

**NB:** The following Comment & Response Report (CRR) contains comments received during the scoping phase and is included here for perspectives of the issues raised previously which have been addressed in the Draft EIA report which is available for review between 26 April 2023 to 29 May 2023.

All comments received from IAPs and corresponding responses during the review of this Draft EIA Report will be updated in the CRR and form part of the Final EIA Report.



**THE PROPOSED OLIPHANT ESTATE TOWNSHIP DEVELOPMENT IN KIMBERLEY, NORTHERN CAPE PROVINCE**

## **COMMENTS AND RESPONSES REPORT**

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<b>1. COMMENTS RECEIVED DURING THE INITIAL PROCESS</b>		
<p>A Zenani</p> <p><b>Transnet SOC Ltd:</b> Depot Manager</p> <p>Sent via an official letter dated 12/12/18</p>	<p><b>Civil:</b> Our office has no objection to the proposed development and rezoning, but we are concerned over the continual sewer spill at the pump station, approximately situated by the area colored yellow on the plan. We trust adequate precautions will be made to resolve this problem. Should there be the need for Eskom power crossings to the zones, please ensure that the applicant or Eskom officially apply for a wayleave agreement in that regard. Care should also be given to possible storm water flow to and from our railway lines. The following documents are also attached for your further attention, please. Perm 97: Standard clause to be included in all development applications and all request for development by PRASA or any other entity involving or adjacent to the railway line. The Estate Instructions page 283.</p> <p><b>Transnet Property:</b> Has no objection to the proposal. As the new development is adjacent to Transnet land, we only request for an 8m building restriction or road servitude between Transnet land and the development. Transnet Freight Rail would however, like the opportunity to re-evaluate our position with regards to this proposal once final plans have been prepared.</p>	<p>Comment noted.</p>
<p>Pondai Kanyasa</p> <p><b>NC Department of Agriculture, Land reform &amp; rural development:</b> Chief Engineer Sustainable Resource Management</p> <p>Sent via Email dated 10/12/18</p>	<p>With reference to the letter requesting the Department of Agriculture, Land Reform and Rural Development to respond to an application for the development of Oliphant Estate Township on part of the remainder of Portion 18 of the farm Roode Pan No 70, Kimberley, Northern Cape.</p> <p>The area to be developed is 59.66 hectares in total and this is an uneconomical farm unit as per our Departmental norms and standards. The proposed area is vacant (except for a few dilapidated structures) and there is no agricultural production currently. The Department therefore recommend that the application be approved on condition that no natural storm water</p>	<p>Comment noted.</p>

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	<p>pattern or flow will be altered, restricted or blocked with this development and the origin of water supply to the proposed township must not negatively affect surrounding farms and areas.</p> <p>We trust that you will find</p>	
<p>Philani Msimango</p> <p><b>Department of Water &amp; Sanitation:</b> Chief Engineer Sustainable Resource Management</p> <p>Sent via official letter dated 22/02/19</p>	<p>The applicant is to submit an Environmental Impact Assessment and it should take the following issues into consideration:</p> <p>a) Should the project continue; a site visit and pre consultation meeting must be conducted by a DWS official with the applicant, which will be followed by an application for Water Use Authorisation (proof of consultation and submission of an application). This must be submitted to DWS in terms of the National Water Act, 1998 (Act 36 of 1998) before any construction activities take place.</p> <p>b) The Environmental Management Programme (EMP)/EIA must clearly show all water courses as defined in the National Water Act, 1998 (Act 36 of 1998) as well as the delineation 1: 1 00 year flood lines. No activity may occur within the 1: 1 00 year flood line of a river/drainage lines without authorisation. No activity may occur within the 500 metres of a pan/wetland (perennial/non perennial) without authorisation.</p> <p>c) The EMP/EIA must clearly show the methods for collecting, storing, transporting and finally disposing of all waste products produced as well as the responsible and accountable persons. This includes written consent from the relevant accredited waste disposal site/ sewage disposal/ oil disposal in handling the waste. All applicable sections of the National Environmental Management: Waste Act 59 of 2008 should be strictly adhered to.</p> <p>d) The EMP/EIA must clearly identify all risks that are associated with the project that can affect the water resources in and around the project area and state all 'implementable measures to prevent and respond to accidents and abnormal events that may occur.</p> <p>e) The EMP/EIA must clearly show through a responsibility matrix and organogram the responsible persons for implementing the mitigation measures and reporting lines, in the event of an</p>	<p>Good day Philani,</p> <p>Your letter dated 22 February 2019 regarding the above project has reference. Thank you for the detail comments on the proposed project. It must be noted that the EIA application has been initiated, and it is the intention of the consultant to submit a pre-application query to your offices to initiate the WULA application simultaneously with the EIA process.</p> <p>The list of information and requirement needed for the submission of the WULA as per your letter has been noted and all care will be taken furnish the Dept. with the required information in order for the Dept. to review and assess this application.</p>

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	<p>accident.</p> <p>f) The EMP/EIA must show in written form that the developer has made a legally binding commitment to implement the proposed mitigation measures and that these measures are not only suggestions and recommendations.</p> <p>g) The EMP/EIA must clearly show the process followed if the developer does not comply with the legal requirements of the EMP and National Water Act, 1998 (Act No 36 of 1998).</p> <p>Conclusion: The Department has no objections to this activity, provided the applicant has provided proof of adherence to the above mentioned recommendations and addressed all issues contained in this letter. This reply does not grant any exemption from the requirements of any applicable Act, Ordinance, Regulation or By-law. Should you have any further queries, please contact the relevant official at the number above.</p>	
<p>Freddy Netshivhodza</p> <p><b>Frances Baard District Municipality:</b> Manager: Town &amp; Regional Planning</p> <p>Sent via official letter dated 18/02/19</p>	<p>Kindly note that there is no attachment and also provide the buffer zone/distance from Dam to the proposed site. I believe the water is mixed with sludge (Delineation more crucial from our side). Any flood line determination study required?.</p>	<p>Please find attached the followings:</p> <ol style="list-style-type: none"> <li>1. Kmz file with the project boundary</li> <li>2. Sensitivity map showing the buffer around the dam that must be taken into consideration in the design of the layout</li> <li>3. The Floodline report</li> </ol>
<p>Rudzani Tshikororo</p> <p><b>Sol Plaatjie municipality:</b> Town Planner</p> <p>Sent via official letter dated 19/02/19</p>	<p>Good day,</p> <p>Thanks for the information. However, please check article on today's DFA (19/02/2019) pertaining the project "Housing Plan for Kamfers dam. Hoping that on your revised memorandum and layouts you will consider Kamfers dam crisis.</p>	<p>Afternoon Rudzani</p> <p>Yes there is a big outcry over the development being next to the Kamfers Dam especially with the latest status of the Flamingo near the site so as you can imagine that most people see this development as a threat to the birds' survival. It is a serious concern that we are paying special attention to, the EIA process that is being undertaken aims to</p> <p>i) Identify the potential impacts associated with the proposed project, input from the project proponent, specialists with experience in the study area and in EIAs for similar projects, as well as a public consultation process with key stakeholders,</p>

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		<p>which included both government authorities and interested and affected parties (I&amp;APs) will form part of the evaluation of impacts.</p> <p>ii) Address those identified potential environmental impacts and benefits associated with the project and recommend appropriate mitigation measures for potentially significant environmental impacts The attached preliminary layout has already taken a number of issues on site into consideration by keeping the majority of the development closer to the road. This layout will be subjected to public comments &amp; input form from the various stakeholder like yourselves.</p>
<p>Mantwa Aletta Gabaitumele</p> <p><b>Telekom</b></p> <p>Sent via Email dated 08/02/19</p>	<p>Good Day</p> <p>With reference to your above-mentioned application, I hereby inform you that our Client (OPENSERVE) approves the proposed work indicated on your drawings in terms Section 22 of the Electronic Communications Act 36 of 2005 as amended.</p> <p>Any changes/deviations from the original planning during or prior to construction must immediately be communicated to this office. Although we are not affected, Mr Bennie Pienaar must be contacted at telephone number 053-839 3486/ 081 411 2515, 2 (Two) weeks prior commencement of proposed work. It is important that all services are shown on site before construction starts.</p>	<p>Good day Mantwa</p> <p>Your letter dated 15 February 2019 regarding the above project has reference. Thank you for the detail comments on the proposed project, this is noted</p>
<p>Cindy Nkoane</p> <p><b>The Department of Rural Development and Land Reform</b></p> <p>Sent via Email dated 05/02/19</p>	<p>Dear Ms Bolingo</p> <p>Please note that the property described below is not owned by the Department of Rural Development and Land Reform, and therefore we have no input.</p>	<p>Afternoon Cynthia,</p> <p>This is noted, thank you. We will remove this Dept. from further correspondences regarding this project.</p>
<p>John Geeringh</p> <p><b>Eskom</b></p>	<p>1. Please make sure that Eskom Distribution is on your IAP list for possible additional power supply requirements.</p>	<p>Would you by any chance have the contact person for Distribution Kimberley?</p>

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Sent via Email dated 04/02/19	2. Andrea van Gensen is the contact person for Eskom Distribution Northern Cape and Keketso Mbete for Transmission.	
Karen Clark  <b>Leads to Business:</b> Regional Content Researcher  Sent via Email dated 07/02/19	Good afternoon Sheila, I trust you are well. Please kindly add my details as an I&AP for the above mentioned project. Please would you send me the BID when you have chance? Thank you so much. Have a great day further	Dear Karen  Thank you for your interest in this project, please find attached notification letter. Please note that we have just initiated the EIA process, I have registered you on the data base and will provide you with information as we proceed with the EIA process.
'Frank Louw'  <b>Namaqua Petroleum And Energy (Pty) Ltd:</b>  Sent via Email dated 08/02/19	Kindly be informed that NAMAQUA PETROLEUM AND ENERGY here with wish to express our interest regards to ,  1. Supply and installation of Electrical meters. 2. Supply and installation of Water meters. 3. Wiring of all proposed Housing Units. 4. Installation and supply of all transformers . 5. Supply and installation of solar geysers , street lights etc . We are a Northern Cape based Company and BEE .	Good day Frank  As discussed telephonically, I have forwarded your email to the developer and I will advise on the response. Meanwhile I have registered you in the project database, so you can be kept updated with the progress of this project.
Mr & Mrs H Booth  <b>Neighbouring Landowner</b> Northern Cape Ranchers  Sent via Email dated 15/02/19	Dear Sheila Attached please find the completed form to register as interested and affected parties which states "please review & send us the correct boundaries of the project. There is discrepancy between your map and that registered main on the 8 October 2018". To illustrate the point I made to you per telephone on 15 February 2019 as regards the disparity in location I attach your map showing an incorrect location as well as the maps and plans previously given to us. To the best of my knowledge the projected development lies between the Midlands Road and the Power line and is not bound by the railway line. This can clearly be seen from the attachments.	Dear Mr Booth, Below is a copy of my last email correspondence regarding the correct project boundary. "The project boundary in the drawing/map sent in the last communication only showed the one side of the development (the yellow boundary in the drawing below), however it must be noted that <b>the development is proposed on the broader orange highlighted area between the banks of the Kamfers Dam (railway) and the Midlands Road</b> (as per the image below). This is referred to as the "assessment area" , the exact layout footprint (informed by site sensitivities) will be communicated to you as we proceed with this assessment"



