



GA Environment

PUBLIC PARTICIPATION PLAN (PPP) FOR THE BASIC ASSESMENT AND WATER USE AUTHORISATION PROCESS OF THE PROPOSED UPGRADE OF NATIONAL ROAD R101 SECTION 8 FROM BELA BELA (KM 0.0) TO MODIMOLLE (KM 26.8), LIMOPO PROVINCE

MARCH 2021

This plan has been submitted as per the requirements of the General Provisions of Annexure 2 of the Regulations issued in terms of Section 27(2) of the Disaster Management Act, 2002 (Act No.57 of 2002) and published on 29 April 2020 in Government Notice No R.480 of Government Gazette No 43258 and also in terms of the directions regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences issued by the Minister of Environment, Forestry and Fisheries on 05 June 2020.

Prepared by:	Submitted to
GA Environment (Pty) Ltd P.O. Box 6723 Halfway House, Midrand 1685 Tel. No.: (011) 312 2537 Cell.: 078 329 7918 Fax. No.: 011 805 1950 Contact: Nyaladzi Nleya e-mail: environment@gaenvironment.com	Department of Environment, Forestry and Fisheries

TABLE OF CONTENTS

1. INTRODUCTION	3
2. LEGISLATIVE REQUIREMENTS	4
3. PUBLIC PARTICIPATION PLAN	6
4. CONCLUSION.....	13

1. INTRODUCTION

GA Environment (Pty) Ltd has been appointed by BVI Engineers on behalf of SANRAL as independent Environmental Consultants to undertake an Environmental Authorisation and Water Use Authorisation process for the proposed upgrade of the National Road R101 Section 8 from Bela Bela (km 0.0) to Modimolle (km 26.8), Limpopo Province. The R101 Section 8 is situated within two Local Municipalities (Bela Bela and Modimolle) both located in the Waterberg District Municipality of Limpopo Province. The project extends from Bela Bela at the intersection with Voortrekker Road (km 0.0) to Modimolle at the intersection with Road R33 (km 26.8). Road R101-8 consists of a two lane, single carriageway road with gravel shoulders along most of the route. The road has an average surfaced width of 7.0 m. Within Modimolle, the road widens to four lanes with parking bays and sidewalks in the central business district (CBD). According to the pavement management system (PMS) information, the road was constructed in 1964 as National Road N1 joining Pretoria and Polokwane.

The general objective of this project is to successfully and optimally improve the National Road R101 Section 8 from Bela Bela (km 0.0) to Modimolle (km 26.8). The broad goal of the road upgrade is to:

- Relieve traffic congestion to acceptable level of service;
- Improve road geometry to improve road safety;
- Widen bridges and other structures where required for hydraulic and traffic capacity improvement; and
- Provide adequate pavement capacity for the design period.

On the 5th of June 2020, the minister issued directions regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences. One of the requirements provided in the directions is that a Public Participation Plan shall be submitted to the DEFF, in instances where a case officer has been assigned to the project then the Public Participation Plan shall be submitted to the case officer.

According to Section (2)(4)(f) of the National Environmental Management Act, the participation of all Interested and Affected parties (I&APs) must be promoted and all potential I&AP's must be informed early and in an informative and proactive way regarding applications that may affect their lives or livelihood. 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.

The purpose of this document is to provide the competent authority with direction on the Public Participation processes to be fulfilled while ensuring that the Environmental Assessment Practitioner's (EAPs) actions curtail the threat posed by the Covid-19 pandemic and to alleviate, contain and minimise the effects of the national state of disaster. It is the intention of GA Environment to ensure that reasonable opportunity is provided for public participation and that all administrative actions are reasonable. While the challenges posed by the COVID-19 pandemic are

drastic, the specific measures recommended have been carefully considered to ensure that the process is transparent and participatory to all I&APs.

The NEMA EIA Regulations 2014 (as amended) prescribe the minimum requirements for Public Participation as summarised in **Table 1**. Due to the COVID 19 pandemic and in line with the section 27(2) of the Disaster Management Act, additional measures have been proposed in this PP Plan. The level of Public Participation required for the proposed project has been informed by:

- the scale of anticipated impacts of the proposed project;
- the sensitivity of the affected environment and the community interest in the matters related to the project; and
- the characteristics of the potentially affected parties.

