

6 Public Consultation Process

6.1 Introduction

Public consultation is a key component of the EIA process. It usually occurs in three phases:

- **Phase 1:** Identification of and consultation with key stakeholders or Interested and Affected Parties (IAPs), which was initiated upon commencement of the Scoping Study to identify potential issues and impacts to consider in the Scoping Report.
- **Phase 2:** Public consultation with key IAPs to solicit comment on the Draft Scoping Report to refine the specialist Terms of Reference and ensure that the relevant impacts are assessed.
- **Phase 3:** Public consultation with key IAPs to solicit comment on the draft Environmental Impact Report (EIR) prior to finalisation and submission to DEAT.

The objectives of the public consultation process are outlined below, followed by a summary of the approach and issues raised to date.

6.2 Objectives of the Public Consultation Process

The objectives of the public consultation process are to:

- Identify and inform key IAPs, including relevant authorities, about the proposed activities to be undertaken at the Ben Schoeman Dock;
- Ensure timely dissemination of information that is understandable and accessible to all IAPs;
- Provide IAPs with the opportunity to identify key issues and concerns associated with the project;
- Identify potential impacts which need to be assessed in the EIA;
- Gauge the level of acceptance of the proposed project; and
- Allow for IAP comments on the draft reports produced as a result of the EIA process (Scoping Report and EIR).

6.3 Public Consultation during the Scoping Phase

The Scoping Phase of the study, and hence that phase's Public Consultation Process, were undertaken by Shangoni and resulted in the identification of a number of issues and concerns. The activities undertaken as part of the Public Consultation Process during the Scoping Phase are described in the Final Scoping Report for the project (Shangoni, 2006).

In response to comments received by IAPs on the Draft Scoping Report (DSR) released in May 2005, Shangoni revised the report significantly and re-released it for public comment in September 2005.

A summary of the Scoping Phase public consultation activities as laid out in the Final Scoping Report is provided in Table 6-1 below.

Table 6-1: Summary of consultation activities during the Scoping Phase

Activity	Responsible	Date
Submission of Plan of Study for Scoping to DEA&DP and DEAT	Shangoni	11 April 2005
Acceptance of the Plan of Study for Scoping by DEA&DP	DEA&DP	Date not available
Phase 1 Consultation – Initiation Phase		
Advertisement of the commencement of the study and call for IAP registration in local and regional newspapers	Shangoni	Date not available
Identification of key stakeholders	Shangoni	April – May 2005
Circulation of Background Information Document and pamphlets to identified IAPs	Shangoni	May 2005
Phase 2 Consultation – Scoping Phase		
Notification of registered IAPs of the public review period of the Draft Scoping Report (DSR) in the Cape Times	Shangoni	30 May 2005
Comment period following the release of the DSR	Shangoni	27 May 2005 – 30 June 2005
Stakeholder scoping meeting	Shangoni	27 May 2005
Public meeting	Shangoni	9 June 2005
Notification of registered IAPs of the public review period of the Revised DSR in the Cape Times	Shangoni	21 - 22 September 2005
Comment period following the release of the Revised DSR	Shangoni	21 September 2005 - 21 October 2005
Submission of Final Scoping Report to DEAT and DEA&DP	Shangoni	March 2006
Acceptance of Final Scoping Report by DEAT	DEAT	9 June 2006

Source: Shangoni (2006)

6.3.1 Issues raised during Scoping Process

A detailed record of issues and comments from IAPs during the scoping process can be found in Annex B of the Final Scoping Report (Shangoni, 2006). In the Final Scoping Report (FSR), issues were classified as:

- Issues that could be adequately addressed or resolved in the Scoping phase (for which responses were provided in Section 6.2 of the FSR); and
- Issues that require further investigation, in particular through the involvement of specialists as presented in the Plan of Study for EIA (Section 6.3 of FSR).
- A summary of the issues requiring *further* specialist investigation during the EIA is presented in Table 6-2. Based on the decision to eliminate the land-based and nearshore (~15m) dredge disposal option and the exclusion of the Container Terminal Expansion project from this EIA, some of these issues are no longer applicable, and have been indicated as such in the table.
- These issues informed the Terms of Reference for the Specialist Studies undertaken as part of this EIA, and the relevant specialist study through which each issue has been addressed has been indicated.

