

## **APPENDIX E**

### **PUBLIC PARTICIPATION PROCESS REPORT**

Below is a full description of the entire public participation.

**1 DECEMBER 2015**

## **INTRODUCTION**

This report presents a description of the public participation process and a report on issues raised by registered interested and affected parties (I&AP).

The public participation period commenced on the 10 February 2015 with a 30 day registration period until the 12<sup>th</sup> of March 2015. I&AP registration was however still welcomed after the 30 day registration period for the duration of the project. The Draft Basic Assessment report was subjected to a 40 day review period by all registered I&APs and stakeholders. This period stretched from the 24<sup>th</sup> of May until the 13<sup>th</sup> of July 2015. The Final Basic Assessment Report will be subjected to a 21 day review period by all registered I&APs and stakeholders from 7 December 2015 until 20 January 2016.

A number of meetings were organised during the public review period of the Basic Assessment Report (BAR). This final PPP Report, including all the minutes of the meetings, are included as part of the FBAR to be submitted to DEA for decision making

## **1. PUBLIC PARTICIPATION PROCESS**

Below is a detailed description of the public participation process. This chapter demonstrates how the Environmental Assessment Practitioner (EAP) has performed at least the minimum requirements for a public participation process as per the National Environmental management Act (Act 107 of 1998), GNR 543, regulation 54.

### **1.1 Initial Public Participation**

A Windeed search combined with the existing I&AP database that CES has, allowed CES to compile a I&AP list of all the relevant landowners, surrounding landowners, potential I&APs and Stakeholders for the proposed site. A newspaper advert was placed in the Legal section of The Herald (Regional newspaper) on the 10<sup>th</sup> of February 2015 (Figure 1). A comprehensive site visit was then conducted (10 February 2015) during which Background Information Documents (BIDs) were distributed by hand to all neighbouring landowners and identified I&APs and an A1 Site notice/poster erected on the Site Boundary bordering Old Grahamstown Road (Figure 2). The notice was exposed to a large number of people using the road. A description of the contents of the poster as well as photographic evidence of the erection of the poster has been provided in Figure 2. A copy of the BID distributed is attached in Appendix 1 of this report.

On 16 March 2015, notification emails was sent out to all I&APs and relevant Government Departments notifying them of the proposed development (Proof of emails: Figure 3).

## LEGAL NOTICES

### NOTICE

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BASIC ENVIRONMENTAL  
ASSESSMENT  
PROCESS BASIC  
ASSESSMENT FOR THE  
TRANSNET FREIGHT  
RAIL NEW BRIGHTON  
SWARTKOP SECURITY  
WALL; PORT  
ELIZABETH; DEA Ref:  
14/12/16/3/3/1/1299  
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Notice is given in terms of regulation 22 as published in the Government Gazette No. 543 Environmental Impact Assessment (EIA) regulations of the National Environmental Management Act (Act No 107 of 1998) for intent to undertake a Basic Assessment.

It is the Transnet Freight Rail's (TFR) intention to construct a 6km concrete security wall from the New Brighton yard to Swartkops in Port Elizabeth. The scope of the engineering works includes the construct of a concrete wall. Steel spikes will be bolted along the length of the wall to prevent anyone from climbing over it and entering the TFR property. The construction will occur in close proximity to a wetland on the site triggering sections (c) and in terms of the National Water Act sections 2 1 (j) and (c) will applied for.

#### Listed Activities:

GN R544 (11) The construction of (xii) infrastructure or structure covering 50 square metres or more where such construction occurs within a watercourse or within 32 meters of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

GN R544 (18) The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, grit, pebbles or rock of more than 5 cubic metres from (i) a watercourse

You are invited to register as an Interested and Affected Party (I&A) by contacting Mr Jesse Jegels, 13 Stanley Street, Richmond Hill, 6001, Port Elizabeth. Tel: 041 585 1718; Fax: 086 546 5466; Email: j.jegels@cesnet.co.za

**Figure 1: Newspaper advert placed in the Herald notifying the public of the proposed activity during initial registration.**

**NOTICE  
ENVIRONMENTAL IMPACT ASSESSMENT**

**PROPOSED DEVELOPMENT: TRANSNET FREIGHT RAIL NEW BRIGHTON SWARTKOPS SECURITY WALL; PORT ELIZABETH;  
DEA Ref: 14/12/16/3/31/1299**

Notice is given in terms of regulation 22 as published in the Government Gazette No 543 Environmental Impact Assessment (EIA) regulations of the National Environmental Management Act (Act No 107 of 1998) for intent to undertake a Basic Assessment.

It is the Transnet Freight Rail's (TFR) intention to construct a 6 km concrete security wall from the New Brighton yard to Swartkops in Port Elizabeth. The scope of the engineering works includes the construction of a concrete wall. Steel spikes will be bolted along the length of the wall to prevent anyone from climbing over it and entering the TFR property. The construction will occur in close proximity to a wetland on the site triggering sections (c) and (i) under the National Water Act (Act 36 of 1998). Therefore a water use authorisation in terms of the National Water Act sections 21 (i) and (c) will be applied for.

**Listed Activities:**

**GN R544 (11)** The construction of (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

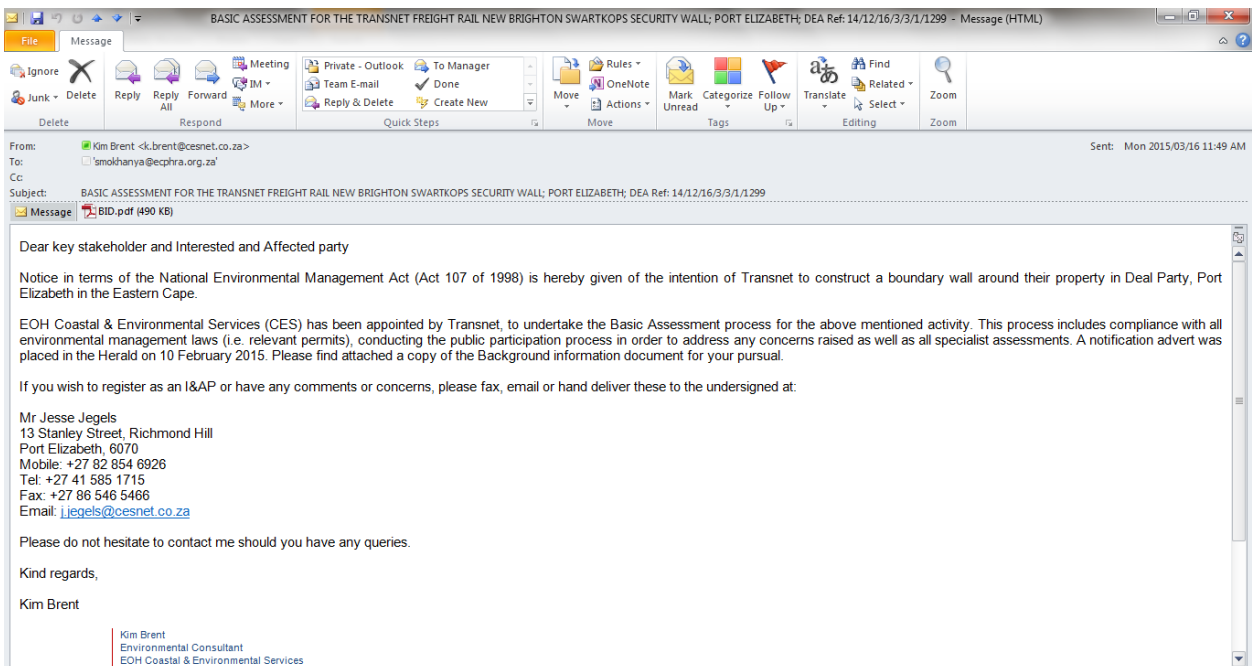
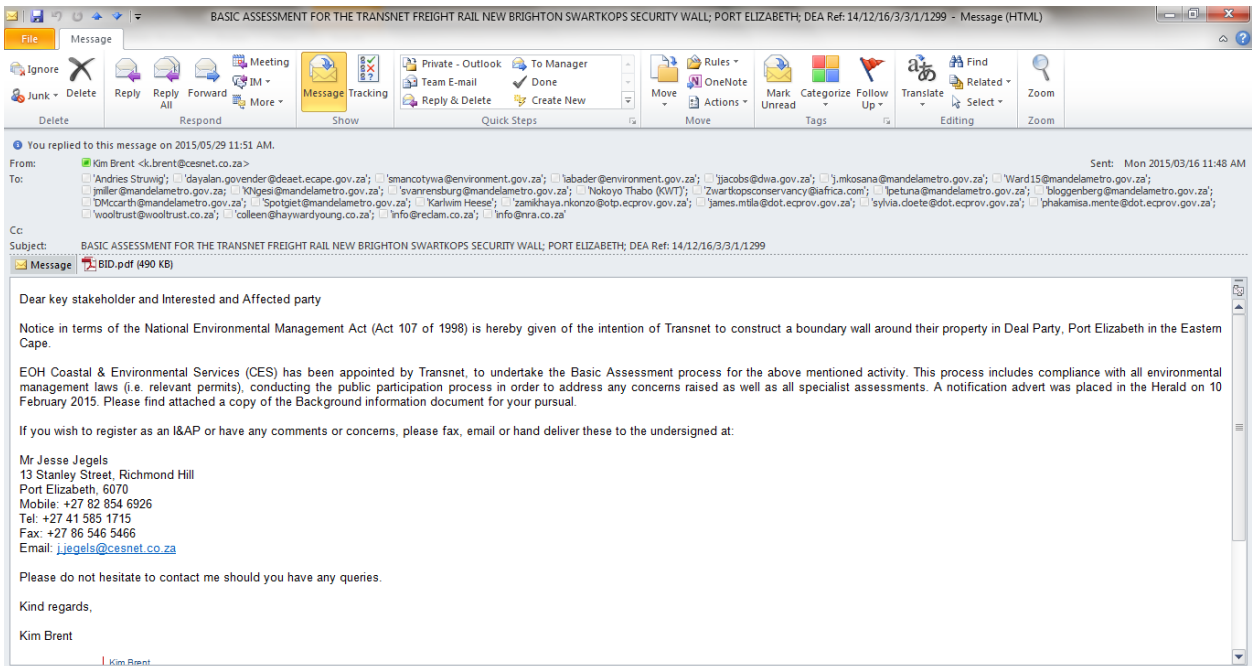
**GN R544 (18)** The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from (i) a watercourse

Coastal & Environmental Services has been appointed by Transnet Freight Rail to do a Basic Assessment for the proposed activity. **You are invited to register as an Interested and Affected Party (I&AP) by contacting Mr Jesse Jegels, 13 Stanley Street, Richmond Hill, 6001, Port Elizabeth. Tel: 041-585 1715; Fax: 086 546 5466; Email: [j.jegels@cesnet.co.za](mailto:j.jegels@cesnet.co.za).**

**Figure 2a. Content of the Site Notices erected on the proposed Transnet site.**



**Figure 2b. Evidence of Site Notices erected on the proposed Transnet site.**



**Figure 3: Notification emails sent to I&APs.**

No I&APs registered at this phase of the process and no comments or issues were received from Interested and Affected Parties.

## 1.2 Public participation during the Draft review period

The Draft Basic Assessment report was released for public review from the 24<sup>th</sup> of May until the 13<sup>th</sup> of July 2015. The report was placed at the New Brighton Public Library for review by the public. An advert was placed in the Herald on the 26 May 2015 (Figure 4) informing the public of the availability of the Draft BAR and the also advertising the public meeting to be held at Nangoza Jebe Hall on the 24<sup>th</sup> June 2015 at 17:00. On 29 May 2015, notification emails was sent out to all I&APs and relevant Government Departments notifying them of the availability of the Draft Basic Assessment report for public review and comment (Proof of emails: Figure 5).

Ward councillors of the affected wards were also contacted telephonically to inform them about the meeting at Nangoza Jebe. The councillors requested CES to meet with them prior to the public meeting and due to the distance between the two affected wards. One ward (Ward 15) is in New Brighton and another affected ward is ward 60 which includes Wesley and the councillor is stationed at Wesley. The councillors requested that CES meet with their ward committees separately. The meetings were scheduled for the 8<sup>th</sup> of June 2015. The first meeting was scheduled with the ward councillor of Ward 15 at 10:00am at Woza Community Centre in New Brighton and the other with the ward councillor of Ward 60 at 12:00 noon on the same day at Wesley Community Hall. Even though both these meetings were scheduled in advance, on arrival, neither of the councillors were available due to a council meeting that was scheduled. Cllr Frans from ward 15 sent an apology and requested his ward committee members to attend the meeting. Due to pension at the community centre that day the meeting was delayed and started at 14:00. The minutes and attendance register are attached as appendix 3 and 4 respectively. The meeting with the ward committee at Wesley never materialised as the councillor (Cllr Gana) decided not to invite the ward committees in her absence.

At the meeting with ward committees at Woza Community Hall the ward committee members were again informed of the public meeting to take place on the 24<sup>th</sup> of June at Nangoza Jebe Hall and at the time they did not have a problem with the meeting. Cllr Frans requested the meeting to be changed to another venue closer to the proposed security wall and this could not be done since the meeting was already advertised and notice of such a change would not be possible on such short notice.

There were no attendees for the public meeting at Nangoza Jebe on 24 June 2015.

**EOH**

**NOTICE OF  
AVAILABILITY OF  
DRAFT BASIC  
ASSESSMENT  
REPORT FOR  
PUBLIC  
REVIEW, FOR THE  
PROPOSED  
TRANSNET  
SECURITY WALL,  
NELSON MANDELA  
BAY MUNICIPALITY**

DEA REF:  
14/12/16/3/3/1/1299

EOH Coastal & Environmental Services (CES) have been appointed by Transnet Freight Rail (TFR) to apply for an Environmental Authorization (EA) in terms of the NEMA EIA Regulations (2010) as well as a Water Use Licence for the proposed construction of a 6 km concrete security wall from the New Brighton yard to Swartkops in Port Elizabeth. This application will entail the production of a Basic Assessment Report and Environmental Management Program.