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<p>Wim Spronk</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 15/02/19</p>	<p>How do I register on the project data base?</p>	<p>Dear Wim</p> <p>Thank you for your interest in this project.</p> <p>Please note that we have just initiated the EIA process for this project, I have registered you on the data base and will provide you with information every step of the way as we proceed. The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments.</p> <p>Please feel free to contact me should you require further information.</p>
<p>Gill Udal &amp; Ian Charlton</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 16/02/19</p>	<p>Please register our objections to any project which in any way adversely affects the flamingo breeding project.</p>	<p>Thank you for your interest in this project, your objection is noted. Please note that we have just initiated the EIA process for this project, I have registered you on the data base and will provide you with information every step of the way as we proceed with the process.</p> <p>The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments.</p>
<p>Patsy Beangstrom</p> <p><b>Diamond Fields Advertiser:</b> News Editor</p> <p>Sent via Email dated 18/02/19</p>	<p>As discussed, I am looking for further information on the proposed residential development on the farm Roodepan. Please can you forward me any information you have.</p>	<p>Alley Roads Mega Projects (a private developer) is proposing the construction of a mixed use residential development on the Remainder of Portion 18 of the Farm Roode Pan 70, Kimberley in the Sol Plaatjie Local Municipality, Northern Cape Province. The property lies approximately 10km to the north of Kimberley on the banks of the Kamfers Dam adjacent to Midlands Road (the orange highlighted area).</p> <p>In terms of Sections 24(2) and 24D of the National Environmental Management Act (Act No. 107 of 1998), as amended, read with the Environmental Impact Assessment (EIA) Regulations of GNR 324 to 327, an Environmental Impact Assessment Process (Scoping and EIA) is required for the authorisation of the proposed project. In addition, a Water Use License is required in terms of Section 21 of the National Water Act (Act No. 36 of 1998), Envirolution Consulting (Pty) Ltd has been appointed as the Independent Environmental Assessment Practitioners to conduct an Environmental Impact Assessment, public participation processes and a Water Use License Application for the proposed development. It is proposed that the site will be rezoned to residential development; the development will also include business land use which will be the supporting land use to the residential land use.</p>
<p>Charme Kemp</p> <p><b>Network 24:</b> Journalist</p> <p>Sent via Email</p>	<p>As a journalist I must inform the community. The flamingo on Kamfers dam is endangered, what about the conservation of flamingos, this habitat will be destroyed by the project.</p>	<p>Thank you for your interest in this project, your concerns is noted.</p> <p>Please note that we have just initiated the Environmental Impact Assessment Process (EIA) for this project, which will assess the potential impact this project could have on the Flamingo and suggest the mitigation measures thereof. This process is divided into two phase namely</p> <p>1. Scoping phase: includes desk-top studies and served to identify potential impacts</p>

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dated 18/02/19		<p>associated with the proposed project and to define the extent of studies required within the EIA Phase. Input from the project proponent, specialists with experience in the study area and in EIAs for similar projects, as well as a public consultation process with key stakeholders, which included both government authorities and interested and affected parties (I&amp;APs), was included in the evaluation of impacts.</p> <p>2. EIA Phase: aims to address those identified potential environmental impacts and benefits (direct, indirect and cumulative impacts) associated with the project including design, construction, operation, and decommissioning, and recommend appropriate mitigation measures for potentially significant environmental impacts.</p> <p>I have registered you on the data base and will provide you with information every step of the way as we proceed with the process. The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments.</p>
Vanessa Schempers  <b>I&amp;APs</b>  Sent via Email dated 19/02/19	Hi Sheila, waar registreer ons? Laat weet my asb.	Dear Vanessa Thank you for your interest in this project. Please note that we have just initiated the EIA process for the proposed residential development on the area shown in orange in the image below. I have registered you on the data base and will provide you with information as we proceed with the EIA process.
Susan Warring  <b>I&amp;APs</b>  Sent via Email dated 19/02/19	Good day As a volunteer lesser flamingo chick rehabber, please register me as an interested and affected party to the above development. For this iconic and near endangered species, urban development is certain to cause future disasters of the type we are currently dealing with, with thousands of chicks needing hand rearing when abandoned by their parents due to drought, and just updated, further abandonment probably due to roaming dogs. In addition we have evidence of even new developments causing sewage spills as in the case of Kyalami Corner shopping centre and the Beaulieu bird sanctuary.  Dear Sheila Thank you for your response. I look forward to updates. Regards	Thank you for your interest in this project. Please note that we have just initiated the Environmental Impact Assessment process (EIA) for the proposed residential Development near the Kamfers Dam. This EIA process that is being undertaken aims to i) identify the potential impacts associated with the proposed project, input from the project proponent, specialists with experience in the study area and in EIAs for similar projects, as well as a public consultation process with key stakeholders, which included both government authorities and interested and affected parties (I&APs) will form part of the evaluation of impacts. ii) address those identified potential environmental impacts and benefits associated with the project and recommend appropriate mitigation measures for potentially significant environmental impacts The concerns raised in your email below is serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development. I have registered you on the data base and will provide you with information as we proceed with the EIA process

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<p>Madelaine Malan</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 19/02/19</p>	<p>So far I have seen all over South Africa that in mixed used townships the plastic bags, cans, glass and even sewage laying on the ground; in the roads or hanging on fences.</p> <p>I don't see people living in townships respecting the environment by keeping the neighborhood clean. If this development comes to existence on this piece of land, it will affect the wild flamingo colony in the future to perhaps causing a decline in the overall population. They play a vital role to the ecosystem.</p>	<p>Good day Madelaine</p> <p>Thank you for your interest in this project. Please note that we have just initiated the Environmental Impact Assessment process (EIA) for the proposed residential development near the Kamfers Dam.</p> <p>The concerns raised in your email below are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development. I have registered you and Lulu Labuschagne on the data base and will provide you with information as we proceed with the EIA process.</p>
<p>Enoch Gwangwana</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 19/02/19</p>	<p>Good day</p> <p>I am interested in this project. We just spoke now on the phone from Enoch Gwangwana.</p>	<p>Thank you for your interest in this project.</p> <p>Please note that we have just initiated the EIA process for this project, I have registered you on the data base and will provide you with information every step of the way as we proceed.</p> <p>The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments/inputs. Please feel free to contact me should you require further information.</p>
<p>Ester van der Westhuizen</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 16/02/19</p>	<ul style="list-style-type: none"> <li>• Would like to see the scoping report &amp;EIA</li> <li>• Concern is the site for lesser flamingo in South Africa</li> <li>• Concern is that Homevale sewage cant currently handle the sewage going through the plant, how will this handle new houses</li> </ul>	<p>Dear Ester</p> <p>Thank you for your interest in this project, your concerns is noted.</p> <p>Please note that we have just initiated the Environmental Impact Assessment Process (EIA) for this project, which will assess the potential impact this project could have on the Flamingo. The concerns raised are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development.</p> <p>I have registered you on the data base and will provide you with as we proceed with the process. The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments.</p>
<p>Nica Schreuder</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 16/02/19</p>	<p>I would like to cover all developments, as well as track the public's stance on the pending housing development, given that it is in such close proximity to the Kamfers Dam. I have been tracking the plight of the rescued baby flamingos, and would like to know if this development will further endanger an already endangered species.</p> <p>Why is the housing development so close to a dam that is used to preserve an IUCN Red Listed species? Is there no space in another</p>	<p>Good day Nica</p> <p>Thank you for your interest in this project, your concerns are noted. To start with, the project area has been rectified as per the image below (orange highlighted area), and the development is proposed to be concentrated on the western portion in order to mitigate some of the concerns raised.</p> <p>Having said, that please note that we have just initiated the Environmental Impact Assessment Process (EIA) for this project, which will assess the potential impact this project could have on the Flamingo and most importantly the issue of sewer. The concerns raised are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development.</p> <p>I have registered you on the data base and will provide you with as we proceed</p>

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	<p>part of the region that would better suit the development? What happens to the sewage that the housing development will inevitably create? Is there no concern that this could negatively affect, and effectively eradicate a critically endangered species? As it stands, I am firmly AGAINST this housing development, and feel it can be moved elsewhere, away from the dam</p>	<p>with the process. The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments.</p>
<p>Mike Bolhuis</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 19/02/19</p>	<p>I refer to the document received.</p> <p>Please see the attached completed form as well as my own interest this project, as well as my involvement in the Flamingo Project. Please contact me if you have any questions.</p>	<p>Dear Mike</p> <p>Thank you for your interest in this project. Please note that we have just initiated the EIA process for this project, I have registered you on the data base and will provide you with information every step of the way as we proceed.</p> <p>The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments/inputs.</p>
<p>Katta Ludynia</p> <p><b>SANCCOB:</b> Research Manager</p> <p>Sent via Email dated 19/02/19</p>	<p>Dear Sheila, Could you please add SANCCOB to the list of Interested and Affected Parties for the Oliphant Estate development next to Kamfers Dam. We would like to stay informed about the planned developments and possibly give input into the EIA process.</p>	<p>Dear Katta</p> <p>Thank you for your interest in this project. Please note that we have just initiated the EIA process for this project, I have registered you on the data base and will provide you with information every step of the way as we proceed.</p> <p>The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments/inputs.</p>
<p>Pat Nurse</p> <p><b>I&amp;APs:</b> Chair Lakes Bird Club</p> <p>Sent via Email dated 20/02/19</p>	<p>I am Chair of the Lakes Bird Club based in the Garden Route. We are an Affiliated Club of Bird Life South Africa and have over 200 members.</p> <p>We have been following the recent developments at Kamfers Dam with much conservation. I personally have had quite a lot to do with flamingos, as I lived in Botswana for 15 years and helped Dr Graeme McCulloch with his work at Sua Pan. I wish to register the Lakes Bird Club as an Interested and Affected Party (IAAP) for this Environmental Impact Assessment, so would you please do this and send me whatever documentation I will need to make a submission to you.</p>	<p>Good day Pat</p> <p>Thank you for your interest in this project. I have registered the Lakes Bird Club on the data base as an Interested and Affected Party ( IAP) and will provide you with as we proceed with the process.</p> <p>The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments. Please feel free to contact me should you require further information.</p>

