

Environmental Impact Assessment (EIA) Guide – isiZulu

Umqulu Wencazelo NgoCwaningo

Lokungenzeka Emvelweni Obhalwe ngesiZulu



Prepared by:



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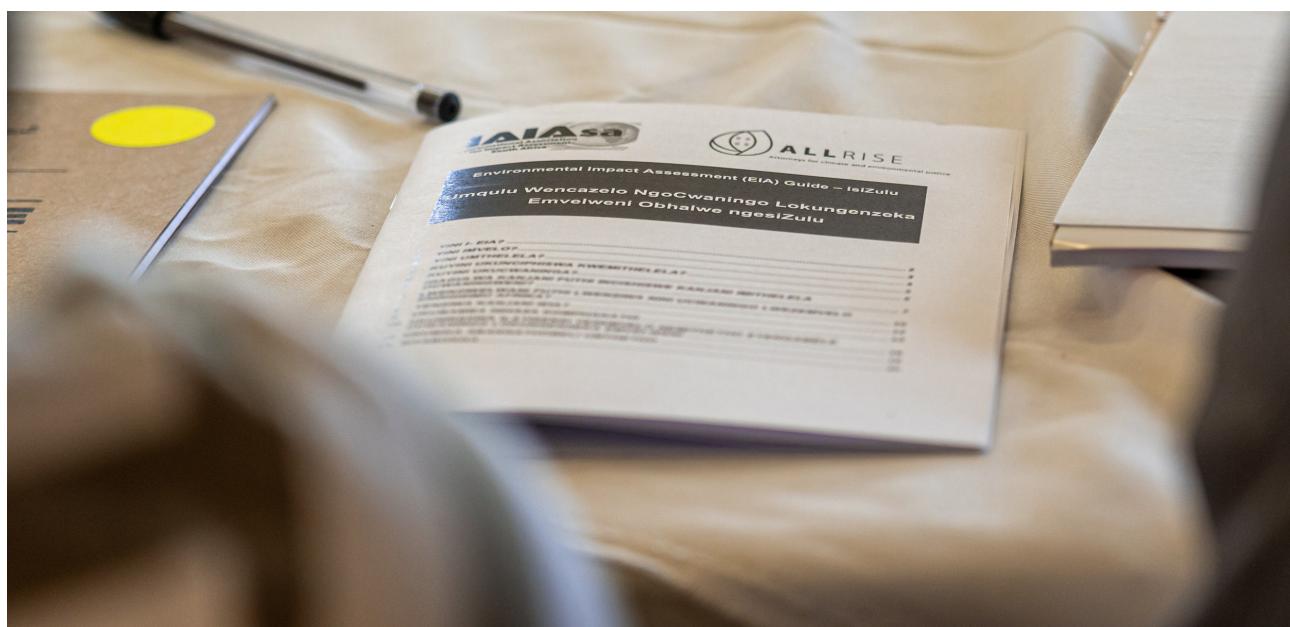


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PURPOSE

This Guide (booklet, manual) has been written to assist (help) people understand Environmental Impact Assessment (EIA) so that they are able to participate more meaningfully in the EIA processes conducted (done) for projects, especially where projects may negatively affect their environment, health and well-being.

Public participation in EIAs is important because decisions made by our government to approve projects are based (made) on the findings (results) of an EIA. If an EIA report does not contain people's input – their values, preferences and judgements (as our law requires), – then it is likely (it is possible, it could happen) that the project will cause an unfair distribution (spread) of adverse (bad, negative) impacts on local residents, especially if they are already vulnerable and disadvantaged. This will result in environmental injustice which is contrary to (is against, not in accordance with) the National Environmental Management Act, 1998 (NEMA) and South Africa's Constitution.

INHLOSO

Lencwadi ibhalwe ukulekelela noma ukusizaabantu ukuthi baqonde uhlelo IoCwaningo Lokungenzeka Emvelweni ukuzebakwazi ukubamba iqhaza ngendlela enohlonze kuloluhlelo olwenziwa uma kuzolethwa intuthuko ikakhulukazi lapho intuthuko ifika nomthelela ongemuhle emvelweni (ubunjalo bendawo), inhlalakahle kanye nosiko-mpilo lomphakathi.

Uhlelo lokuxhumana nemiphakathi Ocwaningweni Lokungenzeka Emvelweni lubaluleke kakhulu ngoba uHulumeni waseNingizimu Afrika ukhipha izinqumo zokuvumela (noma ukuvimba) intuthulo ngokubheka okutholakele Ocwaningweni Lokungenzeka Emvelweni (imiphumela yoCwaningo). Uma umbiko WoCwaningo Lokungenzeka Emvelweni ungequkethe Imibono yabantu (yomphakathi) – izinkolo zabo, abakuncame-layo (abakuthandayo) nezigwebo (ukwahlulela) [njengokulawulwa umthetho wezwe]– kungenzeka ukuthi leyontuthuko ehlongozwayo ifike (ilethe) imithelela engemihle kubahlali baleyo ndawo, ikakhulukazi uma lowomphakathi uhluphekile noma umpisholo. Lokhu kuphikisana noma kuphambene nokulotshwe kuMthetho Olawula Ukuphathwa Kwezemvelo (National Environmental Management Act, 1998) ngamafuphi iNEMA kanye noMthethosisekelo wezwe laseNingizimu Afrika.

Note to Users of the Guide: we know that different dialects of isiZulu are spoken in different areas of KwaZulu-Natal and South Africa. Please use this document as a guide and adapt the terminology as you see fit.

Isaziso kubasebenzisi balomhlahlandlela: Siyazi ukuthi ulimi lwesiZulu lukhulunywa ngezindlela ezahlukene kwaZulu Natali naseNingizimu Afrika. Sicela uyibenzise lencwadi ngenhoso eyenzelwe yona -njengomhlahlandlela futhi uguqule amagama ngendlela obona kufanelekile ngayo.

1. What is “EIA”?

Introduction

E-I-A is short for the English words **Environmental – Impact – Assessment**.

Put these words together, and EIA means a study that predicts (forecasts, best guesses, foresees, imagines) and assesses (rates, measures) the positive (good) and negative (bad) impacts (changes, effects, influences) that a development (project, activity) is likely to have on the environment and on people – their health and well-being, their livelihoods (how they make a living) and their culture.

An EIA also recommends (suggests, proposes) ways (measures, options) to avoid (prevent, stop) the negative (bad) impacts of the development (project, activity) from occurring (happening, taking place).

Where it is not possible to avoid negative (bad) impacts, the EIA has to recommend (suggest, propose) ways (measures, options) to minimise (lessen, reduce, make smaller) the size (significance) of the impacts and remedy (fix, mend) the damage caused.

These recommendations are called **mitigation measures**.

An EIA should also recommend (suggest, propose) ways (measures, options) on how to enhance (improve, increase, make better) the positive (good) impacts (benefits) of a project (development, activity).

We now look at these EIA concepts (words, ideas, components) in more detail using examples.

1. YINI I- EIA?

Isingeniso

Lezizinhlamvu ‘E-I-A’ zimele uEnvironmental-Impact-Assessment. Ngesizulu iEIA Ucwaningo Lokungenzeka Emvelweni.

Ucwaningo Lokungenzeka Emvelweni lubikezela luhphinde lucwaninge imithelela emihle kanye nemibi engafika nentuthuko ehlongozwayo engase ithinte imvelo nabantu (nomphakathi) kanjalo nenhlalakahle nosikompiro (nosiko) lwendawo.

Ucwaningo Lokungenzeka Emvelweni lungabuye lutuse (luncome/luhphakamise) izindlela zokugwema ukuthi imithelela emibi yentuthuko ehlongozwayo ukuthi ingenzeki.

Lapho imithelela emibi ingeke ivimbeke (igwemeke), Ucwaningo Lokungenzeka Emvelweni kumele luhphakamise izindlela zokuthi leyomthelela emibi nobungozi bayo bungabi bukhulu kakhulu noma kungalimazi imvelo kakhulu.

Lezi ziphakamiso nezincomo zibizwa Ngezinyathelo Zokunciphisa Imithelela Engemihle.

Ucwaningo Lokungenzeka Emvelweni kumele luhphakamise nezindlela zokwandisa (zokwengeza/ zokukhulisa/ qhakambisa) lokhu okuhle okuza nomsebenzi ohlongozwayo.

Sizobe sesibheka kanzulu amagama apha thelene noCwaningo Lokungenzeka Emvelweni ngokunikeza izibonelo.

What is the “ENVIRONMENT”?

The environment is the land, the air, the water and all living animals and plants and ecosystems that make up the surroundings in which people live and which affect their health and well-being as well as their culture.

Yini “IMVELO”?

Imvelo umhlaba, umoya, amanzi, izilwane, izihlahla, ukuphilisana kwezilwane nemvelo lokho okuukukethe yonke indawo lapho abantu behlala khona, impilonhle nenhlalakahle nesikho.



What is an “IMPACT”?

An impact is the change (effect, influence) that a development (project, activity) has on the natural environment, people and cultural heritage.

Yini Umthelela?

Umthelela ushintsho olwenziwa intuthuko emvelweni, emphakathini, isendleleni abantu abaphila ngayo, isevizindeni ezingamagugu nezamasiko.

Impacts can be positive (good) and negative (bad, adverse).

A positive impact is a good change caused by the project. It can also be called a benefit.

Examples of positive impacts:



Jobs / Imisebenzi



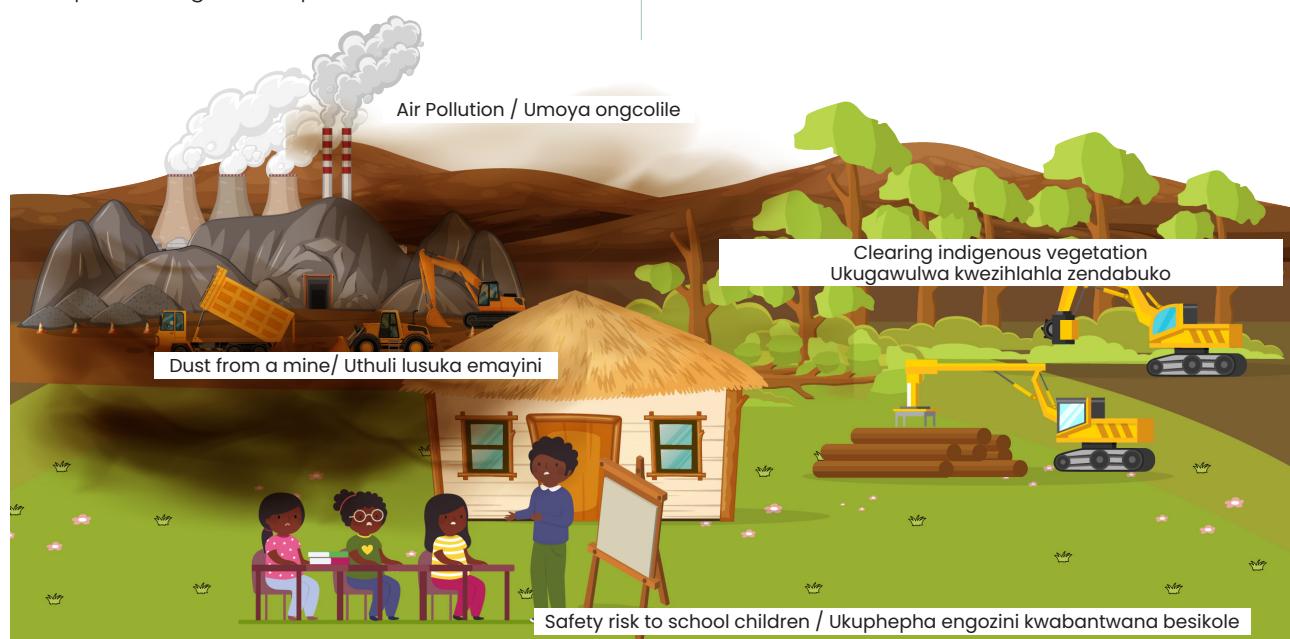
Clean Water / Amanzi ahlanzekile



Electricity / Ugesi

A negative impact is a bad (adverse) change caused by the project.

Examples of negative impacts:



Impacts can vary in size (significance, magnitude severity).

Some impacts are significant, which means they are large and can cause a big change.

Examples of projects with large impacts:

- Large Coal Mine
- Large Refinery
- National Road
- Large dam

Imithelela ingaba mihle iphinde ibe mibi.

Umthelela omuhle uchaza ushintsho oluhle oluzokwenziwa intuthuko. Kwesinye isikhathi umthelela omuhle ubizwa ngomhlomulo noma inzuzo.

Izibonelo Zemithelela Emihle:

Umthelela omubi uchaza ushintsho olungeluhle oludalwa yintuthuko ehlongoziwe.

Izibonelo Zemithelela Emibi:

Imithelela ingahluka ngobukhulu bayo

Eminye imithelela ingaba mikhulu kakhulu okusho ukuthi ingenza ushintsho olukhulu.

Izibonelo zemithelela emikhulu:

- Imayini yamalahle enkulu
- Ifektri yephethiroli
- Umgwaqo kazwelonke
- Idamu elikhulu

Some impacts are small, and therefore, will bring a small change.

Examples of projects with small impacts:

- Small Roads
- Agricultural Activities
- Small Township Establishment

Eminye imithelela mincane okusho ukuthi noshintsho oluzokwenzeka luzoba luncane.

Izibonelo zemithelela emincane:

- Imigwaqo emincane
- Imisebenzi yezolimo
- Ukusungulwa kwelokishi elincane

Cumulative Impacts

Sometimes, lots of small changes or impacts together make a big change. These are called cumulative impacts.

For example, lots of small fires in a town (village) each make (cause) a small amount of smoke and air pollution. But together, these small fires make (cause) a lot of pollution – they significantly change the air quality in the area.

Lots of small projects may result in loss of natural veld and grazing land. Each project is small on its own but together (cumulatively), they cause a large area of grazing land to be destroyed.

Imithelela Enqwabelanayo

Ngesinye isikhathi imithelela emincane eminingi ingagcina isidale ukuthi kube khona umthelela owodwa omkhulu. Lokhu kubizwa ngoMthelela Onqwabelanayo.

Uma sibheka imililo emncane eminingi endaweni encane, uma uwubheka ngamunye ungadala intuthu nokudungeka komoya okungenawo umthelela omkhulu. Kodwa uma uyibuka ngokuyihlanganisa lemililo ingadala ukudungeka komoya okukhulu okungase kushintshe kakhlulu isimo somoya endaweni.

Imisebenzi eminingi eletha intuthuko ingadala ukuthi kulahleke izindawo zamadlelo Umsebenzi owodwa awunawo umthelela omkhulu kodwa uma seyihlangene iminingi ingadala ukulahleka kotshani obuningi emadlelweni.

Examples of Cumulative Impacts / Izibonelo Zemithelela Enqwabelanayo

- | | |
|---|---|
| <ul style="list-style-type: none">• Lots of small fires make air pollution• Natural veld / grazing land lost | <ul style="list-style-type: none">• Imililo eminingi emincane edala ukugcola komoya• Ukulahleka kwamadlelo |
|---|---|

Impacts may be temporary (short), prolonged (long-lasting, for many years) or permanent (forever).

An example of a temporary impact is the increase in danger to people and livestock (cattle, goats) because of an open trench that is dug for a pipeline. Once the pipe has been laid and the trench is filled in, this impact disappears.

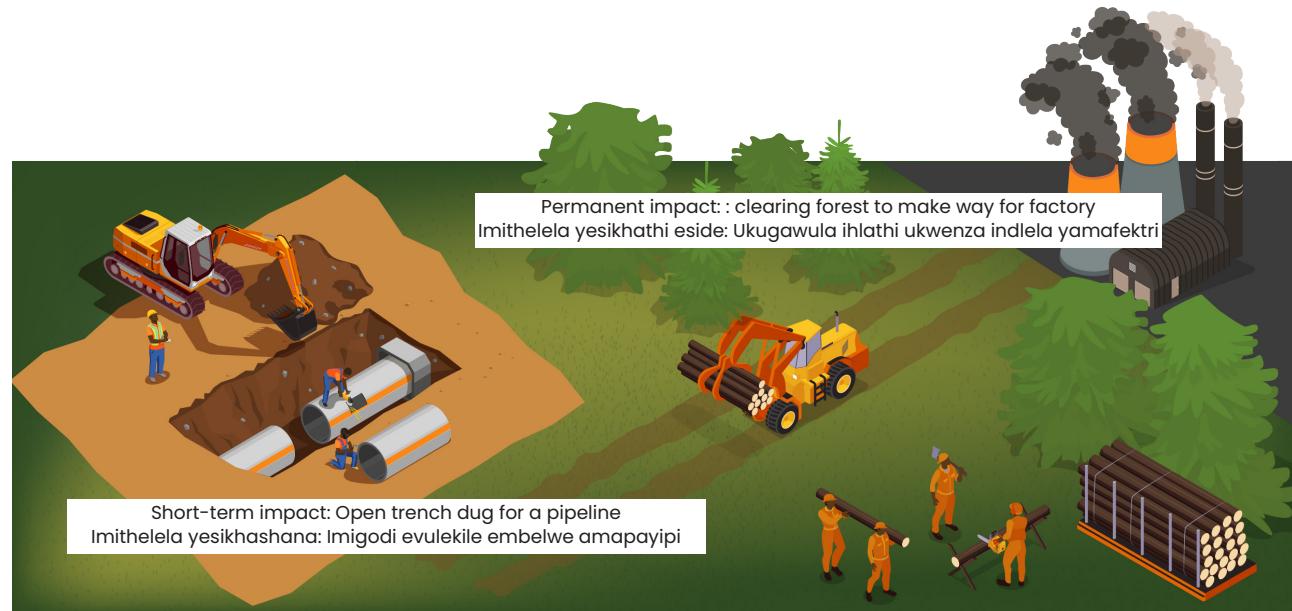
An example of a permanent impact is the clearing of a forest to make way for a factory. Once the trees are chopped down and all the plants cleared and the factory is built, the loss of the forest is permanent.

Imithelela kungaba eyesikhashana, noma isikhathi eside noma ungunaphakade.

Isibonelo somthelela wesikhashana ubongozi obudalwa umsele wepayipi obungadala ukulimala kwemfuyo nomphakathi. Uma ipayipi selfifikasiwe phansi lagqitshwa, lobobungozi buyashabalala.

Isibonelo somthelela wesikhathi eside noma ongungunaphakade ukunqunywa kwehlathi ukuze kwakhiwe izimboni. Uma izihlahla sezisusiwe nezinye izitshalo, kwakhiwa imboni, angeke liphindile khona lelohlathi. Umonakalo odalekile usuminjalo noma usungunaphakade.

Temporary and permanent impacts / Imithelela Yesikhashana Neyesikhathi Eside:



Impacts can be site specific, local or regional?

Some impacts may only happen at the site of the project (the development). For example, the loss of a field. Other impacts may be experienced locally, for example, a whole community or village may experience polluted drinking water. Other impacts be experienced regionally, for example, a long stretch of river may be polluted and affect a whole region.

Imithelela ingaba esizeni ngqo, noma endaweni eyakhele umsebenzi, noma esifundazweni.

Eminye imithelela yenzeka kuphela kulendawo ekusetshenzwa kuyona (ekulethwe kuyo intuthuko). Umzekelo; ukulahlekela idlelo. Eminye imithelela ingaphakeleka ezindaweni eziseduzane, umphakathi wonke noma esifundeni sonke. Umzekelo; uma kungcola umfula eminye imiphakathi ephuza amanzi angenzansi kwalowo mfula ingazithola ithintekile nayo.

Impacts are often linked (interrelated, related) to each other.

An example is dust from a coal mine which may pollute the rainwater collected in tanks at people's houses. Because this water is too dirty to drink, people have to buy drinking water which costs them money. The water also cannot be used for livestock (e.g. goats, cattle, sheep) so people cannot keep any animals and they cannot use the dirty water to grow vegetables. This means they have to spend more money on buying food. The dust also makes people sick and they have to pay for transport to go to the clinic and hospital. So, not only can dust pollute the drinking water and the air and make people sick, it can also make people poorer.

Imithelela ivamise ukuhlangana (xhumana) kweminye

Uma sibheka uthuli oluvela emgodini (emayini/umtapo) wamalahle ungangcolisa amanzi emvula aqoqeleka emathangini emizini yabantu. Ukungcola noma ukudungeka kwalamanzi kwenza ukuthi amanzi angaphuzeki. Lokhu kudala ukuthi umphakathi uzithole sewuthenga amanzi. Lawo manzi angcolile angeke aphuzeke ngisho nemfuyo angeke iwaphuze. Lokhu kudala ukuthi umphakathi ulahlekelwe imfuyo. Nezitshalo angeke zikhule uma kusetshenziswa amanzi angcolile. Kugcina kudale ukuthi umphakathi uzithole sewukhokha kakhulu ukuze ukwazi ukuziphilisa. Loluthuli lungaphinde lugulise abantu okwandisa izindleko zokuya emtholampilo noma esibhedlela.

Ngakho ke, ukudungeka kwamanzi akulimazi abantu nemfuyo ngokwempilo kuphela kodwa kugcina kunomthelela nasephaketheni (emnothweni) walowo mphakathi.

Impacts can happen at all the stages (times) of the project.

For example, for an open cast coal mine, impacts can happen (occur) when a mining company is prospecting (looking, searching, drilling) for coal, or during construction, operation (mining), decommissioning (closure) and rehabilitation.

Imithelela ingenzeka kuzo zonke izigaba zomsebenzi olethe intuthuko.

Isibonelo esingasibheka imithelela eqhamuka uma kumbiwa amalahle ingenzeka ekuqaleni kusabhekwa ukuthi umhlaba ozombhiwa unani. Ingenzeka futhi uma sekumbiwa, sekwakhiwa, sekusetshenzwa, nangesikhathi imayini seyivalwa nanoma sekuvuselelwa indawo (seyibuyiselwa esimeni eyayikuso ngaphambi kokuthuthukiswa).



How are impacts identified?

Because the project has NOT yet started when an EIA is done, no one can be 100% sure (certain) of what the impacts will be or how large they will be.