Table 6-2: Issues identified in the Scoping phase requiring further investigation

Key Issues	Reference
1) Dredging and Disposal of Dredge Spoil	
Identification of dredging method and transport of dredged material from the BSD to the marine disposal site.	Integrated Marine Report (Appendix C)
Duration of dredging operations for proposed activities; seasonal and daily dredging schedule.	Integrated Marine Report (Appendix C)
Identification and assessment of impacts for alternative marine dredge disposal locations, ranging from deepwater sites (>40m water depth) through to disposal into the surfzone or beach area.	Integrated Marine Report (Appendix C) Options to be assessed in the EIA have been narrowed to two deepwater sites at ~40m and ~65m depths.
Uncertainty regarding the frequency with which turbidity thresholds (for marine ecology) are exceeded at disposal site(s) in Table Bay and implications for the construction programme (i.e. would construction have to stop for these periods).	Integrated Marine Report (Appendix C)
Implications of dredge disposal to a deep water anoxic environment.	Integrated Marine Report (Appendix C)
Concerns regarding the disposal of the non London Convention (LC)-compliant portion of the spoil material to a suitable land-based waste facility and the associated transport and processing requirements (e.g.. dewatering of the spoil etc). Identification of a suitable hazardous waste facility with available capacity.	Characterisation of the material to be dredge has indicated that no non-LC compliant dredge sediment will be dredged, and land-based disposal is thus not required.
2) Shoreline Dynamics	
Potential effects of changes in wave, current and sediment transport regimes as a result of disposal of dredge spoil from the deepening of BSD on shoreline evolution within Table Bay.	Integrated Marine Report (Appendix C)
3) Sediment Toxicology and Marine Ecology	
Impacts associated with dredging and blasting during construction on the ecological environment in BSD. Investigate the implications of the chemical characteristics of the dredge spoil for ecology.	Integrated Marine Report (Appendix C)
Relocation of marine mammals (e.g. seals) from BSD during construction activities (in particular, blasting) and the identification of suitable facilities and potential partners (e.g. Cape Nature) for such purposes, should relocation be required. Need to confirm requirements with Cape Nature ²⁴ .	Integrated Marine Report (Appendix C)
During construction, ecological implications of dredge spoil at various locations in the marine environment in terms of smothering of marine organisms (e.g. filter-feeders) and turbidity.	Integrated Marine Report (Appendix C)
During construction, turbidity thresholds that should be applied to avoid a significant impact on marine organisms.	Integrated Marine Report (Appendix C)
Impacts of noise, vibration and shock on the marine ecology within the BSD basin.	Integrated Marine Report (Appendix C)
4) Noise, Vibration and Shock	
Identification of the most significant sources of noise during the construction and operation of the proposed project (including frequency and nature of noise).	Noise Shock and Vibration Study (Appendix D)
Identification of main receptors for acoustic impacts (e.g. surrounding communities and businesses).	Noise Shock and Vibration Study (Appendix D)
Analysis of noise impacts on the ambient (current) noise environment.	Noise Shock and Vibration Study (Appendix D)
Impacts of vibration and shock on existing port infrastructure.	Noise Shock and Vibration Study (Appendix D)

²⁴ Note that Cape Nature will need to be contacted in this regard in determining exact procedures to be followed, for inclusion in the EMP.