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<p>Chantelle van Wyk</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 20/02/19</p>	<p>Any development activity in a natural system will have an impact on the surrounding environment, usually in a negative way. The following negative impacts can be raised:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Soil erosion and sedimentation of the watercourse system</li> <li><input type="checkbox"/> The proposed development will result in an increase in hardened surfaces</li> <li><input type="checkbox"/> Likely to have a negative impact on the downstream water resources / watercourse</li> <li><input type="checkbox"/> Pollution as a result of runoff from development area entering into the watercourse</li> <li><input type="checkbox"/> Disturbance within the area thereby increasing the encroachment of alien invasive species as well as weeds</li> <li><input type="checkbox"/> Noise and air pollution due to the development</li> <li><input type="checkbox"/> Pollution of water resources and soil</li> <li><input type="checkbox"/> Vegetation removal – vegetation forms a central part of the wetland definition and requires undisturbed conditions which can lead to the encroachment of alien invasive species</li> <li><input type="checkbox"/> The waste water pipeline could propose a threat if not inspected leaking</li> <li><input type="checkbox"/> Construction activities ie excavations and vegetation clearing expose soil to environmental factors including rainfall and wind. The exposure to these factors will result in the removal of topsoil and the deposition of this sediment in the downslope watercourse system</li> <li><input type="checkbox"/> Sediment release from the construction site into the downstream aquatic environment is one of the most common forms of waterborne pollution</li> <li><input type="checkbox"/> Mismanagement of waste and pollutants including construction waste and other hazardous chemicals will result in these substances entering and polluting the sensitive natural downstream environments either directly through surface runoff during rainfall events or subsurface water movement</li> <li><input type="checkbox"/> An increase in pollutants will lead to changes in the water quality</li> </ul>	<p>Thank you for your interest in this project, your concerns are noted.</p> <p>Please note that we have just initiated the Environmental Impact Assessment Process (EIA) for this project, which will assess the potential impact this project could have on the Flamingo. The concerns raised are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development.</p> <p>I have registered you on the data base and will provide you with as we proceed with the process. The next step is the release of the scoping report in March 2019, all registered I&amp;APs will be informed of the availability of this report for comments.</p>

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	<p>of the watercourse, affecting its ability to act as an ecological corridor in the larger landscape and for example have a direct impact on the near threatened flamingo population that is breeding in the Kamferdam area (more about this below)</p> <ul style="list-style-type: none"> <li>□ Litter or other contaminants on the site can be deposited in the downstream water resource environment which will have a negative impact on the environment</li> <li>□ Substances such as cement, oil, fuels or other harmful chemicals could be toxic to fauna and faunal habitats within the watercourse</li> <li>□ The proposed development could result in the loss of nearly all of the aquatic habitat on the site and water quality impairment</li> <li>□ Impending on flow paths with removal of vegetation, excavations for foundations and clearing of areas</li> <li>□ Erosion and sedimentation of soil because of vehicle activity and operation of equipment and machinery for example</li> </ul> <p>Kamfers Dam, near Kimberley and near the proposed development site, is one of four breeding areas in Africa and the <b>only</b> one in South Africa of the lesser flamingo. It is thus an IBA (Important Birding Area) and home to thousands of lesser flamingos – over half the southern African population. Kamfers Dam is one of their favorite feeding places for the high concentration of algae. And so the birds tried laying along the banks of the dam, to no avail – too much disturbance and rapidly receding water levels in early summer. This disturbance will only increase with the development of an estate township. These birds have been listed as “near-threatened” in national and international Red Data books because of their declining population, their few breeding sites and the threat to those breeding sites by human encroachment and development such as the proposed Oliphant Estate Township Development. According to Save the Flamingo, Kamfers Dam breeding site is “in</p>	

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	<p>serious trouble" and there is an effort to alert the authorities to take conservation of this important wetland seriously. Please save the flamingo and also the other fauna and flora in the area.</p>	
<p>Dee Kidson</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 20/02/19</p>	<p>Good Afternoon Sheila</p> <p>Could you please register as an interested and affected party for the proposed Housing Development near Kamfersdam.</p> <p>Please could you keep me updated on the developments for this project. I would like you to send me an EIA report and a comment sheet for the above. Let me know if you need any additional information from me to register.</p>	<p>Good day Dee</p> <p>Thank you for your interest in this project. I have registered you on the data base as an Interested and Affected Party (IAP) and will provide you with as we proceed with the process.</p> <p>The next step will be the release of the scoping report, all registered I&amp;APs will be informed of the availability of this report for comments.</p> <p>Please feel free to contact me should you require further information.</p>
<p>Tania Anderson</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 20/02/19</p>	<p>Please find attached my registration form to be registered as an interested party for the public participation process for this development.</p> <p>Thanks and hope to receive the draft EIA report and specialist studies soon.</p>	<p>Thank you for your interest in this project, your concerns are noted. To start with, the project area has been rectified as per the image below (orange highlighted area), and the development is proposed to be concentrated on the western portion in order to mitigate some of the concerns raised.</p> <p>Having said, that please note that we have just initiated the Environmental Impact Assessment Process (EIA) for this project, which will assess the potential impact this project could have on the Flamingo and most importantly the issue of sewer. The concerns raised are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development.</p>
<p>Cornie Hall</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 20/02/19</p>	<p>My concerns are:</p> <ul style="list-style-type: none"> <li>• Destruction to the Flamingo population</li> <li>• Noise factor</li> <li>• Pollution factor</li> </ul>	<p>Thank you for your interest in this project. Please note that we have just initiated the Environmental Impact Assessment process (EIA) for the proposed residential development near the Kamfers Dam.</p> <p>The concerns raised in your email below are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development. I have registered you on the data base and will provide you with information as we proceed with the EIA process.</p>
<p>Doug Harebottle</p> <p><b>Sol Plaatje University:</b> HOD:</p>	<p>1. I would like to register as an I&amp;AP for the residential development adjacent to Kamfers Dam, Kimberley. I would also like to receive a copy of the EIA that was carried out for this proposed development.</p>	<p>1. Thank you for your interest in this project. Please note that we have just initiated the EIA process for this project, I have registered you on the data base and will provide you with information every step of the way as we proceed. The next step is the release of the scoping report in March 2019, all</p>

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<p>Biological and Agricultural Sciences</p> <p>Sent via Email dated 21/03/19</p>	<p>2. Apologies for the delay in confirming, but thank you for the confirmation and information. Could I kindly request that you also please add the Northern Cape Wetland Forum to the I&amp;AP database: c/o 17 Francey Street, New Park, Kimberley, 8301 Tel. 082 7363087 Email: dm.harebottle@gmail.com</p>	<p>registered I&amp;APs will be informed of the availability of this report for comments. Please feel free to contact me should you require further information.</p> <p>2. The Northern Cape Wetland Forum has been added on the database, and will receive updates on the project as we project. Please note that the Draft SR will be made available to all registered I&amp;APs by end March/early April 2019.</p>
<p>Ester Burger</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 22/02/19</p>	<p>Madam</p> <p>I want to raise a concern regarding the proposed building plans at the site where the Lesser Flamingos is raising their offspring. As you know it is the only place in South Africa where these flamingos can be found and it will be a big through back if the flamingos should leave. There are people that are visiting Kimberley to see the flamingos which in turn provide for a influx of money into Kimberley.</p> <p>PLEASE, PLEASE, PLEASE save our flamingos. NB: I don't think it will be good to build houses on the wetlands. What if there is flooding for example. The people's houses will be damaged and pollution and wastage by the same people can also have a negative impact on the breeding of the flamingos.</p>	<p>Dear Ester,</p> <p>Thank you for your interest in this project. Please note that we have just initiated the Environmental Impact Assessment process (EIA) for the proposed residential development near the Kamfers Dam.</p> <p>The concerns raised in your email below are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development. I have registered you on the data base and will provide you with information as we proceed with the EIA process.</p>
<p>Pruclance Van Wyk</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 25/02/19</p>	<p>Morning Ms. Sheila Bolingo</p> <p>Pruclance Van Wyk here, I would to register for the houses at kamfersdam, I read about it in the noordkaap newspaper of Wednesday 20 February 2019... i would highly appreciate it to hear from u Ms Bolingo.... thank u very much</p>	<p>Dear Pruclance,</p> <p>Thank you for your interest in this project. Please note that we have just initiated the Environmental Impact Assessment process (EIA) for the proposed residential development near the Kamfers Dam.</p> <p>The concerns raised in your email below are serious and will be given great consideration in the assessment of impacts and the suitability of the site for the development. I have registered you on the data base and will provide you with information as we proceed with the EIA process</p>
<p>Sonet Du Plooy</p> <p><b>Leads to Business:</b></p>	<p>Dear Sheila</p> <p>Your company is currently conducting a Basic Impact Assessment</p>	<p>Thank you for your interest in this project, please find attached notification letter. Please note that we have just initiated the EIA process, I have registered you on the data base and will provide you with information as we proceed with the EIA process.</p>



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<p>Regional Content Researcher</p> <p>Sent via Email dated 27/03/19</p>	<p>for the establishment of a proposed Oliphant Estate Township Development to be known as Oliphant Estate. Please could you forward me the BID for this application and register me as a Interested &amp; Affected party?</p> <p>Thanking you in anticipation of a favourable response.</p>	
<p>Philani Msimango</p> <p><b>Department of Water &amp; Sanitation:</b> Control Scientific Technician Water Quality Management - Lower Vaal Northern Cape Provincial Operations</p> <p>Sent via email dated 01/04/19</p>	<p>Good Day</p> <p>Kindly take note that the Department has received the draft scoping report dated 29 March 2019 today (01/04/2019).</p> <p>Since the important aspects of the attached letter have not been adequately addressed (water use licence enquiry/application which includes additional abstraction for construction and domestic usage {throughout the project life cycle}, development in the watercourse {regulated area}, additional waste disposal, specialists studies, etc), the attached letter still stands.</p> <p><b>Good Day</b></p> <p><b>Please take note that it is strongly recommended that the environmental impact assessment process and water use licence process run concurrently as your current approach is not only time consuming but also creates additional cost implications for the applicant.</b></p> <p><b>Both public participation processes can be combined into one which will save the applicant additional unnecessary costs.</b></p> <p><b>Also, I fail to understand how you undertake an environmental impact assessment and exclude water related impacts from the assessment.</b></p>	<p>Dear Philani,</p> <p>Your comments below are noted, the aspect/requirement of your later dated 22 Feb 2019 don't form part of the scoping report as per say. These aspects will be addressed in the WULA process, the client is still finalising the layout plan and other necessary information needed to begin the WUL application. Meanwhile because you are a registered I&amp;APs for the project, you will keep receiving updates on the EIA process, however the WULA process will be initiated independently of the EIA process and we will engage you on this.</p> <p><b>Hi</b></p> <p><b>Maybe my email response was not clear enough, but in terms of the PP, both processes are combined, only that the WULA submission is slightly delay based on slight changes on the layout and we will need the final point/coordinate to upload on Ewula in order to initiate this process. I don't quite understand your comment below that states "how you undertake an environmental impact assessment and exclude water related impacts from the assessment" because a whole section in the Scoping Report just talks about the water resources and how the proposed project could possibly impacts on these and a Plan of Study for this concern to be invested further in the EIA phase.</b></p>