Environmental experts and government officials because of their training and their experience, should be good at predicting (guessing, foretelling, imagining) what these impacts will be.

Local residents are also good at identifying (predicting) what impacts will be because they live in the area and understand (know) their environment, livelihoods and culture very well. Sometimes, they may have even seen or experienced the same impacts from other existing projects.

Iqagulwa Kanjani Imithelela?

Njengoba umsebenzi usuke ungakaqali uma kwenziwa Ucwanningo Lokungenzeka Emvelweni, akekho ongasho ngesiqiniseko ukuthi imithelela izoba yini nokuthi izoba ngakanani.

Ongcwti bezemvelo kanye nezikhulu zaHulumeni zinalo ikhono nolwazi lokuqagula ukuthi imiphi imithelela engenzeka.

Abahlali basendaweni nabo banolwazi olunzulo lokukwazi ukuqagula ukuthi imiphi imithelela engaba nobungozi emphakathini wabo. Kwesinye isikhathi kuyatholakala ukuthi umphakathi usuke wehlekelwa into abayaziyo noma ecishe ifane nokwenzeka ngesikhathi kwenza intuthuko ecishe ifane endaweni.

What is “MITIGATION”?

One of the main reasons for doing an EIA is to identify the impacts of the project on the environment, people and cultural heritage before the project starts and to see if these impacts can be either avoided (prevented) or if they cannot be avoided, if they can be mitigated (reduced, made smaller) to make the project less harmful on the environment, people and cultural heritage, as well as to maximise the benefits (good or positive impacts) of the project.

Avoiding an impact can be achieved by changing the project in some way, for example, its location (by moving it), its design, its layout, or its timing (scheduling, programme).

For Example:

1.

It may be possible to move a pipeline to avoid damaging fields and graves.

2.

It may be possible to use machines rather than blasting with explosives to extract coal from the ground.

3.

It may be possible to start the project at a certain time of year to avoid damaging crops, for example, digging the trenches for the pipeline after the growing season has finished.

Kuyini Ukunciphiswa Kwemithelela?

Isizathu esibalulekile (esisemqoka) esidala ukuthi kwenziwe Ucwanningo Lokungenzeka Emvelweni ukuthi kukhonjwe (kuqagulwe) imithelela yentuthuko ezokwensiwa endaweni, isemvelweni, emphakathini nasez-indaweni zamasiko ngaphambi kokuthi umsebenzi uqale. Lokhu kwenzelwa ukuthi lemithelela ivinjwe noma incishiswe ukuze umsebenzi olethe intuthuko ungabi nobungozi obeqile emphakathini nasemvelweni. Emva kwalokhu kumele kuqinisekiswe ukuthi imithelela emihle yandiswe.

Ukuvimba noma ukugwema umthelela kwenzeka ngokushintsha indawo lapho intuthuko ihlongozwe khona. Lokhu kungenzeka ngokushintsha indawo ukuze kunciphe ubungozi, ukuhlela kabusha indlela eme ngayo kanye nesikhathi sokuqaliswa kwayo.

Ake sibheke ezinye izibonelo:

1.

Kuyenzeka ipayipi lisuswe lapho lizodala umonakalo omkhulu khona ukuze lingaphazamisi amathuna noma amadlelo.

2.

Ukusetshenziswa kwemishini kugwerme ukusebeniza iziqhumane ukukhipha amalahle emgodini.

3.

Isikhathi sokuqala umsebenzi singashintshwa ukuvimba ukuphazamisa izitshalo noma isivuno. Ukumbiwa kwemisele yamapayipi kungalinda kuphele isikhathi sokuvuna.

What is an “ASSESSMENT”?

An assessment is a study that identifies and rates (measures) the potential (possible) impacts of a project to determine (tell) whether they are:

- Positive (good) or negative (bad)?
- Big, medium or small?
- Cumulative?
- Short, long or permanent (forever)?
- Site-specific, local or regional?
- Definitely going to happen or there is only a small chance of happening?

Mitigation measures are identified to reduce the negative impacts that have been identified.

The impacts are assessed (rated, measured) again to determine (tell) how successful the mitigation measures will be either to avoid the impacts completely, or at least reduce (make smaller) the impacts. With mitigation, will impacts still be:

- Positive (good) or negative (bad)?
- Big, medium or small?
- Cumulative?
- Short, long or permanent (forever)?
- Site-specific, local or regional?
- Definitely going to happen or there is only a small chance of them happening?

The mitigation measures should reduce the negative impacts to an acceptable level.

The EIA should be clear and honest about whether it is possible or not possible to avoid or reduce negative impacts. This information is important as it allows the competent authority (the government department making the decision) to decide whether to approve the project or not.

Some projects are so harmful to the environment that they should not be allowed (authorised, permitted) to go ahead (commence, proceed, start).

Kuyini Ukucwaninga?

Ucwaningo uholelo loluqagula nokukala ubungako bemithelela enokwenzeka engadalwa ipprojekthi, ngokubhekelela ukuthi:

- Mihle noma mibi
- Mikhulu, iphakathi nendawo noma mincane
- Iyaqongelelana noma inqwabelane
- Eyesikhashane, eyesikhathi eside, eminjalo
- Iqonde indawo ekusetshenzwa kuyo, eseduzane noma esesifundeni
- Izokwenzeka ngempela noma mancane amathuba okuthi yenzeke

Izilinganiso zokunciphisa imithelela zisuke zenzelwa ukunciphisa imithelela emibi esuke iqaguliwe.

Imithelela iphinde icutshungulwe (idingidwe) ukuze kutholakale ukuthi izilinganiso zokuyinciphisa zizosebenza yini (na). Uma isincishisiwe, imithelela:

- Izoba mihi noma ibe mibi?
- Izoba mikhulu, ibe phakathi nendawo noma ibe mincane?
- Izogongelelana noma inqwabelane?
- Izoba eyesikhashane, eyesikhathi eside, eminjalo?
- Izoba endaweni ekusetshenzwa kuyo, iseduzane noma isesifundeni
- Izokwenzeka ngempela noma mancane amathuba okuthi yenzeke?

Izilinganiso zokunciphisa kumele zinciphise imithelela emibi, incishiselwe ezingeni elamukelekayo (elivumeleklile).

Umbiko woCwaningo Lokungenzeka Emvelweni kumele ubeke ngokucacile nangeqiniso ukuthi imithelela iyagwemeka noma ingancishiswa na. Lolulwazi lubalulekile ngoba lunikeza onegunya lokuthatha isinqumo ukuthi agunyaze noma angayigunyazi intuthuko ehlongozwayo.

Eminye imisebenzi inobungozi obukhulu ngalendllela yokuthi imvume yokuthi iqhubekayi ayikhiswa nhlobo.

HOW DO YOU IDENTIFY IMPACTS AND MITIGATION MEASURES IN AN EIA?

Each project will have its own set of impacts and mitigation measures because each project is different, and each environment (area) is different. Some environments and communities are more sensitive than others.

This EIA Guide gives two examples:

1.

A community bulk water supply project

2.

An open cast coal mine.

This exercise can be done for any project if you have a good understanding of the project and the environment.

Because you already know (are familiar with) your environment, it is a case (matter) of predicting (imagining) what will happen if a project comes to your area. The questions you should ask are:

- What will the impacts (changes) be?
- Which of these impacts are likely to be significant (important)?
- What should be done to prevent (stop) these impacts from happening (occurring)?
- If they cannot be avoided, what can be done to reduce the impacts and fix the damage?
- Also, what can be done to enhance (improve) the positive impacts (benefits) of the project?
- Do you think the project should be approved or not? And if not, why?

IQAGULWA KANJANI FUTHI INCISHISWE KANJANI IMITHELELA OCWANINGWENI?

iPhrojekthi ngayinye izoba nohlu lwemithelela kanye nezinyathelo zokunciphisa ngoba iprojekthi ngayinye ihlukile futhi indawo ngayinye ihlukile. Ezinye izindawo kanye nemiphakathi izwela kakhulu kuneminye.

Lomqulu Wencazelo NgoCwaningo Lokungenzeka Emvelweni unikeza izibonelo ezimbili:

1.

iPhrojekthi enkulu yokuhlinzeka amanzi emphakathini

2.

Nemayini yamalahle evulekile.

Lezizibonelo zomsebenzi zingasetshenziswa kunoma iyiphi iprojekthi uma uqonda kahle iprojekthi nendawo.

Ngoba usuyayazi futhi uyijwayele indawo yangakini, kuyindaba yokubikezela nokucabanga ukuthi kuyokwenzekalani uma iprojekthi iza endaweni yangakini. Imibuzo okumele uyibuze yile elandelayo:

- Yini imithelela, izinguquko noma ushintsho oluzobakhona?
- Imiphi kulemithelela ebalulekile noma esemqoka?
- Yini okumele yensiwe ukuvimbela (ukugwema) lemithelela ukuthi yenzeke (ingenzeki)?
- Uma zingenakugwenywa, yini engenziwa ukunciphisa umithelela futhi kulungiswe unomonakalo?
- Futhi, yini engenziwa ukuthuthukisa (ukwenzangcono) imithelela emihle (imihlomulo) kulephrojekthi?
- Ucabanga ukuthi iprojekthi kufanele igunyazwe noma cha? Uma uthi cha, ngobani?

EXAMPLE 1: COMMUNITY BULK (LARGE) WATER SUPPLY PROJECT

These are some examples of positive and negative impacts that may be caused by a community water project. You may think of other impacts.



ISIBONELO 1: IPHROJEKTHI EN-KULU YOKULETHWA KWAMANZI EMPHAKATHINI

Lezi ezinye zezibonelo zemithelela emihle nemibi engase ibangelwe iphrojekthi yomphakathi yamanzi. Ungacabanga ngeminye imithelela engase ibekhona.



Positive impacts for local residents:

Some examples of positive impacts	Some examples of mitigation measures
The project will provide jobs and skills during construction.	Offer training, employment and contracts to local residents (as individuals and as businesses) so that they not only benefit from this project but can also develop the skills to get jobs and contracts for other projects.
The project will provide the community with a reliable source of clean water.	The pipeline must be regularly checked and maintained to ensure that the provision of water is not interrupted. Establish (form, create) a community group or committee to check on and report any problems with the pipeline during operation.

Imithelela Emihle Kubahlali:

Izibonelo Zemithelela Emihle	Izibonelo Zokwandisa Imithelela Emihle
Iphrojekthi izohlinzeka ngamathuba omsebenzi noqequeso ngesikhathi sokwakhwa	Ukunikezwa koqequeso, ukuqashwa kanye nezinkontileka kubahlali bendawo (njengabantu noma njengosomabhizinisi)
Iphrojekthi izohlinzeka umphakathi ngomthombo othembekile wamanzi ahlanzekile.	Amapayipi amanzi kufanele ahlolwe njalo futhi anakekelwe ukuqinisekisa ukuthi ukuhlinzekwa kwamanzi akuphazamiseki. Ukusungula iqemba lomphakathi noma ikomidi elizobheka futhi libike noma iyiphi inkinga ngamapayipi ngesikhathi sokusebenza.

Negative impacts for local residents:

Some examples of negative impacts	Some examples of mitigation measures
Digging the trenches and laying the pipes could damage graves	<p>Re-route the pipeline to avoid the graves.</p> <p>If this is not possible, consult with the families and with the heritage authorities. Only if they give their consent, obtain permits to exhume and rebury the bodies elsewhere.</p> <p>Make sure that all the associated costs for reburial, including the costs of ceremonies, are identified and are paid for by the developer.</p>
Digging the trenches and laying the pipes could damage crops	<p>Re-route the pipeline to avoid people's fields.</p> <p>If this is not possible, plan (schedule) construction so that it is done after crops are harvested.</p> <p>If this is not possible, compensate people for loss of crops by providing food or money.</p>
Digging the trenches and laying of pipes may damage fruit trees	<p>Re-route the pipeline to avoid the trees and their roots.</p> <p>If this is not possible, plant new trees and compensate people for the loss of fruit until the new trees are large enough to bear fruit.</p>
The construction of the pipeline may damage the soil as the good soil (top soil) will be removed.	<p>Make sure that the top layers of soil are kept to one side during construction so that they can be put back on top of the trenches once the pipeline has been buried.</p> <p>Make sure the top soil is not washed away when it rains.</p>
The disturbed soils may get washed away when it rains. Dongas (erosion) may form and the grasses and natural vegetation may be washed away and damaged. This can mean there is less grazing for livestock.	<p>After the pipes have been placed in the trenches, make sure that the area is planted with grasses that will bind the soil and prevent the soil from being washed away.</p> <p>These new plants should be indigenous or at least not invasive species that are banned by law (because they are from other countries and compete with our local plants).</p> <p>The rehabilitation of the area might take some time so the developer should keep checking that the new grasses or plants are growing.</p> <p>Extra watering and fertiliser may also be required during this period.</p>
The loose soil and the movement of trucks could increase dust during construction.	Spray the roads and area with water to settle the dust. Rehabilitate the disturbed areas as soon as possible.
Laying of pipes could prevent future growing of crops.	<p>Re-route the pipeline to avoid people's fields.</p> <p>If this is not possible, ensure that the trenches are dug deep enough so that the pipes will not be damaged by ploughing or digging once the pipes are covered up.</p> <p>Place markers in the fields so that people know where the pipeline is buried.</p> <p>Make sure the community knows who to contact in case a pipe is broken.</p>

Negative impacts for local residents:

Some examples of negative impacts	Some examples of mitigation measures
The soil may get (become) polluted.	<p>Make sure that any hazardous (toxic, poisonous) substances do not come into contact with the soil.</p> <p>For example:</p> <ul style="list-style-type: none"> • do not repair construction vehicles and equipment on site without proper lining. • do not store hazardous substances and fuels on site without proper bunding. • do not mix concrete on the bare soil. • if there is a spill, make sure all contaminated soil is removed to an authorised (lawful, licenced) hazardous landfill (waste / rubbish dump).
People (especially children) and livestock (goats, sheep, cows, chickens) could fall into the open trenches and be hurt.	<p>Keep the open sections of the trench as short as possible and for as short a time as possible.</p> <p>Erect (put up) warning signs and barriers to prevent people and livestock falling into the trench before it is filled in.</p> <p>Educate the community, including school learners about the hazards of the open trenches and other dangerous equipment on site.</p>
People, especially children, and livestock (goats, cattle, chickens) could get knocked over by construction vehicles.	<p>Make sure the drivers are trained about driving slowly in the area and discipline them if they speed or drive recklessly.</p> <p>Do not allow trucks to drive on the roads at the times when children are going to school and leaving school.</p> <p>Cordon off (block off) certain areas and only truck drivers to use certain routes or areas.</p> <p>Educate the community, including school learners about the hazards of the vehicles and dangerous equipment on site.</p>

NOTE: even projects that people need and want, like a community water project, can have negative impacts. By participating in an EIA, it does not mean you are objecting to the project but you can ensure that any associated (related) negative impacts are identified and avoided before the project even starts, and that the benefits of the project can be enhanced (maximised, improved). Your input should be considered by government to make better decisions about projects (developments).

Imithelela Emibi Kubahlali:

Izibonelo Zemithelela Emibi	Izibonelo Zokunciphisa Imithelela Emibi
Ukumba imisele nokufakwa kwama payipi kungalimaza amathuna.	<p>Lungisa kabusha ipayipi ukugwema amathuna.</p> <p>Uma lokhu kungenzeki, bonisana neminden ianye neziphatimandla zezaifa. Uma uthola imvume yazo futhi uthole izimvume zokumbiwa kwamathuna nokungcwatshwa kabusha kwenye indawo.</p> <p>Qinisekisa ukuthi zonke izindleko ezihambisana nokungcwaba kabusha, okuhlanganisa nezindleko zomkhosi, ziyaboneleleka futhi zikhokhelwa umthuthukisi.</p>
Ukumbiwa kwemisele nokufakwa kwamapayipi kungalimaza izitshalo.	<p>Lungisa kabusha ipayipi ukuvikela amasimu abantu.</p> <p>Uma lokhu kungenzeki, hlela (ubhekelele) ukwakhiwa ukuze kwenziwe ngemva kokuvuna izitshalo.</p> <p>Uma lokho kungenzeki, nxephezela abantu ngokulahlekelwa izitshalo zabo ngokubanikeza ukudla noma imali.</p>
Ukumbiwa kwemisele nokufakwa kwamapayipi kungalimaza izihlahla zeziethlo.	<p>Lungisa kabusha ipayipi ukuvikela izihlahla nezimpande zazo.</p> <p>Uma lokhu kungenzeki, tshala izihlahla ezintsha futhi unxephezele abantu ngokulahlekelwa izithelo zabo kuze kube izihlahla oziitshalile zikhule ngokwan-ele ukukhiquza izithelo.</p>
Ukwakhiwa kwepayipi kungase kulimaze umhlabathi njengoba inhlabathi enhle (okuyinhlabathi ephezulu) izosuswa	Qinisekisa ukuthi izingqimba zomhlabathi eziphezulu zigcinwa ohlangothini olulodwa ngesikhathi sokwakhiwa ukuze zikwazi ukubuyiselwa phezu kwemisele uma ipayipi seliggitshiwe.
Umhlabathi ophaz-amisekile ungaguguleka uma kufika izimvula. Kungase kwakheke imigede futhi utshani nezimila zemvelo zingakhukhuleka futhi zilimale. Lokhu kungadala ukuthi kunciphe amadlelo emfuyo.	<p>Uma amapayipi esefakiwe emiseleni, qinisekisa ukuthi indawo itshalwa utsnani okuyibona obuzohlanganisa umhlabathi futhi kuwuvikele ekutheni ungaguguleki.</p> <p>Lezizitshalo kumele cube ezomdabu noma okungenani kungabi yizinhlobo zokufika ezingavunyelwe ngokomthetho (ngoba zisuka kwamanye amazwe futhi ziqhadelana nezitshalo zendawo).</p> <p>Ukuvuselelwa kwendawo kungase kuthathe isikhathi ngakho kufanele umthuthukisi aqhubeke ehlola ukuthi utshani obusha noma izitshalo ziyakhula. Ukuchelelwa nokufakwa kukamanyolo kungadingeka kulesisikhathi.</p>
Umhlabathi ungase ungcoliseke.	<p>Qiniseka ukuthi noma yiziphi izinto eziyingozi (ezinobungozi, nobuthi) azihlangani nomhlabathi.</p> <p>Ngokwesibonelo:</p> <ul style="list-style-type: none"> • Ungalungisi imoto yomsebenzi nemishini yokusebenza esizeni ngaphandle kokulandela indlela efanelekile. • Ungagcini izinto noketshezi olunobungozi esizeni ngaphandle kwezinto zokubopha ezifanelekile. • Ungaxovi ukhonkolo emhlabathini ongenalutho. • Uma kunokuchithekile, qiniseka ukuthi yonke inhlabathi engcolile iyasuswa iyiswe endaweni egunyaziwe (esemthethweni, noma enelayisensi) yokulahla imfucuza enobungozi endaweni yokulahla udoti.

Imithelela Emibi Kubahlali:

Izibonelo Zemithelela Emibi	Izibonelo Zokunciphisa Imithelela Emibi
Ukufakwa kwamapayipi kungavimbela ukukhula kwezitshalo ngesikhathi esizayo.	Lukulungiswa kabusha kwamapayipi nokugwema amasimu abantu. Uma kungenzeki, qiniseka ukuthi imisele imbiwa ijule ngokwanele ukuze amapayipi angalimali uma sekulinywa noma kumbiwa uma amapayipi esegqitshiwe. Beka omaka ezindaweni ukuze abantu bazi ukuthi kunamapayipi agqitshiwe. Qinisekisa ukuthi umphakathi uyazi ukuthi uthintane nobani uma kwenzeka ipayipi liqhuma.
Abantu (ikakhuluka-zu abantwana) nemfuyo (izimbuzi, iziklabhu, izinkomo, izinkukvh) bangaphoseka emiseleni eshiywe ivulekile ilimale.	Gcina ingxenevulekile yomsele ibe mfishane kakhulu nangokwenzeka kwesikhathi sayo sibe sifishane kakhulu. Faka izimpawu eziyisixwayiso nezithiyo zokuvimbela abantu nemfuyo ukuthi bengaweli emiseleni ngaphambi kokuba igcwaliswe. Fundisa umphakathi, kuhlanganisa nabafundi ngobungozi bemisele evulekile neminye imishini yokusebenza enobungozi esendaweni yokusebenza.
Abantu, ikakhulukazi abantwana, nemfuyo (izimbuzi, izinkomo, izinkukhu) zingashayiswa izimoto zomsebenzi.	Qinisekisa ukuthi abashayeli bezimoto baqeqliwi ngokushayela ngesivinni esiphansi endaweni futhi bakhuzwe uma beshayela ngesivinni esiphezulu noma beshayela ngobudedengu. Ungavumeli amaloli ukushayela emgwaqeni ngezikathu zokuya nokubuya kwabantwana esikoleni. Vala izindawo noma imizila ezithile ukuze isetshenziswe kuphela abashayeli bamaloli kuphela. Fundisa umphakathi, kanye nabafundi ngobungozi bezithuthi nobungozi bemishini yokusebenza esendaweni yomsebenzi.
Inhlabathi evulekile noku-hamba kwamaloli kungan-disa uthuli ngesikhathi sok-wakhiwa.	Chela umgwaqo nendawo ngamanzi ukuqedu uthuli. Lungisa izindawo ezipazamisekile ngokushesha.

Qaphela Lokhu: Ngisho ngabe abantu bayayidinga futhi bayayifisa iphrojekthi, njenge phrojekthi yamanzi omphakathi, ingaba nemithelela emibi. Ngokubambiqhaza oCwaningweni Lokungenzeka Emvelweni, akusho ukuthi uphikisa iphrojekthi kodwa ungaqinisekisa ukuthi yonke inithelela emibi ekhona iyaqagulwa futhi igwenywe ngaphambi kokuthi iphrojekthi ize iqalise, nokuthi izinzuso zephrokethi zingathuthukiswa (zandiswe noma zenziwe ngcono). Igalelo lakho kumele libhekwe uHulumeni ekukuthatheni izinqumo ezingcono ngephrokethi (ngentuthuko).

