND NOTIFIED	3
4.2	LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED.....	3
5	NOTIFICATION OF INTERESTED AND AFFECT PARTIES.....	4
5.1	INITIAL NOTIFICATION OF LANDOWNERS AND I&APS.....	4
5.1.1	REGISTERED LETTERS, FAXES AND EMAILS	4
5.1.2	NEWSPAPER ADVERTISEMENTS.....	4
5.1.3	SITE NOTICE PLACEMENT.....	5
5.2	NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF AVAILABILITY OF BAR.....	5
5.3	SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES	5
6	RECORD OF ISSUES RAISED	6
7	CONCLUSIONS AND RECOMENDATIONS	6

List of Tables

Table 1: Opportunities Provided for Public Participation	5
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Appendices

Appendix 1: I&AP Database

Appendix 2: Initial Notification

Appendix 3: Newspaper Advertisement

Appendix 4: Site Notice Placement

Appendix 5: BAR Availability Notification

Appendix 6: Table of Correspondence

Appendix 7: Correspondence Document



Abbreviation List

BAR	Basic Assessment Report
GDARD	Gauteng Department of Agriculture and Rural Development
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
I&AP	Interested and Affected Party
MPRDA	Mineral and Petroleum Resource Development Act
NEMA	National Environmental Management Act
PPP	Public Participation Process
PPR	Public Participation Report

1 INTRODUCTION

CSM Consulting Services (Pty) Ltd on behalf of the Johannesburg Social Housing Development Company (JOSHCO) (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/ies:
 - Listing Notice 1: Activity 19; and
 - Listing Notice 3: Activity 12.
- Water Use Licence (WUL) in accordance with the National Water Act – NWA (Act 36 of 1998) – Listed Water Uses
 - Section 21(c) and Section 21(i).

JOSHCO wishes to construct a new housing development in Randburg. As part of the development approval process, Johannesburg Water (JW) requires that JOSHCO upgrades portions of the existing sewer infrastructure to comply with their masterplan requirements. The proposal is to install a new sewer infrastructure adjacent to the existing system with the existing system being kept operational. The sewer infrastructure will be installed within the existing road servitude from Jan Smut Avenue to Bordeaux Riverside Park, tracking through Valley Road and Garden Road. Before the proposed sewer infrastructure connects to an existing sewer infrastructure manhole which is located on the other side of Bordeaux Riverside Park, the pipeline will cross the Braamfontein Spruit stream, alongside the existing pipe.

The proposed crossing of the Braamfontein Spruit stream requires an EA and WUL. The crossing falls within portion 44 of the Farm Klipfontein 203 IR, portion 26 of Farm 41 IR and portion 8 of Farm 42 IR (Bordeaux Riverside Park). The start, middle and end points for the pipeline through the Bordeaux Riverside Park is as follows: Start: 26° 5'57.20"S, 28° 1'4.91"E; Middle: 26° 5'5.56"S, 28° 1'12.89"E; and End: 26° 5'59.75"S, 28° 1'18.48"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:

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



- During the EIA 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
 - 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 Selkirk Avenue Pipeline 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 PPR lists all verbal and written issues raised by I&APs and stakeholders from the initial notification and call to register period from the 21 May 2021 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

3 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); and
- The National Environmental Management: Waste Act (NEM:WA, Act No. 59 of 2008)

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.



4 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 to Appendix 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.