All interested and affected parties are hereby notified of the availability of the Draft BAR for public review and comment. The review period will be from 1 June 2015 to 13 July 2015. Copies of the Draft BAR will be available for review at the following locations:

- The CES website ([www.cesnet.co.za](http://www.cesnet.co.za)) – click on public documents
- The New Brighton Library, Ntshenkisa Road

Furthermore a public meeting will be held at the **Nangoza Jebe Hall in New Brighton, Ntshenkisa Road on 24 June 2015 @ 17h00 pm**. Comments can be submitted in writing by post, fax or email to:

Contact details:  
13 Stanley Street,  
Richmond Hill, Port Elizabeth, 6001  
Tel: 041-585 1715;  
Fax: 086-604 8781  
Email: [k.brent@cesnet.co.za](mailto:k.brent@cesnet.co.za)

Figure 4: Newspaper advert placed in the Herald notifying the public of the availability of the Draft BAR for public review.



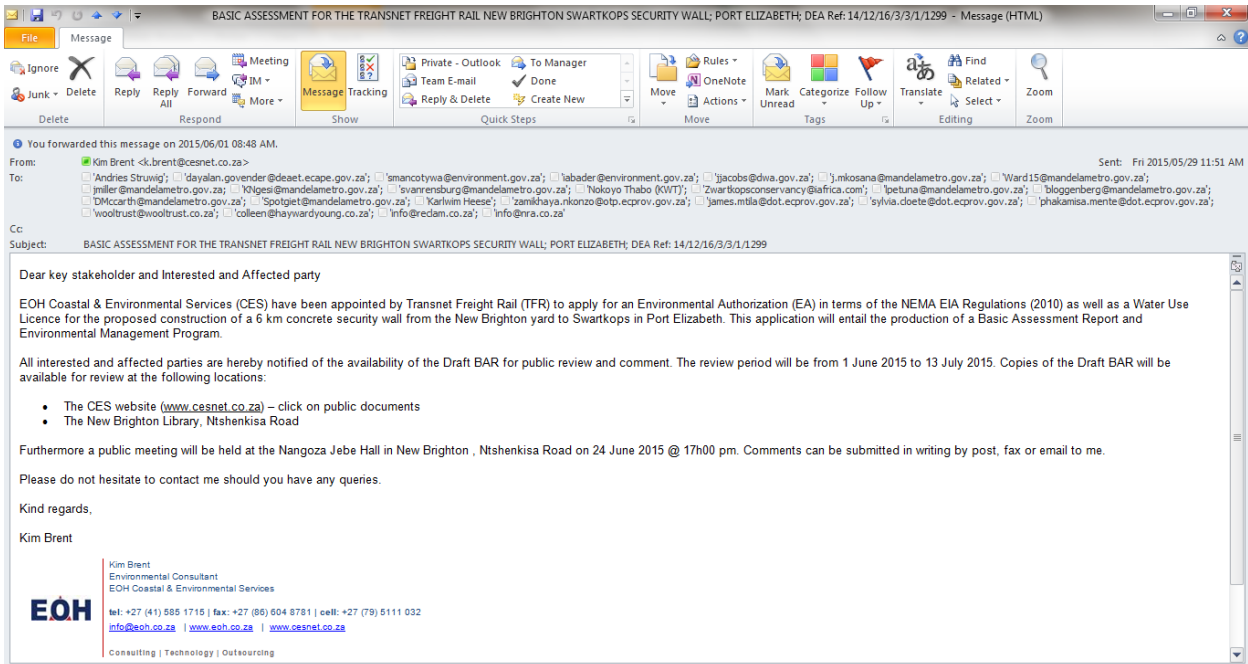
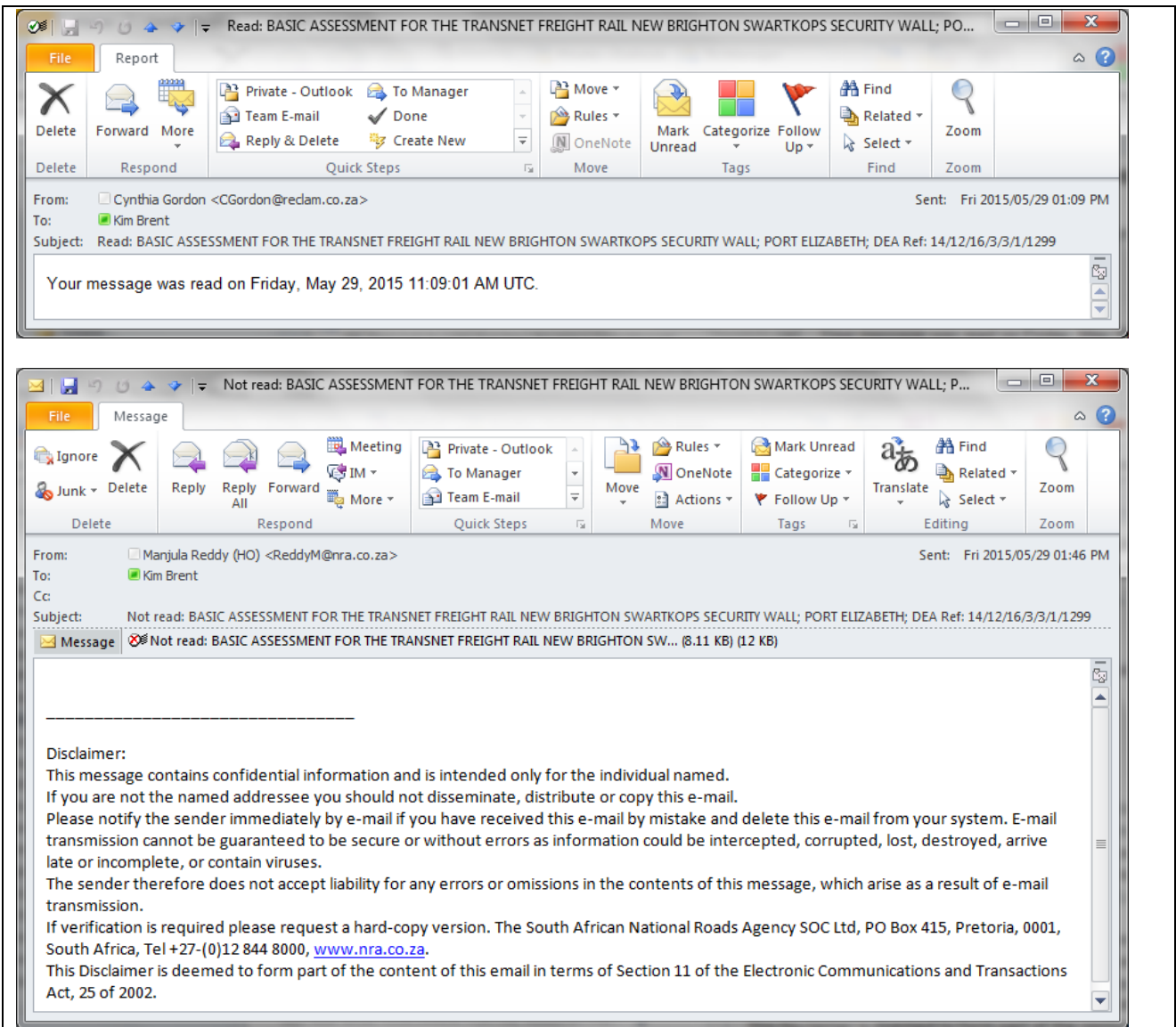
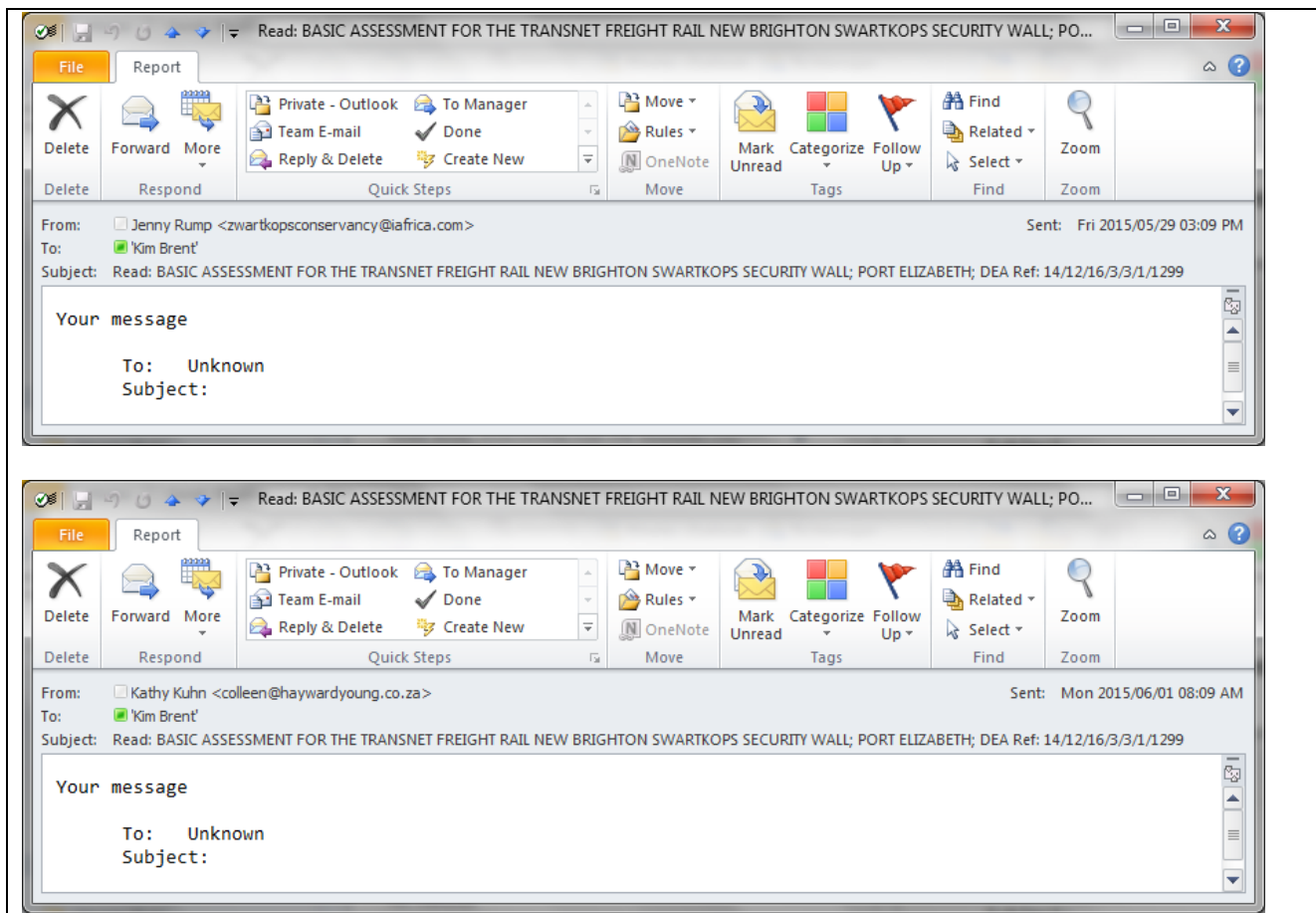


Figure 5: Notification email sent to I&APs.







**Figure 6: Read receipts for Notification email sent to I&APs.**

### 1.3 Authority consultation

Emails were sent out to the Relevant Authorities and identified Government departments, informing these entities on the impending development proposal as well as during the review period as discussed above. List of departments notified are outlined in the Table below.

**Table 1. List of authorities consulted**

Authority and contact person	Contact details
DEA Acting Deputy Director-General Biodiversity and Conservation: Ms Skumsa Mancotywa  Deputy Director-General Legal Authorisations and Compliance Inspectorate: Mr Ishaam Abader	Environment House, 473 Steve Biko, Arcadia, Pretoria, 0083 South Africa <a href="mailto:smancotywa@environment.gov.za">smancotywa@environment.gov.za</a>  <a href="mailto:iabader@environment.gov.za">iabader@environment.gov.za</a>
DEDEAT Mr Andries Struwig	P/Bag X5001; Greenacres P.E., 6001 0415085800 <a href="mailto:Andries.Struwig@dedea.gov.za">Andries.Struwig@dedea.gov.za</a>
DWS Mr Joseph Jacobs	P/Bag X6041; P.E., 6000 0415864884 <a href="mailto:jjacobs@dwa.gov.za">jjacobs@dwa.gov.za</a>

DAFF Mr T Nokoyo	<a href="mailto:NokoyoT@dwa.gov.za">NokoyoT@dwa.gov.za</a>
NMBM Municipal Manager Mr J. Mkosana	<a href="mailto:j.mkosana@mandelametro.gov.za">j.mkosana@mandelametro.gov.za</a>
NMBM Human Settlements ED: Mr. Lindile Petuna	<a href="mailto:lpetuna@mandelametro.gov.za">lpetuna@mandelametro.gov.za</a> <a href="mailto:bloggenberg@mandelametro.gov.za">bloggenberg@mandelametro.gov.za</a> <a href="mailto:dmccarth@mandelametro.gov.za">dmccarth@mandelametro.gov.za</a> <a href="mailto:Spotgiet@mandelametro.gov.za">Spotgiet@mandelametro.gov.za</a>
NMBM Ward Councillor Ward 15 Mr K. Frans	0724062501 <a href="mailto:Ward15@mandelametro.gov.za">Ward15@mandelametro.gov.za</a>
NMBM Ward Councillor Ward 60 Ms N. E. Gana	8 Kustar Street Wells Estate PORT ELIZABETH 6211 0848743858 0414612749
NMBM Roads and Stormwater Acting director Mr Yusuf Gaffore	<a href="mailto:svanrensburg@mandelametro.gov.za">svanrensburg@mandelametro.gov.za</a>
NMBM Strategic planning and Development Ms K Ngesi	<a href="mailto:KNgesi@mandelametro.gov.za">KNgesi@mandelametro.gov.za</a>
NMBM Environmental Management Mrs J Miller	<a href="mailto:jmiller@mandelametro.gov.za">jmiller@mandelametro.gov.za</a>
Department of Roads and Public Works	<a href="mailto:zamikhaya.nkonzo@otp.ecprov.gov.za">zamikhaya.nkonzo@otp.ecprov.gov.za</a> <a href="mailto:james.mtila@dot.ecprov.gov.za">james.mtila@dot.ecprov.gov.za</a> <a href="mailto:sylvia.cloete@dot.ecprov.gov.za">sylvia.cloete@dot.ecprov.gov.za</a> <a href="mailto:phakamisa.mente@dot.ecprov.gov.za">phakamisa.mente@dot.ecprov.gov.za</a>
ECPHRA	<a href="mailto:smokhanya@ecphra.org.za">smokhanya@ecphra.org.za</a>

The Department of Water and Sanitation as well as Oceans and Coasts were consulted in order to determine the requirement for a Water use Licence. Email correspondence between CES and DWS as well as between CES and Oceans and Coasts are included below. It was confirmed that no Water use Licence will be required and the Department of Oceans and Coasts provided comment on the Draft Basic Assessment, which has been included in the relevant sections in the report as well as in Appendix E (Comments and Response trail).