EXAMPLE 2: OPEN CAST COAL MINE

These are some examples of positive and negative impacts that may be caused by an open cast coal mine and are likely to be relevant to a resident community. You may think of other impacts.



ISIBONELO 2: IMAYINI YA-MALAHLE EVULEKILE

Lezi ezinye zezibonelo ezinhle nezimbi zemithela-la engase ibangelwe imayini yamalahle evulekile ezingenzeka emphakathini. Ungacabanga ngem-nye imithelela engase ibekhona.

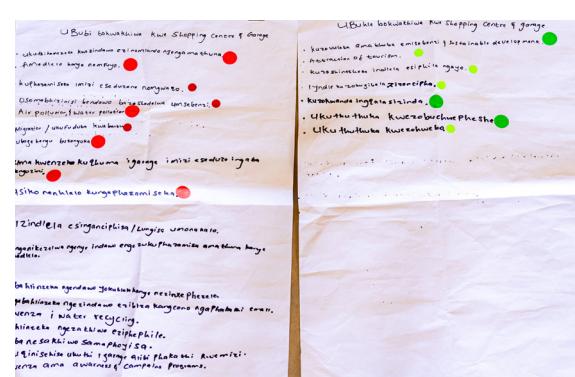
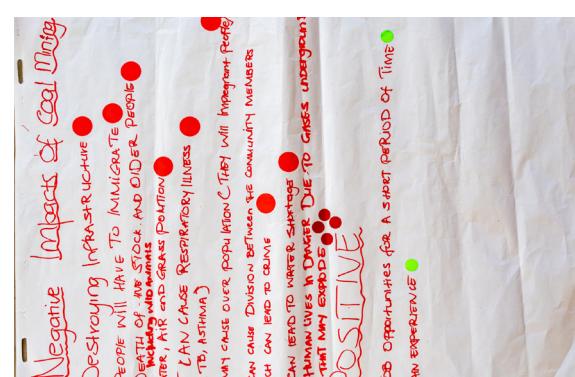


Positive impacts for local residents:

Some examples of positive impacts	Some examples of mitigation measures
The mine will provide jobs and skills during site preparation, mining and rehabilitation.	<p>Offer training, employment and contracts to local residents (as individuals and as businesses) so that they not only benefit from this project but can also develop the skills to get jobs and contracts for other projects.</p> <p>Start training early so that when the project commences people have already been trained and can be employed.</p> <p>Start planning early for a just transition (change) so that when mining is completed, people are left with skills and infrastructure which provide opportunities to support themselves.</p>
The mine will provide jobs and skills during site preparation, mining and rehabilitation.	<p>Offer training, employment and contracts to local residents (as individuals and as businesses) so that they not only benefit from this project but can also develop the skills to get jobs and contracts for other projects.</p> <p>Start training early so that when the project commences people have already been trained and can be employed.</p> <p>Start planning early for a just transition (change) so that when mining is completed, people are left with skills and infrastructure which provide opportunities to support themselves.</p>
The mine will pay for social upliftment projects through its mandatory Social and Labour Plan	<p>Give adequate (enough) and fair opportunity to all residents to give meaningful input into the identification, development and implementation of these projects so that they do make a meaningful contribution to the quality of people's lives in the community.</p> <p>But, these benefits to the community as a whole should not be seen as mitigation for all the negative impacts that individual residents will experience as a result of the mining operations. It is likely that additional mitigation will be required for these individuals.</p>

Imithelela emihle emphakathini:

Izibonelo Zemithelela Emihle	Izibonelo Zokwandisa Imithelela Emihle
Imayini izohlinzeka ngomsebenzi noqequesho ngesikhathi sokulungiswa kwendawo, ukumbiwa nokuvuselelwa.	<p>Nikeza uqequesho, qasha abantu bendawo, nkeza amathuba omsebenzi kusonkontileka bendawo (njengomuntu ngamunye noma osomabhizinisi) ukuze bangazui nje kuphela kulomkhakha kodwa futhi bakwazi ukuzithuthukisa amakhono okuthola umsebenzi nezinkontileka zeminye imikhakha.</p> <p>Qalisa ukuqequesha kwabantu kusenesikhathi ukuze kuthi uma sekujala umsebenzi abantu sebeqequeshiwe bese bakwazi ukuqasheka.</p> <p>Qalisa ukuhlela kusenesikhathi ukulungiselela izinguquko ezingase zibe khona ukuze kuthi lapho ukumbiwa sekujediwe, abantu basale namakhono nengqalasizinda esiza ukuthi bathole amathuba okuzimela.</p>
Imayini ikhokhela ama phrokethi okuthuthukisa umphakathi ngoHlelo oluyisibopho Lwezenhlakkahle Nezabasebenzi.	<p>Ukunikeza ithuba elanele (ngokwanele) nelifanelekile kubo bonke abahlali ukuthi bafake imibono ephusile ekuqagulweni, ekuthuthukisweni nasekuqalisweni kwalezinhlelo ukuze zibe negalelo elibonakalayo ezingeni lezimpilo zabantu emphakathini.</p> <p>Kodwa, lenzozo (imihlomulo) emphakathini wonkana akufanele ibonwe njengokunciphisa yonke imithelela engemihle kubantu abazobhekana nayo ngenxa yomsebenzi wokumba. Kungenzeka kudingeke ukuncishiswa okwengeziwe kulababantu.</p>



Negative impacts for local residents:

Some examples of negative impacts	Some examples of mitigation measures
<p>People may lose their land, including fields, grazing land, trees and wetlands, and/or their homes and have to be relocated (moved, resettled) to make way for the mine. Their family graves may also have to be relocated.</p> <p>This is likely to be very traumatic as the connections they have with their ancestors, family land, extended family and neighbours will be broken.</p> <p>It will also likely destroy their livelihoods and their ability to sustain themselves and their culture. Learners (school children) may have to travel further to their schools, which costs more money or have to move to new schools and buy new uniforms.</p>	<p>Reduce the size of the mine to minimise impacts and relocate infrastructure where possible (e.g, reroute access roads).</p> <p>Implement a resettlement programme following guidelines and international best practice (for example, the IFC Environmental and Social Performance Standards for involuntary settlement and the DMRE Mine Community Resettlement Guidelines) which requires not only compensation and replacement of assets that will be lost, but also includes restoration (replacement) of livelihoods with long term monitoring (checking) to ensure people are not worse off than before the mine came to the area. This includes the host community of the new area to where people are relocated.</p> <p>Consult extensively with the affected residents and communities, starting as early as possible in the process and well before relocation is implemented (started). It is important to know that our law requires prior and informed consent of all lawful occupiers.</p> <p>Where graves need to be relocated, consult extensively and early with the families and with the heritage authorities to get their consent and permits to exhume and rebury the bodies elsewhere. Make sure that all the associated costs for reburial, including the costs of ceremonies, are identified and paid for by the developer.</p> <p>Make proper provision for rehabilitation of the land during and after mining so that it can be restored as closely as possible to its previous condition. Provide compensation and opportunities for sustainable livelihoods where land cannot be restored to its original state and land uses.</p>
<p>The big mining trucks travelling along roads through the community will make it more dangerous for local residents, especially children as well as livestock.</p> <p>The mining site, with its large machinery and open pits and steep stockpiles, if not properly designed and secured can present a significant threat to the safety and lives of children and livestock.</p>	<p>Plan and align mine roads to avoid settled areas (villages).</p> <p>Make sure the drivers are trained about driving slowly in the area and discipline them if they speed or drive recklessly.</p> <p>Do not allow trucks to drive on the roads when children are going to school and leaving school.</p> <p>Cordon off (fence off) certain areas. Ensure fences, warning signs and barriers are well maintained.</p> <p>Educate the community, including school learners about the hazards of the vehicles and dangerous equipment on site.</p> <p>Assist and compensate people when accidents happen.</p> <p>Engage extensively with local residents to ensure that the selected mitigation measures do not create hardship or other negative impacts such as blocking off access, roads or pedestrian paths.</p>

Negative impacts for local residents:

Some examples of negative impacts	Some examples of mitigation measures
<p>Blasting may cause damage (e.g., cracked walls, broken windows) to buildings – houses, schools and churches.</p> <p>The sudden loud noise and vibrations from blasting may cause trauma to people, especially children as well as livestock.</p>	<p>Alternative extraction methods to blasting should be used so that this damage and trauma is avoided.</p> <p>If there are no feasible alternative methods, the exclusion zone should be increased i.e., more people are moved away from the mine (although this is big negative impact itself). This should not be limited to 500m which is required for blasting activities in terms of the Mine Health and Safety Act 1996. This may also require the developer to pay for the relocation of schools and other community buildings.</p> <p>If blasting is used as an extraction method, ensure each blast is recorded and monitored for any trauma or damage caused.</p> <p>Ensure local residents are properly informed about the blasting schedule. People should be assisted and compensated for any damage caused.</p>
<p>Blasting and other activities or sources (e.g. movement of large trucks on dirt roads, the coal processing plant, the exposed discard dumps and stockpiles) may also create lots of dust that makes breathing difficult, causes lung disease, dirties the insides of homes, dirties people's washing, covers the vegetation in dust making it unpalatable to livestock, covers crops with dust, and pollutes dams, streams and the rainwater collected off the roofs of people's houses.</p>	<p>Alternative extraction methods to blasting should be used so that dust is reduced.</p> <p>Prohibit blasting during the windy months and on days when high winds are experienced.</p> <p>The exclusion zone should be increased i.e. more people are moved away from the mine (although this is big negative impact itself).</p> <p>Dust monitoring prevention and suppression programmes must be established and strictly implemented.</p> <p>Mitigation measures must also be implemented at houses for example, screening of houses, screens on windows.</p> <p>People must be compensated for the losses and/or additional costs they have to incur because of the dust.</p> <p>Roads must be paved.</p> <p>People must be given access to good health care and regular health monitoring.</p> <p>People must be provided with enough potable water for their families and their animals.</p>
<p>People's drinking water and water for their crops and livestock, may dry up because the mine has destroyed streams, and lowered the water table through decanting or water abstraction. Water may also become polluted as a result of the mining activities (this is in addition to the possible pollution of water from dust described above).</p>	<p>The developer should be responsible for providing alternative water sources to people whose supply and quality have been affected by the mining operations, directly or indirectly. Provision may have to be made for continued supply after the mine has stopped operating and closed, if the water quality and supply issues persist post mining.</p>

Negative impacts for local residents:

Some examples of negative impacts	Some examples of mitigation measures
The mine operations can change the beauty of the area to a dusty and noisy area during operations and a permanent visual scar on the landscape after the mine is closed. This can negatively impact on eco-tourism economic activity in the area, including loss of jobs and other social benefits.	Ensure that these impacts are properly identified and mitigated. If mitigation is not possible during the operation of the mine, compensation and/or other opportunities should be considered. Make proper provision for rehabilitation of the land during and after mining so that it can be restored as closely as possible to its previous condition so that the visual impact is remedied post mining.
The presence of a mine can create division in the community as the people who benefit from jobs and royalties will likely support the mine and those who are exposed to hardship without benefits and adequate compensation, will be opposed to the mine. This can escalate into violence where people are further traumatised.	Ensure that all negative impacts are properly identified and adequately addressed. Do not rely on general benefits (for example, projects in the Social and Labour Plan) to the community as a whole to suffice as adequate mitigation for negative impacts experienced by other groups or individuals in the community. Job creation cannot be used as a means of justifying the mine's negative impacts if those people who lose land and their livelihoods are not adequately compensated and are not the ones who benefit from employment. This creates environmental injustice as there will be an unfair distribution of adverse impacts in the community.
The impacts of the mine can make it very difficult for people to adapt to and be resilient to the effects of climate change, especially increased and more extreme drought and floods.	Unless these impacts relating to livelihoods and water can be properly mitigated, this impact should be considered a fatal flaw and the project should not be authorised.

NOTE: In many mining projects, it is impossible to avoid large negative impacts, especially where people will be required to move and many others will lose their fields, water supply, grazing lands and source of income. They will also suffer great trauma having to leave their family land and move their family graves. During operation, people are also likely to suffer from high dust levels, noise, blasting, water pollution, reduced water supply, food insecurity and health issues.

Also, these projects can have long-lasting impacts even after the mine closes such as water pollution, streams that no longer flow and unstable and sterile land where no one can build houses or grow crops. For these projects, the mitigation measures that are recommended in the EIA need to be very strong to show how these impacts can be avoided, and if they cannot be avoided, how they can be reduced and remedied. If this is not possible, the project should be refused because it cannot meet the requirements set by Section 24 of the Constitution and the Section 2 principles of NEMA.

The competent authority needs to make sure that if it does approve the project and grant environmental authorisation, that the mitigation is in fact implemented (done) and is effective (successful). If not, the mine should be required to do extra (more, additional) things to prevent the pollution or damage, and if not, it should be ordered to stop mining. The mine should also be ordered to fix the damage already done.

Imithelela Emibi Emphakathini:

Ezinye izibonelo zemithelela emimbi	Ezinye Izbonele Zezindlela Zokunciphisa Imithelela emimbi
<p>Abantu bangahle belahlekelwe umhlaba wabo, okuhlanganisa amasimu, amadlelo, izihlahla nama xhaphozi, kanye/noma namakhaya abo futhi kufanele bathuthelwe (basuswe, bahlaliswe kabusha) kwenye indawo ukuze kubelula ukumbiwa komhlaba. Kungenzeka kube nesidingo sokususwa kwamathuna. Lokhu kungenzeka kuhlukumeze imindeni njengoba kuzonqamula ukuxhumana abanakho nokhokho babo, umhlaba womndeni, imindeni kanye nomakhelwane</p> <p>Kuzophinde kucekele phansi izimpilo zabo kanye nekhono labo lokuziphilisa kanye namasiko abo.</p> <p>Abafundi (izingane zesikole) kungase kudingkeke bahambe ibanga elide lokuya ezikoleni zabo, okungabiza imali eyengeziwe noma kudingkeke bathuthele ezikoleni ezintsha futhi bathenge nomfaniswano omusha.</p>	<p>Ukunciphisa ubukhulu bemayini ukuze kuncishiswe imithelela futhi kuthuthwe ingqalasizinda lapho kungenzeka khona (isibonelo ungabhakisila imizila yemigwaqo).</p> <p>Sebenzisa uhlelo lokuhlaliswa kabusha olulandela imihlahlandlela nezindlela ezingcono kakhulu zamazwe ngamazwe (ngokwesibonelo, i International Finance Corporation – IFC kanye nencwadi eqondisa umphakathi ngokususwa yomnyango wezokumbiwa phansi (DMRE)) yezemvelo kanye namazinga okuhlaliswa kabusha komphakathi) okungadingi nje kuphela isinxephezelo nezizinda zezipahla ezisolahleka, kodwa futhi kuhamanisa nokubuyiselwa kwezindlela zokuziphilisa ngokuqapha isikhathi eside ukuze kuqinisekiswe ukuthi abantu abatholakali besesimweni esimbi kakhulu kunangaphambili kokuba imayini ifike endaweni. Lokhu kuhamanisa umphakathi ophethe indawo entsha lapho abantu befudukiselwe khona.</p> <p>Xhumana kakhulu nezakhamuzi ezithintekile kanye nemiphakathi ngaphambi kokuba ukuthutha kuqaliswe (kuqalwe). Kubalulekile ukwazi ukuthi umthetho waseNingizimu Afrika udinga imvume nokuqinisekisa ukuthi abantu abahleli ngokusemthethweni banolwazi.</p> <p>Lapho kufanele kususwe khona amathuna, bonisana ngokushesha nangokujulile nemindeni nabasemagunyeni kwezamagugu ukuze kutholakale imvume yokumba futhi kungcwatshwe kabusha. Qinisekisa ukuthi zonke izindleko ezihambisana nokungcwaba kabusha, okuhlanganisa nezindleko zemikhosi, ziyaqagulwa futhi zikhokhelwe umthuthukisi. Yenza amalungiselelo okubuyiselwa umhlaba esimweni ngesikhathi sokumbiwa nangesikhathi sekuediwe ukumba ukuze ube seduzane nesimo owawukuso ngaphambi kokumbiwa. Ukuhlinzeka ngesinxephezelo kanye namathuba okuphila okusimeme lapho umhlaba ungeke ubuyiselwe esimeni sawo sokuqala kanye nokusetshenziswa komhlaba.</p>
<p>Amaloli amakhulu ezimayini ahamba emigwaqeni enqamuila umphakathi azokwenza kube nezingozi ezakhamizini ikakhulu-kazi abantwana nemfuyo.</p> <p>Imayini nemishini yayo emikhulu nemigodi evulekile, nezindunduma zomkhiqizo, uma kungaklanywanga kahle futhi ngukavikelwe kungaletsha ingozi enkulu ekuphepheni nasezimpilweni zezingane nemfuyo.</p>	<p>Hlela futhi uqondise imigwaqo eseziyayini ukugwema izindawo zokuhlla (amadolobhana).</p> <p>Qinisekisa ukuthi abashayeli baqeqliwi ngokushayela ngokucophelela futhi bayaqondiswa uma beshayele ngesivinini noma ngokunganaki. Ungawavumeli amaloli ukuthi ashayele emgwaqeni uma izingane ziya noma zibuya esikoleni.</p> <p>Vala (biyela) izindawo ezithile. Qinisekisa ukuthi uthango, izimpawu ezixwayisayo zifakiwe zaphinde zalungiswa ngendlela egculisayo.</p> <p>Fundisa umphakathi nabafundi ngobungozi bezithuthi kanye nemishini eyingozi endaweni yokusebenza.</p> <p>Lelelela futhi unxephezele abantu uma kwenzeke ingozi.</p> <p>Xhumana ngokujulile nezakhamuzi zendawo ukuze uqinisekise ukuthi izinyathelo zokunciphisa ezikhethiwe azidali ubunzima noma eminye imithelela engemihle njengokuvimbeka kwendlela yokungena, imigwaqo noma imizila abahamba ngezinyawo.</p>

Imithelela Emibi Emphakathini:

Ezinye izibonelo zemithelela emimbi	Ezinye Izbonele Zezindlela Zokunciphisa Imithelela emimbi
<p>Ukuqhumisa kungabangela umonakalo (isibonelo njen-gokuqhekeka kwezindonga, nokuphuka kwamafasitela) ezakhiweni zezindlu, izikole nase masontweni.</p> <p>Umsindo omkhulu onga-zelele nokudlidizela okusuka ekuqhunyisweni kungabange-la ukuhlukumezeka kwabantu, ikakhulukazi izingane nemfuyo.</p>	<p>Izindlela ezahlukile zokukhipha umkhiqizo kufanele zisetshenziswe ukuvikela umonakalo nokuhlukumezeka odalwa ukuqhumisa.</p> <p>Uma zingekho ezinye izindlela ezingasetshenziswa, indawo ekhishelwe ngaphandle kufanelwe yandiswe, isibonelo abantu abanangi kufanele basuswe bayiswe kude nemayini (noma ke lokhu kuwumthelela omkhulu ongemuhle ngokwakho). Lokhu akumele kukhawule ebangeni eliu 500m elidingekayo emisebenzini yokuqhumisa ngokoMthetho Wezem-pilo Zezimayini Nokuvikelelw Kwabantu ka 1996. Lokhu kungadinga futhi umthuthukisi akhokhele ukususwa kwezikole nezakhiwo zomphakathi.</p> <p>Uma ukuqhumisa kuyiyona ndlela esetshenziswayo ukukhipha umkhiqizo, qiniseka ukuthi ukuqhumisa ngakunye kuqoshiwe futhi kugadiwe ukwen-zela ukuhlukumezeka nomonakalo ongenzeka.</p> <p>Qiniseka ukuthi izakhamuzi zazisiwe ngendlela nohlu lokuqhumisa oluzok-wenziwa.</p> <p>Abantu kufanele basizwe futhi banxephezelwe kuwowonke umonakalo ewenzekalayo.</p>
<p>Ukuqhunyiswa nezinye izinhlelo noma imithombo (Isibonelo: ukuhanjiswa kwama-loli amakhulu emigwaqeni yobhuqu, imboni yokuphehla amalahle, nezindunduma zomkhiqizo) zingadala izintuli ezinkulu ezingenza kube nzima ukuphefumula, zibange izifo zamaphaphu, zingcolise ezindlini, zingcolise nezimpahla zabantu eziwashiwe, zimboze izimila ngezintuli zenze kunganambithiseki emfuyweni, imboze izitshalo ngezintuli, ing-colise namadamu, imifudlana hamanzi emvula akhokhongo-zeliwe ngogedasi ezindlini.</p>	<p>Ezinye izindlela zokukhipha umkhiqizo ngokuqhumisa kufanele zisetshenziswe ukuze kuncishiswe uthuli.</p> <p>Nqabela ukwenza umsebenzi wokuqhumiswa ngezinyanga ezinomoya nangezinsuku okulindeleke ngazo umoya omkhulu.</p> <p>Indawo ekhishelwe ngaphandle kumele yandiswe. Isibonelo: abantu abanangi basuswe babekwe kude nemayini, (noma-ke lokhu kunomthelela ongemuhle ngokwakho).</p> <p>Izinhlelo zokuqapha uthuli, nezinhlelo zokuvimbela uthuli, kanye nezinhlelo zokucindezela uthuli kufanele zisungulwe futhi zisetshenziswe ngokuqjinile.</p> <p>Izinyathelo zokunciphisa kufanele futhi zisetshenziswe ezindlini, Isibonelo: ukuhlolwa kwezindlu namafasitela.</p> <p>Abantu kufanele banxephezelwe ngokulahlekelwa nangezindleko ezengezekile ngenxa yothuli.</p> <p>Imigwaqo kufanele igandaye.</p> <p>Kufanele kwenziwe izinhlelo zokuthi abantu bafinyelele ezizindeni zezempi-lo, bese kuba nokuqapha impilo enhle.</p> <p>Abantu kufanele banikezelwe ngamanzi okuphuza kwenzelwe imindeniyabo nemfuyo.</p>
<p>Imithelela yemayini ingenza kube nzima kakhulu kubantu ukujwayela nokwazi ukumelana nemiphumela yokuguquguquka kwesimo sezulu, ikakhulukazi ukunyuka kwamazinga esomiso nezikhu-khula.</p>	<p>Ngaphandle uma lemithelela ehlobene nendlela yokuphila kwabantu hamanzi ingancishiswa ngendlela efanele, lomthelela kufanele uthathwe njengephutha futhi akufanele iphrojekthi igunyazwe.</p>