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	<p><b>As to whether the WULA process is initiated separately/independently or not, what is crucial is that the EIA and WULA process run concurrently as far as practically possible.</b></p>	
<p>Pruclance Van Wyk</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 02/04/19</p>	<p>Thank you mam and I'm really looking forward for this project and willing to see the end results of it. Thank u very much for keeping me posted. Have a good day mam</p>	<p>No response required</p>
<p>Natasha Higgitt</p> <p><b>South African Heritage Resources (SAHRA)</b></p> <p>Sent via Email dated 03/04/19</p>	<p>Good morning,</p> <p>Please note that all development applications are processed via our online portal, the South African Heritage Resources Information System (SAHRIS) found at the following link: <a href="http://sahra.org.za/sahris/">http://sahra.org.za/sahris/</a>. We do not accept emailed, posted, hardcopy, faxed, website links or DropBox links as official submissions.</p> <p>Please create an application on SAHRIS and upload all documents pertaining to the Environmental Authorisation Application Process. As per section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA.</p> <p>Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the EA process are submitted as part of the application, and are submitted to SAHRA at the beginning of the Public Review periods. Once all these documents</p>	<p>Dear Natasha</p> <p>Your email below is noted, and accordingly the relevant documents will be uploaded on SAHRIS in the EIA phase for comments.</p>

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	<p>have been uploaded, I will be able to issue an informed comment as per section 38(4) and 38(8) of the NHRA.</p> <p>Kind regards,</p>	
<p>Pat Nurse</p> <p>I&amp;APs: <b>Lakes Bird Club</b></p> <p>Sent via Email dated 20/04/19</p>	<p>Our comments on the Draft Scoping Report are as follows:</p> <ol style="list-style-type: none"> <li>1. With the recent change of the demarcation of the site to be included in the urban development boundary, it looks as if ultimate development on this site is almost inevitable. Unfortunately, but it has to be done in an environmentally sensitive manner given that it is adjacent to an IBA and the only breeding site for the endangered Lesser Flamingo in South Africa.</li> <li>2. We have concerns about the capacity of the Homevale Sewage Works to cope with the additional load of so many more homes, when it has not be coping with the present sewage output of Kimberley. 'the crisis at Kamfers Dam earlier this -year was entirely caused by inefficiency of the Sol Plaatjie Municipality and its serwage works.</li> <li>3. We are concerned about run off from the building site, given that the land all slopes down towards the pan"from soil and also various chemicals associated with building operations.</li> <li>4. We are also concerned about noise pollution affecting the avifauna on the pan.</li> <li>5. It is essential that a fence be erected along the edge of the development so that no humans, dogs or cats can have access to the wetlands and pan. This also needs to be set back from the edge of the pan in order to create a buffer zone.</li> <li>6. Under Section 6.1 .3 of the report Potential Impacts on Avifauna, it is vital that all these aspects are fully explored</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed residential development adjacent to Kamfers Dam was regarded as a potential threat to the long-term persistence of Lesser Flamingos in the area (sensu Anderson, 2015a) and will entail careful planning and engineering. In the absence of environmentally accepted planning and construction activities, any development alongside the Kamfers Dam may be disastrous for the local avifauna and the respective bird habitat types in the area. Accordingly, no development will be supported within the 500 buffer zone, which is proposed to militate against the displacement of waterbird species.</li> <li>2. In terms of the sewer, the client is aware of the issues that Sol Plaatjie is encountering, they are currently considering other alternatives such as sewer packaging plant but this will be confirmed in the EIA phase of the project when more light is shed on the issue by the Municipality.</li> <li>3. A detailed storm water management plan that deals with run off will from the development will be e designed for the development. This is a requirement by the Department of Environment &amp; Nature Conservation (DENC).</li> <li>4. The majority of the noise impacts from this development is of temporary in nature and may result from specific activities carried out during the construction phase which are below the recommended levels and are not foresee to last throughout the life cycle of the development, however this is a concern and will be investigated further and assessed, such assessment will recommend some measures that will control and or reduce the impacts.</li> <li>5. This comments is noted and forwarded to the engineers concerned for further consideration in the design</li> </ol>

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	<p>and a detailed specialist study is undertaken as is recommended. Strict monitoring of the undertakings of the developers with regards to excluded areas is needed.</p> <p>7. We have complete confidence in the team of bird experts from Birdlife South Africa who are currently monitoring the state of Kamfers Pan with regards to the welfare of this year' chicks-to keep on monitoring the wellbeing of all avifauna which could be impacted by the development.</p>	<p>6. Agreed, and as stated in the Plan of Study, a detailed specialist study will be undertaken to further explore the potential impact on the Avifauna life in close vicinity to the project site. This study will recommend 'no-go" areas where application which will ultimately form part of the environmental authorization and EMPr for monitoring.</p> <p>7. Birdlife will receive all reports concern and their comments will be given absolute consideration in the design phase of the development in order to reduce and mitigate possible adverse impact caused by the development.</p>
<p>Gernien Vanwyk</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 22/04/19</p>	<p>Hi sheila</p> <p>Ek weet dat ek baie laat is om te registreer maar ek stel graag belang in hierdie projek ek vra groot asb of dit moontlik is om n laat registrasie te maak</p>	<p>Good day Gernien</p> <p>Thank you for your interest in this project. I have registered you on the data base as an Interested and Affected Party (IAP) and will provide you with as we proceed with the process.</p> <p>Please find attached email correspondence for the Scoping report that is available for comments.</p>
<p>Ester van der Westhuizen</p> <p><b>I&amp;APs</b></p> <p>Sent via Email dated 24/04/19</p>	<p>1. Good Day Sheila, Can you please indicate when the public meeting with regards to this application will be please?</p> <p>2. Hi Sheila, Thanks so Much. Please keep me updated. Regards</p>	<p>1. Morning Ester, a public meeting will most likely taken place by the end of April/early May, will I will notify all registered party of the details once finalised.</p> <p>2. Regarding the public meeting, we think it's best to hold a Public Meeting at the EIA phase of the project, at that time we will have all studies findings and we can have something solid to discuss. Because at this point in the process, all issues/concerns raised must be considered &amp; assessed in the EIA. I have received all your concerns, these have been sent to specialists concerns for assessment and please feel free to send me any additional comments on the Draft SR that maybe different to the ones you've sent for further consideration.</p>
<p>Jacoline Mans</p> <p><b>Dept. of Agriculture, Forestry &amp; Fisheries (DAFF)</b></p> <p>Sent via an official</p>	<p>1. DEPARTEMENTAL MANDATE</p> <p>2. COMMENTS ON DRAFT SCOPING REPORT.</p> <p>2.1 Scattered protected trees such as Vachellia erioloba can occur in the affected Vaalbos Rocky Shrubland and Kimberley Thornveld. In the event that protected trees are encountered, the developer must apply for a Forest Act license prior to disturbance of</p>	<p>1. DEPARTEMENTAL MANDATE: All departmental mandates mentioned in this letter are noted, and the applicant has been advised accordingly with this regards.</p> <p>2. COMMENTS ON DRAFT SCOPING REPORT.</p> <p>2.1 Comment is noted, the impact assessment will determine the location such trees within the development footprint, and destruction of such trees will require permits and this condition will form part of the EA &amp; EMPr for monitoring.</p>

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<p>letter dated 25/04/19</p>	<p>protected trees. Protected trees must be avoided as far as possible.</p> <p>2.2 A Flora Permit may be required for relocation of provincially protected plant species under the Northern Cape Nature Conservation Act, Act 9 of 2009 (NCNCA).</p> <p>T</p> <p>2.3 A Tree with bird nests may not be disturbed without a valid Fauna Permit from Nature Conservation, under the NCNCA, if affected.</p> <p>2.4 Getting a Forest Act License can take up to 30 days license application forms are available on the Departmental website or at any Forestry Office. The Department may ask supporting documentation when assessing a license application. For construction activities of this nature, the following supporting documents are normally requested:</p> <ul style="list-style-type: none"> <li>o Completed License Application Form</li> <li>o Accurate estimation of the number of trees to be felled per species</li> <li>o Copy of the I.D. of the applicant (developer's representative)</li> <li>o Copy of the Environmental Authorisation</li> <li>o Flora Permit Reference Number</li> <li>o Copy of Fauna Permit (if applicable).</li> </ul> <p>2.5 The proposed development site of 150ha may impact negatively on Critical Biodiversity Areas (CBA and CSA2), which is normally seen as a fatal flaw. It may also have adverse impacts on Kamfers Dam and its well-known flamingo population. The DAFF strongly recommends that the proposed project be discussed with the Ecologists at the provincial Department of Environment and Nature Conservation (DENC). Impacts on Wetlands and CBA's may</p>	<p>2.2 The impact assessment will determine the location such plants within the development footprint, and destruction of these will require permits and this condition will form part of the EA &amp; EMPr for monitoring.</p> <p>2.3 Comment is noted, the impact assessment will determine the location such plants within the development footprint, and destruction of these will require permits and this condition will form part of the EA &amp; EMPr for monitoring.</p> <p>2.4 Comment is noted and forwarded to the applicant for consideration when licenses are required prior to construction.</p> <p>2.5 Comment is noted and accordingly the project will be discussed with an Ecologist at the provincial Department of Environment and Nature Conservation (DENC) to further discuss the potential for a biodiversity offset.</p>

