



## **PUBLIC PARTICIPATION PROCESS (PPP) REPORT**

In terms of the National Environmental Management Act (NEMA Act No 107 of 1998, as amended) and Environmental Impact Regulations, 2014 (as amended)

### **PROJECT 28(4) MDRG –**

### **MAINTENANCE TO AND MAINTENANCE OF THE STORMWATER INFRASTRUCTURE FOR FLOOD DAMAGE REPAIR IN GEORGE MUNICIPAL AREA: LOERIE PARK, BERGSIG, DENNEOORD, DENVER PARK, EDEN**

<b>Compiled by</b>	Hiland Environmental
<b>Hiland reference</b>	GEO24/1253/06
<b>Date</b>	9 May 2024

GEO24/1253/06  
9 May 2024

**ISSUED BY:**

HillLand Environmental  
P.O. Box 590  
George, 6530

Tel: 044 889 0229  
Fax: 086 542 5248  
E-mail: cathy@hilland.co.za / environmental2@hilland.co.za  
Web site: www.hilland.co.za

**PUBLIC PARTICIPATION REPORT**

in terms of Section 56 of  
NATIONAL ENVIRONMENTAL MANAGEMENT ACT

**For**

**PROJECT 28(1) MDRG –**

**MAINTENANCE TO AND MAINTENANCE OF THE STORMWATER INFRASTRUCTURE FOR  
FLOOD DAMAGE REPAIR IN GEORGE MUNICIPAL AREA: LOERIE PARK, BERGSIG,  
DENNEOORD, DENVER PARK, EDEN**

**Submitted for:**

**Public Participation Period – submission of Draft BAR**

**Conditions of report use:**

The report is the property of the sponsor and the author, who may publish it, in whole, provided:

1. That written approval is obtained from the author and that **HillLand Environmental** is acknowledged in the publication;
2. That **HillLand Environmental** is indemnified against any claim for damages that may result from publication;
3. The contents of this report may not be used for purposes of sale or publicity or advertisement without the prior written approval of **HillLand Environmental**.
4. That it is understood that **HillLand Environmental** accepts no responsibility for the contractor's failure to follow the recommended programme.
5. That it is understood that **HillLand Environmental** accepts no responsibility for the contractor's deviation or non-compliance to any specifications or guidelines provided in the report.
6. That it is understood that all figures, plates and diagrams are copyrighted and may not be reproduced by any means, in any form, in part or whole.

# Table of Contents

- 1 INTRODUCTION..... 4
- 2 REQUIREMENTS OF THE PUBLIC PARTICIPATION PROCESS (PPP) IN ACCORDANCE WITH THE ACT ..... 4
- 3 PUBLIC PARTICIPATION PROCESS (PPP)..... 5
- 4 ROLES OF INTERESTED AND AFFECTED PARTY (I&AP) ..... 6
- 5 LIST OF INTERESTED AND AFFECTED PARTIES (I&AP'S) ..... 7
  - 5.1 NOTIFICATION OF NEIGHBOURING LANDOWNERS ..... 7
  - 5.2 DRAFT PHASE - CONSULTATION ..... 7
- 6 CONCLUSION ..... 7

**List of Annexures:**

<b>Annexure A</b>	Proof of notification
<b>Annexure B</b>	Legal Advert & Site Notice
<b>Annexure C</b>	List of Registered I&AP's

## 1 INTRODUCTION

**HillLand Environmental**, independent Environmental Assessment Practitioners (EAP), have been appointed by the applicant, George Municipality, to ensure compliance with the regulations contained in the National Environmental Management Act (NEMA, No. 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2014 (as amended) for the Maintenance to and maintenance of the stormwater infrastructure for flood damage repair in George Municipal area: Loerie Park, Bergsig, Denneoord, Denver Park, Eden.

This report serves as the Public Participation Process report that accompanies the Draft Basic Assessment Report (BAR). It highlights all public participation undertaken as part of the Draft BAR process. The BAR and associated appendices are currently available for a 30-day commenting period (9 May – 10 June 2024). All comments received during the public participation process will be incorporated into this report for the final submission to the competent authority for their decision-making process.

## 2 REQUIREMENTS OF THE PUBLIC PARTICIPATION PROCESS (PPP) IN ACCORDANCE WITH THE ACT

Section 41 of NEMA specifies that a person conducting a public participation process must comply with the following minimum requirements as stipulated in the Regulations:

- 
- (a) fixing a notice board (of a size at least 60cm by 42cm; and must display the required information in lettering and in a format as may be determined by the competent authority) at a place conspicuous to the public at the boundary or on the fence of (i) the site where the activity to which the application relates is or is to be undertaken; and (ii) any alternative site mentioned in the application;

**15 sites notices were placed up on 9 May 2024 (one at each site)**

- (b) giving written notice to
  - (i) the owner or person in control of that land if the applicant is not the owner or person in control of the land; **the owner is the applicant**
  - (ii) the occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; **the owner is the applicant**
  - (iii) owners and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; **The site notices have been placed at each site serves as**

**notification to the neighbouring landowners, a letter drop has also been done. Furthermore, the ward coucillors have been notified.**