Imithelela Emibi Emphakathini:

Ezinye izibonelo zemithelela emimbi	Ezinye Izibonele Zezindlela Zokunciphisa Imithelela emimbi
<p>Amanzi abantu okuphuza namanzi ezitsha-lo nemfuyo, angaphela ngenxa yemayini esibulale imifudlana, kanye nokwehlisa itafula lamanzi ngokudonsa noma amanzi noma ngokumunca amanzi. Amanzi an-gangcola ngenxa yomsebenzi wokumayina (lokhu kungenziwa nawukungcola kwamanzi okungenze ka kubangelwa izintuli njengoba bekubaluliwe ngaphezulu).</p>	<p>Umthuthukisi kufanele akwenze kube umsebenzi wakhe ukuba nolunye uhlelo lokulethwa kwamanzi kubantu ase-bephazamisekelwe ukulethwa kwamanzi acocekile ngenxa yomsebenzi wokumbiwa, kungaba lokho kwenzeke kubo ngqo noma ngenye indlela.</p> <p>Kufanele kwenziwe izinhlelo zokulethwa amanzi kubantu uma imayini seyiphothulile izinhlelo zokusebenza uma ng-abe ukuhlanzeka kwamanzi kungekho ezingeni elamukelw-ile.</p>
<p>Umsebenzi wokumbiwa ungashintsha ubuhle bendawo iphenduke ibe indawo enezintuli nomsindo ngesikhathi somsebenzi. Futhi kungaba knona ukushintsheka kokubukeka kwendawo uma imayini seyi-ivaliwe. Lokhu kungaba nomthelela omubi emsebenzini wezomnotho wokuthuthukiswa kwezokuvakasha endaweni, okuhlanganisa nokulahlekelwa yimisebenzi nezinye izinzuzo zomphakathi.</p>	<p>Qinisekisa ukuthi lemithelela iqagulwe ngendlela efanele futhi inciphisiwe. Uma ingekho indlela yokunciphisa ngesikhathi sokusebenza kwemayini, kumele kunxephezelwe futhi kubhekwe amanye amathuba empilo enhle.</p> <p>Qinisekisa ukuthi kwenziwa indlela efanelekile yokubuyisela umhlaba ngesikhathi sokumba nasemaphethelweni okumayina ukuze ukwazi ukubuyisela esimweni ebekuyiso-na ngaphambilini ukuze imithelela eqondene nokubukeka kwendawo inciphisiwe.</p>
<p>Ukuba khona kwemayini kungawuhlukani-sa umphakathi njengoba abantu abazuza ngokwamathuba ngemisebenzi nezinkokhe-lo bangase beseke imayini. Bese kuthi labo ababhekene nobunzima ngaphandle kwezinzu zo-nesinxephezelo esanele, baphikisan emayini.</p> <p>Lokhu kungabangela ukungezwani nokuhlu-kumezeka kwabantu.</p>	<p>Qinisekisa ukuthi imithelela emibi iqaguliwe futhi kukhuluny-we ngayo ngokwanale.</p> <p>Ungathembeli ezzinzuzweni ezejwayelekile (Isibonelo: amaphrojekthi Ezinhlelo Zezenhlalakahle Nezabasebenzi) zasempakathini wonkana ukuze kubonakale sengathi yanelisa ukunciphisa kwemithelela engemihle kumanye amaqembu noma abantu abasempakathini.</p> <p>Ukuvezwa kwamathuba omsebenzi akufanele kwenziwe imizamo yokuthethelela imithelela engemihle yemayini uma labo bantu abalahlekelwe indawo nokuziphilisa abanxeshe-zelwe ngendlela efanele nanokuthi ababona abahlomulile ngomusebenzi. Lokhu kwenza kungabikhona ubulungiswa bezemvelo nokungabikhona kweqiniso ekwabiweni kwemithelela emibi emphakathini.</p>

QAPHELA: Amaphrojekthi amanini ezimayini, kubanzima ukuvikela imithelela engemibile, ikakhulukazi lapho kufanele kuthuthwe khona abantu nalapho bezolahlelwa amasimu abo, ukulethwa kwamanzi, amadello emfuyo, nemithombo yabo yezomnotho. Bazobhekana nokuhlukumezeka okukhulu ngenxa yokususwa emihlabeni wabo nalapho kufanele kususwe amathuna eminden yabo. Ngesikhathi salomsebenzi, abantu bazohlukumezeka kakhulu ngenxa yamazinga aphezulu othuli, umsindo, ukuqhuma, ukungcola kwamanzi, ukwehla kwezinga lokunikezelwa ngamanzi, ukungabikho kokudla, nezinsiza ezibhekene nezempi.

Okunye, lamaphrojekthi angaba nomthelela wesikhathi eside ngisho imayini seyavalwa kudala, njengokungcola kwamanzi, imifudlana engasagelezi, nomhlaba ongasakhiqizi lapho umuntu engeke esakwazi nokwakha indlu noma akhulise izitshalo.

Kulawa maphrojekthi, izinyathelo zokunciphisa ezituswayo Ocwaningweni Lokungenzeka Emvelweni kudingeka zibe namandla kakhulu ukukhombisa ukuthi lemithelela ingagwenywa kanjani, ingancishiswa noma ishintshwe kanjani. Uma yonke lemizamo ingaphumeleli, iprojekthi kumele ingagunyazwa ngoba ayikwazi ukuhlangabezana nezidingo zomthetho obekwe esigaben 24 somthethosisekelo, nesigaba 2 sezimiso zoMthetho Wokuphathwa Kwemvelo.

Izipathimandla ezinegunya zidinga ukwenza isiqiniseko sokuthi uma zigunyaza iprojekthi futhi zinikeza ukugunyazwa kwezemvelo, ukuthi ukuncishiswa kuqaliswe (kwensiwe) futhi kuyasebenza (ngempumelelo) uma kungenjalo, imayini izophoqeleka ukuthi yenze okungaphezulu (nokwengeziwe) ezintweni okumele zivikele ukungcolisa noma ukulimaza, okunye futhi, uma kungenjalo, kuyofanele baphoqwe ukuthi bamise ukumba. Imayini kuyofanele iphoqwe ukulungisa umonakalo osuwenzekile.

Tips (advice, suggestions) for identifying impacts and checking the strength (effectiveness, success, efficacy) of mitigation measures:

1. Make sure you have been given enough information about the project, for example:

- Where will it go (be placed, be located)?
- How big is it? How much land does it need?
- Will there be a fence? And where will it go (be placed, be erected)?
- How long will it take to construct?
- Will it be here forever or for a period of time? How many years?
- What does it look like? What are ALL the parts, including access roads, fences, powerlines?
- How will it be built?
- When will it be built?
- How much water does it need? Where will it get this water from?
- How much power (electricity) is needed? Where will this power (electricity) come from?
- What pollution (water pollution, waste, air pollution) will it cause (make)? Where will this pollution or waste go?
- How many people will be employed during construction? What types of jobs?
- How many people will be employed during operation? What types of jobs?

2. If you are not given this detail about the project, ask for a proper explanation of the project so you are able to understand it properly. It is suggested you do this early in the EIA process.

3. Ask for a site visit for these things to be physically shown (pointed out) to you on the land.

- 4.** Ask for maps and drawings to be given to you.
- 5.** Ask for all this information to be provided to you in your language.
- 6.** Ask the EAP and specialists to walk through your area to point out all the main features (e.g. houses, graves, graves, fields, churches, schools, special areas, wetlands, water sources, grazing land, how people make their living, etc.). This is to make sure the EAP and specialists know your area. Without this information, they will not be able to identify all the impacts.
- 7.** Ask for the EAP to provide notices, letters and reports in English AND isiZulu.
- 8.** Ask for hard (paper) copies of these documents so that you can study them properly.
- 9.** Ask for meetings or workshops for the EAP and specialists to explain the reports to you in your mother tongue, in isiZulu.
- 10.** Hold meetings with your neighbours and other members of your community to discuss the impacts and mitigation measures.
- 11.** Submit your comments in writing to the EAP. If you struggle with reading, writing or understanding English, ask for meetings. The EAP must take minutes and record what you say and address your comments in the EIA reports.
- 12.** Ask for feedback on how your concerns and ideas have been included in the EIA report.

Also see tips on public participation – when and how to participate in the EIA process.

Amacebo (izeluleko, imibono) okukhomba imithelela nokubhek-isisa Amandla (ukuphumelela, impumelelo, ukusebenza kahle) kwezinyathelo zokunciphisa:

- 1.** Qiniseka ukuthi unikeziwe ulwazi olwanele nge phrokethi, Izibonelo:
 - Izoya kuphi (izobekwaphi, indawo ezoba kuyo)?
 - Ingakanani ngobukhulu? Izodinga umhlaba ongakanani?
 - Izodinga ukubiyelwa yini? Futhi izoya kuphi (ukubekwa, lapho ezomiswa khona)?
 - Kuzothatha isikhathi esingakanani ukwakhiwa kwayo?
 - Izoba khona lapha kuze kube phakade noma iskhashana nje esilinganisiwe? Iminyaka emingaki?
 - Ibupekha kanjani? Zinjani zonke izingxenye zayo, kubalwa imizila yokufinyelela, uthango, nasezintanjeni zikagesi?
 - Izokwakhiwa kanjani?
 - Izokwakhiwa nini?
 - Izodinga amanzi amangakanani? Azotholakala kuphi lawomanzi?
 - Izodinga amandla kagesi amangakanani? Lamandla kagesi azotholakala kuphi?
 - Ikuphi ukungcoliseka (kwamanzi, kodoti, komoya) ezokwenza? Konke lokungcola nodoti kuzoyiswaphi?
 - Bangakanani abantu abazothola amathuba omsebenzi uma sekwakhiwa? Hloba luni lomsebenzi ozotholakala?
 - Bangakanani abantu abazoqashwa uma sekuqala umsebenzi? Hloboluni lomsebenzi ozovela?

2. Uma unganikiwe imininingwane mayelana nale phrojekthi, buza ngencazelo eqinisikile mayelana nale phrojekthi khona uzothola ukuyiqondisisa kahle. Lokhu kudingeka ukuthi ukwenze ngasekuqaleni koCwaningo Lokungenzeka Emvelweni.
3. Cela ukuvakashela indawo yomsebenzi ukuze uqiniseke ukuthi zonke lezizinto uzibonela wena mathupha.
4. Cela ibalazwe nemidwebo ukuthi inikezelwe kuwe.
5. Cela lonke ulwazi ukuthi lunikezelwe kuwe ngolimi lwakho.
6. Cela ababhekene noCwaningo noChwepheshe ukuthi bakuhambise endaweni bakubonise izinto okubalulekile kakhulu ukuthi uzibone uzazi (njengezindlu, amathuna, amasimu, amasonto, izikole, izindawo ezibalulekile, amaxhaphozi, imithombo yamanzi, amadlelo, ukuthiabantu baziphilisa kanjani). Lokhu kuzoqinisekisa ukuthi uChwepheshe Wocwaningo Lwemvelo noChwepheshe bayayazi kahle lendawo. Ngaphandle kwalolulwazi, ngeke baze bakwazi ukuqagula yonke imithelela engabakhona.
7. Cela ababhekene noCwaningo ukuthi bakuhlinzeke ngezexwayiso, izincwadi nemibiko ngeSingisi nangesizulu.
8. Cela imiquulu yemibiko ukuze ube nesikhathi sokuyifunda kahle.
9. Cela imihlangano noChwepheshe Wocwaningo Lwemvelo ukukuchazela ngemibiko ngolimi lwakho lwendabuko, ngesizulu.
10. Bamba imihlangano nomakhelwane bakho namanye amalunga omphakathi nioxisisane ngemithelela nezindlela zokunciphisa imithelela.
11. Thumela imibono yakho ngokubhalela uChwepheshe Wocwaningo Lwemvelo, uma kunzima ukufunda, ukubhala noma ukuqondisisa isingisi, cela imihlangano. uChwepheshe Wocwaningo Lwemvelo kumele athathe amaminithi omhlangano nemininingwane yalokho okushoyo abhekisise izimvo zakho embikweni Wocwaningo Lwemvelo.
12. Cela impendulo ekhombisa ukuthi izimvo zakho zibhekeleke kanjani embikweni woChwepheshe Wocwaningo Lwemvelo.

Futhi thola namacebo ngokubambiqhaza komphakathi – ukuthi kufanele kube nini noma kanjani ukubamba iqhaza ezinqubeni zoChwepheshe Wocwaningo Lwemvelo.

2. WHY AND WHEN ARE EIAs DONE IN SOUTH AFRICA?

South Africa has a Constitution that gives everyone the right:

1. To an environment that is not harmful to their health or well-being.
2. To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:
 - prevent pollution and ecological degradation;
 - promote conservation; and
 - secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

2. LWENZIWEWANI FUTHI LWENZIWA NINI UCWANINGO LWEZEMVELO ENINGIZIMU AFRIKA?

Umthethosisekelo weNingizimu Afrika unikeza wonke umuntu ilungelo:

1. Lokuhlala endaweni ephephile nengenabungozi empilweni.
2. Ukugcina imvelo ivikelekile, ukuze kuzuze isizukulwane samanje nesizayo, ngomthetho ophusile nemizamo ezokwenza ukuthi:-
 - Ukuvikela ukungcoliswa kanye nokucekelwa phansi kwemvelo;
 - Khuthaza ukongiwa nokuvikelwa kwemvelo; futhi
 - Ukuthuthukiswa okusimeme kwezemvelo kanye nokusetshenzisa kwemithombo yemvelo kuphinde kukhuthazwe ukuthuthukiswa komnotho nezenhlalakahle efanelekile.

This right is found in Section 24 of our Constitution of 1996.

Lelilungelo litholakala eSigabeni 24 Somthetho Wesisekelo wango 1996.

To comply with (obey) the Constitution, our Government has made (enacted, published, promulgated) a number of laws to protect the environment.

One of the main laws is the National Environmental Management Act which was published in 1998. We also call this law NEMA for short.

NEMA contains (has) many legal tools for our government to use to protect the environment.

One important tool is the set of principles in Section 2 of NEMA which must be used by the government when making decisions that affect the environment.

Ukuhambisana nomthetho sisekelo, uHulume-ni (yensiwe, yashicilelwu, yamenyezelwu) inani ubeke inani lemithetho ukuvikela ezemvelo.

Omunye wemithetho esemqoka uMthetho Kazweloneko Kokuphathwa Kwezemvelo (NEMA), owashicilelwu ngo 1998

uMthetho Kazweloneko Wokuphathwa Kwezemvelo uphethe amathuluzi asemthethweni okuthi uHulumeni wethu awasebenzise ukuvikela ezemvelo.

Ithuluzi elibalulekile imigomo esemthethweni es-igabeni 2 soMthetho Wokuphathwa Kwemvelo okumele isetshenziswe uHulumeni uma ethatha izinqumo ezizothinta imvelo.

Section 2 principles of NEMA (in relation to the EIA process):

- Environmental management (including EIAs) must put people and their needs first.
- It must serve people's physical, psychological, developmental, cultural and social interests equitably.
- Development must be socially, environmentally, and economically sustainable.
- Negative impacts on the environment, people and their cultural heritage must be avoided. Only if impacts can't be avoided, should mitigation measures be used to reduce the impacts and remedy the damage.
- Non-renewable resources (like minerals and coal) must be used responsibly and fairly and renewable resources (like natural forests and water) must be not be used so they run out (are depleted) and cannot be renewed.
- Government must be cautious when it makes decisions, especially if it is not sure of the consequences (impacts) of a project.
- Environmental justice must be pursued so that adverse environmental impacts are not distributed in a way that unfairly discriminates against any person, particularly vulnerable and disadvantaged persons.
- Government departments and other organs of state must co-operate and work together to protect the environment.
- Public participation of all interested and affected parties must be promoted in EIAs, decision-making and compliance.
- All people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation.
- Public participation by vulnerable and disadvantaged persons must be ensured.
- Government must take into account the interests, needs and values of all interested and affected parties when making decisions.
- People's ordinary and traditional knowledge is important and must be taken into account in decision-making.
- Community well-being and empowerment must be promoted through environmental education, the raising of environmental awareness, and the sharing of knowledge and experience.
- When Government is deciding whether to say yes or no to a development (project), it must consider (take into account) the social, economic and environmental impacts, including disadvantages and benefits.
- Decisions must be made in a transparent way and people must have access to information.
- Government has a duty to protect the environment for its people.
- Women and the youth must be included in managing the environment.
- People and companies who pollute and damage the environment and cause health problems must pay for the damage caused and the costs of cleaning up and preventing further pollution and damage.
- Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention.

Isigaba 2 Semigomo Somthetho Kazwelonke Wokuphathwa Kwemvelo (ngokuhlobana noCwaningo Lokungenzeka Emvelweni):

- Ukuphathwa kwemvelo (kuhlanganisa uCwaningo Lokungenzeka Emvelweni) kumele kubeke abantu nezidindo zabo phambili.
- Kufanele isebeenzele izidindo zabantu zomzimba, zengqondo, zamasiko nezenhlalonhle ngokulinganayo.
- Ukuthuthuka kumele kusekeleka ngokwenhlalo, ngokwemvelo nangokomnotho.
- Imithelela engemihle kwezemvelo, kubantu nasekugcinweni kwamasiko kumele kugwenywe. Uma imithelela ingeke igwemeke, kufanele cube nemizamo yokunciphisa ezosetshenziswa ukwehlisa imithelela emimbi nokulungisa umonakalo.
- Izinsiza ezingavuseleleki (njengezimbiwa nelahle) kumele zisetshenziswe ngendlela efanele futhi enobulungiswa bese kuthi lezo ezivuselelekayo izinsiza (njengamahlathi emvelo namanzi) akumele zisetshenziswe ukuze ziphele nya futhi zingavuselelwa.
- UHulumeni kumele aqaphele uma ethatha izinqumo, ikakhulukazi uma engenaso isiqiniseko semiphumela (imithelela) ezokwenziwa iprojekthi,
- Kufanele kwenziwe ubulungiswa bezemvelo ukuze kungaphazanyiswa imithelela emibi kwezemvelo ngendlela ebandlulula ngokungafanele noma yimuphi umuntu, ikakhulukazi abantu abasengcupheni kanye nabantu ababencishwe amathuba.
- Iminyango kaHulumeni nezinye izinhlaka kumele zibambisan futhi zisebenze ndawonye ukuvikela imvelo.
- Ukubamba Iqhaza Komphakathi kwabobonke Abantu Abathintekayo Nabafisa ukubambiqhaza kumele kukhuthazwe Ocwaningweni Lokungenzeka Emvelweni.
- Bonke abantu kufanele babe nethuba lokuthuthukisa ulwazi, amakhono nomthamo obalulekile ukuze kuzuze ukubamba iqhaza okulinganayo nangempumelelo.
- Ukubamba iqhaza kumalunga omphakathi ancishwe amathuba nabasengcupheni kumele kuqinisekwe.
- UHulumeni kufanele abhekelele izidindo, namagugu abobonke abantu abathintekayo uma kuthathwa izinqumo.
- Ulwazi lwabantu olujwayelekile nolwendabuko lubalulekile futhi lufanelwe lubhekelelw uma sekuthathwa izinqumo.
- Inhlalonhle yomphakathi nokuthuthukiswa kufanele kukhushulwe ngezifundiso zezemvelo, ukukhushulwa kokuqwashisa ngezemvelo, nokwabelana ngolwazi nolwazi olunzulu nesipiliyon.
- Uma uHulumeni ethatha isinqumo sokugunyaza noma sokunqaba kumthuthukisi, kumele abhekele (abhekisise) umphakathi, umnotho, imithelela yemvelo, okuhlanganisa okubi kanye nenzuso.
- Izinqumo kumele zenziwe ngendlela engenamfihlo futhi abantu bakwazi ukuluthola ulwazi.
- UHulumeni unomsebenzi wokuvikela imvelo enzela abantu bakhe.
- Abesifazane nentsha kumele babambe iqhaza ekuphathweni kwemvelo.
- Abantu nezimboni ezingcolisa zilimaze imvelo zibange izinkinga kwezemilo kufanele bakhokhele umonakalo ewenzekile nezindleko zokuhlanza nokuvikela ukungcola nomonakalo ongalandela.
- Imvelo ezwelayo, esengozini, enamandla kakhu noma enengcindezi, efana nogu olusogwini, amachweba, amaxhaphozi, nezinye izinhlelo ezifanayo zidinga ukunakekelwa ngendlela ekhathekile.

An important tool to protect the environment is licencing and EIAs. **Section 24F of NEMA** says that no person (individual, company, government department, parastatal, or municipality) may commence (start) any activity (development, project) that is listed (described) in the Government Gazette without first getting an environmental authorisation.

To obtain (get) this licence, the person (individual, company or government department, or municipality) must apply to the competent authority (decision-maker, licensing authority) and do an EIA.

Amanye amathuluzi abalulekile ukuvikela indalo iLayisense kanye noCwaningo Lokungenzeka Emvelweni. Isigaba 24F soMthetho Wokuphathwa Kwemvelo uthi akekho umuntu (ngayedwa, imboni, umnyango kaHulumeni, izinhlaka zombuso, omasipala) ongaqala namona yimuphi umsebenzi (ukuthuthukisa, iprojekthi) esohlwini (echazwe) kusomqulu kaHulumeni ngaphandle kokuthi athole ukugunyazwa ngabezemvelo.

Ukuthola iLayisense, umuntu (ngamunye, imboni okanye umnyango kaHulumeni noma umasipala) kumele afake isicelo sokugunyazwa eziphathimandleni (abathatha izinqumo, abagunyaza ama layisense) ukuze enze Ucwaningo Lokungenzeka Emvelweni.

What happens if a person starts a project without environmental authorisation?

Not all projects need environmental authorisation, but those that do, must get this licence before they start.

It is a criminal offence (a crime) for a person (individual, company, government department, parastatal or municipality) to start an activity (project, development) without having first received environmental authorisation from the competent authority (licensing authority), and this licence can only be given if an EIA has been done.