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	trigger a biodiversity offset.	
<p>Mr and Mrs H. Booth</p> <p><b>Owners of Kamfers Dam</b></p> <p>Sent via Email dated 04/05/19</p>	<p>1. We are fully cognisant of the need for housing in the Kimberley area and are fully supportive of this type of development. We submit, however, that there are less sensitive areas that could be used for such development. Kamfers Dam is an environmentally unique site. Our concern is centred on the fact that the proposed development border too closely on Kamfers Dam, home and one of only four breeding areas in Africa and the only one in South Africa, to thousands of near-threatened Lesser Flamingos as well as Greater Flamingos and other near-threatened water birds.</p> <p>2. The Draft Scoping report does deal with this but does not give enough weight to the issue:          "It is possible construction and operational activities, especially noise and human-induced disturbances could displace birds from the Kamfers Dam. Therefore, flamingos could vacate the area or construction activities could result in breeding failures. Displacement and relevant impacts on the breeding success of flamingos and other waterbirds at Kamfers Dam may have disastrous consequences on waterbird recruitment and conservation which are of global importance" [pg vi Scoping report]. Breeding events took place at Kamfers Dam on a purpose-built island in 2007-2008, 2008-2009, and 2009-2010 producing an estimated 24000 chicks. Due to the flooding of the island in 2010 no further breeding occurred on the island. But the birds remained. In 2017-2018 the birds bred successfully on the south western side of the pan, an area which they chose for themselves. It is precisely this area which is in very close proximity to the proposed development. The area obviously suited the flamingos as they bred even more extensively in the same area in 2018-2019. This time the breeding event was severely impacted by the fact that the pan was drying</p>	<p>1. Your concern regarding the project proximity to the habitat of the near-threatened Lesser Flamingos and other near-threatened water birds is noted.</p> <p>2. Please note that the displacement of these birds as a result of this development in close proximity is of a major concern to all, however we can only understand the real significance of this impact when a detailed impact study is conducted and as a result this concern/issue raised forms part of the Plan of Study in the Scoping Report (SR) to be investigated further in the EIA so we are all better informed in this regards.</p> <p>3. Your concern is noted; please note this concern raised will be investigated further in the EIA phase of the project, all your concerns are sent to the specialists concerned whom will be assessing the impacts of the development on the Kamfers Dam.</p> <p>4. Please note that this statement is based merely on preliminary information with the assumption that with certain mitigation measures put in place could potentially reduce/mitigate the perceived impacts, hence "at this stage of the process" the EAP could not state that the project is a fatal flaw without detailed investigation.</p> <p>5. It is reiterated once more that the impact of the proposed development in close proximity to the Kamfers Dam is of a major concern, however this can only be better understood through a detailed a investigation of the extent and significance of the potential impact and as a result this concern/issue raised forms part of the Plan of Study in the Scoping Report (SR) to be investigated further in the EIA so we are all better informed in this regards.</p> <p>6. Comment noted</p>

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	<p>up due to very late rains and an insufficient water supply from the Homevale Treatment Plant. This resulted in a massive effort by the community of Kimberley assisted by the SPCA, DENC, SAAM STAAN, Birdlife South Africa, Ekapa, PAAZ, National and International Groups to save around 2000 tiny Flamingo hatchlings which were later sent to institutions around the country to be reared. The surviving chicks are due to be released on Kamfers Dam at the beginning of May. In addition, this breeding event yielded 5200 chicks which have grown into healthy juveniles at Kamfers Dam They have been very closely monitored throughout by Birdlife South Africa. Because of the monitoring we are very aware of the invasions of dogs and other predators and know how devastating these intrusions are to the flamingo adults, eggs and chicks. With a development such as the Oliphant development the danger of predation by both animals and people can only increase. This will occur even if a wall is built.</p> <p>3. The Flamingo population of Kamfers Dam is known throughout South Africa – their plight was broadcast by Carte Blanche and extensively covered by the local and international media throughout the world. The Flamingos are of great importance economically and for Ecotourism for both Kimberley and South Africa. They have become vitally important in that an immense body of knowledge has been acquired regarding the habits, feeding patterns and behaviour of lesser flamingos both during the breeding events on the island and those on the south western shore of the pan and the subsequent rescue of some 2000 chicks. This has become a global academic study which will continue for years as the rescued chicks will be returned to Kamfers Dam and will be monitored extensively. To threaten such a unique system and habitat is not feasible.</p>	<p>7. Your concerns raised in this letter on the impact the project would have on a near threatened species, the Lesser Flamingo, and other regionally and globally threatened water birds (amongst others) is noted with care. This concern will definitely form an integral part of the Environmental Impact Assessment. The content of this letter will be discussed with the various specialists for consideration when assessing impact of the development on the Dam.</p>

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	<p>4. The draft Scoping report states: "RECOMMENDATIONS"  At this stage, there are no fatal flaws associated with the development, further investigation is required. It is recommended that the proposed site be considered in an EIA phase assessment according to the Plan of Study contained in this report (refer to Chapter 8). Even with the appropriate avoidance and mitigation measures implemented, there are extensive areas present on the site which could accommodate the proposed development with relatively low impacts on the environment." (The final sentence does not make sense) Fatal flaw is defined as "Any problem, issue or conflict (real or perceived) that could result in proposals being rejected or stopped." (www.environment.gov.za , page 29 in the glossary)</p> <p>5. We submit that the threat to the Kamfers Dam and its population of flamingos and water birds is a fatal flaw. The Scoping report foresees the possible disastrous consequences (table 6.3) "Displacement of birds, in particular waterbirds during construction and operation is probably the most important negative impact relevant to this particular project. The adjacent Kamfers Dam hold one of only four breeding populations of the globally near threatened Lesser Flamingo (<i>Phoeniconaias minor</i>). In addition, it also support globally significant populations of waterbirds and at least four other globally and regionally threatened and near threatened bird species. It also holds the largest permanent population of Lesser Flamingos in South Africa.</p> <p>It is possible construction and operational activities, especially noise and human-induced disturbances could displace birds from the Kamfers Dam. Therefore, flamingos could vacate the area or construction activities could result in breeding failures. Displacement and relevant impacts on the breeding success of</p>	



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	<p>flamingos and other waterbirds at Kamfers Dam may have disastrous consequences on waterbird recruitment and conservation which are of global importance “</p> <p>A 500m buffer zone along the edge of Kamfers Dam is proposed. For near threatened birds as sensitive to disturbance and as skittish as the Lesser Flamingos this is not sufficient protection both during the construction phase and once the area is inhabited by humans and their pets. The breeding area chosen by the birds themselves is far too close to the proposed development to ensure its sustainability.</p> <p>6. It is very concerning that the SDF( Spatial Development Framework) of June 2018, whilst still committing to the Kamfers Dam Flamingo Conservancy, has reduced the size of the conservancy area by moving the Urban Edge. It would seem that this was done to allow this particular development. There was no prior intimation of this change.</p> <p>7. In conclusion we stress that we are in no way against development to provide housing and facilities for the people of Kimberley. We are, however, extremely concerned about the probable destruction of an unique breeding ground for a near threatened species, the Lesser Flamingo, and other regionally and globally threatened water birds.</p>	
<p>Dorlen Werth</p> <p><b>Environment &amp; Nature Conservation</b> <b>NORTHERN CAPE</b></p>	<p>The Department does recommend the following:</p> <ol style="list-style-type: none"> <li>1. The Department does recommend a <b>Health Impact Assessment</b> to be included in the Plan of Study for the Final Environmental Impact Assessment report.</li> <li>2. The Department does recommend a <b>Geotechnical assessment</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Please can the Dept. clarify why a health impact study would be required for a housing development?</li> <li>2. Recommendation for a geotech investigation is noted and will form part of the Plan of Study (PoSI in the SR for the EIA study</li> </ol>

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<p><b>PROVINCE (DENC)</b></p> <p>Sent via an official letter dated 13/05/19</p>	<p>to be included in the Plan of Study for the Final Environmental Impact Assessment report.</p> <p>3. The Department does recommend a <b>Noise Impact Assessment</b> to be included in the Plan of Study for the Final Environmental Impact Assessment report. There is no requirement for a noise permit in terms of the legislation.</p> <p>4. The Department does recommend a <b>Hydrology Assessment</b> to be included in the Plan of Study for the Final Environmental Impact Assessment report.</p> <p>5. The Department does recommend an <b>Aquatic Impact Assessment</b> to be included in the Plan of Study for the Final Environmental Impact Assessment report.</p> <p>6. The Department does recommend a <b>Biodiversity Impact Assessment</b> including; Terrestrial biodiversity, Avifauna and Flora Assessment to be included in the Plan of Study for the Final Environmental Impact Assessment report.</p> <p>7. The Department does recommend an <b>Ambient Air Quality Impact</b> assessment to be included in the Plan of Study for the Final Environmental Impact Assessment report.</p> <p>8. Kindly include a detailed map in the Final Scoping Report for the <b>preferred layout alternative</b> indicating all the no-go development areas.</p> <p>9. A detailed <b>storm water management plan</b> must be provided to the Department in the Environmental Impact Assessment Report and should be included into the plan of study in the Final Scoping Report.</p>	<p>3. Noise impacts from this development is of temporary in nature and may result from specific activities carried out during the construction phase, in addition the noise level is below the recommended levels which are not foreseen to last throughout the life cycle of the development hence the need for such study is not clearly motivated for. There is no requirement for a noise permit in terms of the legislation</p> <p>4. Recommendation for a hydrology study is noted and will form part of the Plan of Study (PoSI in the SR for the EIA study</p> <p>5. Recommendation for an Aquatic Impact Assessment is noted and will form part of the Plan of Study (PoSI in the SR for the EIA study</p> <p>6. Biodiversity Impact Assessment forms part of the Plan of Study in the Scoping Report.</p> <p>7. Please can the Dept. clarify why an Air Quality study would be of relevance to the development, as no atmospheric emissions will take place and no activity in the Air Quality Act is triggered?</p> <p>8. A preliminary site layout is attached in Appendix C of the Final SR, the site plans shows areas of "no-go", a detailed site layout is being designed (awaiting confirmation of available services), this will form part of the EIA study</p> <p>9. According to appendix G2 of the Final SR, the internal stormwater reticulation <u>will be designed</u> to provide for a 5 year storm generally, with a 10 year storm applied to areas deemed critical. In addition, the level of the Kamfers Dam is sensitive to the volume of inflow to it, bearing in mind that the dam is in fact a pan i.e. no outlet and the level in the dam dictated by the total inflow and the evaporation. Should the current balance be disturbed by the Development, this will seriously impact on the breeding of the flamingos.</p>