**From:** Caroline Evans [<mailto:c.evans@cesnet.co.za>]  
**Sent:** 19 May 2015 12:31 PM  
**To:** [FourieL4@dwa.gov.za](mailto:FourieL4@dwa.gov.za)  
**Cc:** Cherie-Lynn Mack ([c.mack@cesnet.co.za](mailto:c.mack@cesnet.co.za))  
**Subject:** Swartkops Estuary: Transnet Development

Good afternoon Lizna

Thank you so much for taking the time to discuss the issue of estuaries and coastal wetlands with me.

I would appreciate your advice as to how to proceed with the possibility of licencing for the development of a wall in the vicinity of the Swartkops Estuary in NMBMM.

I have attached a kml. of the layout of the development, as well as a map showing the development in relation to NFEPA Wetlands. You will notice that the development of the wall falls within the boundary of the estuary and overlaps a natural (saline) wetland (which was observed to be a salt marsh). Who manages these water bodies and what sort of licencing applications would you recommend in accordance with the Water Act?

Your advice is greatly appreciated!

Kind regards  
Caroline



Caroline Ann Evans  
Environmental Consultant  
EOH Coastal & Environmental Services  
*Celebrating 25 years of making a difference in our industry*  
67 African Street  
Grahamstown | Eastern Cape | South Africa  
Tel. +27 (46) 622 2364 | Fax +27 (46) 622 6564  
[caroline.evans@eoh.co.za](mailto:caroline.evans@eoh.co.za) | [www.eoh.co.za](http://www.eoh.co.za) | [www.cesnet.co.za](http://www.cesnet.co.za)

Ignore Delete Reply Reply All Forward Meeting IM More
Masakhane - Ou... To Manager Rules Move Mark Unread Categorize Follow Up Translate Find Related Select Zoom
Team E-mail Done OneNote Actions Tags Editing
Reply & Delete Create New

You replied to this message on 6/10/2015 8:58 AM.

From:  Caroline Evans <c.evans@cesnet.co.za> Sent: Wed 6/10/2015 8:33 AM  
 To:  Kim Brent;  Chantel Bezuidenhout  
 Cc:  
 Subject: FW: FW: Swartkops Estuary: Transnet Development

Message | Swartkops EFZ.kmz (202 KB) | Swartkops EFZ2.jpg (226 KB) | \_Certification\_.htm (343 B) | \_Certification\_.htm (343 B)

**Subject:** FW: Swartkops Estuary: Transnet Development

Ncamile

Please see email below and attachment. I know we do not authorised activities within estuaries. But I need confirmation from a specialist. I have not communicate much to the client

Thanks

Lizna

**From:** Caroline Evans [<mailto:c.evans@cesnet.co.za>]  
**Sent:** 03 June 2015 09:58 AM  
**To:** Fourie Lizna (ELS)  
**Subject:** FW: Swartkops Estuary: Transnet Development

Good morning Lizna

Just a quick follow to enquire as to if you were able to ascertain whether this development falls within the licencing jurisdiction of the Department of Water and Sanitation?

Thanks so much for your assistance!

Kind regards  
 Caroline

FW: FW: Swartkops Estuary: Transnet Development - Message (HTML)

File Message

Ignore X Reply Reply All Forward Meeting IM More

Quick Steps: Masakhane - Ou... To Manager, Team E-mail Done, Reply & Delete Create New

Move: Move, Rules, OneNote, Actions

Tags: Mark Unread, Categorize, Follow Up

Editing: Translate, Find, Related, Select

Zoom: Zoom

You replied to this message on 6/10/2015 8:58 AM.

From:  Caroline Evans <c.evans@cesnet.co.za> Sent: Wed 6/10/2015 8:33 AM

To:  Kim Brent;  Chantel Bezuidenhout

Cc:

Subject: FW: FW: Swartkops Estuary: Transnet Development

Message | Swartkops EFZ.kmz (202 KB) | Swartkops EFZ2.jpg (226 KB) | \_Certification\_.htm (343 B) | \_Certification\_.htm (343 B)

**From:** Daisy Kotsedi [<mailto:DKotsedi@environment.gov.za>]  
**Sent:** 10 June 2015 08:27 AM  
**To:** [caroline.evans@eoh.co.za](mailto:caroline.evans@eoh.co.za)  
**Cc:** Dweni Ncamile (PLZ); Fourie Lizna (ELS); Funanani Ditinti; Nontsasa Tonjeni; Ntombovuyo Madlokazi; Tshatshu Portrait  
**Subject:** Re: FW: Swartkops Estuary: Transnet Development

Good day Caroline

The proposed development falls within the Estuarine Functional Zone as per the attached kmz file (and pic). In this case, DEA: Oceans & Coasts will have to provide comment on the proposed development. Kindly indicate if an EIA application has already been lodged or not. I have copied Mrs Nontsasa Tonjeni whose section deals with EIA applications.

Please consider the Swartkops EMP during the EIA process as the draft document is available. Also note that coastal wetlands fall under the coastal protection zone according to the Integrated Coastal Management Act.

Regards

**DAISY KOTSEDI**  
**Environmental Officer: Estuaries Management**  
Department of Environmental Affairs  
**Branch:** Oceans & Coasts  
**Directorate:** Coastal Biodiversity Conservation  
**Physical Address:**  
2 East Pier Building, East Pier Road, Waterfront, Cape Town, 8001  
**Postal Address:**  
PO Box 52126, V&A Waterfront, Cape Town, 8002  
**Tel:** +27 21 819 2639  
**Fax:** +27 21 819 2445

Comments received from DEDEAT and DEA: Oceans and Coasts has been included in Appendix 5 and 6 of this report.

## 1.4 Stakeholder consultation

Stakeholders and other I&APs informed on the impending development proposal are listed in the table below.

**Table 2. List of I&APs and stakeholders consulted**

Company/Contact person	Contact details
Swartkops Trust Mrs Jenny Rump	<a href="mailto:Zwartkopsconservancy@iafrica.com">Zwartkopsconservancy@iafrica.com</a>
Surrounding Landowners	
SANRAL	<a href="mailto:info@nra.co.za">info@nra.co.za</a>
WOOL TRUST	<a href="mailto:wooltrust@wooltrust.co.za">wooltrust@wooltrust.co.za</a>
HAYWARD YOUNG AND CO	<a href="mailto:colleen@haywardyoung.co.za">colleen@haywardyoung.co.za</a>
RECLAMATION PROPERTY HOLDINGS	<a href="mailto:info@reclam.co.za">info@reclam.co.za</a>

As majority of the site is bordered by informal settlement and Industries, BIDs were hand delivered to these occupiers/I&APs during the initial participation phase. Emails were sent out where email addresses are available.

No Comments from any of the above stakeholders have been received to date. Comments received from Authorities have been included in section 1.3 above as well as in the comments and response table below.

## ISSUE AND RESPONSE TRAIL

During the ward councillor meeting with ward committee of Ward 15 a number of issues were raised and are summarised as follows:

- Reduction of Crime- The committee members were supportive of the security as they believe the wall will reduce crime in the area of the railway lines as criminals currently wait for people who are crossing the rail line going to sand from work and rob them of their belongings. They also believe that the current Transnet structures in the area are also used as hideouts for criminals.
- Employment Opportunities – As in most cases the issues of employment of local people was raised. The ward committee members were concerned about how employment opportunities will be created during the construction of the wall. They mentioned that they have certain protocols they follow when there are job opportunities available and they would like Transnet to follow the same process so as not cause conflict within the communities.
- Business opportunities – The members asked whether there will be any opportunities for small contractors to work on the project. They were informed that at this stage it is not clear whether Transnet will employ outside contractors to construct the security wall or the construction will be done internally by Transnet.
- Structure of the Wall – One of the concerns of the ward committee members is about the materials to be used when constructing the wall. They mentioned that the wall must be strong so that people cannot break through it as it has been done to other protective walls and fences. They were assured that wall will not be removable by people.

On 19 October 2015, the applicant received comment from The Department of Environmental Affairs (Branch Oceans & Coasts (O&C): Chief Directorate: Integrated Coastal Management (ICM). A number of issues were raised and have been responded as per the table below. The original letter from the department is included in Annexure 5.

On 29 July 2015, the Eastern Cape Department of Economic Development, Environmental Affairs & Tourism (DEDEAT) provided comment on the Draft Basic Assessment Report. A number of issues were raised and have been responded as per the table below. The original letter from the department is included in Annexure 6.



RAISED BY	EVENT & DAY	ISSUE / CONCERN / COMMENT	RESPONSE
<b>Structure of Security Wall</b>			
Mr Mkwelo	Ward Committee Meeting (08/06/2015)	What kind of a fence you are talking about? The reason I ask is that there was a fence previously there but was weak and it got vandalised. There is a good fence used around the gravesite here at New Brighton and people cannot go through that one. If a similar fence can be erected along the railway line it will be good.	The scope of the engineering works includes the construction of a hollow core concrete security wall. This type of wall is a thick, pre-fabricated reinforced concrete wall. Panel thickness varies from 120-150mm thick depending on the client requirement and wall height can vary from 2.4 – 3m, again depending on client requirement. It is poured and cured at the factory, transported to site and set in upright supports and poured concrete foundations. The panels are placed by crane and cannot be removed by hand due to size and weight. It is unlikely that a wall of this nature will be vandalised in order to allow thoroughfare.
Mr Mkwelo	Ward Committee Meeting (08/06/2015)	If the wall can moved by people I suggest a wire blade fence put around it so that it cannot be easy for people to vandalise the fence.	Please refer to the response above.
<b>Crime</b>			
Ms Thaba	Ward Committee Meeting (08/06/2015)	It will be good for Transnet to put the wall along the railway line as I live in that vicinity and people who try to cross the line are being robbed by criminals who hide in Transnet properties at the station.	Noted and Thank you. This is one of the motivations for Transnet to erect the security wall.
<b>Employment opportunities</b>			
Ms Selekane	Ward Committee Meeting (08/06/2015) Ward Committee Meeting (08/06/2015)	When do you expect Transnet to start erecting the wall as this will create much needed employment opportunities?	Until such time as an Environmental Authorisation has been issued, no construction will be allowed. It should also be noted that Transnet Freight Rail will utilize their own employees to complete the works.

Ms Mkalali	Ward Committee Meeting (08/06/2015)	Are there going to be employment opportunities during construction?	Please refer to the response above.
<b>Public Participation</b>			
Mr Mkwelo	Ward Committee Meeting (08/06/2015)	According to my knowledge the area we are talking about affects two wards. Have you contacted the councillors from Ward 60?	Yes a meeting was arranged with the ward councillor and the committee of Ward 60 but no one attended. A copy of the presentation (as per the request of the councillor) was left with secretary at the Wesley Community Hall.
Mr Dyani	Ward Committee Meeting (08/06/2015)	As a follow up to the previous question you mentioned a single meeting a Nangoza how are you expecting people from Ward 60 to attend the meeting especially now it's winter and it's get dark early?	The venue for the public meeting was determined based on the closest locality with available facilities for CES to be able to present the project to the public.

On 29 July 2015, the Eastern Cape Department of Economic Development, Environmental Affairs & Tourism (DEDEAT) provided comment on the Draft Basic Assessment Report. A number of issues were raised and have been responded as per the table below. The original letter from the department is included in the Public Participation Report attached to the Final Basic Assessment in Appendix E.