4.1 LIST OF ORGANS OF STATE 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:

- City of Johannesburg Metropolitan Municipality
- City Of Johannesburg Metropolitan Municipality
- Gauteng Department Of Agriculture And Rural Development
- Gauteng Department Of Community Safety
- Gauteng Department of Economic Development
- Gauteng Department Of Infrastructure Development
- Gauteng Department of Labour
- Gauteng Department Of Roads And Transport
- Gauteng Department of Social Development
- Gauteng Department of Water and Sanitation
- Mun Randburg
- National Department Of Agriculture, Land Reform And Rural Development
- National Department Of Forestry Fisheries and the Environment
- National Department of Water and Sanitation
- Provincial Heritage Resources Authority Gauteng
- SAHRA
- South African National Road Agency

4.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- Delta Environmental Centre
- Johannesburg City Parks and Zoo
- Goodfellows CC
- Johannesburg Roads Agency



- Johannesburg Water
- Jozi Trails
- Mun Randburg
- Hulingham Housing Association
- WESSA
- Witpoortje Land Development Co Pty Ltd

5 NOTIFICATION OF INTERESTED AND AFFECT PARTIES

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

5.1 INITIAL NOTIFICATION OF LANDOWNERS AND I&APS

The PPP commenced on the 30th June 2021 with an initial notification and call to register ending on the 23rd July 2021. Notification during this initial consultation was given in the manner described below.

5.1.1 REGISTERED LETTERS, FAXES AND EMAILS

Notification letters registered mail in English were distributed to pre-identified I&APS through either registered mail, faxes, and/or emails, where contact details were available. Please refer to Appendix 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.

5.1.2 NEWSPAPER ADVERTISEMENTS

Advertisements describing the proposed project and EIA process were placed in the Randburg Sun Newspaper (in English) with adequate circulation in the vicinity of the study area on the 2nd July 2021. 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 3 for proof of adverts placed.



5.1.3 SITE NOTICE PLACEMENT

Ten (10) A2 Correx site notices (in English) were placed at 10 locations along, within and surrounding the perimeter of the proposed project study area on the 2nd July 2021. 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.

Three (3) posters were placed in notices board at certain points along the proposed project study area. Please refer to Appendix 4 for proof of site notice and site notice distribution.

5.2 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF AVAILABILITY OF BAR

Notification (in English) regarding the availability of the Basic Assessment Report (BAR) and associated appendices has been provided to pre-identified and registered I&APs. Notifications were distributed through either fax, registered mail and/or emails, where contact details were available. The notification includes details regarding where a hard copy of the report can be accessed.

Contact details have been provided to I&APs if they require assistance accessing the information or require copies of the report.

The BAR and associated appendices have been made available for public review and comment from the 17th January 2024 to 15th February 2024 at the Randburg Public Library (Corner Bram Fischer Dr &, Selkirk Ave, Ferndale, Randburg). Please refer to Appendix 5 for BAR Availability notification.

5.3 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	Randburg Sun Newspaper	02 July 2021
	Placement of site notices.	10 A2 site notices (English) within and around the study area (10 placement locations).	02 July 2021



PUBLIC PARTICIPATION PHASE			
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	30 June 2021
BAR public review and comment	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, fax, and/or post.	17 January 2024

6 RECORD OF ISSUES RAISED

The comments presented below are those that have been received and addressed from 30th June 2021 to date and has been updated post the public review period of the BAR.

To date comments have been received as per below:

- I&AP registration requests.
- I&AP enquiry on the extent of the project and if the activities will have an impact on their property.
- Requests for more information on the project.
- Comment received from CoJ regarding the project.
- Comment from SANRAL stating no objection to the project.
- Objection letters from Johannesburg City Parks and Zoo to the proposed project.
- Johannesburg City Parks and Zoo enquiry on landowner consent in terms of the PPP and proposed project.
- Requests for the DBAR to be sent to the CoJ for review and comment.
- GDARDE Formal Comments on BAR.

All comments and/or queries received are included in this report and presented in Appendix 6 and Appendix 7 for submission to the competent authority, the Gauteng Department of Agriculture, Rural Development and Environment (GDARDE).

7 CONCLUSIONS AND RECOMENDATIONS

The comments and issues raised through the public participation have been considered and used to inform the compilation of the BAR. This report has been updated for submission to the GDARDE (the competent authority), following the 30-day public review period of the Basic Assessment Report and associated appendices.