5) Traffic and Transportation	
Impacts of road-based transport associated with construction activities on traffic movements in port and nearby road infrastructure.	Traffic Impact Assessment (Appendix E)
Identification of additional traffic volumes, routes and vehicle types generated during the construction and operation of the proposed activities.	Traffic Impact Assessment (Appendix E)
Cumulative impacts of road-based transport associated with simultaneous constructions activities from the BSD and Container Terminal Expansion projects.	Traffic Impact Assessment (Appendix E)
Risks and transport impacts associated with transport of contaminated dredge spoil by road to a suitable land-based hazardous waste facility.	Characterisation of the material to be dredged has indicated that no non-LC compliant dredge sediment will be dredged, and land-based disposal is thus not required.
6) Visual Aspects	
Visual impacts of surface turbidity plumes (especially during calm periods).	Visual Impact Assessment (Appendix F)
7) Maritime Archaeology	
Potential impacts on heritage (i.e. archaeological and historical features associated with the BSD project). Need to consult with the South African Heritage Resources Agency (SAHRA).	Maritime Archaeology Assessment (Appendix G)
8) Risk Profile of Port	
Impacts of proposed activities and use of larger vessels on the risk profile of the Port with regards to pollution events.	Although this has to some extent been addressed in Appendix C, it is essentially outside the scope of the EIA

6.4 Public Participation during the EIA Phase

The EIA Phase of the study, and the associated Public Consultation Process, are being undertaken by SRK. The main activities that have been and are to be undertaken as part of the Public Consultation Process during the EIA Phase are listed in Table 6-3.

Table 6-3: Summary of consultation activities during the EIA Phase

Activity	Responsible	Date
Phase 3 Consultation – EIA Phase		
Submission of Plan of Study for EIA to DEA&DP	CSIR	April 2006
Submission of revised Plan of Study for EIA to DEAT	SRK	5 September 2006
Acceptance of revised Plan of Study for Scoping by DEAT	DEAT	31 October 2006
Notification of registered IAPs of change in consultant and project scope	SRK	20 November 2006
Notification of registered IAPs of the public review period of the Draft Environmental Impact Report (EIR)	SRK	9 February 2007
Comment period following the release of the Draft EIR	SRK	12 February 2007 - 13 March 2007
Focus Group meetings (if and when required)	SRK	19 February – 2 March 2007
Open Day	SRK	27 February 2007
Submission of Final EIR to DEAT and DEA&DP	SRK	29 March 2007 (forecast)

6.4.1 Identification of IAPs

SRK has amended the database of IAPs that was compiled by Shangoni during the Scoping Phase to include additional IAPs that have been identified since. To date, approximately 140 stakeholders are included in SRK's database for this project. A list of IAPs involved in the process is provided in Appendix B.

All IAPs on the database were informed by letter on 20 November 2006 of the change in consultant and scope of the project.

6.4.2 Discussions with Key Stakeholders

During the EIA phase, SRK Consulting and CSIR (responsible for the integrated marine study) held discussions with the following key stakeholders, to ensure that their information requirements would be met:

- DEAT Marine and Coastal Management (regarding information requirements for the permit application, the suitability of the proposed dredge disposal sites, and characterisation of these sites and the sediments to be disposed of);
- Two Oceans Aquarium (regarding water quality requirements, due to the location of their seawater intake within the harbour); and
- South African Maritime Safety Authority (regarding the potential risk to existing shipping activities)

6.4.3 Notification of Draft EIR Release for Comment

The release of the Draft Environmental Impact Report (EIR) for public review as well as the date for the associated Public Open Day on 27 February 2007 will be communicated to all registered IAPs by post, email or fax on 9 February 2007.

6.4.4 Release of Draft EIR for comment

The Executive Summary of the Draft EIR will be circulated to all stakeholders on 9 February 2007. Full hardcopies of the report will be placed at the following venues:

- Cape Town Library
- Milnerton Library; and
- SRK Office, Rondebosch, Cape Town.

The report can also be accessed as an electronic copy on Transnet's website www.transnet.co.za/TransnetProjects.aspx (on the Home page select "Doing business with Transnet" followed by "Transnet Projects").

Stakeholders will be provided with a 30-day comment period which will commence on Monday 12 February 2007 and end on Tuesday 13 March 2007. Comments received will be incorporated into the Final EIR.

6.4.5 Public Open Day

A Public Open Day will be held on 27 February 2007 from 15h00 – 19h00. All registered IAPs will be invited to attend and the public open day will be advertised in the press. The purpose of the Open Day will be to allow IAPs access to the results of the EIA Phase and to provide an opportunity for questions and comments.