<b>Draft Basic Assessment Report:</b>			
Why did the Applicant apply for EA in terms of the 2010 and not the 2014 Regulations?	The application was submitted to DEA in October 2014, thus the project is to be completed under the 2010 regulations.		
Provide a detailed description of the Listed Activities: 18 June 2010.	Listed activity as described in GN R.544, 545 and 546	Description of project activity	
	GN R544, Listing Notice 1 – 18 June 2010 Activity 11:  The construction of:	The construction is in excess of 100m <sup>2</sup> and is within 32 m of the watercourse/wetland. The proposed property falls within the 1:100 year floodline of the Swartkops Estuary as well	

	<p>(iii) bridges (xi) infrastructure or structures covering 50 square metres or more</p> <p>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>	<p>as within the floodplain. Please refer to Appendix A4: Sensitivity Map and Appendix A2: Locality map</p>
	<p>GN R544, Listing Notice 1 – 18 June 2010 Activity 18:</p> <p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from:</p> <p>(iv) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater</p> <p>but excluding where such infilling, depositing dredging, excavation, removal or moving;</p> <p>(a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or (b) occurs behind the development setback line.</p>	<p>Infilling or depositing of material of more than 5 m<sup>3</sup> will occur during the construction phase in the floodplain of the Swartkops Estuary.</p>
	<p>GN R544, Listing Notice 1 – 18 June 2010 Activity 16:</p> <p>Construction or earth moving activities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, in respect of –</p>	<p>A portion of the wall constructed falls within the Swartkops Estuarine floodplain.</p>

	<p>(vi) infrastructure covering 50 square metres or more</p> <p>but excluding</p> <p>(a) if such construction or earth moving activities will occur behind a development setback line; or</p> <p>(b) where such construction or earth moving activities will occur within existing ports or harbours and the construction or earth moving activities will not increase the development footprint or throughput capacity of the port or harbour;</p> <p>(c) where such construction or earth moving activities is undertaken for purposes of maintenance of the facilities mentioned in (i)-(vi) above; or</p> <p>(d) where such construction or earth moving activities is related to the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies.</p>		
<p>Regulations published in terms of NEMA describe Listed Activities. Of what relevance is the Second Amendment Act?</p>	<p>According to the 2014 regulations the following listed activities will be triggered:</p> <p>GNR 983 Activity 12: The development of infrastructure exceeding 100 square meters within 32 meters of a watercourse (a portion of the security wall falls within the floodplain of the Swartkops Estuary).</p> <p>GNR 983 Activity 17: Development in an estuary in respect of buildings of 50 square meters or more.</p> <p>GNR 983 Activity 19: The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from an estuary.</p>		
<p>The National Environmental Management Biodiversity Act would make provision for protection of wetlands. What is the NEM: PA Amendment Act?</p>	<p>Noted. The NEM:BA has been included in Section 11 of the Final BAR.</p> <p>The NEM: PA was amended in 2004 in order “to amend the National Environmental Management: Protected Areas Act, 2003, to provide for the application of that Act in relation to national parks and marine protected areas; and to provide for matters connected therewith”. This was included for the sake of completion.</p>		
<p>A number of pieces of legislation and policy documents were excluded, for example, the National Waste Act and the Nature and Environmental Conservation Ordinance (No 19 of 1974).</p>	<p>Noted, this has been included in Section 11 of the Final BAR.</p>		
<p>Solid waste management: Contractors must provide Transnet with copies of waste manifests</p>	<p>Noted, this has been included in Section 12(a) of the Final BAR.</p>		

to prove legal disposal of waste.	
Noise Pollution: Working times: 06:00 to 18:00 on week days; 06:00 to 13:00 on Saturdays; no work on Sundays and Public holidays.	Noted, this has been included in Section 12(e) of the Final BAR.
Water Use: What progress was made with the WULA?	<p>The Department of Water and Sanitation as well as DEA: Oceans and Coasts were consulted in order to determine the requirement for a Water Use Licence. Email correspondence between EOH CES and DWS as well as between CES and Oceans and Coasts are included in Appendix E of the Final BAR. It was confirmed that no Water use Licence will be required and Oceans and Coasts provided comment on the Draft Basic Assessment, which has been included in this comments and response trail in the sections below. As the proposed site occurs within the Estuarine Functional zone and all coastal marshes occur within the Coastal Protection Zone, the DEA: Oceans and Coasts are the mandating authority.</p> <p>However, it should be noted that there are 2 systems on site (1) coastal marsh as indicated to be directly affected by the proposed development and (2) a wetland system on the eastern side of Grahamstown Road (the proposed project site is on the western side of Grahamstown road). This wetland thus does not fall within the development footprint, however it does occur within 500 m of the proposed site. Further discussions will thus be required with DWS in regards to the requirements for the second wetland, however it is highly unlikely to be impacted on by the proposed development as it is separated from it by Grahamstown Road.</p>
Terrestrial biodiversity impacts: Smoking should preferably not be permitted. If it is it must be in a designated area in the presence of a fire extinguisher.	Noted, this mitigation measure has been included in Section D1: Terrestrial biodiversity impacts.
Impacts of archaeological sites: The ECHRA should also be notified	The specialist conducting the heritage assessment found no archaeological heritage remains at the proposed site. Nonetheless, the report has been uploaded to the SAHRIS website.
Environmental Impact Statement: The Department agrees with this Statement.	Noted.
Environmental Impact Statement: The Department agrees with this recommendation. However, the ECO should be on site on a daily basis.	The Environmental Impact Statement in the Final Basic Assessment Report has been changed to recommend that the ECO be on site on a daily basis.
<b>Wetland Assessment</b>	
4. Present Ecological State and conservation importance: Were the AIS Regulations published in terms of NEM: BA consulted?	Yes, all species listed on the AIS will be removed within the construction footprint and disposed of at a registered waste facility.
6. Conclusions and Recommendations:	
<ul style="list-style-type: none"> <li>Vehicles and mechanical plant should not be serviced on site but at a service provider in the Metro.</li> </ul>	Noted, this mitigation measure has been included in Section D1: Impact on the aquatic environment.

<ul style="list-style-type: none"> <li>Concrete should not be mixed on site but be provided by a service provider.</li> </ul>	Noted, this mitigation measure has been included in Section D1: Impact on the aquatic environment.
<ul style="list-style-type: none"> <li>It is agreed that all the construction camps (presumed the site office as no workers should be accommodated on site), lay down and storage areas should be outside the 50m buffer.</li> </ul>	Noted.
6. Conclusions and Recommendations: Any transgression of legislation this Department has the mandate to enforce will be investigated by the Compliance and Enforcement Section.	Noted.
<b>Impact Assessment</b>	
Waste Management: Contractors must provide Transnet with copies of waste manifests to prove legal disposal of waste.	Noted, this mitigation measure has been included in Section D1: Waste Management.
Mitigation: No fires should be permitted on site. Gas can be provided for cooking.	Noted, this mitigation measure has been included in Section D1: Terrestrial biodiversity impacts.
<b>Environmental Management Programme</b>	
4.4.2 Site Preparation and Clearing of Vegetation 1 ii: Fuel should not be stored on site. Vehicles and plant can be refuelled from a bowser.	Noted and included.
4.4.2 Site Preparation and Clearing of Vegetation 1 iii & 4.4.6 Waste Management (b) 1: Concrete should not be mixed on site but be provided by a service provider	Noted and corrected.
4.4.3 Stockpiling of Topsoil 1: Stockpiles should not exceed 1.5 m in height	Noted and corrected.
4.4.6 Waste Management (a) 1,5,6 and 7, (b) 3 & 4.4.7 Material Use, Handling and Transport (a) 1: Contractors must provide Transnet with copies of waste manifests to prove legal disposal of waste.	Noted and included.
4.4.6 Waste Management (b) 2: This would apply to small quantities of cement; otherwise to be provided by a service provider	Noted and corrected.
4.4.6 Waste Management (b) 6:	

<ul style="list-style-type: none"> <li>Grey water must be disposed of at a licenced WWTW and <u>not</u> on site.</li> </ul>	Noted and corrected.
<ul style="list-style-type: none"> <li>Contractors must provide Transnet with copies of waste manifests to prove legal disposal.</li> </ul>	Noted and included.
4.4.6 Waste Management (b) 9: One toilet / 15 individuals.	Noted and corrected.
4.4.6 Waste Management (b) 14: Sanitary bins to be provided for women	Noted and included.
4.4.7 Material Use, Handling and Transport (a) 4: Construction vehicles to always be parked over drip trays; mechanical plant to be operated in drip trays.	Noted and included.
4.4.7 Material Use, Handling and Transport (c) 2: Vehicles and mechanical plant should not be repaired / serviced on site but a service provider in the Metro.	Noted and included.
4.4.7 Noise Dust Control 1: Working hours: Weekdays: 06:00 to 18:00; Saturdays: 06:00 to 13:00; not on Sundays and public holidays	Noted and included.
4.4.7 Noise Dust Control 2: Trucks to be covered with tarpaulins at all times.	Noted and included.
4.4.12 Noise Dust Control 4: A contact telephone number should be displayed at a conspicuous place for complaints to be lodged after hours.	Noted and included.
4.4.14 Fire Prevention 2: Preferably no smoking if allowed in designated areas with fire hydrants.	Noted and included.

On 19 October 2015, the applicant received comment from The Department of Environmental Affairs (Branch Oceans & Coasts (O&C): Chief Directorate: Integrated Coastal Management (ICM)). A number of issues were raised and have been responded as per the table below. The original letter from the department is included in the Public Participation Report attached to the Final Basic Assessment in Appendix E.

The Department has identified issues and sections that need to be considered in terms of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008), which are summarized	
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below:	
(a) Section 13 of the ICM Act, which addresses how issued relating to access to the coastal public property should be dealt with	Noted. Access to the development will be via Grahamstown Road and existing access to the Transnet properties. The general public will only be excluded from the Transnet property, not from the coastal area in general. Section 13(2) of the Act makes provision for this as it states: “ <i>This section does not prevent prohibitions or restrictions on access to, or the use of, any part of coastal public property (c) in the interest of the whole community</i> ”. The proposed security wall aims to eliminate and at the very least drastically reduce foot traffic through the Transnet property where the very nature of operations on site could lead to injury or death. In addition to this the wall is also be designed to prevent easy access to Transnet facilities and equipment that is being vandalised and stolen. The activity has been highlighted as need for safety and maintenance reasons and will not be in conflict with surrounding land uses.
(b) Section 15 of the ICM Act, which states the measures affecting erosion and accretion within the coastal zone.	It is unlikely that the proposed security wall will result in erosion and/or accretion within the coastal zone as it is (a) situated in excess of 1 km from the high water mark and (b) An industrial area as well as a main arterial road (Grahamstown Road) is situated between the property and the coast.
(c) Section 58 of the ICM Act, which addresses the duty to avoid causing adverse effects on coastal environment. It promotes assessing, avoiding and minimizing adverse effects.	Strict mitigation measures have been included in both the BAR and the EMPr to ensure that no pollution of the coastal zone will occur as a result of the construction of the proposed security wall.
(d) Section 63 of the ICM Act, which deals with issues which the competent authority must take into consideration when dealing with environmental authorisations for coastal activities	Noted.
(e) According to the draft Basic Assessment Report, the development is proposed to occur in the Estuarine Functional Zone of the Swartkops Estuary and as a result, the impacts of the development are deemed significantly negative in terms of loss of wetland areas and associated estuarine vegetation. The report indicates that there is no	Noted. The following mitigation measure has been included in the EMPr: “work areas must be clearly demarcated during the construction of the proposed security wall. All activities outside these demarcated areas must be strictly prohibited.”

<p>alternative site for the proposed development and the aquatic biodiversity impacts with mitigation will be moderate. However, it is recommended that during the construction footprint/work areas must be clearly demarcated to avoid further impacts. Also within the Environmental Management Plan, provide the Department with the construction plan.</p>	
<p>(f) The reports provided legislation, policies and guidelines that have been taken into consideration for the EIA application; however, the National Environmental Management: Integrated Coastal Management Act (No 24 of 2008), the National Estuarine Management Protocol and the draft Integrated Swartkops Estuarine Management Plan were not listed.</p>	<p>These have been included in Section 11 of the Final BAR.</p>
<p>(g) Additionally, consider Chapter 4 of the Protocol that stipulates the Standards for Estuarine Management: Section 4.1 and Section 4.5. These principles must be considered for this EIA application.</p>	<p>A number of mitigation measures has been included in the Final BAR in order to mitigate the impact of the proposed security wall on the estuary.</p>
<p>(h) For driving in the Coastal Zone, for any reason during the construction phase and operational phase, Regulation 6 of the National Environmental Management Act: Control of use of vehicles in the coastal zone (GN Regulation 1399 of 21 December 2001), which deals with issues when person</p>	<p>Noted. Access to the site is available via Grahamstown Road as well as existing access roads on the Transnet properties.</p>

<p>have an intention to drive on the coastal zone. Please Contact: <a href="mailto:smbethe@environment.gov.za">smbethe@environment.gov.za</a>. Tel 021 819 2442</p>	
<p>2. The Branch Oceans and Coasts has no objection to the proposed project, subject to the applicant ensures that above mentioned and the following conditions and recommendations have been taken into consideration in order to minimize and mitigate impacts in the coastal zone:</p>	<p>Noted.</p>
<ul style="list-style-type: none"> <li>The applicant is advised to take note of the dynamics of our coast and that of the estuary and the need to plan accordingly to avoid coastal erosion or degradation to the estuary during the construction phase of the wall.</li> </ul>	<p>Noted and agreed.</p>
<ul style="list-style-type: none"> <li>The Contractor shall restrict all the activities, materials, equipment and personnel to within the area specified, and shall restrict the activities to only those areas that are necessary to undertake the works</li> </ul>	<p>Noted. The following mitigation measure has been included in the EMP: <i>“work areas must be clearly demarcated during the construction of the proposed security wall. All activities outside these demarcated areas must be strictly prohibited.”</i></p>
<ul style="list-style-type: none"> <li>Measures to control illegal dumping of construction waste must be put in place as this may results in pollution to the surface water run-off</li> </ul>	<p>Noted. The following mitigation measures have been included in the EMP:</p> <ol style="list-style-type: none"> <li>Scavenger proof waste bins should be provided at regular intervals throughout the site camp including any sub-contractor camps.</li> <li>Bins shall be emptied regularly and the accumulated waste disposed of at a recognised disposal site. Documentary confirmation of the location and status of the disposal site to be used must be obtained from the local municipality (municipal manager’s office).</li> <li>Burning or burying of any waste is not permitted.</li> </ol>

	<p>4 The site is to be checked for litter daily. All litter should be collected regularly and deposited in the waste bins.</p> <p>5 Non-reusable building material is to be treated as waste and disposed of at an appropriately permitted disposal site.</p> <p>6 Cement aggregates should be collected and disposed of at an appropriately permitted disposal site.</p> <p>7 Used cement bags and containers which held hazardous materials or substances are to be collected into a dedicated hazardous waste container/containment area and disposed of appropriately at a registered hazardous waste disposal site.</p> <p>8 Contractors are to provide copies of waste manifests in order to prove legal waste disposal.</p>
<ul style="list-style-type: none"> <li>The applicant must ensure that the construction and operational environmental management plan is adhered at all times and understood by all the contractors on site.</li> </ul>	<p>Noted and agreed.</p>
<ul style="list-style-type: none"> <li>The Contractor shall control the movement of all vehicles including that of the suppliers so that they remain on designated routes as the estuary still have some indigenous species that attract the birds.</li> </ul>	<p>Noted, the following mitigation measure is included in the EMP: <i>“Construction vehicles are to be permitted only within the demarcated construction site or on existing roads. No-go areas are to be avoided.”</i></p>
<ul style="list-style-type: none"> <li>All building materials should be stored in appropriately bonded areas such that there will be no runoff from these areas towards sensitive systems and should be removed after construction.</li> </ul>	<p>Noted.</p>
<ul style="list-style-type: none"> <li>Empty cement bags must be collected from the construction area by the end of</li> </ul>	<p>Noted, the following mitigation measure is included in the EMP: <i>“ Used cement bags and containers which held hazardous materials or substances are to be collected into a dedicated hazardous waste</i></p>