If a person starts construction without environmental authorisation on a project that is listed in Listing Notices 1, 2 or 3, that person can be criminally prosecuted in a court of law. If found guilty, that person can be given a fine of up to R10 million and/or go to jail for a maximum of 10 years.

If you suspect that a development is illegal, you can report it to the national Department of Forestry, Fisheries and the Environment (DFFE). DFFE has a 24-hour toll free number – 0800 205 005 – for reporting environmental crimes and incidents. The email address is envirocrime@environment.gov.za

Kwenzakalani uma umuntu ezoqala iphrojekthi ngaphandle kokugunyazwa abezemvelo?

Akuwona wonke amaphrojekthi adinga ukugunyazwa abezemvelo, kodwa lawp okumele bagunyazwe, kumele athole ilayisense ngaphambi kokuqala umsebenzi.

Kuyicala elibomvu kumuntu (ngayedwana, imboni, umnyango kaHulumeni, izinhlaka zombuso, okanye umasipala) ukuqala umsebenzi (iphrojekthi, ukuthuthukiswa) ngaphambi kokuthi aqale ngokuthola ukugunyazwa abazemvelo okusuka kulabo abanamagunya (abagunyazwe ukukhipha amalayisense), futhi lelayisense inganikezwa uma uCwaningo Lokungenzeka Emvelweni selwenziwe.

Uma umuntu equalisa ukwakha ngaphandle kokugunyazwa ngabezemvelo iphrojekthi esohlwini 1, 2 noma 3, lowo muntu angathathelwa izinyathelo zomthetho ashushiswe ngaphansi kwenkantolo yomthetho. Uma etholakala enecala, lowomuntu angakhokhiswa inhlawulo engaze ifike ku R10 million futhi noma abhadle ejele iminyaka engaze ifinyeletele eshumini.

Uma usola ukuthi intuthuko ayikho emthethweni, bikela Umnyango Kazwelone Wezamahlathi, Ukudoba, Nezemvelo (DFFE). DFFE unenombolo yamahhalo ongayifonela emahoreni angamashumi amabili nane (24) ethi - 0800 205 005 – uma ufuna ukubika ubugebengu kwezemvelo nezhelakalo. Bhalela kule email envirocrime@environment.gov.za

LISTED ACTIVITIES

The lists which describe activities that need environmental authorisation are called listing notices. We currently have 3 listing notices – Listing Notice 1, Listing Notice 2 and Listing Notice 3 (these are described in more detail below).

For a person (individual, company, government department, parastatal or municipality) to apply for environmental authorisation, an EIA has to be done.

The findings (results) of the EIA are used by the competent authority (the government department making the decision) to decide whether to grant (authorise, approve) or refuse (deny) an application for environmental authorisation.

UHLU LWEMISEBENZI

Uhlu lwemisebenzi edinga ukugunyazwa abezemvelo lubizwa ngokuthi Uhla Lwezaziso. Sinezinhlobo ezintathu Zohlu Lwezaziso. Uhlu Lwezaziso Lokuqala (1), Uhlu Lwezaziso Lwesibili (2) bese siba noHlu Lwezaziso Lwesithathu (3). Incazeloo ngalezaziso iichazwe kabanzi esigabeni esingezansi).

Uma umuntu (ngamunye, imboni, umnyango kaHulumeni, izinhlaka zombuso okanye umasipala) efuna ukufaka isicelo sokugunyazwa kwezemvelo, kufanele enze uCwaningo Lokungenzeka Emvelweni.

Okutholakele (imiphumela) yoCwaningo Lokungenzeka Emvelweni isetshenziswa abanamagunya (njengabathathi bezingumo emnyangweni kaHulumeni) ukubhekelela ukuthi bagunyaze (bavume isicelo) noma banqabe isicelo sokugunyazwa kwezemvelo.

EIAS FOR OTHER LICENCES

EIAAs also need to be done for **waste management licences** and **atmospheric emission licences**.

A separate process is done for a **water use licence** which is not called an EIA but also requires an assessment of impacts on water resources (e.g. rivers, streams, wetlands, estuaries and underground water) and people.

These licences are not described in this Guide but the assessment and public participation requirements are similar (almost the same).

UCWANINGO LOKUNGENZEKA EMVELWENI OLWENZELWA EZINYE IZIGUNYAZO (AMALAYISENSE)

Ucwanningo Lokungenzeka Emvelweni luyadinga ukwensiwa lwenzelwe iLayisense yokuphathwa kwemfucuza nelayisense yokungcoliseka emkhathini.

Kunohlelo olwahlukile lokwenza ilayisense yokusebenzisa amanzi olungabizwa ngokuthi uCwanningo Lokungenzeka Emvelweni kodwa nalo ludinga ukuhlolisiswa ukuthi imuphi umthelela ongabakhona emanzini (njengemifula, imifudlana, amaxhaphozi, esizalweni somfula, imigudu yamanzi engaphansi komhlaba) nakubantu.

Lama layisense achaziwe kumihlahlandlela kodwa izidingo zokuhlola nokubamba iqhaza komphakathi ziye fana noma zicishe zifane.



3. WHO DOES THE EIA?

Environmental Assessment Practitioners (EAPs)

The applicant (developer, person wanting to do the project or activity) has to appoint (choose and pay for) an **Environmental Assessment Practitioner** to do the EIA. This person is also referred to as the "EAP"

The EAP is a person who has qualifications and experience in environmental management, in particular EIA.

As from August 2022, all EAPs have to register with the registration authority, EAPASA (Environmental Assessment Practitioners Association of South Africa) if they want work as an EAP and do EIAs.

To register, EAPs have to show that they have enough expertise to do EIAs properly and they have to abide by (obey) a Code of Conduct. If they do not, they can be reported to EAPASA and if found guilty of misconduct, can have their registration taken away.

3. UBANI OWENZA UCWANINGO LOKUNGENZEKA EM-VELWENI?

Ochwepheshe Abacwaninga Ezemvelo (EAPs)

Umfakisicelo (umthuthukisi, umuntu ofuna ukwenza iphrojekthi noma umsebenzi) kumele aqoke (akhethe futhi akhokhele) ochwepheshe abahlola ezemvelo ukuthi bamenzele uCwaningo Lokungenzeka Emvelweni. Lomuntu waziwa noma ubizwa ngokuthi uChwepheshe Wocwaningo Lwemvelo (EAP).

UChwepheshe Wocwaningo Lwemvelo umuntu oneziqu nolwazi olunzulu ngokuphathwa kwemvelo, ikakhulukazi uma sibhekise Ocwaningweni Lokungenzeka Emvelweni.

Kusukela ngoAugust 2022, bonke oChwepheshe Bocwaningo Lwemvelo kufanele babhalise negunya lokubhalisa, Environmental Assessment Practitioners Association of South Africa (okuyinhlangano yaseNingizimu Afrika Yochwepheshe Abacwaninga Ezemvelo), EAPASA. Uma befuna ukusebenza njengoChwepheshe Wocwaningo Lwemvelo bezokwenza uCwaningo Lokungenzeka Emvelweni.

Ukubhalisa,oChwephesheBocwaningoLwemvelokufanelebaboniseukuthibano buChwepheshe obanele ukwenza uCwaningo Lokungenzeka Emvelweni ngendlela ekahle futhi kufanele bagcine(bahloniphe) umthetho wokuziphatha.Uma bengakwenzi lokho,bangabikwa kuEAPASA uma betholakala benecala lokuhluleka ukuziphatha, bangakhishwa ohlwini loChwepheshe Bocwaningo Lwemvelo abenza uCwaningo Lokungenzeka Emvelweni.

Specialists

Most EIAs need additional (extra) expert (specialised) information, for example, a water specialist, a plant specialist, a cultural heritage specialist. These are people who have received specific training on a particular subject or in a particular area (field). Specialists (experts) may also be appointed as part of the EIA team, usually by the EAP and paid for by the applicant (developer).

Ongoti noma Ochwepeshe

Iningi loCwaningo Lokungenzeka Emvelweni luyadinga ukwandiselwa ngolwazi longoti, isibonelo, uchwepeshe wezamanzi, uchwepeshe wezezitshalo, uchwepeshe wokugcinwa kwamasiko namagugu. Laba ngabantu abasuke bethole uqequesho olukhethekile esifundweni esithile okanye endaweni ethile (emkhakheni). Ochwepeshe (ongoti) bengakhethwa ukuthi babe yingxene yeitimba elizokwenza uCwaningo Lokungenzeka Emvelweni. Kuvame ukuthi uChwepeshe Wocwaningo Lwemvelo bkhokhelwe umuntu osuke efake isicelo (umthuthukisi).

Independence

EAPs and specialists are required to be independent and make objective findings in the EIA process. This means they cannot only write about the positive impacts of the project (development). They also have to report on the negative impacts of the project (development).

They are allowed to be paid for their work by the applicant for the EIA but cannot be promised extra bonuses if the application is successful. They also cannot work full or part-time for the applicant and should not be related to the applicant.

Ukuzimela

OChwepeshe Bocwaningo Lwemvelo noChwepeshe (Ongoti) kudingeka bazimele uma kwenziwa uCwaningo Lokungenzeka Emvelweni. Lokhu kuchaza ukuthi abakwazi ukubhala kuphela ngomthelela omuhle wephrokjthi kodwa kufanele baveze umbiko nangemithelela engemihle entuthukweni.

Kuvumelekile ukuthi bakhokhelwe umuntu osuke efake isicelo ukwenza uCwaningo Lokungenzeka Emvelweni. Kodwa abavumelekile ukuthenjiswa umhlomulo owengeziwe uma isicelo esifakiwe siba nempumelelo. Abakwazi ukusebenzela umfakisicelo ngokugcwle noma isikhashana, futhi akuvumelekile ukuthi bahlobane nomfakisicelo (umthuthukisi).

4. HOW IS AN EIA DONE?

EIAs are done all over the world but our law tells us (instructs us on) how EIAs must be done in South Africa. The main South African laws are NEMA and the EIA Regulations. There are also guidelines published by the Department responsible for the environment that give guidance on how to do an EIA.

In South Africa, there are two different types of EIAs:

1. Basic Assessments
2. Scoping and Environmental Impact Reporting.

4. YENZIWA KANJANI I-EIA?

UCwaningo Lokungenzeka Emvelweni Iwensiwa umhlaba wonke kodwa umthetho wethu usitshela (uphoqa thina ekutheni) ukuthi Iwensiwe kanjani uCwaningo Lokungenzeka Emvelweni eNingizimu Afrika. Imithetho esemqoka eNingizimu Afrika uMthetho Wokuphathwa Kwemvelo nemigomo yoCwaningo Lokungenzeka Emvelweni. Kukhona futhi inqubomgomu eshicilelwu umnyango obhekelele ezemvelo enikeza izeluleko ngokuthi Iwensiwa kanjani uCwaningo Lokungenzeka Emvelweni

Lapha eNingizimu Afrika kunezinhlobo ezimbili zoCwaningo Lokungenzeka Emvelweni:

1. Ucwaningo Lwemvelo Olufushane
2. UCwaningo Lwezemvelo - Umbiko Wokuqoqwa Kwezimvo noMbiko Wemithelela Kwezemvelo.

EIA Type 1: Basic Assessment | Uhlobo Lokuqala LoCwaningo: Ucwaningo Lwemvelo

If a developer wants to carry out any of the activities described in Listing Notice 1 or Listing Notice 3, the EIA required (needed) is called a Basic Assessment. The activities listed in Listing Notice 1 are mostly small and related to small projects with smaller impacts. The activities listed in Listing Notice 3 are related to even smaller projects but in sensitive environments (e.g. inside or next to a game reserve, world heritage site or an estuary).

The Basic Assessment process normally takes about 197 days (6 ½ months) but can take longer.

Uma umthuthukisi efuna ukwenza nanoma imuphi umsebenzi ocacisiwe Ohlwini Lwezaziso 1 noma Ohlwini Lwezaziso 3, uCwaningo Lokungenzeka Emvelweni luyadingeka lubizwa ngokuthi Ucwaningo Lwezemvelo Olufushane. Imsebenzi ebhaliswe ohlwini Lwezaziso 1 ivame ukuba mincane futhi ibhekiswe kumaphroekthi amancane anemithelela emincanyana. Imisebenzi ebhaliswe Ohlwini Lwezaziso 3 ihlobene namaphroekthi angaphansana nakakhulu kodwa emvelweni ezwelayo (njengaphakathi noma eduze kwesiqw, ngasendaweni ephethe amagugu omhlaba noma ngasedamini)

Uhlelo Locwaningo Lwemvelo olufishane luvamise ukuthatha izinsuku eziwu 197 (okuyizinyanga eziyisithupha nohhafu) kodwa futhi kungathatha isikhathi eside.

Examples of activities that require a Basic Assessment:

Listing Notice 1:

- Clearing between 1 hectare (about 1½ soccer fields) and 20 hectares (about 28 soccer fields) of indigenous vegetation.
- Building a medium-size structure (100 m^2) in or within 32 metres of a river, wetland or stream.
- Digging more than 10 m^3 of sand, pebbles or rocks out of a river, wetland or stream (or 5 m^2 in an estuary or beach)
- Filling in a river, wetland or stream with more than 10 m^3 of sand or any other material (or 5 m^2 in an estuary or beach)
- Medium-sized animal farms (lots of animals in a small space, feedlots) – e.g. chickens, pigs, sheep, goats, cattle
- Small sand mining operations
- Prospecting (searching and drilling for coal and other minerals, like gold, copper, titanium)
- Exploration of oil or gas (onshore)
- Medium water and sewage treatment plants
- Bulk water supply projects
- Medium size power (electricity) lines
- Medium size dams
- Expanding existing projects
- Medium size roads

Listing Notice 3 (projects in protected or sensitive areas):

- Clearing more than 300 m^2 of indigenous vegetation in a sensitive area.
- Building a small structure (10 m^2) in or within 32 metres of a river, wetland or stream in a sensitive area.
- Small roads in sensitive areas.
- Tourism lodges in sensitive areas.

There are currently 71 listed activities in Listing Notice 1 and 26 listed activities in Listing Notice 3. You will need to check a copy of Listing Notices 1 and 3 in the Government Gazette for the exact descriptions and sizes of the activities that require Basic Assessment.

Isibonelo semisebenzi edinga Ucwaningo Lwemvelo Olufushane:

Uhla Lwezaziso 1:

- Ukukhuculula okuphakathi nehektha elilodwa (elilinganisa nenkundla eyodwa nohhafu yebhola) nama-hektha angamashumi amabili (alinganisela ezinkundleni ezingamashumi amabili nesishiyagalombili zebhola) yezimila zomdabu.
- Ukwakha isakhiwo esiphakathi nendawo ngesilinganiso (100 m^2) esilinganisa noma esiphakathi kwamamitha awu 32 samanzi, amaxhaphozi noma imifudlana.
- Ukumba umhlabathi ongaphezu kuka 10 m^3 , amatshana noma izimbokode emfuleni, emaxhaphozini noma emifudlaneni (noma 5 m^2 emfuleni noma olwandle)
- Ukugcwalisa emfuleni, exhaphozini, emseleni ngenhlabathi engaphezu kuka 10 m^3 noma ngabe iyiphi enye impahla (noma u 5 m^2 emfuleni noma olwandle)
- ipulazi lezilwane eliphakathi nendawo (izilwane eziningi endaweni encane, izindawo zokudlela izilwane) isi-bonelo: izinkukhu, izingulube, izimvu, izimbuzi, izinkomo.
- Imisebenzi emincane yezimayini zeshlabathi.
- Ukuhlola (ukusinga nokumba amalahle neminye imikhiqizo embiwayo efana ne Golide, iKhopha neTitani-um).
- Ukuhlola uOyela noGesi (ogwini).
- Izindawo zokuhlanza amanzi nokulungiswa kwendle eziphakathi nendawo.
- Amaphrekthi okuhlinzeka ngamanzi ngobuningi.
- Izintambo zamandla kagesi eziphakathi nendawo ngokwesikali.
- Amadamu aphakathi nendawo ngokwesikali.
- Ukukhulisa ama phrekthi avele esekhona.
- Imigwaqo ephakathi nendawo ngokwesikalo.

Uhla Lwezaziso 3 – amaphrekthi asezindaweni ezivikelwe noma ezizwelayo:

- Ukuhlanza izimila zomdabu ezingaphezu kuka 300 m^2 ezsendarweni ezwelayo.
- Ukwakha isakhiwo esincane (10 m^2) ngaphakathi kwesilinganiso esingamamitha awu 32 omfula, ixaphozi noma umsele osendawewni ezwelayo.
- Imigwaqo emincane eseziindaweni ezizwelayo.
- Izindawo zokuhlaliza izivakashi ezisezindaweni ezizwelayo.

Njengamanje kunemisebenzi ehleliwe ewu 71 Esohlwini Lwezaziso 1 nemisebenzi ehleliwe ewu 26 Esohlwini Lwezaziso 3. Uzodinga ukuhlola ikhophi yohlu lwezaziso1 no 3 Kusomqulu kaHulumeni ukuthola izincazelo eziqondile kanye nosayizi bemisebenzi edinga ukuhlolwa okuyisisekelo.

EIA Type 2: Scoping and Environmental Impact Reporting

For larger projects with greater (larger, bigger) impacts, the process has two steps and is called Scoping and Environmental Impact Reporting, also "S&EIR". These projects are listed in Listing Notice 2.

The Scoping and Environmental Impact Reporting process normally takes about 300 days (10 months) but can take longer.

Uhlobo Lwesibili LoCwaningo: Ucwaningo Lwezemvelo Olunzulu

Emaphrojekthini amakhulu anemithelela emikhulu, inqubo inezinyathelo ezimbili futhi ibizwa ngokuthi Ukuqagulwa Kwezimvo kanye Nokubika Ngemithelela Yezemvelo. Wonke Lamaphrojekthi abhaliwe Ohlwini Lwezaziso 2

Umgudu Wokuqoqwa Kwezimvo kanye Nombiko Wemithelela Yezemvelo uthatha izinsuku ezingaba ngu 300 (izinyanga ezi 10) kodwa ungathatha nangaphezulu.

Examples of Listing Notice 2 activities that require Scoping & Environmental Impact Reporting (S&EIR):

- Clearing of large areas of indigenous vegetation.
- Large power (electricity) lines
- Nuclear power plant.
- Large power plants – non-renewable energy sources (e.g. coal or gas-fired plants) or renewable energy (e.g. wind farms or solar (sun) plants).
- Large facilities for bulk storage of hazardous (dangerous) substances (e.g. oil, petrol, gas, diesel, fuel and chemicals)
- Airports
- Large wastewater treatment plants
- Large dense animal farms (lots of animals in a small space, feedlots) – e.g. chickens, pigs, sheep, goats, cattle
- Large dams
- Large roads
- Oil or gas exploration and production (on land or offshore in the sea)
- Fracking of natural gas
- Open cast and underground mines

There are currently 26 listed activities in Listing Notice 2. You will need to check a copy of Listing Notice 2 in the Government Gazette for the exact descriptions and sizes of the projects that require S&EIR.

Izibonelo Zohlu Lwezaziso 2 - Imisebenzi edinga Umbiko Wokuqoqwa Kwezimvo Nombiko Wemithelela Emvelweni:

- Ukususwa kwezindawo ezinkulu zeztishalo zendabuko.
- Izintambo zikagesi ezinkulu.
- Imboni yamandla enuzi (enyukliya).
- Imboni yamandla amakhulu- Imithombo yamandla engavuseleleki (njenge mboni ebaswe ngamalahle noma igesi) amandla avuselelekayo (izimboni ezisebenzisa amandla elanga namandla asuka epulazini elenza amandla ngomoya).
- Izikhungo ezinkulu zokugcina izinto eziningi eziyingozi (njengo Oyela, uPhethiloli, uGesi, uDizili nama Khe-mikhali).
- Izikhumulo zezindiza.
- Izimboni ezinkulu zokuhlanza amanzi angcolile.
- Ipulazi nlezilwane elikhulu eliminyene (ligcwele izilwane endaweni encane, nezindawo zokudla) Isibonelo: izinkukhu, izingulube, izimvu, izimbuzi nezinkomo.
- Amadamu amakhulu.
- Imigwaqo emikhulu.
- Ukuhlolwa nokukhiqizwa kuka oyela negesi (emhlabeni noma ogwini lolwandle).
- Ukuqheka umhlabu ngaphansi ukuze kutholakale izizinda zokwakha ugesi.
- Izimayini ezingaphezulu komhlabu nezingaphansi komhlabu.

Njengamanje kunohla lwemisebenzi ewu 26 engaphansi Kohlu Lwezaziso 2. Kufanele ubuyekeze ipheshana elikhishiwe Lohlu Lwezaziso 2 ngaphansi kwasomqulu kaHulumeni ukuze uthole incazelq eqondile nobun-gako bama phrekthi adinga iS&EIR.

The EIA steps for each type of EIA are described in more detail starting on the next page.

All EIAs have to include public participation as part of the process. This is also described in more detail starting on the next page.

Izinyathelo zoCwaningo Lokungenzeka Emvelweni zohlobo ngalunye oCwan-ingweni Lokungenzeka Emvelweni zichazwe kabanzi nemininingwane engezi-we ngezansi.

Lonke uCwaningo Lokungenzeka Emvelweni kumele luhlanganise umphakathi njengengxenye yenqubo. Lokhu kuchazwe kabanzi kulemininingwane engezi-we kwikhasi elilandelayo.

TYPE 1: BASIC ASSESSMENT

The Basic Assessment takes about 197 days (6 ½ months) but can take longer.

UHLOBO LOKUQALA LOCWANINGO LWEMVELO

Umbiko Wocwaningo Lwemvelo Omfushane uthatha izinsuku ezingu 197 (okuyizinyanga ezingu 6 ½)

Notify Interested and Affected Parties (I&APs)

The public and I&APs must be notified of the application for environmental authorisation and the EIA process. This can be done before or after the application is submitted to the competent authority but is usually done before.