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<b>2. COMMENTS RECEIVED DURING THE CURRENT SCOPING PHASE PROCESS</b>		
<p>Marnus Smith &amp; Christine Kraft</p> <p><b>Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (DAERL)</b></p> <p>Sent via an official letter dated 13 December 2021.</p>	<p>Taking into cognizance the reports received it seems that not all the previous comments from the then Department of Environment and Nature Conservation (DENC), now known as the Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (DAERL), has been taken into account. For your ease of reference, please find attached the previous comments which has been submitted by the Environmental Research and Development Unit of the Department for your consideration and incorporation.</p> <p>The attached comments will provide some information related to the questions raised by your organisation in terms of the comments received by Ms Dorien Werth of the then DENC regarding why a Health Impact Assessment will be required; the need for a Noise Impact Assessment which is not just related to the impact on humans, but also to the impact on wildlife (especially related to Kamfers Dam); and the impact on Air Quality which is also applicable to wildlife and biodiversity in general and not just on humans. The statement in your organisations response to Ms Werth's comments stating that no atmospheric emissions will take place (Appendix D6) is incorrect. Housing development such as the proposed Oliphant Estate Township will cause air emissions through dust pollution caused by ground disturbances for the proposed development (e.g. clearing of vegetation, removing soil for foundation laying, demolishing of old infrastructure if required, etc.) as well as the use of building material (e.g. cement; cutting of tiles, bricks; etc.); air emissions from vehicles and heavy machinery (i.e. bulldozers, excavators, etc.)</p> <p>in terms of fuel consumption which release gases such as carbon monoxide, carbon dioxide, nitrogen oxides and hydrocarbons (PM10 particles are released from construction dust as well as diesel engine exhausts, generators, etc. which contains sulphates and silicates that add to the pollutants in the atmosphere; PM2.5</p>	<p>As explained on an email dated 13 December to Ms Kraft, comments you referred to were made directly on the township development process application which a separate process and often the EIA team have no access to the Dept comments on that process. The only comments received from DENC on the EIA process were from Ms. D Werth (attached herewith) requesting for additional studies. However, it can be appreciated that those comments made by the Dept (on the Township Development application) did raise some critical points pertinent to this assessment, therefore the EIA team have been requested to review and consider those comments and integrate it into the EIA process.</p> <p>The letter from the DENC dated 13 May 2019 (attached herewith) made recommendations of additional studies to form part of the Impact assessment with no motivation for the need of those studies, the consultant correspondence to Ms D Werth in Appendix D6 as mentioned above was simply to seek for clarity why these were relevant for this projects. However, upon seeing the Dept' letter dated 29 November 2018 that was submitted on the Application for Township Development, these additional studies recommendations are being implemented and will form part of the Environmental Impact Assessment Process.</p> <p><b>In addition to the previous comments submitted</b></p> <ol style="list-style-type: none"> <li>1. Comment is noted; please note this concern raised will be investigated further in the EIA phase of the project, all your concerns are sent to the relevant specialists (i.e. ecologist) whom will be assessing the impacts of the development on the Northern Cape Critical Biodiversity Areas and which will give a clear understanding of the significance of the impacts of the Development.</li> <li>2. Comment is noted; please note this concern raised will be investigated further in the EIA phase of the project, all your concerns are sent to the relevant specialists whom will be assessing the impacts of the development on the National Freshwater Priority Areas and which will give a clear understanding of the significance of the</li> </ol>

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	<p>particles are also released through construction activities); air emissions from hazardous chemicals used at the construction site (e.g. paints, glues, oils, thinners and plastics) which produce noxious vapours. Several of these air emissions are well-known contributors to climate change and also effect both faunal (animal) and floral (plant) species negatively which can disrupt ecosystem functioning, especially in terms of food chain functioning.</p> <p>In addition to the previous comments submitted (refer to attached document) the following information should also be taken into account:</p> <ol style="list-style-type: none"> <li>1. The proposed development area footprint almost falls entirely within the Critical Biodiversity Areas One and Critical Biodiversity Areas Two categories as provided for by the Northern Cape Critical Biodiversity Areas Map (2018) (refer to Figure 1). It also contains Other Natural Areas as defined by the CBA map and possibly also small portions of the Ecological Support Areas (correct shapefiles are required for verification). The proposed development is therefore in direct conflict with the desired outcomes of the CBA categories and possible compatible land uses for the area as described by SANBI (2018) (refer to Figure 2)</li> <li>2. The proposed development will also affect National Freshwater Priority Areas, namely: An Eastern Kalahari Bushveld Group 3_Depression as well as and Eastern Kalahari Bushveld Group 5_Channelled valley-bottom wetland. The importance of wetland areas has been highlighted in the previous comments submitted and hence the importance of Offset determination is once again highlighted within these recommendations.</li> <li>3. The current Integrated Development Plan (IDP) of Sol Plaatje Local Municipality still clearly indicates that basic service delivery to existing infrastructure remains a challenge. Sol Plaatje must indicate if they will be able to provide in the needs of such a development, otherwise it will be a fatal flaw which</li> </ol>	<ol style="list-style-type: none"> <li>3. Comment is noted, and the graveness of this situation cannot be overlooked as the success of the project is reliant on on the availability of different services particularly from the local municipality hence ongoing consultations are underway with the Sol Plaatje Local Municipality in this regard. For the purpose of this assessment, workable options to be addressed in this regard are as follows: <ul style="list-style-type: none"> <li>• Option 1: The exact reasons for the inability of Homevale WWTW to handle further sewage have not been divulged and thus any option to assist in overcoming this lack of capacity, would need to be investigated prior to carrying out any remedial work and the costs, all of which be borne by the Developer. In view of the large costs associated with up-sizing of waste water treatment works, this is not seen as a viable option.</li> <li>• Option 2: The only way to ensure that the volume of effluent emanating from the full development can be dealt with over the full phased development, which will take several years, will be for the Developer to establish their own on-site package plant. These plants are modular and thus can be sized and upgraded as more development takes place</li> </ul> </li> </ol> <p><b>General comments</b></p> <ol style="list-style-type: none"> <li>1. This is a typo, we do apologise, the information has been corrected accordingly.</li> <li>2. Comments noted, all comment raised by IAPs throughout this process will be taken into consideration in the assessment phase.</li> <li>3. Comments noted, ACSA comments on the development are being sought, proof of correspondence will form part of the Final Scoping Report.</li> </ol>

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	<p>needs to be taken into account. Service delivery is decreasing consistently within the municipal area and are of tremendous concern due to the damage it causes to the environment and biodiversity (refer to previous comments attached). The lack of sufficient storm water drainage infrastructure as well as sewage infrastructure is of special concern within the proposed development area. Currently Kamfers Dam is over capacitated with run-off water after the rains and constantly being polluted with sewage spillage already impacting negatively on the biodiversity within and surrounding the area as well as on human health (raw sewage spillage within roads in Homevale area is a regular occurrence). The cumulative impacts which the proposed development area may have on the already negative impacts are of tremendous concern, since it may also impact on infrastructure such as railways and electrical infrastructure which will cause severe economic losses if damages are to take place.</p> <p>On Page 14 of the Draft Scoping report the following statement is made: "It is understood that the Municipality is experiencing operational difficulties with this treatment works, but for the purposes of this report it is assumed that these are of a temporary nature and the Homevale WWTW can be considered as the recipient of the effluent from Oliphant Estate". This is of tremendous concern that such an assumption is being made. The lack of sewage infrastructure within the Homevale Area has been a problem for over a decade already and since has spread to other areas within the Sol Plaatje Local Municipal area. It can therefore not be assumed that this matter will be short-lived, since it has worsened over the years and not improved. If the municipality cannot ensure that proper service delivery will be able to be delivered to the proposed development it should not take place until such time that it can be guaranteed. No further environmental damage which is affecting both human and biodiversity health should be allowed.</p> <p>General comments</p>	

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	<ol style="list-style-type: none"> <li>1. On Page 9 of the Draft Scoping Report document, Table 2.1 refers to the proposed development being situated within the Free State Province, which is incorrect. It is situated within the Northern Cape Province and the information should be corrected accordingly.</li> <li>2. The concerns raised by other Interested and Affected Parties, as provided for in the draft Scoping Report, must be regarded as very important, especially related to infrastructure developments required (e.g. Transnet requirements, Eskom requirements, etc.) as well as all the biodiversity related matters (which include waste management, pollution, etc.).</li> <li>3. A vital Interested &amp; Affected Party for the proposed Development is the Airports Company of South Africa (ACSA), however it has not been noted that this Party has been informed about the proposed development (please refer to previous comments submitted). It has to be ensured that ACSA, Kimberley Airport specifically, is consulted in this process.</li> </ol>	
<p>Kirsten Day Advocacy Officer</p> <p>BirdLife South Africa</p> <p>Sent via an official letter dated 14 December 2021.</p>	<p>Please find herewith the responses to your comments below <b>highlighted</b></p> <p><b>Introduction</b></p> <p>BirdLife South Africa is a non-governmental organisation that focuses on and is concerned about the conservation of birds, their habitats and biodiversity. We recognise the need for socio-economic development and the requirement for housing that this proposal addresses. We are, however, deeply concerned about the proposed development's potential implications for the avifauna that depend on Kamfers Dam.</p> <p>BirdLife South Africa first raised concerns regarding this proposal through meetings and email correspondence with Faadil Khan in 2018, and provided detailed comments on the first iteration of the Draft Scoping Report in April 2019 (see Annex 1). We would like to take this opportunity to reiterate several of our previously raised outstanding issues; as well as to highlight some additional concerns.</p> <p><b>Comment noted</b></p> <p><b>The locality of the site adjacent to Kamfers Dam</b></p> <p>As you are well aware and acknowledge in the Draft Scoping Report for the proposed Oliphant Estate Township, Kamfers Dam supports the largest</p>	

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	<p>permanent population of Lesser Flamingos in southern Africa. It is one of only four breeding localities in Africa for Lesser Flamingos, and is South Africa's only breeding locality for this species. The continued survival of the Lesser Flamingo is threatened by the degradation of its specialised breeding and feeding habitats. All of its global breeding sites are threatened by various anthropogenic factors, such as mining, disturbance, and the construction of dams in their catchment areas.</p> <p>The Lesser Flamingo is classified as "Near Threatened" in the IUCN Red List of Threatened Species and is listed on Appendix II to the Convention on the Conservation of Migratory Species of Wild Animals (CMS). All of Africa's populations of this species appear in Column A of Table 1 of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA). As a Contracting Party to AEWA, South Africa is obliged to take various measures to conserve this species – including, <i>inter alia</i>, measures to conserve its habitat, assess the impact of proposed projects by which it is likely to be impacted, and limit the threat posed by disturbance .</p> <p>An International Species Action Plan was developed for the Lesser Flamingo under the auspices of AEWA and the CMS,<sup>2</sup> and was adopted by the AEWA Meeting of the Parties in 2008.<sup>3</sup> The actions identified by this Plan aim for the Lesser Flamingo's Red List categorisation to be downlisted to Least Concern. They include, <i>inter alia</i>, "Ensuring that all key breeding and feeding sites are maintained in good ecological condition" and "Ensuring that breeding colonies are not disturbed by human activity".</p> <p>The following tabular summary is indicative of the effort that BirdLife South Africa and other concerned groups have made to protect and enhance Kamfers Dam as a critical breeding site for Lesser Flamingos, and the challenges that have been faced in this regard What is clearly evident from this account is the precarious nature and vulnerability of the Kamfers Dam site. Also evident is expenditure in time, effort and cost that has gone into both protecting and enhancing the habitat and endeavouring to ensure that it continues to be a viable breeding ground for Lesser Flamingos. These efforts have also allowed tourist facilities and businesses in the area to use the image and the name of these birds for branding purposes. As much as Kimberley is associated with mining and the Big Hole, it has also become synonymous with the Lesser Flamingo. Protecting this species and its habitat is of upmost importance, not only for BirdLife South Africa and other conservation organisations, but for the area as a whole.</p> <p>As indicated in BirdLife South Africa's previous comments, we recommend that the Environmental Impact Assessment (EIA) include an analysis of the lost opportunity cost for Kimberley and its tourism industry if the flamingos are displaced from Kamfers Dam. Notably, funds have been partially raised for the construction of a bird hide for tourists, and the plans for this are almost complete.</p> <p><b>Comment noted, the lost opportunity cost for Kimberley and its tourism industry if the flamingos are displaced from Kamfers Dam is a reasonable concern and absolutely critical; therefore, this issue has been added on the Final Report Plan of Study for further investigation during the assessment phase.</b></p> <p><b>Applicable spatial planning instruments and concerns regarding amendment of SDF</b></p> <p>The conservation value of Kamfers Dam and its surrounds has been identified in the Strategic Development Framework (SDF), the Integrated</p>	