<p>every day.</p>	<p><i>container/containment area and disposed of appropriately at a registered hazardous waste disposal site.</i>"</p>
<ul style="list-style-type: none"> <li>Rubble shall be temporarily stockpiled in a waste skip or a central stockpile</li> </ul>	<p>Noted, the following mitigation measure is included in the EMPr: "<i>Non-reusable building material is to be treated as waste and disposed of at an appropriately permitted disposal site.</i>"</p>
<ul style="list-style-type: none"> <li>The Contractor shall designate a permanent onsite employee as the Environmental Officer who shall be responsible for undertaking a daily site inspection to monitor compliance with this Specification.</li> </ul>	<p>This has been included as a recommendation into the Final BAR.</p>
<ul style="list-style-type: none"> <li>The Contractor shall erect and maintain information boards in the position, quantity, design and dimensions specified by the engineer to ensure people do not come near the site during the inserting of the wall.</li> </ul>	<p>The following mitigation measures have been included in the EMPr:</p> <p>The Contractor shall be responsible for the protection of the public, and public property, from any dangers associated with construction activities, and for the safe and easy passage of pedestrians and traffic in areas affected by project activities.</p> <p>Any excavated area, spoil sites and other obstructions or excavations shall be suitably barricaded and/or demarcated with hazard tape.</p> <p>The Contractor should ensure that hazards and warning signs are erected at problem sites, and that they are maintained.</p> <p>The contractor shall have an emergency phone numbers/ contact details list displayed at the contractor's camp in an easily visible area.</p>
<ul style="list-style-type: none"> <li>The Contractor shall take all reasonable measures to limit erosion and sedimentation due to the construction activities.</li> </ul>	<p>The following mitigation measures have been included in the EMPr:</p> <p>The Contractor is to provide a method statement on erosion control showing clearly how cleared surfaces and stormwater will be managed on site during construction and rehabilitation.</p> <p>Where necessary, anti-erosion measures shall be implemented.</p> <p>Areas where erosion is likely (e.g. steep slopes [gradient &gt; 6%], areas cleared of topsoil, and topsoil</p>

	<p>stockpiles) should be monitored to allow for timely response in the event of erosion.</p> <p>Erosion should be managed or prevented throughout the construction process.</p> <p>In the event of erosion the contractor shall be held financially responsible for necessary rehabilitation.</p>
<ul style="list-style-type: none"> <li>No structures must be placed or constructed in the coastal zone without an authorization from the responsible authority.</li> </ul>	<p>No construction activities will take place within the proposed property boundaries without an Environmental Authorisation from DEA.</p>
<p>Kindly note that the department reserves the right to revise our initial comments and we may request further information based on any additional information that might be received. Therefore, you are advised to submit any future development proposals via the address provided below. This should include both a hard copy and an electronic copy. All future correspondence and documentation must be submitted to our office for the attention to the Chief Director: ICM using the following contact details:</p>	<p>Noted.</p>

## REGISTERED I&APS

The only I&APs that registered during this period were the ward councillors and a number of their committee members:

<b>Name</b>	<b>Telephone</b>
Nosiphiwo Thaba	0783715752
Babara Mkhazazi	0820760748
Nokuzola Mbengashe	0743823373
Mncedisi Mkhwalo	0720485531
Mzukisi Dyani	0731904247
Masabatha Selekane	0723977533
Thembile Kaipi	0610657874
Cllr Gana (Ward 60)	0848743858
Cllr Frans (Ward 15)	0724062501
DEDEAT	
DEA: Oceans and Coasts	



# ANNEXTURE 1: BACKGROUND INFORMATION DOCUMENT



**BACKGROUND INFORMATION DOCUMENT & INVITATION TO COMMENT:**  
**Proposed construction of the Transnet Freight Rail New Brighton - Swartkops Security Wall,**  
**Port Elizabeth; Eastern Cape Province.**  
**DEA Ref: 14/12/16/3/3/1/1299**

February 2015

## INTRODUCTION

Notice in terms of the National Environmental Management Act (Act 107 of 1996) is hereby given of the intention of the Transnet Freight Rail (TFR) to construct a concrete security wall from the New Brighton yard to Swartkops in iBhayi, Ward 60.

The scope of the engineering works includes the construction of a 6 km concrete wall. Steel spikes will be bolted along the length of the wall to prevent anyone from climbing over it and entering the TFR property.

The proposed security wall will be constructed in close proximity to a wetland occurring on the site. This activity triggers sections (c) impeding or diverting the natural flow of the watercourse and (i) altering the bed, banks, course and characteristics of a water course under the NWA. Therefore a water use authorisation in terms of the National Water Act (Act 36 of 1998) sections 21 (i) and (c) will be applied for.

## PROJECT LOCATION

The concrete security wall will span from the New Brighton TFR yard to Swartkops in iBhayi, Ward 60. (Figure 2).

## NEED FOR THIS PROJECT

The need for the security wall came about when the Qaqawuli informal settlement began encroaching on TFR's property which not only resulted in financial losses due to theft and vandalism, but also poses a safety threat to dwellers of the informal settlement due to the proximity to the railway lines.

## LEGAL REQUIREMENTS

National Environmental Management Act (Act 107 of 1998) Section 24(5) stipulates that "listed activities" require environmental authorization.

The project is likely to trigger the following requirements in terms of Listing Notices No.1 which requires environmental authorization by means of a Basic Assessment Process:

**GN R544 (11)** The construction of (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

**GN R544 (18)** The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from (i) a watercourse

## STAGES IN BASIC ASSESSMENT

This Basic Assessment study will commence with an application to the Department of Economic Development Environmental Affairs & Tourism (DEDEAT) for Environmental Authorisation of the proposed project.

A Public Participation process and reporting on the outcome of the Basic Assessment, then follows (Figure 1).

A draft Basic Assessment Report (BAR) will be compiled which will comprehensively describe the activities and impacts that the project may have on the receiving environment, including specialist reports and details from the PPP process. The draft BAR and Environmental Management Programme (EMPr) will be submitted for a 40 day public comment period.

Subsequent to the review and commenting period, a final BAR will be compiled for submission to DEDEAT. This will include all public comments and response to issues raised by I&APs.

Once the authorities have made a decision on the environmental application, all registered I&APs will be notified accordingly and given the opportunity to appeal against the decision, should they so wish.

## PUBLIC PARTICIPATION PROCESS

Crucial to the Basic Assessment process is the input from Interested and Affected Parties (I&APs) and hence the

**BACKGROUND INFORMATION DOCUMENT & INVITATION TO COMMENT:  
Proposed construction of the Transnet Freight Rail New Brighton - Swartkops Security Wall,  
Port Elizabeth; Eastern Cape Province.  
DEA Ref: 14/12/16/3/3/1/1299**

public are encouraged to register as I&APs for this project.

The NEMA regulations require that I&APs send comments regarding the proposed project in writing so that a paper trail can be maintained throughout the BA process. Registered I&APs will be kept informed of project progress throughout the BA process (Figure 1).

**WAY FORWARD**

Should you wish to express your views regarding this proposed development, please send us your written comments. The names of all registered I&APs, together with the comments received will be incorporated into the Comments and Responses Report and will be submitted to DEA.

Please submit your name, contact information (address, telephone number, e-mail address, postal address) and written comments to the contact person below.

**Contact**

Mr Jesse Jegels  
13 Stanley Street, Richmond Hill  
Port Elizabeth, 6070  
Mobile: +27 82 8546 926  
Tel: +27 41 585 1715  
Fax: +27 86 546 5466  
Email: j.jegels@cesnet.co.za

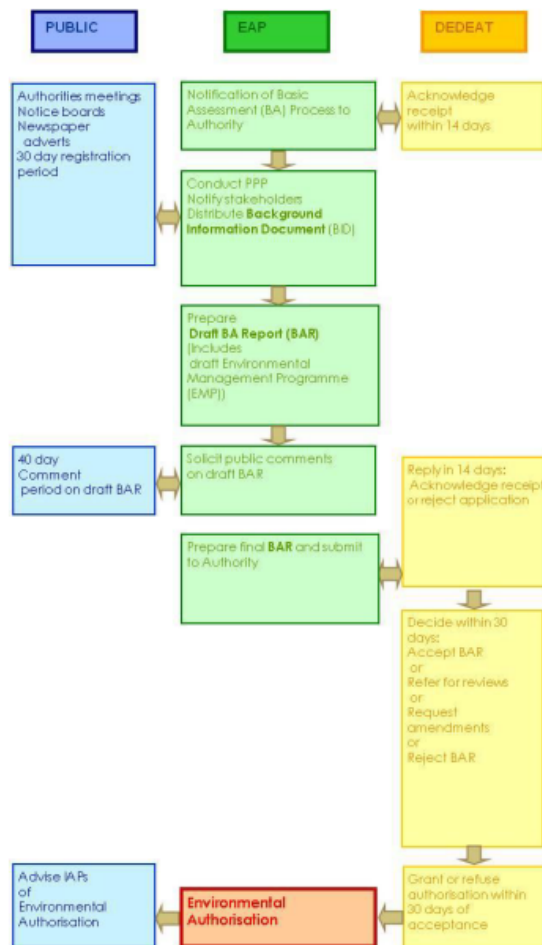


Figure 1. Environmental Basic Assessment Process including public participation.

**BACKGROUND INFORMATION DOCUMENT & INVITATION TO COMMENT:**  
Proposed construction of the Transnet Freight Rail New Brighton - Swartkops Security Wall, Port Elizabeth; Eastern  
Cape Province.

DEA Ref: 14/12/16/3/3/1/1299

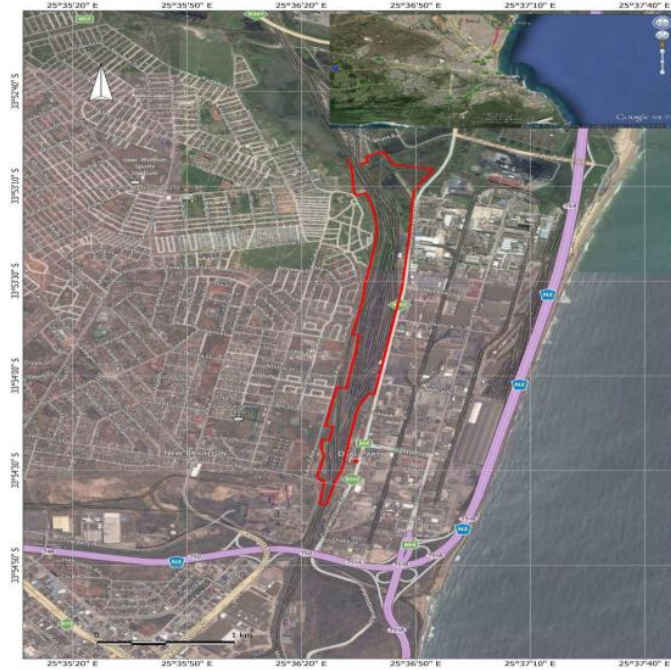


Figure 2: Locality map of the construction of the Transnet Freight Rail New Brighton - Swartkops Security Wall, Port Elizabeth; Eastern Cape Province.

## ANNEXURE 2: DEA ACKNOWLEDGEMENT OF DBAR

The screenshot shows an Outlook window titled "acknowledgment letter :14/12/16/3/3/1/1299 - Message (HTML)". The interface includes a ribbon with "File" and "Message" tabs, and a toolbar with various actions like Ignore, Delete, Reply, Forward, Meeting, IM, etc. The email header shows it was forwarded on 2015/06/26 03:46 PM. The sender is MMatlala Rabothata <MRabothata@environment.gov.za> and the recipient is kim.brent@eoh.co.za. The subject is "acknowledgment letter :14/12/16/3/3/1/1299". The email body contains the following text:

You forwarded this message on 2015/06/26 03:46 PM.

From:  MMatlala Rabothata <MRabothata@environment.gov.za>  
To:  kim.brent@eoh.co.za  
Cc:  
Subject: acknowledgment letter :14/12/16/3/3/1/1299

Message | 1299.pdf (267 KB) | \_Certification\_.htm (844 B)

Dear Kim,

Please receive the attached acknowledgment letter for the abovementioned reference number for your attention.

Regards,  
Ms M Rabothata  
Department of Environmental Affairs  
TEL: 012 399 9372  
EMAIL: [MRabothata@environment.gov.za](mailto:MRabothata@environment.gov.za)

**“GIVE THANKS TO THE LORD FOR HE IS GOOD”**  
From: [mrabothata@environment.gov.za](mailto:mrabothata@environment.gov.za) [<mailto:mrabothata@environment.gov.za>]  
Sent: 24/06/2015 3:31 PM  
To: MMatlala Rabothata  
Subject: Message from KMBT\_C652

This message and any attachments transmitted with it are intended solely for the addressee(s) and may be legally privileged and/or confidential. If you have received this message in error please destroy it and notify the sender. Any unauthorized usage, disclosure, alteration or dissemination is prohibited. The Department of Environmental Affairs accepts no responsibility for any loss whether it be direct, indirect or consequential, arising from information made available and actions resulting there from. The views and opinions expressed in this e-mail message may not necessarily be those of Management.