- (iv) the municipal councilor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area; **Ward councilors were notified via email on the 9 May 2024.**
  - (v) the municipality which has jurisdiction in the area; **the municipality is the applicant – 9 May 2024**
  - (vi) any organ of state having jurisdiction in respect of any aspect of the activity; and **All organs of state and state departments have been notified on the 9 May 2024**
  - (vii) any other party as required by the competent authority; - **no other requests to date**
- (c) placing an advertisement in (i) one local newspaper; or (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;
- An advert appeared in the George Herold on the 25 April 2024. Refer to Annexure B.**
- (e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desiring of but unable to participate in the process due to (i) illiteracy; (ii) disability; or (iii) any other disadvantage

**As included in all notification letters.**

### **3 PUBLIC PARTICIPATION PROCESS (PPP)**

In terms of Section 41 of the NEMA regulations, the following minimum requirement has been attended to under the Public Participation Process:

- Section 41 (5b) – giving written notice

The landowner is the applicant and as such does not need to be notified.

Owners / occupiers of land adjacent to the boundary of the site (**Annexure A**) were informed via the site notices on the 9 May 2024 of the availability of the Draft BAR from the 9<sup>th</sup> May 2024. The site notice highlights the need to register as an I&AP.

Authorities are automatically entered as Registered I&APs (unless they indicate otherwise).

The local authority and ward councilors have been notified – 9 May 2024.

Other persons and organizations were informed of the need to register as I&APs in order to be entered onto the I&AP database and to continue to receive information pertaining to this application, via an advert in the George Herald (27 April 2024). Please see **Annexure B**.

Fifteen (15) site notices placed up, one at each of the sites, inviting interested persons to register as I&APs and comment on the draft BAR (9 May 2024). Please see **Annexure B** for the site notice.

Only registered Interested and Affected Parties and NGO's will be notified further in the process.

#### **4 ROLES OF INTERESTED AND AFFECTED PARTY (I&AP)**

In terms of Section 42 of NEMA EIA Regulations, a registered interested & affected party (I&AP) is entitled to comment, in writing, on all written submissions, including draft reports made to the competent authority by the applicant or the Environmental Assessment Practitioner (EAP) managing an application, and to bring to the attention of the competent authority any issues which that party believes may be of significance to the consideration of the application, provided that –

- a) comments are submitted within (i) the timeframes that have been approved or set by the competent authority; (ii) any extensions of a timeframe agreed to by the Applicant or EAP.
- b) A copy of comments submitted directly to the competent authority is served on the Applicant or EAP; and
- c) The I&AP discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application, via an advert in the local press.

Sections 43 & 44 of NEMA further specify that all written comments received by the EAP from a registered I&AP must accompany the (public participation) report when the report is submitted to the competent authority with the Final BAR.

The Draft BAR is available for public review and comment, where I&APs have a 30-day comment period (**9 May – 10 June 2024**). All comments received during this period will be included and responded to in this report that will accompany the final BAR that will be submitted to DEADP for their decision-making process.

## 5 LIST OF INTERESTED AND AFFECTED PARTIES (I&AP'S)

### 5.1 NOTIFICATION OF NEIGHBOURING LANDOWNERS

The direct adjacent neighbouring property owners were all notified of the need to register as an I&AP via the site notices placed at each of the sites.

Besides the authorities, **only Registered I&APs** will receive further notifications with regards this BAR process.

### 5.2 DRAFT PHASE - CONSULTATION

The following Authorities, Organs of State, State Departments and NGO's have been requested to comment on the **Draft-Application BAR (9 May2024)**.

- DEADP George 'DEADP-EIAAdmin George'  
DEADPEIAAdmin.George@westerncape.gov.za
- BOCMA - asam@bocma.co.za
- CapeNature - CapeNature (msimons@capenature.co.za)
- George Municipality - 'Lauren Josias' Ljosias@george.gov.za
- Department of Agriculture – 'Van der Walt, Cor' CorvdW@elsenburg.com
- SACAA - strohl@caa.co.za
- HWC - 'Waseefa Dhansay' Waseefa.Dhansay@westerncape.gov.za
- Garden Route – Nina Viljoen nina@gardenroute.gov.za
- Department of Forestry - 'Innocent Mapokgole' imapokgole@dffe.gov.za
- Department of Health - Nathan.jacobs@westerncape.gov.za

Comments received on the Draft BAR will be incorporated and responded to in this section of the report.

## 6 CONCLUSION

In light of the above, the following is required from the potential stakeholders:

- Read through the Draft BAR which contains all the relevant information pertaining to the proposed development including specialist assessments and technical reports;
- Submit your comments, recommendations, concerns and or issues you would like to bring into the process and make known to **HillLand Environmental** ([admin@hilland.co.za](mailto:admin@hilland.co.za)) within the additional 30-day comment (**9 May – 10 June 2024**) and registration period.
- It is important to bring to the attention of the decision-making authority any issues that the I&AP believes may be of significance of the application, provided that

the I&AP discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of this application.

It is important to remember the following with regards to the Environmental Impact Assessment process:

- It is a process to ensure that any potential impacts associated with the listed activity are identified so that they can be effectively assessed and where possible, be mitigated. – resulting in no adverse impacts to the environment or limiting any adverse impacts on the environment;
- The EIA process is to identify potential environmental issues and to address these.

All Interested and Affected Parties are required to disclose their interest in the matter.