Yazisa Abantu Abathintekayo Nabafisa Ukubambiqhaza

Umphakathi Nabantu Abathintekayo Nabafisa Ukubambiqhaza kumele baziswe ngezicelo zokugunyazwa kwemvelo nenzubo yoCwaningo Lokungenzeka Emvelweni. Lokhu kungenziwa ngaphambili noma ngemva kokuthunyelwa kwezicelo eziphathimandleni ezinamagunya, kodwa kuwame ukwenziwa ngaphambili.

Submission of application

An application form must be completed and submitted to the competent authority. The applicant does this with the EAP's help. Both the applicant and the EAP have to sign the form to say they have provided accurate information. The EAP also has to submit a declaration of independence with this application.

Ukufakwa kwesicelo

Isicelo kumele sithunyelwe eziphathimandleni ezinegunya. Othumela isicelo ukwenza lokhu ngosizo loChwepheshe Bocwaningo Lwemvelo. Umfakiscelo noChwepheshe Wocwaningo Lwemvelo kumele basayine ifomu ukusho ukuthi ulwazi abaluniukezele luqondile. UChwepheshe Wocwaningo Lwemvelo kumele ahambise isimemezelokwazi sokuzimela kanye nesicelo.

Basic Assessment Report

After the application has been submitted, the EAP has 90 days to prepare (write) a Basic Assessment Report, which is also called a BAR.

In this 90-day period, the EAP must make a draft version of the BAR available to I&APs to comment on for at least 30 days.

The BAR contains all specialist studies done for the assessment and the Environmental Management Programme (EMPr). If the project is the closing down (decommissioning) of a development, then instead of an EMPr, the BAR will contain a Closure Plan.

Umbiko Wocwaningo Lwemvelo Omfushane

Emva kokuthumela isicelo, uChwepheshe Wocwaningo Lwemvelo unezinsuku eziwu 90 ukulungiselela (abhale) Umbiko Wocwaningo Lwemvelo Olufushane, abaphinde bewubize nge BAR.

Kuleskhathi sezinsuku ezingu 90, uChwepheshe Wocwaningo Lwemvelo kumele enze umbiko WoCwaningo Lwemvelo Olufushane lunikezelwe kuBantu Abathintekayo Nabafisa Ukubambiqhaza.

Umbiko Wocwaningo Lwemvelo Olufushane uqukethe zonke izifundo zochwepheshe ezenzelwe ukuhlolwa kanye noHlelo Lokuphathwa Kwemvelo (EMPr). Uma iphrojekhthi iqondene nokuvalwa kwentuthuko, esikhundleni soHlelo Lokuphathwa Kwemvelo, Umbiko Wocwaningo Lwemvelo Olufushane uzohambisana noHlelo Lokuvala.

After the public comment period is closed, the EAP must consider all the comments and answer them in the final BAR which is submitted to the competent authority for a decision.

Uma isikhathi sokuletha imibono nezimvo nemibono sesivaliwe, uChwepheshe Wocwaningo Lwemvelo kumele abuyekeze yonke imibono futhi ayiphendule Embikweni Wokugcina Wocwaningo Lwemvelo Olufushane wokugcina ozothunyelwa eziphathimandleni ezineganya lokwenza isinqumo.

Decision-making

After receiving the final BAR, the competent authority has 107 days to make a decision. The decision is based on the contents of the BAR and the comments made by I&APs. The competent authority can either approve the application and grant environmental authorisation or refuse environmental authorisation.

4

Ukuthathwa Kwesinqumo

Emva kokuthola Umbiko Wokugcina Wocwaningo Lwemvelo Olufushane, iziphathimandla ezinegunya zinezinsuku eziwu 107 ukuthatha isinqumo. Isinqumo sibheke okuqukethwe Embikweni Wocwaningo Lwemvelo Olufushane nemibono ebekwe Abantu Abathintekayo Nabafisa Ukubambiqhaza. Iziphathimandla ezinegunya zingagunyaza isicelo ngokwemvelo noma bangasigunyazi isicelo ngokwemvelo.

TYPE 2 EIA: SCOPING & ENVIRONMENTAL IMPACT REPORTING

The SCOPING & ENVIRONMENTAL IMPACT REPORTING (S&EIR) takes about 300 days (10 months), to complete but it can take longer.

UHLOBO LWESIBILI LOCWANINGO: UMBIKO WOKUHLOLA NOMTHELELA EMVELWENI

UMBIKO WOKUHLOLA NOMTHELELA WEMVELO uthatha izinsuku eziwu 300 (okuyizinyanga eziwu 10), ukuphelela kodwa ungathatha nangaphezulu.

1

Notify Interested and Affected Parties (I&APs)

The public and I&APs must be notified of the application for environmental authorisation and the EIA process. This can be done before or after the application is submitted to the competent authority, but is usually done before.

Yazisa abantu abanentshisekelo nabathintekile(I&APs)

Umphakathi Nabantu Abathintekayo Nabafisa Ukubambiqhaza kufanele baziswe ngesicelo sokugunyazwa kwezemvelo ne nqubo yoCwaningo Lokungenzeka Emvelweni. Lokhu kungenziwa ngaphambi noma ngemuva kokuthunyelwa kwesicelo kuyiziphathimandla ezinekhono, kodwa kuvame ukwensiwa ngaphambili.

2

Submission of application

An application form must be completed and submitted to the competent authority. The applicant does this with the EAP's help. Both the applicant and the EAP have to sign the form to say they have provided accurate information. The EAP also has to submit a declaration of independence with this application.

Ukufakwa kwesicelo

Ifomu lesicelo kumele ligcwaliswe lithunyelwe kuyiziphathimandla ezinekhono. Umfakisicelo ukwenza lokhu ngosizo lwoChwepheshe Wocwaningo Lwemvelo. Umfakisicelo noChwepheshe Wocwaningo Lwemvelo kumele basayine ifomu lokusho ukuthi banikezele ngokwazi oluqondile. UChwepheshe Wocwaningo Lwemvelo kumele futhi athumele isimemezelo kanye nesicelo sokuzimela.

Scoping Report

The EAP then has 44 days to prepare (write) a Scoping Report.

In this 44-day period, the EAP must make a draft version of the Scoping Report available for I&APs to comment on for at least 30 days.

The Scoping Report must contain the plan for the next step, which is the EIR phase.

The EAP must then consider all the comments submitted by I&APs and answer them in the final version of the Scoping Report which is submitted to the competent authority for consideration.

3

Umbiko Wokuqoqwa Kwezimvo

UChwepheshe Wocwaningo Lwemvelo inezinsuku eziwu 44 ukuhlela nokubhala Umbiko Wokuqoqwa Kwezimvo.

Kulesisikhathi sezinsuku eziwu 44, uChwepheshe Wocwaningo Lwemvelo kumele enze uMqulu Owumhlahlandlela Wokuqoqwa Kwezimvo ukuze aBantu Abathintekayo Nabafisa Ukubambiqhaza bawubuyekeze ezinsukwini eziwu 30.

Umbiko Wokuqoqwa Kwezimvo kumele ube noHlelo Lwesinyathelo esilandelayo, okuyisigaba sokuCwaninga Imithelela Emvelweni.

UChwepheshe Wocwaningo Lwemvelo kufanele abhekelele yonke imibono bese eyiphendula Embikweni Wokuqoqwa Kwezimvo othunyelwa eziphathimandleni ezinegunya ukuthi bawucubungule.

Acceptance (Approval) of Scoping Report

After receiving the final Scoping Report, the competent authority has 43 days to either accept (approve) the Scoping Report or refuse the application for environmental authorisation.

If the Scoping Report is accepted, the EAP then moves to the next EIR phase to produce an EIA Report.

If the Scoping is not approved and the application is refused, the EIA ends there. If applicants do not want to give up on the proposed project, they have to submit a new application and start the EIA process again from the beginning.

4

Ukwamukelwa (ukugunyazwa) koMbiko Wokuqoqwa Kwezimvo

Emva kokuthola Umbiko Wokuqoqwa Kwezimvo Wokugcina, iziphathimandla ezineguya zinezinsuku eziwu 43 ukuthi zamukele (zigunyaze) Umbiko Wokuqoqwa Kwezimvo noma baphikise isicelo sokugunyazwa kwezemvelo.

Uma Umbiko Wokuqoqwa Kwezimvo wamukelwe, uChwepheshe Wocwaningo Lwemvelo uqhubekela esigabeni esilandelayo sokwenza uMbiko Wemithelela Emvelweni.

Uma Umbiko Wokuqoqwa Kwezimvo ungamukelwanga, isicelo soCwaningo Lokungenzeka Emvelweni sigcina lapho (akuqhutshikelwa phambili). Uma umfakisicelo engafuni ukuphosa ithawula kwiprojekthi ehlongoziwe, kufanele bathumele isicelo esisha aqale kabusha uhlelo loCwaningo Lokungenzeka Emvelweni.

EIA Report

After the Scoping Report has been approved, the EAP has 106 days to prepare (write) an EIA Report.

In this 106-day period, the EAP must make a draft version of the EIA Report available to I&APs to comment on for at least 30 days.

The EIA Report must contain the specialist studies and an Environmental Management Programme (EMPr or EMP). This is the same type of report that has to be submitted with a BAR (explained above).

5

After the public comment period has ended, the EAP must consider all the comments and answer them in the final EIA Report which is submitted to the competent authority for a decision.

Umbiko Wocwaningo Lokungenzeka Emvelweni

Emva kokuphasiswa Kombiko Wokuqoqwa Kwezimvo, uChwepheshe Wocwaningo Lwemvelo unezinsuku eziwu 106 ukuhlela (ukubhala) umbiko woCwaningo Lokungenzeka Emvelweni.

Kulesisikhathi sezinsuku eziwu 106, uChwepheshe Wocwaningo Lwemvelo kumele abhale Umbiko Owumhlahlandlela woCwaningo Lokungenzeka Emvelweni awunikezele Kubantu Abathintekayo Nabafisa Ukubambiqhaza ukuze bawubuyekeze balethe nemibono izinsukwini eziwu 30.

Umbiko woCwaningo Lokungenzeka Emvelweni kufanele uqukathe izifundo zo ngoti Nohle-lo Lokuphathwa Kwemvelo (EMPr noma iEMP). Lolu uhlolo olufanayo lombiko okufanele uthunyelwe Nombiko Wocwaningo Lwemvelo Olufushane (ochaziwe ngaphezulu).

Uma isikhathi sokuletha izimvo nemibono yomphakathi sesivaliwe, uChwepheshe Wocwa-ningo Lwemvelo kumele abuyekeze yonke imibono futhi ayiphendule embikweni wokugcina woCwaningo Lokungenzeka Emvelweni ozothunyelwa eziphathimandleni ezinegunya lokutha-tha izinqumo.

6

Decision-making

After receiving the final EIA Report, the competent authority has 107 days to make a decision. The decision is based on the contents of the EIA Report and the comments made by I&APs. The competent authority can either approve the application and grant environmental authorisation or refuse environmental authorisation.

Ukuthathwa kwesinqumo

Ngemuva kokuthola umbiko woCwaningo Lokungenzeka Emvelweni wokugcina, iziphathimandla ezinegunya zinezinsuku eziwu 107 ukuthatha isinqumo. Isinqumo sibheke okuqukethwe umbiko woCwaningo Lokungenzeka Emvelweni nemibono ebekwe Abantu Abathintekayo Nabafisa Ukubambiqhaza. Iziphathimandla ezinegunya zingagunyaza isicelo noma banqabe ukunikeza igunya lezemvelo.

What is an EMPR?

The Environmental Management Programme (EMPr or EMP) is a document that contains the management, mitigation, protection and remedial measures that must be done to address the environmental impacts that have been identified in the EIA for all phases of the project

- planning and design;
- pre-construction and construction activities;
- the operation or undertaking of the activity in question;
- the rehabilitation of the environment; and
- closure, if applicable.

Once the EMPr has been approved by the government officials, it becomes part of the licence.

Failure to comply with the approved EMPr is a criminal offence (a crime).

Once the project starts, the EMPr must be regularly checked and more mitigation measures added or changed if necessary to ensure that all impacts are properly mitigated.

Luyini Uhlelo Lokuphathwa Kwemvelo (EMPr)?

Uhlelo Lokuphathwa Kwemvelo (EMPr noma EMP) umqulu oqukethe iminininingwane nezinyathelo zokuphatha, ukunciphisa, ukuvikela okumele zenziwe ukubhekana nemithelela yezemvelo ebiqaguliwe oCwaningweni Lokungenzeka Emvelweni kuzo zonke izigaba zephrojekthi.

- Ukuhlela noku klama;
- Imisebenzi eyandulela ukwakhiwa nokwakhiwa;
- Umsebenzi noma ukwenziwa komsebenzi okukhulunywa ngawo;
- Ukuvuselelwa kwemvelo; kanye
- ukuvala noma ukuphuthula, uma kuzosebenza.

Uma Uhlelo Lokuphathwa Kwemvelo selugunyaziwe iziphathimandla zikaHulumeni, luba yingxenyel yelaisense.

Ukuhluleka ukulandela imigomo yoHlelo Lokuphathwa Kwemvelo esigunyaziwe kuyicala lobugebengu.

Uma isiqala iphrojekthi, Uhlelo Lokuphathwa Kwemvelo kumele luholwe njalo futhi kwengezwe izinyathelo zokunciphisa noma zishintshwe uma kunesidingo kuqinisekisa ukuthi yonke imithelela inciphiswe ngendlela ekahle.

PUBLIC PARTICIPATION

Our South African law requires that ALL EIAs include public participation. This means that opportunities to participate (make comments and ask questions) must be provided to all persons who may be interested or affected by a proposed project as part of the EIA process.

UKUBAMBA IQHAZA KOMPHAKATHI

Umthetho wethu waseNingizimu Afrika udinga ukuthi lonke uCwaningo Lokungenzeka Emvelweni luhlanise umphakathi. Lokhu kusho amathuba okubambiqhaza (makubekwa imibono futhi kubuzwa imibuzo) kufanele kubekhona kubobonke abantu abanentshisekelo noma abathintekayo ngale phrojekthi ehlongozwayo njengengxenye yenqubo yoCwaningo Lokungenzeka Emvelweni.

Who are I&APs?

An I&AP is any person (individual, company, community organisation, government department or institution), who is interested in or affected by a project. An I&AP can be:

- any organ of state affected by the project or which has to make a decision on the project e.g. municipalities, national departments, provincial departments, SANRAL, Eskom, Telkom, Transnet, conservation authorities
- local residents, tenants, landowners, occupiers
- councillors, community organisations, traditional authorities, NGOs, ratepayers association
- companies, businesses
- anyone interested in environmental matters

Obani Abantu Abathintekayo Nabafisa Ukubamba Iqhaza?

Abantu Abathintekayo Nabafisa Ukubambiqhaza kuchaza umuntu (ngayedwana, imboni, isigungu somphakathi, umnyango kaHulumeni noma isikhungo), onentshisekelo noma othintekayo kulephrojekthi. Abantu Abathintekayo Nabafisa Ukubambiqhaza kungaba yilaba:

- Yinoma yiluphi uhlaka Iwezwe oluthintekayo ngale phrojekthi noma ukumele bathathe izinqumo ngale phrojekthi njengo, masipala, iminyango kazwelone, iminyango esifundazwe, SANRAL, Eskom, Telkom, Transnet, abezokongiwa kwemvelo
- Umphakathi, abaqashi, abanikazi bomhlaba, nabawengamele
- Amakhansela, izinhlaka zomphakathi, abaholi bendabuko, izinkampani ezingenzi nzulo, izigungu zabakhintela
- Izinkampani, amabhizinisi
- Yinoma wubani onentshisekelo kwezithinta imvelo

Specifically, the EIA Regulations require that public participation includes:

1. NOTIFICATION

One of the first requirements in the EIA is to identify all Interested and Affected Parties (I&APs) and notify (tell) them about the proposed (planned, future, desired) project and the EIA process, and explain to people how they can participate.

ALL potential I&APs must be notified of the proposed project and EIA process through:

- newspaper advertisements
- notices at the project site
- letters or emails
- other reasonable means e.g., radio announcements, personal visits, community meetings

These notifications are normally in English but also need to be in the language commonly spoken in the area where the project is to be located.



Imigono yoCwaningo Lwezemvelo idinga ukuthi lomphakathi okubalwa:

1. ISAZISO

Isidingo sokuqala oCwaningweni Lokungenzeka Emvelweni ukuba bonke Abantu Abathintekayo Nabafisa Ukubambiqhaza basiswe (ubatshele) ngephrokthi ehlongoziwe (ihleliwe, ikusasa, iyafiswa, iyadingeka) nen-qubo yoCwaningo Lokungenzeka Emvelweni, futhi uchazele nabantu ukuthi bazolibamba kanjani iqhaza.

Bonke Abantu Abathintekayo Nabafisa Ukubambiqhaza kufanele basiswe ngephrokthi ehlongoziwe nen-qubo yoCwaningo Lokungenzeka Emvelweni ngalendlela:

- Ngokukhangisa emaphenephi
- Ngezaziso endaweni yephrokthi
- Ngezincwadi nama email
- Ezinye izindlela ezingconywana njengokubika emsakazweni, ukuziyela mathupha, ukwenza imihlangano yomphakathi

Lezizaziso zivame ukwenziwa ngeSingisi kodwa kuyadingeka ukuthi zitholakale ngolimi olusetshenziswa kakhulu endaweni lapho iphrokthi izokwenziwa khona.

2. REGISTRATION OF I&APS

The EAP is required to register ALL I&APs who choose to participate in the EIA process.

To register as an I&AP, a person can:

1. submit their name and contact details to the EAP and ask to register as an I&AP
2. sign an attendance register at a meeting; or
3. submit comments on reports.

The EAP is required to submit the I&AP register to the competent authority when submitting any of the EIA reports (Basic Assessment Report, Scoping Report and EIA Report).

The benefits of registering as an I&AP is that the EAP is required to notify you of:

- The opportunities to comment.
- When and where and for how long reports will be available for comment.
- When meetings will be held.
- The decision, when it has been made by the competent authority and your right to appeal this decision.

If you participate in an EIA process, it does not mean you support or object to a project. For example, you can support a project but still raise issues that concern you. You can object to a project but still attend meetings and submit comment to voice your objections and reasons why.

2. UKUBHALISWA KWABANTU ABATHINTEKAYO NABAFISA UKUBAMBIQHAZA

UChwepheshe Wocwaningo Lwemvelo kudingeka abhalise bonke Abantu Abathintekayo Nabafisa Ukubam-biqhaza oCwaningweni Lokungenzeka Emvelweni.

Ukubhalisa njengoMuntu Othintekayo Nofisa Ukubambiqhaza, umuntu kumele:

1. Banikezele ngegama nezinamba zabo kuChwepheshe Wocwaningo Lwemvelo futhi bacele ukubhalisa njengoMuntu Othintekayo Nofisa Ukubambiqhaza
2. Basayine ibhuku lokubakhona emhlanganweni; noma
3. Bathumele imibono embikweni.

UChwepheshe Wocwaningo Lwemvelo kudingeka athumele imininingwane Yabantu Abathintekayo Nabafisa Ukubambiqhaza eziphathimandla ezinegunya uma bethumela umbiko wanoma iluphi uCwaningo Lokun-genzeka Emvelweni

Imihlomulo yokubhalisa njengabantu Abathintekayo Nabafisa Ukubambiqhaza ukuthi uChwepheshe Wocwaningo Lwemvelo uzokwazisa ngalokhu okulandelayo:

- Amathuba okubeka umbono wakho.
- Ukwaziswa ukuthi umbiko uzotholakala nini, kuphi, isikhathi esingakanani ukuze ubuyekezwe.
- Ukuthi imihlangano izobanjwa nini.
- Isinqumo – uma sesithathiwe yiziphathimandla ezinegunya, unelungelo lokuphikisana nesinqumo.

Uma ubamba iqhaza ezinqubeni zoCwaningo Lokungenzeka Emvelweni, akuchazi ukuthi uyayese ka noma uayiphikisa lephrojekhti. Isb: Ungayilekelela iphrojekthi kodwa uphinde uveze izinto ezingakuphethe kahle kuyo. Ungaphikisana nephrokthi kodwa ubekhona emihlanganweni yayo futhi uhambise umbono wakho ukuzwakalisa izwi lakho lokuphikisa nezizathu.

3. RIGHT TO MEANINGFUL OPPORTUNITY TO COMMENT

All I&APs have a right to participate in an EIA process and may submit comment at any stage during the EIA, either about the project, its impacts or the EIA process.

All registered I&APs have the right to comment on the draft reports and must be given access to these reports. I&APs must have a minimum of 30 days to comment and the EAP should inform you of this deadline.

The reports are usually in English but summaries in other languages can be requested by I&APs.

It is not a legal requirement for EAPs to hold meetings in the EIA process although many EAPs do, especially if a project is controversial or many people are interested in it.

However, if I&APs have difficulty (challenges) in reading or understanding a written report, or participating in an on-line meeting (e.g. Zoom or Microsoft Teams) the EAP should hold a meeting in person so that the information can be presented verbally in the language locally spoken and also so that I&APs can submit their comments verbally, which must be recorded by the EAP.

Often EAPs place copies of the reports in libraries or at the offices of municipalities, traditional councils or at other public places and make the documents available on their website.

Sometimes, these reports are located far away from where people live and are very expensive to download and print. It is a good idea for I&APs to ask that EAPs provide printed colour copies to them. Although an EAP cannot be expected to provide every single I&AP with their own copy, they should not refuse a request where a group of I&APs is able to share a copy.



3. ILUNGELO LOKUNIKEZWA ITHUBA LOKUZWAKALISA UVO LWAKHO

Bonke Abantu Abathintekayo Nabafisa Ukubambiqhaza banelungelo lokubambiqhaza ezinqubeni zoCwaningo Lwezemvelo futhi bangathomela imibono (izikhala) zabo kunoma isiphi isigaba soCwaningo Lokungenzeka Emvelweni, noma ngabe kungephrojekthi, imithelela yayo okanye izinqubo zoCwaningo Lokungenzeka Emvelweni.

Bonke Abantu Abathintekayo Nabafisa Ukubambiqhaza ababhalisile banelungelo lokubeka imibono yabo embikweni eyimihlahlandlela futhi kufanele bakwazi ukuyithola lemibiko. Abantu Abathintekayo Nabafisa Ukubambiqhaza kufanele babe nezinsuku ezsukela ku 30 ukubeka izikhala zabo futhi uChwepheshe Wocwaningo Lwemvelo kumele abazise ngezinsuku zokuvala ezbekiwe.