## environmental affairs

Department  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 - PRETORIA - 0021 - Environmental House - 473 Steve Biko Road - PRETORIA  
Tel (+ 27 12) 399 9672

DEA Reference: 14/12/16/3/3/1/1299  
Enquiries: Mr Ephron Maradwa  
Tel: 012 399 9387 E-mails: emaradwa@environment.gov.za

Mrs Kim Brent  
EOH Coastal & Environmental Services  
13 Stanley Street  
Richmond hill  
**PORT ELIZABETH**  
6001

Telephone Number: 041 585 1715  
Email: kim.brent@eoh.co.za

### PER FACSIMILE / MAIL

Dear Mrs Brent

### ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT BASIC ASSESSMENT REPORT AND DRAFT EMPr FOR THE PROPOSED TRANSNET FREIGHT RAIL NEW BRIGHTON SWARTKOPS SECURITY WALL WITHIN NELSON MANDELA BAY MUNICIPALITY IN EASTERN CAPE PROVINCE

The Department confirms having received the draft Basic Assessment Report and draft EMPr for the above-mentioned project on 8 June 2015.

Please note that the Department will start reviewing once the final Basic Assessment Report and final EMPr are received.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours sincerely


  
Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs  
Letter signed by: Ms Mmatlala Rabothata  
Designation: Environmental Officer: Integrated Environmental Authorisations  
Date: 24/06/2015



# ANNEXURE 3: MEETING MINUTES

Coastal & Environmental Services

 <p><b>Coastal &amp; Environmental Services</b></p> <p><b>Grahamstown</b>                  P. O. Box 934, Grahamstown, 6140                  Tel: +27 (46) 622 2364;                  Fax: +27 (46) 622 6564                  Email: <a href="mailto:info@cesnet.co.za">info@cesnet.co.za</a></p> <p><i>Also in East London and Durban</i>  <a href="http://www.cesnet.co.za">www.cesnet.co.za</a></p>	MEETING MINUTES	
	<b>CLIENT</b>	Transnet
	<b>DATE</b>	08-06-2015
	<b>VENUE</b>	Woza Community Centre
	<b>TIME OF MEETING</b>	14:00
	<b>MINUTES BY</b>	Lungisa Bosman
	<b>CIRCULATION DATE</b>	

ATTENDED BY		
NAME	ASSOCIATION	EMAIL ADDRESS
See attendance register		
APOLOGIES		
Cllr Frans apologised as he was in another meeting.		

TEXT	ACTION	
The meeting was scheduled for 10:00 but unfortunately there was a pension at the community centre that day and the meeting was re-scheduled for 13:30 the same day. The meeting started at 14:00 as there were no keys for the councillor's office.		
Lungisa from EOH CES made a presentation about the project and the Basic Assessment (BA) process currently being conducted by CES. He stated that Transnet is proposing to construct a security wall along the railway line from New Brighton to Swartkops. The purpose of the wall is to: <ul style="list-style-type: none"> <li>❖ Control unauthorised access</li> <li>❖ Reduce financial losses due to theft and vandalism</li> <li>❖ Reduce safety threat to dwellers of the informal settlement due to the proximity of the site to railway lines.</li> </ul> Lungisa mentioned that CES is contracted by Transnet as independent consultants to conduct an assessment of environmental and social impacts of the proposed activity. He stated that BA process was initiated earlier in the year and now CES had produced a draft BA Report which is currently available for public review. Lungisa also mentioned that a public meeting will be held at Nangoza Jebe Hall on the 24 <sup>th</sup> of June 2015 to inform the larger public about the proposed activity.		
Issues/Concerns	Raised by	Response
What kind of a fence you are talking about? The reason I ask is	Mr Mkwelo	Noted but the wall will be strong and not be easily vandalised.

that there was a fence previously there but was weak and it got vandalised. There is a good fence used around the gravesite here at New Brighton and people cannot go through that one. If a similar fence can be erected along the railway line it will be good.		
If the wall can moved by people I suggest a wire blade fence put around it so that it cannot be easy for people to vandalise the fence.	Mr Mkwelo	The wall cannot be moved by people.
It will be good for Transnet to put the wall along the railway line as I leave in that vicinity and people who try to cross the line are being robbed by criminals who hide in Transnet properties at the station.	Ms Thaba	These are some of the reasons Transnet is planning to erect the security wall.
When do you expect Transnet to start erecting the wall?	Ms Selekane	Most probably next year we are hoping to complete the BA process by September and then it will depend on Transnet.
Are there going to be employment opportunities during construction?	Ms Mkalali	Not sure about this one. For example if Transnet uses its own resources they might not be employment opportunities but if the work is given to a service provider there might be temporary jobs available.
According to my knowledge the area we are talking about affects two wards. Have you contacted the councillors from Ward 60?	Mr Mkwelo	Yes a meeting was arranged with the ward councillor and the committee of Ward 60 but no one was presented at 12:00 at the time of the meeting. A copy of the presentation (as per the request of the councillor) was left with secretary at the Wesley Community Hall.
As a follow up to the previous question you mentioned a single meeting a Nangoza how are you expecting people from Ward 60 to attend the meeting especially now it's winter and it's get dark early?	Mr Dyani	Yes at present we have arranged to have one public meeting. As mentioned in the presentation meetings are not compulsory in this process but this can be discussed with the councillor from Ward 60.



# ANNEXURE 4: ATTENDANCE REGISTER OF MEETINGS HELD



Coastal & Environmental  
Service

**WARD COUNCILLOR MEETING ATTENDANCE REGISTER:  
NOTICE OF AVAILABILITY OF DRAFT BASIC ASSESSMENT  
REPORT FOR PUBLIC REVIEW, FOR THE PROPOSED TRANSNET  
SECURITY WALL, NELSON MANDELA BAY MUNICIPALITY  
DEA REF: 14/12/16/3/3/1/1299**

8 June 2015

ATTENDED BY	ASSOCIATION	EMAIL ADDRESS
LUNGISA BOSMAN	EOH CES	l.bosman@cesnet.co.za

ATTENDEES					
	Name	Tel number	Cell phone	Email Address	Postal Address
1	L. Bosman	07154 7583		l.bosman@cesnet.co.za	
2	NOSIPHO THABA	07204 85531	07319 04247		N. Thaba
3	BARBARA MELANI	07239 77533			637 Masankwa D. Velle
4	Neluzela Mbenqane	082076 0748			16 Mvula St N-B
5	Mizcelesi	07837	15752	1WINKIEST	Mandlaka
6	MEUKISI DYANI	-	073835 3575	MEUKISIDYANI@ 9 MAIL.COM.	1 MAMA ST NEW BRIGHTON
7	MASABATHA SELEANE	074382 3373	074382 3373	-	BEOLK 7132 Bhikent C
8	Tembule KAPI	-	061065 7874	-	Singaphi Rd
9					
10					

## ANNEXURE 5: COMMENTS FROM DEA OCEANS AND COASTS



### **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Enquiries: F Ditiinti Ref: EDMS 147807

Tel: (+27 21) 819 2499 Fax: (+27 21) 819 2445 E-mail: [fditiinti@environment.gov.za](mailto:fditiinti@environment.gov.za)

**Kim Brent**

13 Stanley Street

**PORT ELIZABETH**

6001

[info@cesnet.co.za](mailto:info@cesnet.co.za)

Dear Kim Brent

#### **COMMENTS ON THE BASIC ASSESSMENT REPORT FOR THE PROPOSED CONSTRUCTION OF THE TRANSNET FREIGHT RAIL NEW BRIGHTON SWARTKOPS SECURITY WALL, PORT ELIZABETH; EASTERN CAPE PROVINCE.**

The Basic Assessment Report for the above-mentioned activity has reference.

The Department of Environmental Affairs (Branch Oceans & Coasts (O&C): Chief Directorate: Integrated Coastal Management (ICM) appreciates the opportunity to comment on this Basic Assessment Report.

1. The Department has identified issues and sections that need to be considered in terms of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (ICM Act), which are summarized below:
  - (a) Section 13 of the ICM Act, which addresses how issued relating to access to the coastal public property should be dealt with.
  - (b) Section 15 of the ICM Act, which states the measures affecting erosion and accretion within the coastal zone.
  - (c) Section 58 of the ICM Act, which addresses the duty to avoid causing adverse effects on coastal environment. It promotes assessing, avoiding and minimizing adverse effects.

- (d) Section 63 of the ICM Act, which deals with issues which the competent authority must take into consideration when dealing with environmental authorisations for coastal activities.
- (e) According to the draft Basic Assessment Report, the development is proposed to occur in the Estuarine Functional Zone of the Swartkops Estuary and as a result, the impacts of the development are deemed significantly negative in terms of loss of wetland areas and associated estuarine vegetation. The report indicates that there is no alternative site for the proposed development and the aquatic biodiversity impacts with mitigation will be moderate. However, it is recommended that during the construction footprint/ work areas must be clearly demarcated to avoid further impacts. Also within the Environmental Management Plan, provide the Department with the construction plan.
- (f) The reports provided legislation, policies and guidelines that have been taken into consideration for the EIA application; however, the National Environmental Management: Integrated Coastal Management Act (No 24 of 2008), the National Estuarine Management Protocol and the draft Integrated Swartkops Estuarine Management Plan were not listed.
- (g) Additionally, consider Chapter 4 of the Protocol that stipulates the Standards for Estuarine Management: Section 4.1 and Section 4.5. These principles must be considered for this EIA application.
- (h) For driving in the Coastal Zone, for any reason during the construction phase and operational phase, Regulation 6 of the National Environmental Management Act: Control of use of vehicles in the coastal zone (GN Regulation 1399 of 21 December 2001), which deals with issues when person have an intention to drive on the coastal zone. Please Contact: [smbethe@environment.gov.za](mailto:smbethe@environment.gov.za). Tel 021 819 2442.
2. The Branch Oceans and Coasts has no objection to the proposed project, subject to the applicant ensures that above mentioned and the following conditions and recommendations have been taken into consideration in order to minimize and mitigate impacts in the coastal zone:
- The applicant is advised to take note of the dynamics of our coast and that of the estuary and the need to plan accordingly to avoid coastal erosion or degradation to the estuary during the construction phase of the wall.
  - The Contractor shall restrict all the activities, materials, equipment and personnel to within the area specified, and shall restrict the activities to only those areas that are necessary to undertake the works

- Measures to control illegal dumping of construction waste must be put in place as this may results in pollution to the surface water run-off.
- The applicant must ensure that the construction and operational environmental management plan is adhered at all times and understood by all the contractors on site.
- The Contractor shall control the movement of all vehicles including that of the suppliers so that they remain on designated routes as the estuary still have some indigenous species that attract the birds.
- All building materials should be stored in appropriately bonded areas such that there **will** be no runoff from these areas towards sensitive systems and should be removed after construction.
- Empty cement bags must be collected from the construction area by the end of every day.
- Rubble shall be temporarily stockpiled in a waste skip or a central stockpile.
- The Contractor shall designate a permanent onsite employee as the Environmental Officer who shall be responsible for undertaking a daily site inspection to monitor compliance with this Specification.
- The Contractor shall erect and maintain information boards in the position, quantity, design and dimensions specified by the engineer to ensure people do not come near the site during the inserting of the wall.
- The Contractor shall take all reasonable measures to limit erosion and sedimentation due to the construction activities.
- No structures must be placed or constructed in the coastal zone without an authorization from the responsible authority.

Kindly note that the department reserves the right to revise our initial comments and we may request further information based on any additional information that might be received. Therefore, you are advised to submit any future development proposals via the address provided below. This should include both a hard copy and an electronic copy. All future correspondence and documentation must be submitted to our office for the attention to the Chief Director: ICM using the following contact details:

Physical Address:	Postal Address:
Department of Environment Affairs (DEA)	Department of Environment Affairs (DEA)
Branch: Oceans and Coast	Branch: Oceans and Coast

2 East Pier Building	P.O Box 52126
East Pier Road	Victoria and Alfred Waterfront
Victoria and Alfred Waterfront	Cape Town
Cape Town	8002
8000	

Yours Sincerely



*cuty* CHIEF DIRECTOR: INTEGRATED COASTAL MANAGEMENT:

DATE: *14/10/2015*

CC: Western Cape Province Department of Environment of Environmental Affairs and Development Planning

**APPENDIX B**

Site Photographs



View to the south along the western boundary of the TFR property





View to the north along the western boundary of the TFR site



Typical vegetation types that occur in the northern portion of the property



Looking across the property at the northern portion of the TFR property





Looking towards the south from the northern portion of the property





Looking in a westerly direction at the informal houses along the Transnet property boundary.

## APPENDIX A

### APPENDIX A.1

#### Looped Linear development

As this is a looped linear development with sections shorter than 250m in length.