2. LEGISLATIVE REQUIREMENTS

Chapter 6 of the NEMA EIA Regulations 2014, as amended (Government Notice R. 982 in Government Gazette No. 40772 of 07 April 2017) prescribes the minimum requirements for Public Participation through which all role players including potential I&APs, 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. These requirements and the sections of the report in which they have been addressed is provided in **Table 1**.

Table 1: Minimum requirements for Public Participation

GN 982, Reference	Content	Reference in Table 2
41 (2) (a)	Fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of (i) (i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and (ii) any alternative site;	1.9
41 (2) (b)	Giving written notice, in any of the manners provided for in section 47D of the Act, to—	
(i)	the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site	1.3
(ii)	owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken	1.4
(iii)	the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area;	1.5
(iv)	the municipality which has jurisdiction in the area;	1.6
(v)	any organ of state having jurisdiction in respect of any aspect of the activity; and	1.7
(vi)	any other party as required by the competent authority;	1.4 & 1.7
41 (2) (c)	placing an advertisement in—	
(i)	one local newspaper;	1.8
(ii)	any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	N/A

GN 982, Reference	Content	Reference in Table 2
42 (a)	A proponent or applicant must ensure the opening and maintenance of a register of interested and affected parties and submit such a register to the competent authority	1.2
43 (1)	A registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the Public Participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application	2.1
43 (1)	In order to give effect to section 24O of the Act, any State department that administers a law relating to a matter affecting the environment must be requested, subject to regulation 7(2), to comment within 30 days.	N/A

3. PUBLIC PARTICIPATION PLAN

The provision of Public Participation tasks has been outlined in **Table 2**. In addition to the Public Participation requirements, mechanisms for the undertaking of Public Participation, is subjected to all the applicable health and safety and other restrictions, directions and requirements determined in terms of section 27(2) of the Disaster Management Act.

Table 2: Public Participation Procedure to be followed

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
Section 1. Initial Public Participation Phase			
1.1	Pre-application meeting	This task will not be undertaken as this is an upgrade of an existing road and all aspects of the proposed activity are understood.	The Pre-Application form will be submitted only for purposes of the approval of the PP Plan.
1.2	Identifying and approaching I&AP's	A register of all I&APs will be opened and maintained throughout the project.	Ongoing. Evidence will be included in the DBAR.
1.3	Written Notification of the owner or person in control of the site	The proposed development is a linear project. Landowner details for all potentially affected landowners will be obtained. Each landowner will be contacted telephonically/emailed and informed of the project and written notification will be provided to all potentially affected landowners. A land acquisition process will also be undertaken by SANRAL and BVI Engineers.	Ongoing. This task will be undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.
1.4	Written Notification of occupiers of land adjacent to the site	Written notification will be provided to adjacent landowners during the initial Public Participation Phase. The distribution of electronic notification letters will be undertaken. The ward councillors will be contacted regarding the adjacent businesses, as well as community forums that shall be informed of the proposed development.	Ongoing. This task will be undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.
1.5	Written Notification of the municipal	The ward councillors will be contacted regarding the proposed project. A notification letter will be	Ongoing. This task will be