Imibiko ivame ukubhalwa ngeSingisi kodwa umbiko ofinqiwe ngezinye izilimi ungacelwa Abantu Abathintekayo Nabafisa Ukubambiqhaza.

Akusona isidingo esisemthethweni soChwepheshe Wocwaningo Lwemvelo ukubamba imihlangano ngezin-qubo zoCwaningo Lokungenzeka Emvelweni nomake abanigi oChwepheshe Bocwaningo Lwemvelo bayayenza, ikakhulukazi uma iphrojekthi inokungavumelani noma abantu abanigi benentshisekelo kuyo.

Umangabe Abantu Abathintekayo Nabafisa Ukubambiqhaza benobunzima (izinselelo) ukufunda nokuqondissa umbiko obhaliwe, noma ukubamba iqhaza emhlanganweni owenziwa ngokuxhumana emoyeni (njenge Zoom okanye iMicrosoft Teams), uChwepheshe Wocwaningo Lwemvelo kufanele enze umhlangano ukuze ulwazi lwethulwe ngomlomo ngolimi olukhulunywa endaweni. Okunye futhi, Abantu Abathintekayo Nabafisa Ukubambiqhaza bangaletha izimvo zabo ngomlomo, okufanele ukuthi kuqoshwe uChwepheshe Wocwaningo Lwemvelo.

Ngokujwayelekile, oChwepheshe Bocwaningo Lwemvelo babeka amakhophi ombiko Emtapweni Wolwazi noma emahovisisi kamaspala, abasemagunyeni emkhandlwini noma kwezinye izindawo zomphakathi, baphinde benze imiquulu ibekhona ezizindeni zokuxhumana.

Kwesinye isikhathi, lemibiko iyabekwa ezindaweni ezikude nalapho abantu behlala khona futhi kuyabiza ukuyithola. Kuwumbono omuhle ukuthi Abantu Abathintekayo Nabafisa Ukubambiqhaza bacele uChwepheshe Wocwaningo Lwemvelo abenzele amakhophi awumbala. Nomake kungalindelekile ukuthi uChwepheshe Wocwaningo Lwemvelo anikeze umuntu ngamunye ngamunye Othintekayo Nofisa Ukubambiqhaza amakhophi, akufanele banqabe ukunikeza ikhophi lapho iqembu laBantu Abathintekayo Nabafisa Ukubambiqhaza lingakwazi ukwabelana.



What are comments?

Comments are your views (opinions), facts, suggestions, requests or queries you wish to bring to the attention of the EAP, the specialists, the applicant (developer), and most importantly, the competent authority, that you consider important to include and consider in the EIA process and the decision to be made.

For example,

- You may have questions about the project which have not been explained properly or because not all the necessary information has been given to you in the EIA process.
- You may have questions about the EIA and public participation process.
- You may want to tell the EAP about something important in your community that has been overlooked or ignored.
- You may think that the EAP has not identified certain impacts.
- You may think that the mitigation measures to avoid, minimise or remedy impacts are not enough.
- You may want to make recommendations of your own as to what mitigation measures should be included in the EIA.
- You may think the EAP needs to use additional specialists (experts) to give more information about an impact.
- You may think the project should be moved to another location or that it needs to be changed in some way to improve it so that it has less negative impacts.
- You may think the project has good impacts which need to be recognised.
- You may have recommendations of your own on how the project can be improved.
- You may think that the EIA process has not been done properly.
- You may think that certain I&APs have not been included in the EIA process.
- You may think that the public participation has not been enough.
- You may think that your concerns have not been recorded or not recorded accurately.
- You may want to request a meeting or additional opportunities or time to comment.
- You may want to request that information is provided to you in your own language.
- You may think the project has too many negative impacts and should not be approved.

Your comments cannot be ignored and they must all be recorded in the EIA report by the EAP and submitted to the competent authority to consider when making a decision.

The EAP must also provide a response to the comments submitted – either saying how the EIA process or EIA report has addressed or included the comments. If the EAP does not agree with the comments, the EAP must give reasons why.

Iyini Imibono noma Izimvo?

Imibono noma izimvo zabantu (imizwa yabo), indlela obona ngayo, izicelo noma izikhala zo ofisa ukuzisho kuChwepheshe Wocwaningo Lwemvelo, ochwepheshe, umfakisicelo (umthuthukisi) nezipathimandla ezinegunya, okubona kubalulekile ukuthi kubhekisiswe Ocwaningweni Lokungenzeka Emvelweni nezinqumo okumelwe zithathwe.

Isibonelo,

- Ungaba nemibuzo ngephrojekthi ebingacaciswanga kahle noma ingoba ulwazi olubalulekile belunganikezelwanga kuwe ngoCwaningo Lokungenzeka Emvelweni
- Ungaba nemibuzo ngoCwaningo Lokungenzeka Emvelweni nenqubo yokubamba iqhaza komphakathi.
- Ungafisa ukutshela oChwepheshe Wocwaningo Lwemvelo ngento ebalulekile emphakathini wakho, ebinganakiwe noma ezitshiwe.
- Ungocabanga ukuthi uChwepheshe Wocwaningo Lwemvelo akazange aqagule imithelela ethile.
- Ungocabanga ukuthi imizamo yokunciphisa ukuvikela, ukunciphisa noma ukulungisa imithelela ayenele.
- Ungafisa ukwenza umbono wakho njengokuthi iyiphi imizamo yokunciphisa okufanele ifakwe oCwaningweni Lokungenzeka Emvelweni.
- Ungocabanga ukuthi uChwepheshe Wocwaningo Lwemvelo udinga ukwandisa ochwepheshe ukunikezela ngolwazi oluningi mayelana nomthelela othile.
- Ungocabanga ukuthi iprojekthi kufanele ithuthwe ibekwe kwenye indawo noma kudingeka ishitshwe ngenye indlela ukuyithuthukisa ukuze yehlise imithelela emibi.
- Ungocabanga ukuthi iprojekthi inemithelela emihle okufanele ibonakale.
- Ungaba nombono wakho ukuthi iprojekthi ingathuthukiswa kanjani.
- Ungocabanga ukuthi izinqubo zoCwaningo Lokungenzeka Emvelweni azenziwanga ngendlela egculisayo.
- Ungocabanga ukuthi abanye abantu abathintekayo nabafisa ukubambiqhaza abafakwanga ohlelweni loCwaningo Lokungenzeka Emvelweni.
- Ungocabanga ukuthi ukubamba iqhaza komphakathi akwanelanga.
- Ungocabanga ukuthi izinto ezikuthintayo aziposhwanga noma aziposhwanga ngendlela egculisayo.
- Ungadinga ukufaka isicelo somhlangano noma amathuba engeziwe noma isikhathi ululetha imibono.
- Ungadinga ukufaka isicelo ukuthi ulwazi lunikezelwe ngolimi lwakho lwendabuko.
- Ungocabanga ukuthi iprojekthi inemithelela eminingi emibi futhi akufanele igunyazwe.

Imibono yakho angeke inganakwa futhi yonke imibono kumele iqoshwe embikweni woCwaningo Lokungenzeka Emvelweni owenziwe uChwepheshe Wocwaningo Lwemvelo futhi uthunyelwe eziphathimandleni ezinegunya ukuze ziyibuyekeze uma sezithatha isinqumo.

UChwepheshe Wocwaningo Lwemvelo kufanele ahlinzeke ngempendulo kuyoyonke imibono ethunyelwe. Uma ngabe uChwepheshe Wocwaningo Lwemvelo engavumelani nalemibono, uChwepheshe Wocwaningo Lwemvelo kufanele anikeze izizathu zokuthi kungani.

4. LANGUAGE

The EIA Regulations do not specify what language must be used by the EAP when communicating with I&APs or when writing reports. In practice, the language that is used is English. However, the mother tongue of I&APs should also be used where people have difficulty in understanding, speaking or reading English.

These requirements are described in more detail in the 2017 Public Participation Guideline, including the need for meetings and the need for EAPs to provide summaries of EIA Reports in other languages when requested to do so by I&APs.

4. ULIMI LOKUXHUMANA

Imigomo yoCwaningo Lokungenzeka Emvelweni ayibaluli ukuthi iluphi ulimi okumele lusetshenziswe uChwepheshe Wocwaningo Lwemvelo uma bexhumana naBantu Abathintekayo Nabafisa Ukubambiqhaza noma uma bebhala umbiko. Uma sekusetshenzwa, ulimi olusetshenziswayo isingisi. Ulimi lwendabuko Kubantu Abathintekayo Nabafisa Ukubambiqhaza nalo kufanele lusetshenziswe uma abantu benobunzima bokujondisa, ukukhuluma noma ukufunda isingisi.

Lezizidingo zichazwe kabanzi Emigomweni Yokubambiqaza Komphakathi yango 2017. Lokhu kuLanganisa isidingo semihlangano nesidingo soChwepheshe Wocwaningo Lwemvelo ukuthi alethe umbiko ofingqiwe woCwaningo Lokungenzeka Emvelweni ngezinye izilimi uma beceliwe ukwenzenjalo ngaBantu Abathintekayo Nabafisa Ukubambiqhaza

5. NOTIFICATION OF DECISION MADE BY THE COMPETENT AUTHORITY

The applicant is required to inform all registered I&APs about the decision made by the competent authority (government department making the decision) to approve or refuse environmental authorisation, and the right to appeal this decision. Normally, the EAP will do this for the applicant.

Sometimes the EAP will send a copy of the decision to I&APs but other times, I&APs will have to ask for a copy. The decision is normally in English. If I&APs have difficulty in reading the decision, they should request that the EAP and competent authority provide a version in their language and if necessary, ask for a meeting for the decision to be explained verbally.

5. IZAZISO ZEZINQUMO EZITHATHWE IZIPHATHIMANDLA EZINEGUNYA

Umfakisicelo kudingeka azise bonke Abantu Abathintekayo Nabafisa Ukubambiqhaza abhalisile ngezinquo esithathwe iziphathimandla ezinegunya (umnyango kaHulumeni othatha izinqumo) ukuvuma noma aphikisane nokugunyazwa kwezemvelo, futhi nelungelo lokukhalaza ngalesi sinqumo, ngokujwayelekile, uChwepheshe Wocwaningo Lwemvelo izokwenza lokhu yenzela abafakizicelo.

Ngesinye isikhathi uChwepheshe Wocwaningo Lwemvelo izothumela ikhophi yezinqumo kuBantu Abathintekayo Nabafisa Ukubambiqhaza kodwa kwezinye izikhathi, Abantu Abathintekayo Nabafisa Ukubambiqhaza kufanele bacele ikhophi.

Izinquo sivame ukuba ngeSingisi. Uma Abantu Abathintekayo Nabafisa Ukubambiqhaza benobunzima bokufunda lezizinquo, kufanele bacele ukuthi uChwepheshe Wocwaningo Lwemvelo nesiphathimandla esinegunya ukuthi bayiguqule itholakale ngolimi lwabo futhi uma kunesidingo, bacele umhlangano ozocacisa kahle ngomlomo ngezinquo.

Public participation tips for I&APs:

1. Register when you first hear about a project so that you receive all notifications of meetings, reports and deadlines to comment. If you are registered, you will also receive notice of the decision which is made at the end of the EIA process. You can then decide whether or not to appeal the decision.
2. If you have difficulty (challenges) understanding or reading reports in English, you can request that the EAP provides you with correspondence and reports in your mother tongue. You can also ask that meetings are held in your community or with your group to explain the contents of the reports in person.
3. When requesting meetings, you may want to suggest specific days and times when most residents will be available. For example, weekends may be better if most people are away at work during the week. You may also want to request that the meeting is held close to the community or that transport is provided if the venue is far away.
4. Ask for copies of the minutes to be provided to you in your home language (mother tongue).
5. You can also submit your comments verbally if you have difficulty in submitting comments in writing.
6. Ask for feedback on how your comments have been addressed in the EIA reports.
7. When submitting comments you can say whether you support or object to the project but you should also give your reasons why.
8. Request at the beginning of the EIA process that a full-colour printed paper copy of the reports is provided to you as a community or group or association.
9. If the EIA is a Basic Assessment, you will have a minimum of ONE 30-day opportunity to read the draft Basic Assessment reports and submit your comments.
10. If the EIA is Scoping & EIR, you will have a minimum of TWO 30-day opportunities to read the reports and submit your comments – one comment period for the draft Scoping Report and the other for the draft EIA report.
11. If the reports are provided for a second round of comments, you should ask the EAP to tell you which parts of the reports have been changed to make it easier for you to decide if you need to submit more comments.
12. If you receive the draft reports late or you need more time to read them, you should ask for an extension of the deadline for submitting your comments. If the EAP has already submitted the final report to the competent authority, it is still advised that you submit your comments to the EAP as well as directly to the competent authority.
13. If at any time during the EIA process, you believe that you are being denied your rights to participate meaningfully, you can submit your grievances to the EAP. If the EAP does not respond adequately, you can submit your grievances to the case officer who is the government official in charge of the EIA process.
14. It is a good idea to request in your comments submitted to the EAP that if the project is approved, one of the conditions is that a monitoring committee is set up for construction and operation of the project which must include members of the community and which must be given copies of all monitoring reports, audits, compliance notices, directives and incident reports and any other information necessary for you to exercise your right in terms of Section 24 of the Constitution.
15. Ask for a copy of the decision to be provided in your own language and a verbal explanation of it, if you have difficulty in reading it or understanding it.

Amacebo okubamba iqhaza kuBantu Abathintekayo Nabafisa Ukubambiqhaza:

1. Bhalisa uma uqala nje ukuzwa ngephrojekthi ukuze ukwazi ukuthola izaziso zemihlangano, imibiko nom-nqamalajuqu wokuphawula. Uma ubhalisile, uzophinde uthole isaziso sezinqumo ezithathiwe ekuphele-ni kwenqubo yoCwaningo Lokungenzeka Emvelweni. Lapho usungathatha isinqumo sokuthi usifake yini isikhala noma ungasifikasi.
2. Uma unobunzima (izinselelo) ukuqondisisa noma ukufunda umbiko ngesingisi, ungacela uChwephesheshe Wocwaningo Lwemvelo ukuthi akunikeze izincwadi nombiko ngolimi lwakho lwendabuko. Futhi ungacela ukuthi imihlangano ibanjelwe emphakathini wangakini noma nesigungu sakho ukuchazelwa okuquketh-we wumbiko.
3. Uma ucela imihlangano, kuyadingeka ukuthi uhlongoze izinsuku nezikhathi ezithile lapho iningi labahlali bezotholakala khona. Isibonelo: impelasonto ingaba ngcono lapho iningi labantu bengekho emsebenzini. Ungaphinde ucele imihlangano ukuthi ibanjelwe emphakathini oseduzane nokuthi banihlinzeke ngezith-uthi uma indawo iqhelile.
4. Cela amakhophi amaminithi omhlangano ukuthi banenzele ngolimi lwakho noma lwendabuko.
5. Futhi ungathumela ukuphawula kwakho ngomlomo uma kungaba nobunzima ukuthumela umbono wakho ngokuwubhala.
6. Cela ukuthi bakunikeze ulwazi lokuthi izimvo zakho zibhekeleke kanjani oCwaningweni Lokungenzeka Emvelweni.
7. Uma uthumela imibono ungasho ukuthi uyavumelana okanye uyaphikisana nephrojekthi kodwa kufanele unikezele ngezizathu zokuthi kungani.
8. Cela ekuqaleni kwenqubo yoCwaningo Lokungenzeka Emvelweni ukuthi banihlinzeke ngamakhophi awumbala ombiko anikezwe wena, njengomphakathi noma iqembu noma inhlangano.
9. Uma kuwuCwaningo Lokungenzeka Emvelweni Olufushane, uzokuba nezinsuku eziwu 30 eziyithuba loku-funda Umbiko Owumhlahlandlela Wocwaningo Lezemvelo ukuze ulethe izimvo.

Amacebo okubamba iqhaza kuBantu Abathintekayo Nabafisa Ukubambiqhaza:

10. Uma kuwuCwaningo Olunezigaba ezimbili, Ukuqoqwa Kwezimvo, Nombiko Wemithelela Emvelweni, uzo-ba nezinsuku ezisukela ku 30 kuya ku 60 zethuba lokufunda umbiko bese uthumela izimvo. Uzonikezwa isikhathi sokubuyekeza Umbiko Owumhlahlandlala Wokuqoqwa Kwezimvo nesikhathi sokubuyekeza Um-biko Owumhlahlandlala Wocwaningo Lokungenzeka Emvelweni.
11. Uma unikezwe umbiko ukuthi uwubuyekeze okwesibili, ungacela uMcwaningi Wezemvelo ukuthi akhom-bise lapho kwensiwe khona ushintsho.
12. Uma uthole imibiko ewumhlahlandlala sekudlule isikhathi noma udinga isikhathi esanele sokufunda um-biko, ungacela ukwalulelwia isikhathi sonqamulajuqu ukuthumela imibono yakho. Uma uChwepheshe Wocwaningo Lwemvelo esuwuthumelile umbiko wokugcina ezipathimandleni ezinegunya, uyalulekwa ukuthi nawe uwuthumele umbono wakho kuChwepheshe Wocwaningo Lwemvelo uphinde uqinisekise ukuthi uyawuthumela ezipathimandleni ezinegunya.
13. Nanganoma isiphi isikhathi sokuqhutshwa koCwaningo Lokungenzeka Emvelweni, uma ubona sen-gathi unqatshelwa ilungelo lakho lokubamba iqhaza ngokunenjongo, ungathumela izikhalazo zakho kuChwepheshe Wocwaningo Lwemvelo. Uma uChwepheshe Wocwaningo Lwemvelo engakuphenduli ngokugculisayo, ungathumela izikhalazo zakho kumphathi wesicelo oyisikhulu sikaHulumeni angenelele emgudwini woCwaningo Lokungenzeka Emvelweni.
14. Kuwumbono omuhle ukucela kuChwepheshe Wocwaningo Lwemvelo ukuthi uma iphrojekthi igunyazwa, kube nekomidi elibhekelele ukwakhwiwa nokusebenza kwephrojekthi. Lelikomidi kufanele lifake amalungu omphakathi futhi linikezwe amakhophi ayoyonke imibiko yokubhekelela, ucwaningo mabhuku, izaziso zo-kuthobeka, imiyalelo kanye nemibiko yezigameko nanoma yiluphi ulwazi olusemqoka ekusebenzisa ilun-gelo lakho ngokwesigaba 24 somthethosisekelo.
15. Cela ikhophi yesinqumo ukuthi inikezelwe ngolimi lwakho futhi akuchazele uma unezingqinamba ekuqondeni lokho okubhaliwe.

RIGHT TO APPEAL

- When a registered I&AP is notified about a decision at the end of the EIA process, he, she or they will also be given information about the right to appeal and the contact details of the appeal authority.
- Any person who disagrees with the decision made by the competent authority to approve or refuse the environmental authorisation, has the right to appeal. A person who appeals a decision is called an appellant.
- This means I&APs can ask the appeal authority (either the national Minister or provincial MEC responsible for the environment) to reconsider the decision made by the competent authority. I&APs have 20 days to submit their appeal from the date they were notified about the decision. They can also ask the appeal authority for an extension or for approval of a late submission if there is good reason for missing the 20-day deadline.
- Other parties may respond to an appeal by submitting a responding statement within 20 days of receiving a copy of the appeal.
- The appeal authority then has 50 days to decide the appeal.
- Applicants can also appeal the decision if their environmental authorisation is refused or if they don't agree with a condition of the environmental authorisation they have been granted.
- An appeal and responding statement must be submitted on a form that can be requested from the appeal authority.
- If the Minister or MEC agrees with an appeal, he or she can cancel the environmental authorisation or make changes to it, or even require that additional studies and public participation are done.
- If the Minister or MEC dismisses the appeal i.e., agrees with the original decision-maker, then the appellant can go to court to ask a judge to review the appeal decision and the original decision.

ILUNGELO LOKUKHALAZA NOMA LOKUPHIKISANA NESINQUMO

- Uma Abantu Abathintekayo Nabafisa Ukubambiqhaza bebhaisile baziswa ngesinqumo ekupheleni kwen-qubo yoCwaningo Lokungenzeka Emvelweni, kufanele bazonikezwa ulwazi ngelungelo lokukhalaza nezinombolo zezincingo zeofisi lokudlulisela izikhalazo.
- Inoma wubani ophikisana nesinqumo esithathwe iziphathimandla ezinegunya ukuvumela noma ukuphiki-sa ukugunyazwa kwezemvelo, unelungelo lokukhalaza. Umuntu odlulisa isikhalo ngesinqumo esithathiwe kuthiwa ummangali.
- Lokhu kusho ukuthi Abantu Abathintekayo Nabafisa Ukubambiqhaza bangacela abaphathi bezikhala (kungaba uNgqongqoshe KaZwelonke, noma uMphathiswa Wesifundazwe Obhekelele Ezemvelo) ukuthi abuyekeze isinqumo esenziwe iziphathimandla ezinegunya. Bangaphinde bacele iziphathimandla zokud-luliswa kwezikhalazo ukwelulelw isikhathi noma bavunyelwe ukuthi bakwazi ukuthumela sekudlule isikhathi uma kunesizathu esizwakalayo sokweqa ezinsukwini eziwu 20 zomnqamulajuqu.
- Ezinye izinhlaka zingaphendula esicelweni ngokuthi bathumele isitativende esiphendulayo ezinsukwini ezi-wu 20 bethole ikhophi yesikhalazo.
- Iziphathimandla zokudluliselwa kwezikhalazo zinezinsuku eziwu 50 ukuthatha isinqumo ngesikhalazo.
- Abafakizicelo bangakhalaza ngesinqumo uma ukugunyazwa kwabo kwezemvelo kunqatshiwe noma uma bengavumelani nezimo zokugunyazwa kwezemvelo abakuniwi.
- Isikhala nesitatimende esiphendulayo kufanele sithunyelwe ngefomu elitholakala ezipathimandleni zokudluliselwa izikhalazo.
- Uma uNgqongqoshe noma uMphathiswa evumelana nesikhala, angahoxisa ukugunyazwa kwezemvelo noma enze izinguquko, angafuna futhi izifundo ezengeziwe nokuhlanganyela komphakathi okwengeziwe.
- Uma uNgqongqoshe noma uMphathiswa bephikisana nesikhala njengokuthi nje bavumelane nomtha-thi sinqumo wokuqala, ngakho ke ummangali usengaya enkantolo ukuyocela umehluleli ukuthi abuyekeze isinqumo sesikhala sakhe nesinqumo sokuqala.