#	Longitude	Latitude
1	25 36 29.16	-33 52 58.44
2	25 36 29.88	-33 53 0.6
3	25 36 30.24	-33 53 7.44
4	25 36 30.96	-33 53 8.52
5	25 36 33.12	-33 53 7.8
6	25 36 35.28	-33 53 13.56
7	25 36 35.64	-33 53 16.44
8	25 36 35.64	-33 53 19.68
9	25 36 35.28	-33 53 22.92
10	25 36 33.12	-33 53 34.08
11	25 36 32.76	-33 53 38.04
12	25 36 29.88	-33 53 48.12
13	25 36 31.68	-33 53 48.48
14	25 36 30.96	-33 53 52.44
15	25 36 28.44	-33 54 3.6
16	25 36 26.28	-33 54 3.24
17	25 36 23.76	-33 54 14.4
18	25 36 25.56	-33 54 14.76
19	25 36 24.48	-33 54 18.36
20	25 36 22.68	-33 54 18
21	25 36 22.68	-33 54 20.52
22	25 36 23.4	-33 54 22.32
23	25 36 21.6	-33 54 28.8
24	25 36 23.4	-33 54 30.24
25	25 36 22.68	-33 54 33.84
26	25 36 22.68	-33 54 35.28
27	25 36 22.32	-33 54 36.36
28	25 36 23.76	-33 54 36.72
29	25 36 25.56	-33 54 31.68
30	25 36 25.56	-33 54 30.6
31	25 36 27	-33 54 27.36
32	25 36 27.36	-33 54 27.36
33	25 36 28.08	-33 54 24.12
34	25 36 28.8	-33 54 20.52
35	25 36 28.8	-33 54 20.16
36	25 36 30.96	-33 54 11.52

37	25 36 30.6	-33 54 11.16
38	25 36 32.04	-33 54 7.92
39	25 36 34.2	-33 54 5.04
40	25 36 35.28	-33 54 5.4
41	25 36 36.72	-33 53 59.28
42	25 36 36.36	-33 53 59.28
43	25 36 36.36	-33 53 58.92
44	25 36 36.72	-33 53 58.92
45	25 36 37.08	-33 53 57.48
46	25 36 36.72	-33 53 57.48
47	25 36 36.72	-33 53 57.48
48	25 36 37.08	-33 53 57.48
49	25 36 37.8	-33 53 53.16
50	25 36 37.8	-33 53 53.16
51	25 36 37.8	-33 53 52.8
52	25 36 37.8	-33 53 53.16
53	25 36 41.76	-33 53 35.16
54	25 36 42.84	-33 53 25.8
55	25 36 42.48	-33 53 25.8
56	25 36 42.48	-33 53 25.8
57	25 36 42.84	-33 53 25.8
58	25 36 43.92	-33 53 10.32
59	25 36 44.64	-33 53 7.8
60	25 36 45.36	-33 53 6
61	25 36 47.52	-33 53 3.12
62	25 36 47.52	-33 53 2.76
63	25 36 48.24	-33 53 2.76
64	25 36 49.32	-33 53 1.32
65	25 36 39.6	-33 52 59.88
66	25 36 37.44	-33 52 56.28
67	25 36 33.12	-33 52 57.72
68	25 36 33.48	-33 52 58.8
69	25 36 31.88	-33 52 59.88

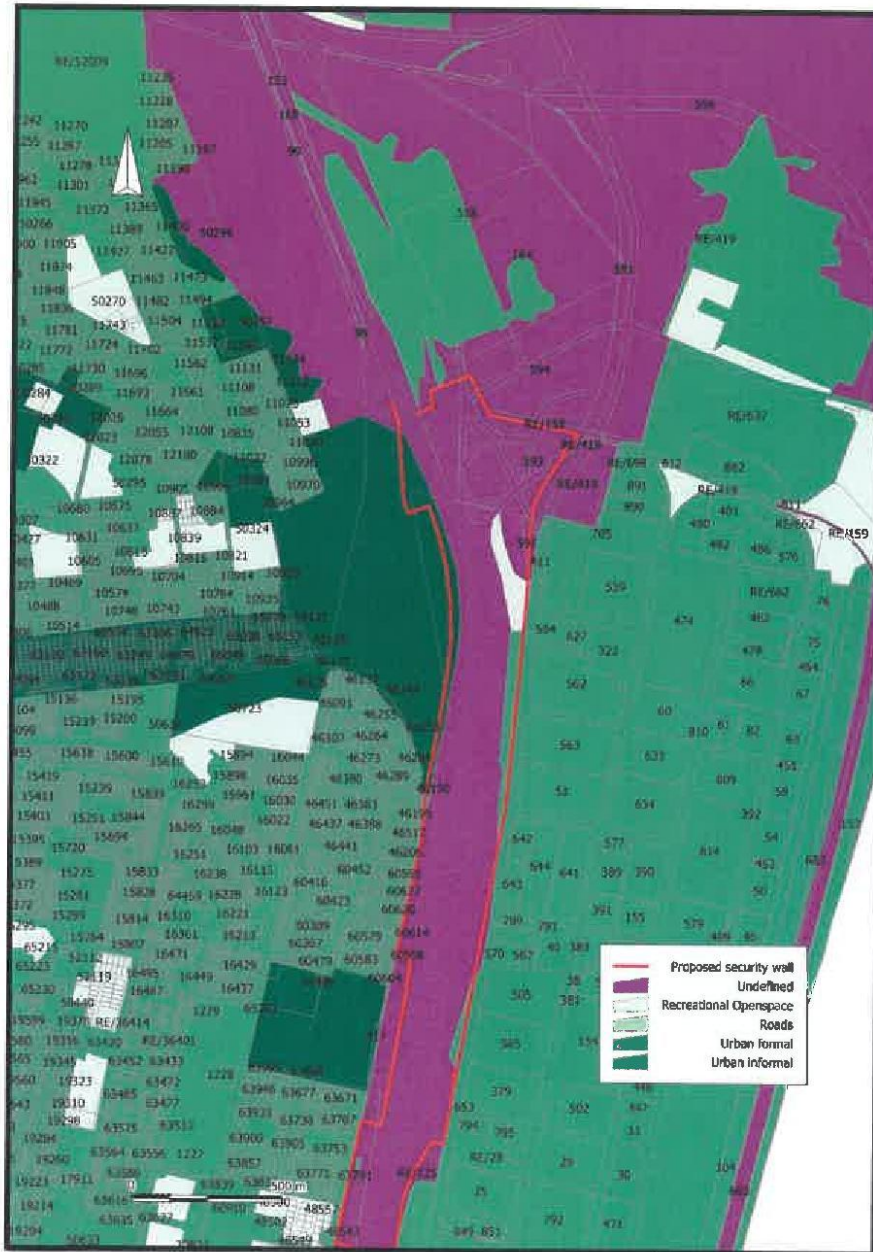
## APPENDIX A.2

### Locality Map





APPENDIX A.3  
Layout/Route Plan



Layout plan of the proposed security wall at Transnet Freight Rail. Northern section.



Layout plan of the proposed security wall at Transnet Freight Rail. Southern section overlap.

**APPENDIX A.4**  
Sensitivity Maps



1:100 year floodline

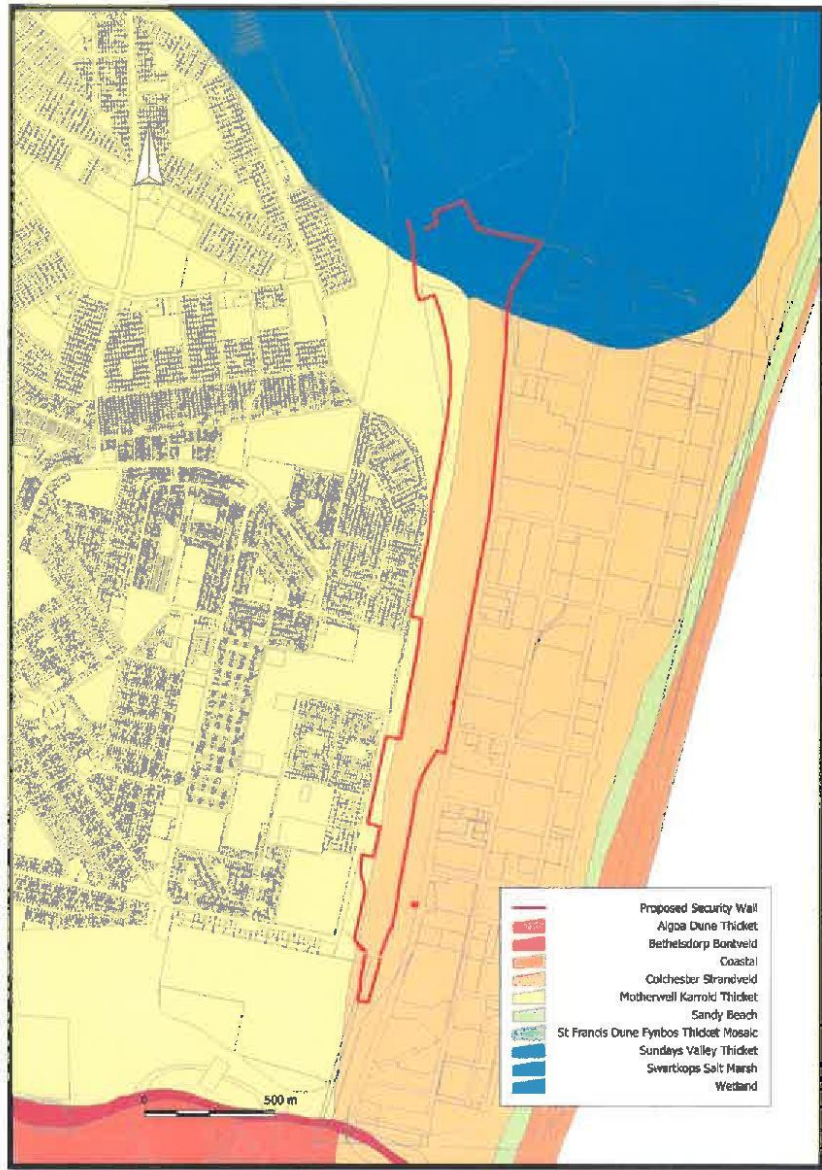




CBA NMHOSS

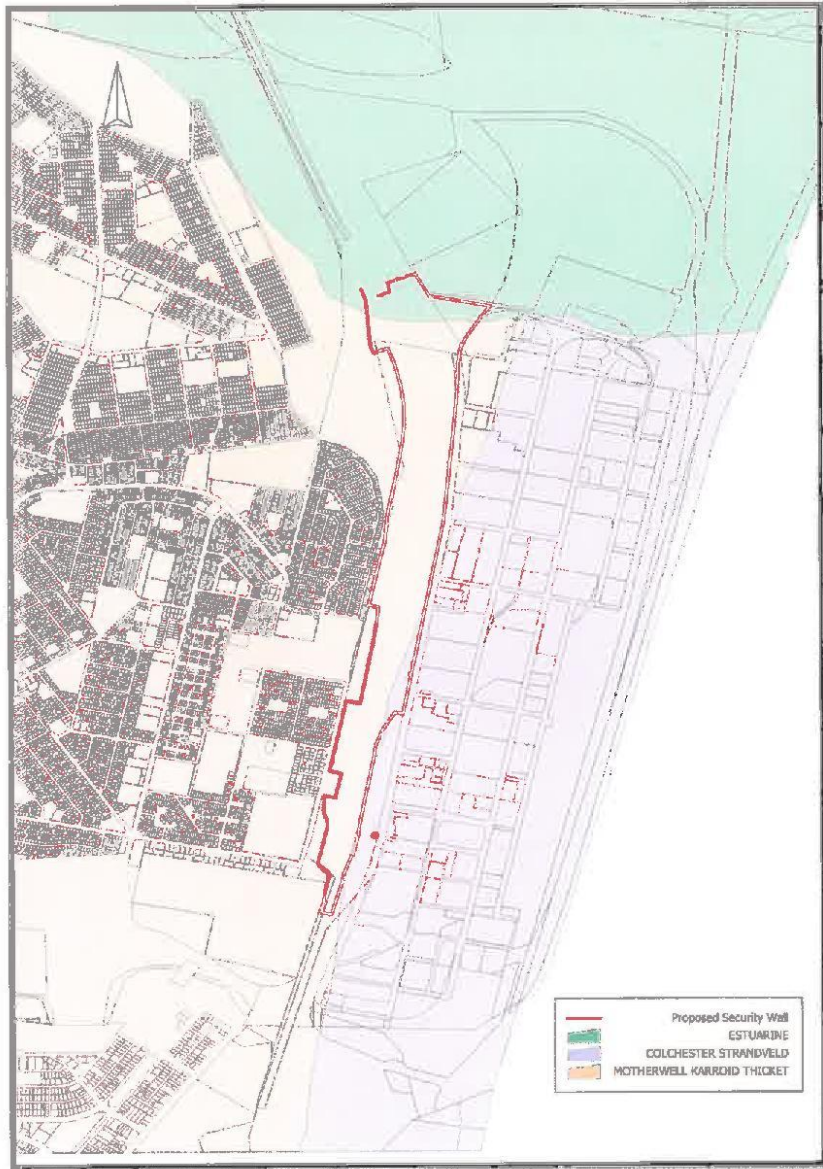


Ecological processes NMMOSS

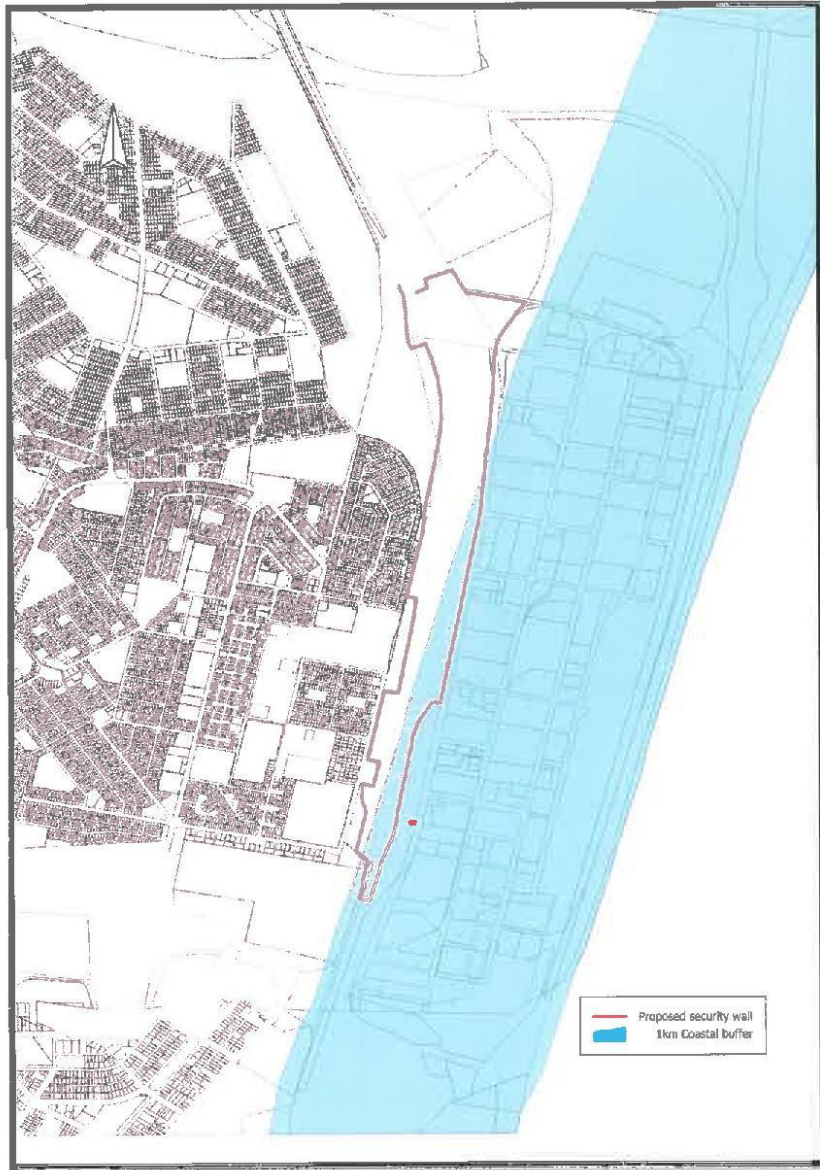


Vegetation map NMMOSS





STEP – Provincial CBA



1 km coastal buffer – Provincial CBA



Primary estuary – Provincial CBA

## ANNEXURE 6: COMMENTS FROM DEDEAT



Province of the  
**EASTERN CAPE**  
ECONOMIC DEVELOPMENT  
ENVIRONMENTAL AFFAIRS & TOURISM



Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001  
Private Bag X5001 Greenacres 6057 | Republic of South Africa  
Ref: 14/12/16/3/3/1/1299 | Contact Person: Alan Southwood  
Tel: 041 508 5813 | Fax: 041 508 5865 | E-mail: [Alan.Southwood@dedeat.gov.za](mailto:Alan.Southwood@dedeat.gov.za) | [www.dedeat.gov.za](http://www.dedeat.gov.za)