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
	councillor of the ward in which the site	provided electronically to the ward councillors. Meetings between GA Environment and Ward Councillors will also be undertaken to discuss the Public Participation Plan and to obtain details of the community structure and the community forums.	undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.
1.6	Written Notification of the municipality which has jurisdiction in the area	Notification letters will be sent through electronically to the Department of Transport, Department of Roads and Infrastructure and Environmental Department within Bela Bela Local Municipality, Modimolle Local Municipality and Waterberg District Municipality.	Ongoing. This task will be undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.
1.7	Written Notification of any organ of state having jurisdiction in respect of any aspect of the activity	<p>The following Organs of State have been identified as Commentary Authorities:</p> <ul style="list-style-type: none"> • Limpopo Provincial Government: <ul style="list-style-type: none"> ➤ Department of Transport; ➤ Department of Agriculture and Rural Development; ➤ Biodiversity Management; ➤ Environmental Impact Management; and ➤ Public Works, Roads and Infrastructure Department; • Bela Bela Local Municipality: <ul style="list-style-type: none"> ➤ Technical Services (Roads and Stormwater); ➤ Planning and Economic Development; and ➤ Roads and Infrastructure; • Modimolle Local Municipality: <ul style="list-style-type: none"> ➤ Technical Services (Roads and Stormwater); ➤ Planning and Economic Development; and ➤ Roads and Infrastructure; • Waterberg District Municipality: <ul style="list-style-type: none"> ➤ Environment, Social and Disaster Department; ➤ Infrastructure Development Department; and 	Ongoing. This task will be undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
		<ul style="list-style-type: none"> ➤ Planning Department and Economic Development • Roads Agency Limpopo (RAL); • Department of Water and Sanitation (DWS); • DWS Limpopo Regional Office; • South African Heritage Resources Agency (SAHRA); and • Limpopo Provincial Heritage Resources Authority (LIHRA) <p>The above-mentioned organs of state will be informed of the proposed project. Notification letters will be submitted to them electronically.</p>	
1.8	Placing of advertisement	A newspaper advertisement will be placed on Die Pos / The Post (Bela-Bela, Modimolle, Mookgophong and Vaalwater circulation areas), notifying the public about the project and calling on all I&APs to register with the project.	This task will be undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.
1.9	Fixing a notice board	On-site notices presenting the project will be erected at visible and accessible locations close to and along the R101 Section 8 between Bela Bela and Modimolle.	Ongoing. This task will be undertaken upon approval of the public participation plan during March/April 2021. Evidence will be included in the DBAR.
Section 2: Draft Basic Assessment Report (DBAR) Review Phase			
2.1	Distribution of DBAR to registered I&APs and members of the public and notification of the availability of the report.	<p>The I&AP database will be maintained throughout the duration of the project. The Draft Basic Assessment Reports will be made available to the public and all registered IAPs through the following measures:</p> <ul style="list-style-type: none"> • GladAfrica Website; • Online SMS portal will be used to send bulk SMSs to IAPs where email addresses were not made available; • Electronic copies via a web link whereby the report can be downloaded; • WhatsApp social media platform; and 	The process will be undertaken in line with the directions provided by the Ministry of DEFF regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
		<ul style="list-style-type: none"> • Public Libraries <p>The public review period of the DBAR will commence following the expiry of the registration period and the circulation of the DBAR. Due to the national lockdown, and the restrictions on gatherings and movement within public venues, hard copy reports will be distributed to the Ward Councilors, the public libraries and other authorities and IAPs who will require it.</p> <p>All other registered IAPs will be informed that due to the COVID-19 pandemic, only electronic versions of the report will be made available. All IAPs will be provided with a link whereby the report can be easily downloaded from the website. This link will be sent via email, SMS or WhatsApp. Hard copies of the report will be made available only to IAPs upon request in order to limit the risk of any possible contamination.</p> <p>This will be done through the Ward Councilors who will be contacted by GA Environment and informed of the COVID-19 directions that were issued by DEFF. Thereafter, a hard copy of the report will be provided which will be made available to IAPs who do not have means to receive the report electronically. IAPs will receive SMS notification of the availability of the report AND that it can be perused at the Ward Councillor's office.</p> <p>Very strict guidelines will be enforced by the Ward Councilors. All IAPs must wear a mask and the use of disposable gloves will be encouraged when reviewing the Draft BAR. GA Environment will engage with the Councilors thereafter, regarding additional measures to communicate the availability of the Draft Basic Assessment Report. Proof of such communication will be included in the report.</p> <p>30 days will be provided for comment which is deemed to be a sufficient period for review of the DBAR and efforts will be made by GA Environment to consult each registered IAP individually during this period where possible.</p>	<p>Management Permits and Licences. DEFF to approve or advice regarding the way forward.</p>
2.2	<p>Distribution of the DBAR to organs of state having jurisdiction in respect of any aspect of the activity</p>	<p>A list of organs of state that will be informed of the Basic Assessment process is included in Section 1.7. Proof of submissions will be submitted to DEFF. The IAPs will be informed of the directions issued by DEFF and given a link through which the report and appendices can be downloaded. GA Environment will also undertake telephonic and email updates with the respective IAPs to confirm receipt of the report.</p> <p>30 days will be provided for comment as it is deemed to be a sufficient period for review of the DBAR and efforts</p>	<p>The process will be undertaken in line with the directions provided by the Ministry of DEFF regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the</p>