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	<p>Development Plan (IDP) and the Environmental Management Framework (EMF) for the Sol Plaatje Local Municipality and the Frances Baard District Municipality. The value of these spatial planning tools is that they prioritise consideration of setting and identify land uses accordingly. An EIA is project specific, but the desirability of a project ought to be informed by the strategic instrument in a “tiering” approach to land use management and planning, as endorsed by the Spatial Planning and Land Use Management Act (16 of 2013, SPLUMA).</p> <p>BirdLife South Africa reiterates its concern with respect to the amendment of the SDF to include Roode Pan within the urban edge, via a Council resolution in December 2017. The entire theory and model for sustainable land use promoted by SPLUMA is negated if the Council can simply amend either the SDF or IDP, in a non-transparent and non-consultative manner. BirdLife South Africa has previously raised the concern about this process in a letter dated 17 April 2019, commenting on the previous Draft Scoping Report (see Annex 1).</p> <p>Section 22(1) of SPLUMA provides that:</p> <p><i>A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework."</i></p> <p>If a Municipality wants to make changes to an SDF (or any part of the associated IDP), it must do so in accordance with the prescribed amendment process. This process is set out in regulation 3 of the Municipal Planning and Performance Management Regulations of 2001, under the Municipal Systems Act (32 Of 2000) which requires that:</p> <p><i>(1)only a member or committee of a municipal council may introduce a proposal for amending the municipality's integrated development plan in the council</i></p> <p><i>(2)any proposal for amending a municipality's integrated development plan must be accompanied by a memorandum setting out the reasons for the proposal; and must be aligned with the framework adopted in terms of section 27 of the Act</i></p> <p><i>(3)an amendment to a municipality's integrated development plan is adopted by a decision taken by a municipal council in accordance with the rules and orders of the council</i></p> <p><i>(4)no amendment to a municipality's integrated development plan may be adopted by the municipal council unless:</i></p> <p><i>a) all the members of the council have been given reasonable notice;</i></p> <p><i>b) the proposed amendment has been published for public comment for a period of at least 21 days in a manner that allows the public an opportunity to make representations with regard to the proposed amendment</i></p> <p><i>c) if it is a local municipality, it must comply with the stipulation to consult the district municipality in whose area it falls on the proposed amendment; and to take all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment.</i></p> <p>BirdLife South Africa has yet to be provided with evidence of the required review process for the amendment to the urban development boundary</p>	



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	<p>as stipulated in the SDF. Nor have we been provided with detailed reasons for the Council's decision.</p> <p><b>Comment noted.</b></p> <p><u>Revised Strategic Development Framework</u></p> <p>Although we note that the current version of the Sol Plaatje Municipality's SDF (approved through Municipal Council Resolution C/48/02/2020) reflects the proposed mixed-use development, we also note that page 194 the SDF states that Sol Plaatje Local Municipality is determined to focus resources inwards: "in support of intensification, social inclusion and prioritise investment in favour of sustainable job-generating economic (sic) through providing affordable housing in areas close to economic opportunities and expanding the market for business opportunities in industrial areas". High density development on the outskirts of the town does not fit with this vision.</p> <p>According to the latest SDF, Kamfers Dam is a designated conservation site core to an "eco-friendly precinct" which, as stated on page 46, is threatened by the encroachment of development and pollution from the WWTP. The aim for this precinct is to protect and enhance the flamingo conservancy. Another imperative stated for this area is to develop, maintain and operate the water care works in a manner that contributes to the aims of maintaining "a world flamingo conservancy". BirdLife South Africa has serious concerns about any proposed development whose impacts risk impeding the stated objectives of the eco-friendly precinct.</p> <p><b>BirdLife concerns on the Sol Plaatje Municipality SDF are noted.</b></p> <p><u>The Environmental Management Framework</u></p> <p>The EMF for the Frances Baard District Municipality also identifies the conservation of Kamfers Dam as a priority given its designation as an Important Bird and Biodiversity Area (IBA). On page 370 of the EMF, land uses that are considered "undesirable" in the vicinity of Kamfers Dam are any that would:</p> <ul style="list-style-type: none"> <li>● reduce its ecosystem status</li> <li>● pose a threat to sensitive species and habitats</li> <li>● conflict with the objects of the conservancy and allow illegal activities</li> </ul> <p>A mixed-used development in the vicinity is undesirable in respect of these criteria.</p> <p><b>This concerns is noted.</b></p> <p><u>The Integrated Development Plan</u></p> <p>The following statement in the relevant Sol Plaatje IDP is relevant to protecting Kamfers Dam:</p>	

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	<p>An assessment by the Department of Environment and Nature Conservation in the Northern Cape revealed that the municipality needed to develop a more concerted focus on environmental protection and compliance.</p> <p>It is noted that the current IDP <i>does not</i> include proposed mixed-use estate as a future development for Roode Pan within the municipality.</p> <p><i>Comment is noted.</i></p> <p><b>Finding that the potential impact will be localised and restricted</b>  BirdLife South Africa reiterates its concern about the statement on page 63 of the Draft Scoping Report that the majority of impacts will be “localised”. There is potential to effect a globally significant IBA, several globally and regionally threatened and Near Threatened species, and what the municipi EMF has labelled a “world flamingo conservancy”; as well as Critical Biodiversity Areas. Kamfers Dam is an internationally important site for the Lesser Flamingo – which, as highlighted above, is a migratory species in respect of which South Africa has international obligations. As the Draft Scoping Report itself notes, “Displacement and relevant impacts on the breeding success of flamingos and other waterbirds at Kamfers Dam may have disastrous consequences on waterbird recruitment and conservation which are of global importance”.</p> <p>In light of the above, it is illogical to conclude that the majority of impacts will be “localised”; and BirdLife South Africa strongly urges that the Scoping Report be amended to reflect that the potential impacts of the development have wider implications.</p> <p><i>Comments are noted, it is the assumption of the EIA team at this stage of the process that the environmental costs could potentially be expected to occur at a local and site level so long as the mitigation measures adhered to. The EIA Phase will aim at addressing those identified potential environmental impacts and benefits associated with the project and recommend appropriate mitigation measures for potentially significant environmental impacts.</i></p> <p><b>Apprehension of bias</b>  BirdLife South Africa is concerned about use of the phrase “exciting new possibility” to describe the proposed development in the Executive Summary of the Draft Scoping Report. The purpose of Scoping is to ensure that all stakeholders participate fairly in the assessment process and contribute to the outcome. The practitioner (EAP) is not permitted to promote the interests of the developer. In terms of the ethical codes for their EAPASA registration, consultants must “place the integrity of the environment above private interests”, and in terms of regulation 13(1)(d) of the EIA Regulations they are legally required to perform their work in an objective manner, “even if this results in views and findings that are not favourable to the application”. In light of this we take exception to use of the phrase “exciting new possibility” in a Scoping context, particularly in the Executive Summary that is the most widely read and influential section of the report. In addition, we are concerned about the lack of indication that the author/signatory of the Draft Scoping Report is registered with EAPASA.</p> <p><i>Comments are noted, the word “excited” has been removed from the report but it can be noted that the project motivation is not given by the EAP but rather by the client whom has a right to promote his business interest, and in turn has appointed an independent EAP to investigate and assess</i></p>	

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	<p><i>that possibly in accordance with the regulation and has no interest whatsoever to promote the developer interests over the protection of the environmental, both authors are EAPASA registered.</i></p> <p><i>Birdlife should not feel any “apprehension of bias” Envirolution Consulting has appointed a number of independent specialists to evaluate the potential impacts associated with the development and these findings in turns will eventually feeds into the impact assessment process</i></p> <p><b>Lack of consideration of alternatives</b>  Concern about lack of identification of site alternatives was raised by BirdLife South Africa in response to the first version of the Draft Scoping Report, and is reiterated here. Whilst we appreciate the need for economic growth and recognise that there is a housing backlog, we remain concerned that this locality has been mooted in the absence of a balanced consideration of alternatives. As previously indicated, the strategic planning tools are in place to designate specific land uses in specific areas. The exclusion of this area from the original SDF and its categorisation as a conservation area means that it had been identified as not-suited to urban development. The strategic planning instruments also take consideration of the need to promote densification, integrate urban and rural areas, respond to population pressure and bulk service provision, as well as optimum use of neglected areas. The area around Kamfers Dam was previously excluded because it had unique attributes and opportunities that, as stated on page 46 the Sol Plaatje SDF are threatened by “encroachment of development”.</p> <p>In this regard, BirdLife South Africa is concerned about the following responses in the Draft Scoping Report in respect of the desirability of the development:</p> <p>The presumption in these responses is that the reasons why the area around Kamfers Dam was designated for conservation have disappeared with the Council decision to adjust the urban edge. The fact that this decision was taken does not automatically override critical “sustainability considerations”. On page 13 of the Draft Scoping Report, it states that “(n)o site alternatives are proposed for this project as the proposed site has been identified by the Oliphants Housing Estate (Pty) Ltd as being highly desirable for a mixed-use development”. BirdLife South Africa would like to stress that the purpose of the Scoping Report is not to confirm what is desirable for the developer, but rather what is desirable for responsible, inclusive and sustainable management of the environment – this is an EIA, not a planning application. Whilst there are no alternative breeding sites for Lesser Flamingos in South Africa, BirdLife South Africa holds the opinion that the factors that, according to the Draft Scoping Report, make the site “desirable” for development are replicated in other parts of the district – neither lack of impact on local roads nor suitable geological conditions are criteria that are unique to this locality. What is unique is the habitat that Kamfers Dam offers for conservation of the Lesser Flamingo. In addition, the Screening Report for this application has identified various other environmental sensitivities occurring in and around the proposed development site (including the presence of other species of conservation concern, wetlands, and Critical Biodiversity Areas) – resulting in much of the proposed development area being categorised by the Screening Tool as ‘High sensitivity’ for the animal species theme and ‘Very high sensitivity’ for both the aquatic and terrestrial biodiversity themes. Given these factors, the description of the site as “highly desirable” for development is inexplicable and deeply concerning.</p> <p><i>Comments are noted, all feasible alternatives for the project will be investigated in the EIA Phase.</i></p> <p><b>Proposed filling station/s</b>  Whilst few details about activities other than residential are provided in the Draft Scoping Report, BirdLife South Africa is concerned about reference</p>	