Attention:	Mrs Kim Brent	Enquiries :	Alan Southwood
Organisation:	EOH Coastal & Environmental Services	DEA Ref No :	14/12/16/3/3/1/1299
Postal address:	13 Stanley Street, Richmond Hill, 6000 Port Elizabeth		
Fax:	086 546 5466		
Tel:	041 585 1715		
E-mail:	<a href="mailto:info@cesnet.co.za">info@cesnet.co.za</a>		

Dear Mrs Brent,

**COMMENT: DRAFT BASIC ASSESSMENT REPORT: PROPOSED TRANSNET FREIGHT RAIL NEW BRIGHTON SWARTKOPS SECURITY WALL: DEA REFERENCE: 14/12/16/3/3/1/1299**

Your letter dated 1<sup>st</sup> June 2015 requesting this Department to submit comment to you refers.

Please refer to Appendix 1 for the Department's comments.

Yours sincerely,

**DAYALAN GOVENDER**

**REGIONAL MANAGER: ENVIRONMENTAL AFFAIRS: CACADU REGION**

DATE: 29/07/2015



**Appendix 1: Comments on the Draft Basic Assessment Report: Transnet Freight Rail New Brighton Security Wall**

**Draft Basic Assessment Report:**

Page Numbers	Section	Paragraph / Bullet	Comment
Page 8	a) Describe the project associated with the listed activities applied for	First Paragraph	Why did the Applicant apply for EA in terms of the 2010 and not the 2014 Regulations?
	b) Provide a detailed description of the Listed Activities	Second Row: First Cell	18 June 2010.
Page 18	11. Applicable Legislation, Policies and / or Guidelines	NEMA	Regulations published in terms of NEMA describe Listed Activities. Of what relevance is the Second Amendment Act?
		NEM: PAA	The National Environmental Management Biodiversity Act would make provision for protection of wetlands. What is the NEM: PA Amendment Act?
Page 19			A number of pieces of legislation and policy documents were excluded, for example, the National Waste Act and the Nature and Environmental Conservation Ordinance (No 19 of 1974).
Page 19	a) Solid waste management	Boxes	Contractors must provide Transnet with copies of waste manifests to prove legal disposal of waste.
Page 36	Waste management	Fourth Bullet	
Page 21	e) Generation of noise	Box: Second Bullet	Working times: 06:00 to 18:00 on week days; 06:00 to 13:00 on Saturdays; no work on Sundays and Public holidays.
Page 35	1. Impacts that may result from the planning ... Measures	Noise Pollution: Second Bullet	
Page 22	13. Water Use		What progress was made with the WULA?
Page 37	1. Impacts that may result from the planning ... Measures	Terrestrial biodiversity impacts: Third Bullet	Smoking should preferably not be permitted. If it is it must be in a designated area in the presence of a fire extinguisher.



Page 38	1. Impacts that may result from the planning ... Measures	Impacts on archaeological sites: First Bullet	The ECHRA should also be notified.
Page 41	2. Environmental Impact Statement	First Paragraph	This Department agrees with the Statement.
Page 45	Section E: Recommendation of the Practitioner	Box	This Department agrees with the recommendation. However, the ECO should be on site on a daily basis.

#### Wetland Assessment

Page Numbers	Section	Paragraph / Bullet	Comment
?	4. Present Ecological State and conservation importance	Second Paragraph: First Line	Were the AIS Regulations published in terms of NEM: BA consulted?
?	6. Conclusions and Recommendations	Fourth Bullet	<ul style="list-style-type: none"> <li>Vehicles and mechanical plant should not be serviced on site but at a service provider in the Metro.</li> <li>Concrete should not be mixed on site but be provided by a service provider.</li> <li>It is agreed that all the construction camps (presumed the site office as no workers should be accommodated on site), lay down and storage areas should be outside the 50 m buffer.</li> </ul>
	6. Conclusions and Recommendations	Fifth Bullet	Any transgression of legislation this Department has the mandate to enforce will be investigated by the Compliance and Enforcement Section.

#### Appendix F: Impact Assessment

Page Number	Section	Paragraph / Bullet	Comment
?	Waste Management	Fourth Last Point	Contractors must provide Transnet with copies of waste manifests to prove legal disposal of waste.
?	Mitigation	Fourth Point	No fires should be permitted on site. Gas can be provided for cooking.

**Appendix G: Environmental Management Programme**

Page Number	Section	Paragraph / Bullet	Comment
?	4.4.2 Site Preparation and Clearing of Vegetation	1 ii	Fuel should not be stored on site. Vehicles and plant can be refuelled from a bowser.
?	4.4.2 Site Preparation and Clearing of Vegetation	1 iii	Concrete should not be mixed on site but be provided by a service provider.
?	4.4.6 Waste Management	(b) 1	
?	4.4.3 Stockpiling of Topsoil	1	Stockpiles should not exceed 1.5 m in height.
?	4.4.6 Waste Management	(a) 1, 5, 6 and 7	Contractors must provide Transnet with copies of waste manifests to prove legal disposal of waste.
?	4.4.6 Waste Management	(b) 3	
?	4.4.7 Material Use, Handling and Transport	(a) 1	
?	4.4.6 Waste Management	(b) 2	This would only apply to small quantities of cement; otherwise to be provided by a service provider.
?	4.4.6 Waste Management	(b) 6	<ul style="list-style-type: none"> <li>• Grey water must be disposed of at a licenced WWTW and <u>not</u> on site.</li> <li>• Contractors must provide Transnet with copies of waste manifests to prove legal disposal.</li> </ul>
?	4.4.6 Waste Management	(b) 9	One toilet / 15 individuals.
?	4.4.6 Waste Management	(b) 14	Sanitary bins to be provided for women.
?	4.4.7 Material Use, Handling and Transport	(a) 4	Construction vehicles to always be parked over drip trays; mechanical plant to be operated in drip trays.
?	4.4.7 Material Use, Handling and Transport	(c) 2	Vehicles and mechanical plant should not be repaired / serviced on site but at service provider in the Metro.

Page Number	Section	Paragraph / Bullet	Comment
?	4.4.7 Material Use, Handling and Transport	(c) 5	
?	4.4.7 Noise Dust Control	1	Working hours: Weekdays: 06:00 to 18:00; Saturdays: 06:00 to 13:00; not on Sundays and public holidays.
?	4.4.7 Noise Dust Control	2	Trucks to be covered with tarpaulins at all times.
?	4.4.12 Social Disruption	4	A contact telephone number should be displayed at a conspicuous place for complaints to be lodged after hours.
?	4.4.14 Fire Prevention	2	Preferably no smoking: if allowed in designated areas with fire hydrants.

## ANNEXURE 7: PUBLIC REVIEW PRESENTATION



[www.eoh.co.za](http://www.eoh.co.za)

### DRAFT BASIC ASSESSMENT REPORT FOR PUBLIC REVIEW, FOR THE PROPOSED TRANSNET SECURITY WALL

DEA REF: 14/12/18/3/3/1/1288

Client:

**TRANSNET**



EAP:

**EOH**  
Coastal & Environmental  
Services

**EOH**

Systems make it possible...  
People make it happen

## OBJECTIVES OF THE PRESENTATION

1. Introduction
2. BA process and status
3. Project location and overview
4. Summary of Impacts
5. Way forward
6. Discussion

[www.eoh.co.za](http://www.eoh.co.za)

**EOH**

Systems make it possible...  
People make it happen

## PLEASE NOTE:

1. Sign the attendance register;
2. Afford the speakers an opportunity to present without being interrupted;
3. Save all questions until the end of the presentation so that both questions and answers can be noted;
4. Before asking a question, please state your name and, if relevant, the organisation that you represent for the record; and
5. Switch off all cell phones

[www.eoh.co.za](http://www.eoh.co.za)



## INTRODUCTION

### EAP

- o EOH Coastal & Environmental Services
- o Grahamstown based environmental consultancy established in 1990
- o Specialise in Environmental Impact Assessments

### CLIENT

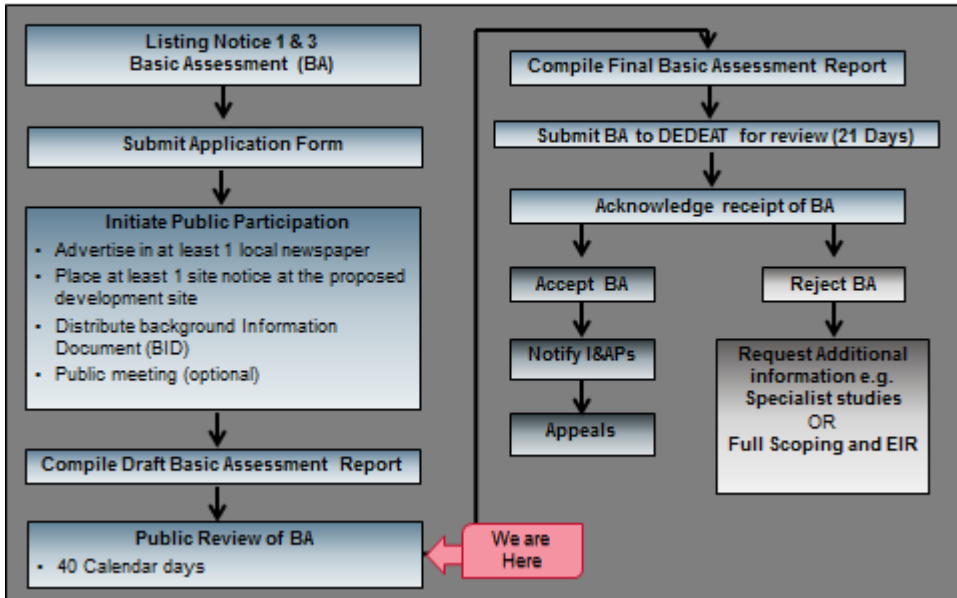
- o Transnet Freight Rail
- o South African rail, port and pipeline company, headquartered in the Carlton Centre in Johannesburg. It was formed as a limited company on 1 April 1990

[www.eoh.co.za](http://www.eoh.co.za)





# PROJECT STATUS



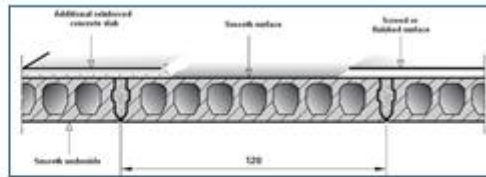
# PROJECT LOCATION



PORT ELIZABETH, DEAL PARTY  
 33°53'51.00" S 25°36'33.82" E  
 WARD 15 & WARD 60



## PROJECT OVERVIEW



- Hollow core concrete security wall
- This type of wall is a thick, pre-fabricated reinforced concrete wall
- Panel thickness varies from 120-150mm thick
- It is poured and cured at the factory, transported to site and set in upright supports and poured concrete foundations. The panels are placed by crane and cannot be removed by hand due to size and weight.
- The need:
  - ❖ Control unauthorised access
  - ❖ Reduce financial losses due to theft and vandalism
  - ❖ Reduce safety threat to dwellers of the informal settlement due to the proximity of the site to railway lines.

## SUMMARY OF IMPACTS



Impacts Construction Phase		
Negative	Without Mitigation	With Mitigation
Biodiversity impacts	Moderate	Low
Solid waste generation	Moderate	Low
Aquatic Impacts	High	Moderate
Noise	Low	Negligible
Dust Creation	Moderate	Low
Workers health and safety	Moderate	Low
Traffic Impacts	Low	Negligible
Impacts on archaeological site	Low	Negligible
Cumulative		
Social	Moderate	Moderate
Impacts Operational Phase		
Positive	Without Mitigation	With Mitigation
Increased safety and security	High	N/A

## WAY FORWARD



Submission of Application Form	✓
Public Participation	✓
Draft Basic Assessment	✓
Public Review	1 June 2015 – 13 July 2015
Compile Final BA and submit to DEDEAT	20 July 2015
Authorization	Acknowledge receipt of report in 14 days If accepted 30 days to make decision Automatic extension of 60 days Decision made within 30 days of the lapsing of the 60 day extension
Appeals	Within 20 days of receipt of authorization

## 7. QUERIES







[www.sofl.co.za](http://www.sofl.co.za)

## 8. DISCUSSION

Kim Brent

Telephone: 041 585 1715

Email: [k.brent@cesnet.co.za](mailto:k.brent@cesnet.co.za)