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
			National Environmental Management Permits and Licences. DEFF to approve or advice regarding the way forward.
2.3	Public Open Day	<p>No public open day will be held for the proposed project. The following alternative means are however available:</p> <ul style="list-style-type: none"> • All I&APs that provide comments will be acknowledgment by GA Environment. • GA Environment will set up a telephonic meeting with the I&AP to discuss their comments/concerns. The option of an online meeting will also be provided to the I&AP. • GA Environment will respond to all comments received from I&APs; • The comments and response report will be updated and made available in the Final Basic Assessment Report; and • All I&APs will also be provided with the link to download an electronic copy of the Final Basic Assessment Report. <p>However, should the comments received on the proposed project warrant the need for a public open day, the then Disaster Management Act requirements prescribed at a time of undertaking this activity will be applicable and therefore, applied. The open day will be broken up into various sessions which will limit the number of I&APs to each session, however each I&AP will be afforded the opportunity to meet the project team and obtain additional information on the project and provide their comments.</p>	The process will be undertaken in line with the directions provided by the Ministry of DEFF regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences. DEFF to approve or advice regarding the way forward.
2.4	Focus Group Meeting with representatives of organs of state having jurisdiction	Focus group meetings (if required) will be undertaken based on the comments received from I&APs and the requests made by the I&APs to have a meeting. The meeting could either be one-on-one sessions or online meetings via <i>Microsoft Teams</i> or <i>Zoom</i> . These meetings will be recorded, and the recordings provided if requested by the competent authority.	The process will be undertaken in line with the directions provided by the Ministry of DEFF regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences. DEFF to approve

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
			or advice regarding the way forward.
2.5	Focus Group meetings with vulnerable and marginalised groups; and	GA Environment will liaise with the Ward Councillors regarding vulnerable and marginalised communities other than those identified and then contacted by GA Environment. GA Environment will inform the Ward Councillors regarding the proposed project and the directions issued by the Minister of DEFF regarding the COVID 19 and its impact on local communication. GA Environment will provide the Ward Councillors with an electronic notification as well as a WhatsApp notification. The WhatsApp notification will be distributed to the various community groups. All responses from these groups will be consolidated and sent back to GA Environment for a response. Should there be a need, based on the comments raised and GA Environment's assessment of the comments, focus group meetings will be considered, bearing in mind COVID 19 restrictions and social distancing.	The process will be undertaken in line with the directions regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences. DEFF to approve or advice on the way forward.
2.6	GA Site Visit	A site visit will only be undertaken should it be required by DEFF. Social distancing and hygiene practices will be followed. GA Environment will provide as much photographic evidence of the site as possible in the Draft and Final BAR.	The process will be undertaken in line with the directions provided by the Ministry of DEFF regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences. DEFF to approve or advice regarding the way forward.
Section 3 Post Environmental Authorisation Notification Phase			
3.1	Notification and Distribution of decision/outcome of Environmental Application to registered IAPs and organs of state.	The I&AP database will be maintained throughout the duration of the project. All IAPs on the database will receive an email or SMS notification of the decision made by DEFF including a copy of the National Appeal Regulations 2014. A copy of the decision will be circulated to registered IAPs.	This Notification will be issued as per Annexure 8 of the Directions Regarding Measures to

No.	PUBLIC PARTICIPATION TASK TO BE PERFORMED	MECHANISM FOR THE UNDERTAKING OF THE PUBLIC PARTICIPATION TASK	Date & Status
			address, prevent and combat the spread of COVID-19 relating to NEMA Permits and Licenses issued on 5 th June 2020 and 9 th September 2020.
3.2	Notification of vulnerable and marginalised groups.	GA Environment will liaise with the Ward Councillors regarding communities other than those identified and contacted by GA Environment. GA Environment will set up a telephonic/virtual meeting with the IAPs to notify them of the decision in a language they are comfortable with. SMS portal will be used to inform those with cell phone handsets of the decision. In the event that specific groups or individuals do not have access to telephone or cell phone handsets, communication will be arranged with these parties through the Ward Councillors.	The process will be undertaken in line with the directions provided by the Ministry of DEFF regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licences. DEFF to approve or advice regarding the way forward.

4. CONCLUSION

The PP Plan will afford all potential and / or registered Interested and Affected Parties, including the competent authority and any other organs of state, an opportunity to become involved in the Basic Assessment process and provide comments during the various phases of the project. GA Environment will ensure that reasonable opportunity is provided for Public Participation and that all administrative actions are reasonable. While the COVID-19 pandemic is unique, the specific measures recommended in this plan have been carefully considered and are sufficient to ensure a complete and effective Public Participation, whilst avoiding the spread of COVID-19.