WHAT HAPPENS AFTER AN EIA AND APPEAL PROCESS?

If a project has environmental authorisation which has not been cancelled by an appeal or by the courts, and if it has all the other licences it needs, it can lawfully start.

However, just because a project has a licence, it doesn't mean the developer can do whatever the developer likes.

The developer (now called the holder of the environmental authorisation) must do everything it says in the licence – it must comply with the conditions and the approved EMPr.

Also, the developer has to appoint an environmental auditor to check that it is complying with the conditions of the environmental authorisation and the EMPr.

The environmental authorisation will say how often an environmental audit must be done. In most cases, it will be once a year or once every two years but not less than once every 5 years.

As a registered I&AP, you have the right to be given a copy of the environmental audit report if you request it. Companies are also required to make a copy of the audit report freely available on their website if they have a website.

If the environmental auditor makes recommendations to make changes to the EMPr, you as an I&AP should be notified and given 30 days to submit comments on these proposed changes.

REPORTING NON-COMPLIANCE

If at any stage during construction, operation or closure you do not think the project is complying with the conditions of the environmental authorisation or approved EMPr or Closure Plan, or if you think the developer is not taking reasonable measures to prevent significant environmental degradation or pollution, you can report this to the Environmental Management Inspectorate (EMI), also known as the Green Scorpions.

The national Department of Forestry, Fisheries and the Environment (DFFE) has a 24-hour toll free number – 0800 205 005 – for reporting environmental crimes and incidents. The email address is envirocrime@environment.gov.za.

KWENZAKALANI NGEMVA KOCWANINGO LOKUNGENZEKA EMVELWENI KANYE NENQUBO YEZIKHALAZO?

Uma iphrojekthi igunyaziwe ngokwezemvelo ngaphandle kokuthi ikhanselwe iziphathimandla zokudluliselwa kwezikhalazo noma inkantolo, noma inawowonke amalayisense ewadingayo, umthetho uyavuma ukuthi ingaqala.

Noma iphrojekthi inelayisense, akusho ukuthi umthuthukisi usengenza noma yini ethandwa nguye.

Umthuthukisi (manje obizwa ngomphathi wegunya lezemvelo) kufanele enze yonke into eshiwo ilayisense, ekumele ihambisane nezivumelwano zoHlelo Lokuphathwa Kwemvelo.

Okunye, umthuthukisi kufanele aqoke Umhloli Wamabhuku Ezemvelo ukubheka ukuthi bayahambisana yini nemigomo yokugunyazwa kwezemvelo noHlelo Lokuphathwa Kwemvelo.

Igunya Lezemvelo ibona lizocacisa ukuthi Ukuhlolwa Kwamabhuku kufanele kwenziwe kangaki. Izikhathi ez-inningi, kuvame ukuthi kuhlolwe kanye ngonyaka noma kanye eminyakeni emibili kodwa akuvumelekile ukuba ngaphansi kokukodwa eminyakeni emihlanu.

NjengoMuntu Othintekayo Nofisa UkubambiQhaza obhalisile, unelungelo lokuthi unikezwe Umbiko Wocwaningo Lwezemvelo uma uwucelile. Izinkampani kudingeka zenze Umbiko Wokuhlolwa Kwamabhuku utholakale esizindeni sabo solwazi uma benaso ukuze utholakale kalula.

Uma umhloli mabhuku wezemvelo enza izincomo zokwenza ushintsho Ohlelweni Lokuphathwa Kwemvelo, nina njengaBantu Abathintekayo Nabafisa UkubambiQhaza kufanele naziswe futhi ninikwe izinsuku ezingu 30 ukuthumela imibono kulolushintsho oluhlongozive.

UKUBIKA ABANGATHOBELI UMTHETHO

Kunoma yisiphi isigaba sokwakhiwa, esokusebenza noma sokuvala, uma ucabanga ukuthi iphrojekthi ayahambisani nezimo zokugunyazwa kwezemvelo noma Uhlelo Lokuphathwa Kwemvelo, Uhlelo Lokuvala, noma ucabanga ukuthi umthuthukisi akenzi imizamo eyanele ukuvikela ukucekeleka phansi okukhulu nokungcoliseka kwemvelo, ungabika eziphathimandleni noma amaphoyisa abhekele ezemvelo (aphinde aziwe ngamaGreen Scorpions).

Umnyango kaZwelonke Wezamahlathi, Wezokudoba kanye Nezemvelo (DFFE) banenamba ongaxhumana nabo ngayo mahhala ethi – 0800 205 005 – isebenza amahora angu 24 noma uthumele kuleemail envirocrime@environment.gov.za.

ENVIRONMENTAL LICENCING & EIA LAWS

These are the main laws that say what environmental licences are needed, how EIAs must be done and how decisions must be made.

Main laws regulating EIA:

- National Environmental Management Act 107 of 1998 (amended)
- Environmental Impact Assessment (EIA) Regulations, 2014 (amended)
- EIA Regulations Listing Notice 1 of 2014 (amended)
- EIA Regulations Listing Notice 2 of 2014 (amended)
- EIA Regulations Listing Notice 3 of 2014 (amended)
- Section 24 Registration Authority Regulations, 2016 (amended)
- National Appeal Regulations, 2014 (amended)

General guidelines:

- Public Participation Guidelines, 2017
- Need and Desirability Guidelines, 2017

Additional laws for waste management activities:

- National Environmental Management: Waste Act 59 of 2008 (amended)
- List of Waste Management Activities, 2013 (amended)

Additional laws for mining projects:

- Financial Provisioning Regulations, 2015 (amended)
- Regulations regarding the Planning and Management of Residue Stockpiles and Residue Deposits, 2015 (amended)

Additional laws for air quality licensing:

- National Environmental Management: Air Quality Act 39 of 2004 (amended)
- List of activities which result in atmospheric emissions, 2013 (amended)

UKUNIKEZWA ILAYISENSI YEZEMVELO NEMITHETHO EY-ENGAMELE UCWANINGO LOKUNGENZEKA EMVELWENI

Lena imithetho esemqoka ecacisa ngokuthi amaphi amalayisensi adingekayo, kumele enziwe kanjani oCwaningweni Lokungenzeka Emvelweni nokuthi zithathwe kanjani izinqumo.

Imithetho esemqoka elawula Ucwaningo Lokungenzeka Emvelweni:

- Umthetho Wokuphathwa Kwezemvelo kaZwelonke wesigaba 107 yango 1998 (uchitshiyelwe)
- Umthetho Wokulawula Ukuhlolwa Kwemithelela Yezemvelo yoCwaningo Lokungenzeka Emvelweni), 2014 (uchitshiyelwe)
- Isaziso sohlu lomthetho woCwaningo Lokungenzeka Emvelweni 1 sango 2014 (uchitshiyelwe)
- Isaziso sohlu lomthetho woCwaningo Lokungenzeka Emvelweni 2 sango 2014 (uchitshiyelwe)
- Isaziso sohlu lomthetho woCwaningo Lokungenzeka Emvelweni 3 sango 2014 (uchitshiyelwe)
- Isigaba 24 semithethonqubo yegunya lokubhalisa, 2016 (uchitshiyelwe)
- Umthethonqubo Kazwelonke Wokudlulisa Izikhala, 2014 (uchitshiyelwe)

Imigomo ejwayelekile:

- Imigomo Yokubambiqaza Komphakathi, 2017
- Imigomo Yezidingo Nezifiso, 2017

Imithetho Eyengeziwe Yemisebenzi Yokulawulwa Kwemfucuza:

- Umthetho kaZwelonke Wezemvelo Wokulawula Imfucuza Isigaba 59 wango 2008 (uchitshiyelwe)
- Uhla Lwemisebenzi Yokulawula Imfucuza, 2013 (uchitshiyelwe)

Imithetho eyengeziwe yamaphrojekhti ezimbiwa:

- Umthetho Wokuhlinzekwa Kwezimali, 2015 (uchitshiyelwe)
- Imithethonqubo emayelana nokuphathwa kwezinqwaba zezinsalela namadiphozithi nezinsalelo (uchitshiyelwe)

Imithetho eyengeziwe yokulayisensa umoya ococekile:

- Umthetho Wezemvelo kaZwelonke: Wezomoya Ococekile isigaba 39 sango 2014 (uchitshiyelwe)
- Uhla Lwemisebenzi eholela ekukhiqizekeni noma ekukhipheni igesi noma imisebe iyikhiqizela emkhathini, 2013 (uchitshiyelwe)

GLOSSARY (DICTIONARY): KEY WORDS AND CONCEPTS

ISICHAZAMAZWI: AMAGAMA ASETSHENZISIWE NEMISHWANA

The main words used in EIA and their meaning.

ENGLISH WORDS AND PHRASES	AMAGAMA ESIZULU NEMISHWANA
Environment: The environment is the land, the air, the water and all living creatures and ecosystems – all the natural things – that make up the surroundings in which people live.	Imvelo: Umakukhulunywa ngemvelo kushiwo umhlaba, amanzi, nakhokonke okuphila kuwo, nokusebenzisana kwayo – zonke izinto zemvelo – ezakha indawo ezungezile nalokhoabantu abaphila ngakho.
Impact: The change or influence a project has on the environment, people and their health and well-being and their cultural heritage.	Imithelela: Ushintsho noma umthelela owenziwa iprojekthi emvelweni, ebantwini, kwezempiro, ekuphileni, kwezamagugu namasiko.
Assessment: A study to identify and rate (measure) the impacts of a project, with and without mitigation.	Ukuhlola: Ucwanningo lokuqagula nokulungisisa (noma ukukala) imithelela yeprojekthi kokunciphisa, noma ngokunganciphisi.
Environmental Impact Assessment (EIA): A study that predicts (forecasts, best guesses, foresees, imagines) and assesses (rates, measures) the positive (good) and negative (bad) impacts (changes, effects, influences) that a development (project, activity) is likely to have on the environment, on people, their livelihoods (how they make a living) and their culture.	Ucwanningo Lokungenzeka Emvelweni: Ucwanningo oluqagula (isibikezelu, ukuqagela okungcono kakhulu, ukubona kusengaphambili, ukucabanga) bese luhlolisia imithelela emihle nembi engase ilethwe intuthuko (iprojekthi, umsebenzi) engaba khona emvelweni, kubantu, ekuhlaleni (indlela yokuziphilisa) nakwezamasiko.
Cultural heritage: Examples include graves, sacred places and buildings, buildings and structures older than 60 years, stone age and iron age artefacts.	Izindawo Ezingamagugu Nezamasiko: Izibonelo zifaka amathuna, izindawo ezingcwele namabhilidi, amabhilidi nezakhiwo ngaphezu kweminyaka ewu 60, inkathi yamatsho kanye nenkathi yensimbi ezibaziwe.
Positive impact: An impact (change) or influence of a project that is good.	Umthelela omuhle: Umthelela noma ushintsho oluhle olulethwa yiprojekthi.

ENGLISH WORDS AND PHRASES	AMAGAMA ESIZULU NEMISHWANA
Negative impact: An impact (change) or influence of a project that is adverse (bad).	Umthelela omubi: Umthelela noma ushintsho olubi olulethwa iphrojekthi.
Cumulative impact: A lot of small impacts that together make a significant (big) impact.	Imithelela enqwabelene: Imithelela eminingi emincane ethi uma ihlanganisiwe yenze imithelela emikhulu
Mitigation of impacts: To avoid or minimise and remedy negative environmental impacts.	Ukunciphisa imithelela: Ukuvikela, noma ukunciphisa futhi ulaphe imithelela emibi emvelweni.
Avoid impacts: To prevent the impact from happening.	Gwema imithelela: Ukuvimbela ukwenzeka kwemithelela.
Minimise and Remedy: To reduce the size of negative impacts and remedy (fix) the damage and pollution.	Nciphisa futhi Ulaphe Ukwehlisa isikalo semithelela emibi nokwelapha (ukusilungisa) umonakalo nokungcola.
Basic Assessment: The shorter EIA process for activities in Listing Notices 1 and 3.	Ucwaningo Lwemvelo Olufushane Ucwaningo Lwemvelo Olufushane Iwemisebenzi ebhalwe Ohlwini Lwemisebenzi yoCwaningo Lokungenzeka Emvelweni esohlwini 1 no 3.
Scoping and Environmental Impact Report: The longer, 2-phase EIA process for activities in Listing Notice 2.	Umbiko Wokuqoqwa Kwezimvo kanye Nombiko Womthelela Kwezemvelo: Ucwaningo olude oluolanganisa izigaba ezimbili zocwaningo. LoluCwaningo olwemisebenzi etholakala Ohlwini Lwezaziso 2.
Environmental Management Programme: Also referred to as the EMPr or EMP. It is the report that contains the mitigation measures to protect the environment and remedy the damage.	Uhlelo Lokupathwa Kwemvelo: Yaziwa futhi ngokuthi iEMPr noma EMP. Lolu uhlelo oluukethe imizamo yokunciphisa ukuvikela imvelo kanye nokulapha umonakalo.
Closure Plan: Similar to an EMPr, but for the closing down (decommissioning) of project. It contains the objectives for closure and the rehabilitation and other measures that must be done to restore the environment to a certain condition (state).	Uhlelo Lokuvala: Ngokufanayo neEMPr, kodwa ekuvalweni (ekuphotulweni komsebenzi) wephrokthi. Iqukethe izinhoso zokuvala nezokuvuselela neminye imizamo okumele yenziwe ukubuyisela imvelo esimeni esthile (isimo).
Applicant: The person (individual, company, government department, municipality, or other organ of state) who wants to do the project, development or activity. Sometimes this person is also referred to as the developer or proponent.	Umfakisicelo: Umuntu (ngayedwana, inkampani, uHulumeni, umasipala nezinye izinhlaka zombuso) ofuna ukwenza iphrokthi, ukuthuthukiswa noma umsebenzi. Kwesinye isikhathi lomuntu waziwa ngokuthi uMthuthukisi noma Umhlongozi.

ENGLISH WORDS AND PHRASES	AMAGAMA ESIZULU NEMISHWANA
Environmental Assessment Practitioner: Also known as the EAP or environmental consultant. This is the person who is appointed by the applicant to do the EIA.	Ochwepheshe Bocwaningo Lwemvelo UChwepheshe Wocwaningo Lwemvelo umuntu oqokwe umfakisicelo ukwenza uCwaningo Lokungenzeka Emvelweni.
Specialists: People who are experts in a subject (topic, field, area) for example, water, air quality, health, plants, animals, wetlands, economics, agriculture, archaeologist. They provide expert information to the EAP to include in the EIA reports.	Ochwepheshe: Abantu abanolwazi olunzulu emikhakheni yongoti (Isibonelo: amanzi, umoya, ezempilo, ezolimo, abacubunguli bezinto zasemandulo amathambo, umhlabathi). Ongoti baletha ulwazi olunzulu kuChwepheshe Wocwaningo Lwemvelo ukuthi lufakwe embikweni woCwaningo Lokungenzeka Emvelweni.
Interested & Affected Parties (I&APs): An I&AP is any person (individual, company, community organisation, government department or institution), who is interested in or affected by a project. An I&AP can be: <ul style="list-style-type: none"> any organs of state affected by the project, or which has to make a decision on the project e.g. municipalities, national departments, provincial departments, SANRAL, Eskom, Telkom, Transnet, conservation authorities local residents, tenants, landowners, occupiers councillors, community organisations, traditional authorities, NGOs, rate payers' association companies, businesses or anyone else interested in environmental matters 	abantu Abathintekayo Nabafisa Ukubambiqhaza: Abantu Abathintekayo Nabafisa Ukubambiqhaza inoma yimuphi umuntu (ngayedwana, inkampanni, inhlango yomphakathi, Umnyango noma isikhungo sikaHulumeni), onentshisekelo noma othintekile ngephrojekthi. Abantu Abathintekayo Nabafisa Ukubambiqhaza kungaba yilaba abalandelayo: <ul style="list-style-type: none"> Inoma iyiphi ingxene yombuso ethintekile ngephrojekhti noma okumele ithathe izinqumo ngephrojekthi. Isibonelo: uMasipala, umnyango kaHulumeni kazwelone, umnyango kaHulumeni wesifundazwe, SANRAL, Eskom, Telkom, Transnet, ababhekele ukongiwa kwemvelo. Izakhamuzi, abaqashi, abanini bendawo, abahlali. Amakhansela, izinhlangano zomphakathi, iziphathimandla zomkhandlu, izinkaphami ezingenzi nzuko, Inhlango yabakhokhi ntela. Noma imuphi umuntu onentshisekelo ezindabeni ezithinta imvelo.
Public participation: The consultation and inclusion of I&APs in the EIA process, decision-making, and project compliance.	Ukubambiqhaza Komphakathi: Ukuxhumana nokufakwa kwaBantu Abathintekayo Nabafisa Ukubambiqhaza ezinqubeni zoCwaningo Lokungenzeka Emvelweni, ekuthathweni kwezin-qumo nokuthobela iphrojekthi.
Environmental authorisation: The licence or approval of the application by the competent authority after an EIA has been done.	Ukugunyazwa Kwemvelo: Ilaisense noma ukugunyazwa kwesicelo yiziphathimandla ezinegunya emuva kokuqedwa koCwaningo Lokungenzeka Emvelweni.

ENGLISH WORDS AND PHRASES	AMAGAMA ESIZULU NEMISHWANA
Competent authority: The government department (either the national Department of the Environment, or provincial Departments of the environment, or the Department of Mineral Resources) who makes the decision either to approve or refuse an application for environmental authorisation.	Iziphathimandla Ezinegunya: Umnyango kaHulumeni (kungaba Umnyango kaHulumeni Kazwelonke Wezemvelo, noma Umnyango Wesifundazwe wezemvelo, noma Umnyango Wezokumbiwa) abathatha izinqumo zokuthi bavumele okanye banqabe isicelo sokugunyazwa kwezemvelo.
Appeal: An objection to the appeal authority about the decision made by the competent authority to approve or refuse environmental authorisation or other environmental decision or licence (e.g., a waste management licence).	Isikhala: Ukuphikisana nesinqumo esithathwe iziphathimanda ezinegunya ngokuvumela noma ngokuphikisa isicelo. Isibonelo: ilayisensi yokuphathwa kwemfucuza.
Appellant: The person who submits an appeal to the decision made by the competent authority after the EIA process.	Ofake isikhala: Umuntu othumele isikhala ngesinqumo esithathwe iziphathimanda ezinegunya ngemva kwenqubo yoCwaningo Lokungenzeka Emvelweni.
Appeal authority: The Minister of the environment or the provincial MEC of the environment who considers the appeal and makes a decision on whether to cancel the environmental authorisation, change the licence, uphold (support) the licence or require additional studies and public participation.	Iziphathimandla Ezibhekene Nezikhalazo: Ungqongqoshe wezemvelo noma Umphathiswa wezemvelo esifundazweni ocubungula isicelo futhi athathe isinqumo sokugunyaza ngokwezemvelo, ashintshe ilayisensi, noma acele ukuthi kwenziwe izifundo ezengeziwe, nokubambiqhaza komphakathi.
Environmental audit: A study done by an auditor (a person who knows how to do environmental audits) to check that the holder of the environmental authorisation is obeying (complying with) the conditions of the environmental authorisation and EMPr or Closure Plan.	Ukuhlolwa Kwezemvelo: Ucwaningo olwenziwa ngumhloli mabhuku (umuntu onolwazi ukuthi acutshungulwa kanjani amabhu-ku ezemvelo) abheke ukuthi umphathi wamagunya ezemvelo uyahlonipha yini (uyahambisana yini nezimo zokugunyazwa kwezemvelo, uHlelo Lokuphathwa Kwemvelo kanye Nohlelo Lokuvala).
Government Gazette: The government publication (magazine) that contains all the laws that our Government makes.	Usomqulu kaHulumeni: Izincwadi zikaHulumeni zezikhangiso (amabhu-ku okukhangisa) aphethe yonke imithetho eyenziwe uHulumeni.
National Environmental Management Act, 1998: One of the main laws our Government has made to protect the environment and give effect to Section 24 of the Constitution.	Umthetho Wokuphathwa Kwemvelo Kazwelonke ka 1998: Omunye womthetho kaHulumeni wethu osemqoka wenziwe ukuvikela imvelo iphinde inikeze umphu-mela wesigaba 24 somthethosisekelo.

ENGLISH WORDS AND PHRASES	AMAGAMA ESIZULU NEMISHWANA
EIA Regulations The EIA Regulations, 2014 is the latest version. This law says how EIAs, and public participation must be done and how decisions must be made.	Imithethonqubo yoCwaningo Lokungenzeka Emvelweni: Imigomo yoCwaningo Lokungenzeka Emvelweni, 2014. Lomthetho ukhulumu ngokuthi uCwaningo Lokungenzeka Emvelweni nokubambiqhaza komphakathi kwenziwe nanokuthi kwenziwe kanjani nokuthi izinqumo zithathwe kanjani.
Listing Notices 1, 2 and 3: These 3 notices contain the list of activities (projects, developments) that need environmental authorisation. Activities in Listing Notices 1 and 3 require a Basic Assessment. Activities in Listing Notice 2 require Scoping and EIR.	Uhla Iwezaziso 1,2 no 3: Lezizasiso eziwu 3 ziphethe uhla Iwemisebenzi (phrojekthi, ukuthuthukiswa) okudinga ukugunyazwa abezemvelo. Imisebenzi Esohlwini Lwezaziso 1 no 3 idinga uCwaningo Lwemvelo Olufushane. Imisebenzi Esohlwini Lwezaziso 2 idinga Umbiko Wokuqoqwa Kwezimvo Nombiko Wemithelela Emvelweni.