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	<p>to “filling station/s” on page 14. Underground fuel storage tanks pose a threat to ground and surface water which is of particular concern in this locality. More information about the potential for construction of filling stations, the need for filling stations and the number of filling stations proposed is important information that needs to be provided. Should the construction of filling stations be proposed as part of this development, then specific address of the potential ground and surface water impacts is required as part of the EIA phase. A complete geohydrological investigation is required to identify surficial and sub-surface pathways between proposed filling station site/sites and the dam.</p> <p>We note that the listed activity in respect of a filling station has not been cited in the report. In this regard, Activity 14 of Listing Notice 1 under the EIA Regulations refers to “development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres”.</p> <p><i>The applicant is currently <u>not</u> planning to include a filling station as part of the development therefore the wording is removed from the report. Should there be changes to the proposed scope of works, all IAPs will be notified accordingly for comments.</i></p> <p><b>Demarcation of no-go areas</b>  It is noted that, if it proceeds, the residential development will include 2886 units and a business node, and that the property is 150 hectares. As indicated in Figure 2.3., a portion of this land will be excluded as a buffer between the township and Kamfers Dam. It is indicated that this area “will not be accessible to the general public”. BirdLife South Africa is concerned about how the public will be excluded and requests that further details in this regard be included in the EIA. BirdLife South Africa is particularly anxious about poachers, as well as domestic animals in the vicinity and how these can be restrained from hunting and disturbing breeding areas. There have been instances of flamingo chicks being killed by dogs in the past and the chances for this to happen again are much higher with influx of people and their pets in the vicinity of the dam.</p> <p>The above concerns have been raised in BirdLife South Africa's previous correspondence with the EAP, in which we have recommended the construction of a boundary wall around the southern and eastern boundaries of the property, as well as a ClearVu fence on the northern side of the railway line. BirdLifeSouth Africa would appreciate being involved in discussions about this aspect toward ensuring that there is a full commitment on the part of the developer and for the provision of potential exclusion mechanisms (such as the above) as a condition of authorisation. This is also a consideration for the Environmental Management Plan.</p> <p>BirdLife South Africa also reiterates that, at no stage, has it endorsed the proposed 500 m buffer, and that the suggestions that it did so on page 10 of the Draft Scoping Report, in the maps in Appendix C, and in the Memorandum of support of the application in Appendix F1 are misrepresentations that must be corrected.</p> <p><i>As per past discussions with Birdlife South Africa, the developer is willing to explore all possible mitigations measures to ensure that residents from this development do not directly encroach the Dam area although cannot guarantee that other residents in the area would not access the Dam.</i></p> <p><i>Regarding the issue of the buffer zone, this has been removed from all documents, reports have been amended accordingly.</i></p> <p><b>Threat to Kamfers Dam posed by poor water quality and inadequately treated sewage</b></p> <p>Page 14 of the Draft Scoping Report makes reference to sewer requirement alternatives:</p>	

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	<p><i>There are no municipal sewers in the immediate vicinity of the proposed development, with the nearest bulk sewer facility, being the Homevale Wastewater Treatment Works, located some 1,5 km from the lowest point of the Development. It is understood that the Municipality is experiencing operational difficulties with this treatment works, but for the purposes of this report it is assumed that these are of a <b>temporary nature</b> and the Homevale WWTW can be considered as the recipient of the effluent from Oliphant Estate (emphasis added).</i></p> <p>BirdLife South Africa strongly disagrees with this description of the situation at Homevale WWTW. It is clear from the tabular summary provided above (and, indeed, from BirdLife South Africa's direct observations when visiting Kimberley) that mismanagement is a persistent and ongoing problem with the WWTW. It is abundantly clear that these problems have had cumulatively detrimental effects on Kamfers Dam and its surroundings for many years – despite upgrades to the WWTW in 2010. There is no reason to believe that they are “temporary in nature”, and BirdLife South Africa vehemently objects to the EIA being based on the assumption that such problems are temporary and that the Homevale WWTW would have the capacity to accommodate sewage from the proposed development</p> <p>The Draft Scoping Report also seems conflicted in its interpretation of the situation. On page 14 it says the the WWTW can be “considered as the recipient of the effluent from the Oliphant Estate”. However, on page 16 the report states as follows:</p> <p><i>At this stage, the issues with the reliability of the Homevale STWW are of concern, and until a response from the Municipality regarding their upgrade proposals are tabled, the viability of the development is unresolved. There is however, scope for a phased development to take place, to align with the present capacity of the treatment works and the proposed programme of the treatment works future upgrades</i></p> <p>Birdlife South Africa would like to highlight the seriousness of this matter in respect of the viability of this project. Repairs and upgrades to the WWTW have not been maintained in the past. This situation in the Sol Plaatje municipality epitomises the extent and systemic character of wastewater treatment problems in South Africa as a whole. We draw your attention to the recent call from the Human Rights Commission (October 2021) to declare South Africa's treatment of wastewater a national disaster. A news report about this issue attributes the problem to poorly-capacitated and inept municipalities in conjunction the “thousands of residents in numerous housing estates and suburbs that have sprung up in the past 20 years...when excessive hydraulic load (sewage) is added on to the plant, it needs to be expanded, and that housing estates on the periphery of cities are part of the problem”.<sup>4</sup></p> <p>We are aware of the obligations of the municipality as a Water Services Authority as defined in the Water Services Act (108 of 1997). It must be noted that the municipality's duties in this regard are dependent on, in terms of section 11 of the Act, the availability of resources, the duty to conserve water resources and “the nature, topography, zoning and situation of the land in question”.</p> <p><b><i>Comment is noted, and the graveness of this situation cannot be overlooked as the success of the project is reliant on the availability of different services particularly from the local municipality hence ongoing consultations are underway with the Sol Plaatje Local Municipality in this regard. For the purpose of this assessment, workable options to be addressed in this regard are as follows:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Option 1: Using the Municipal system</i></b></li> <li>• <b><i>Option 2: The exact reasons for the inability of Homevale WWTW to handle further sewage have not been divulged and thus any option to assist in overcoming this lack of capacity, would need to be investigated prior to carrying out any remedial work and the costs, all of which be borne by the</i></b></li> </ul>	

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	<p><i>Developer. In view of the large costs associated with up-sizing of waste water treatment works, this is not seen as a viable option.</i></p> <ul style="list-style-type: none"> <li><i>Option 3: Another way to ensure that the volume of effluent emanating from the full development can be dealt with over the full phased development, which will take several years, will be for the Developer to establish their own on-site package plant. These plants are modular and thus can be sized and upgraded as more development takes place</i></li> </ul> <p><b>Feasible alternatives to reliance on the Homevale WWTP</b></p> <p>In respect of the Water Services Act, the municipality may also look to alternate ways of providing access to water services. In this respect, the Draft Scoping Report refers to sewage package plants as part of the original development proposal. We note that this alternative has been excluded in parts of the revised report, but included in other parts of the report (see page 10). BirdLife South Africa believes that an alternative to relying on the existing municipal system must be sought. No substantive reason is provided in the report for the applicant to “believe there is sufficient capacity with the Municipal system” (page 20). Given the history of mismanagement of water and sewerage infrastructure in this municipality, it is entirely unreasonable to expect BirdLife South Africa and other concerned stakeholders to accept this presumption.</p> <p>We encourage the re-introduction of alternative sewage treatment solutions, such as the originally proposed sewage package plants. However, it is essential that detailed information is made available, including the type and number of sewage package plants that would be required. Please also note that these sewage package plants qualify as a “water use” according to the National Water Act (36 of 1998). The relevant uses in section 21 of the Act include:</p> <p><i>S 21 (f) Discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit; and (g) Disposing of waste or water containing waste in a manner which may detrimentally impact on a water resource.</i></p> <p>Reading these water uses with the definition of ‘water resource’, <sup>5</sup> it is clear that authorisation of the sewage package plants would be required in terms of relevant General Authorisations or a Water Use Licence. This requirement would need to be added to the list other other requirements in the Draft Scoping Report, in terms of the National Water Act.</p> <p><i>As discussed in the point above, this is an possibility the developer is considering and its feasibility will be explored in more details in the EIA Phase, and the reports will be amended accordingly.</i></p> <p><b>Other impacts highlighted in prior correspondence</b></p> <p>Other impacts in respect of which BirdLife South Africa reiterates its concern, and that need to be investigated and assessed during the EIA, include: noise pollution during construction, light pollution, potential powerline collisions by flamingos and other large waterbirds, and the increased threat of polluted storm water runoff and flood waters entering Kamfers Dam.</p> <p><i>Comment noted, all the above issues highlighted above have been added on the Final Report Plan of Study for further investigation during the assessment phase.</i></p> <p><b>Necessity for rezoning and sub-division</b></p> <p>It is necessary for reference to the Municipal Zoning Scheme and accompanying Regulations to be included in the Draft Scoping Report's list of</p>	

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	<p>regulatory requirements. Although the Report refers to the Subdivision of Agricultural Land Act (64 of 1998) and the need to consult the Minister of Agriculture, this requirement is <i>in addition</i> to the normal application for rezoning and subdivision in terms of the Municipal Planning By-laws. No more than one dwelling house, one-second dwelling and one <i>bona fide</i> employee housing is permitted on any agricultural land unit as a primary right (see Sol Plaatje Land-Use Management Scheme). The rezoning and sub-division process must adhere to the usual advertising requirements and notices must be distributed to all interested parties, including neighbours, and other potentially affected groups (such as BirdLife South Africa).</p> <p><b>Comment noted, reference to the municipal Zoning Scheme has been added to the Scoping Report's list of regulatory requirements.</b></p> <p><b>Are “potentially disasterous consequences” not a fatal flaw?</b></p> <p>The closest proximity of the eastern boundary of the property to the flamingo breeding area is a mere 200 metres, and it is 800 metres from the proposed medium residential node. As mentioned previously, noise pollution during construction, and other disturbances during operation, could cause abandonment of flamingo breeding activities or failure to breed or more disastrous consequences for waterbirds. Also emphasised in BirdLife South Africa's previous comments of 17 April 2019, during this project's feasibility study the avifauna specialist recommended that no construction take place during the flamingo breeding season. This is between 1 September and 31 March annually. This would place a severe constraint on the construction activities over the suggested period of 10 years, and the period of planned construction would need to be reviewed. Further mitigation measures to reduce operational phase noise and light pollution will also be needed.</p> <p>On page 63, the Draft Scoping Report reads as follows:</p> <p><i>It is possible construction and operational activities, especially noise and human-induced disturbances could displace birds from the Kamfers Dam. Therefore, flamingos could vacate the area or construction activities could result in breeding failures. Displacement and relevant impacts on the breeding success of flamingos and other waterbirds at Kamfers Dam may have <b>disastrous consequences</b> on waterbird recruitment and conservation which are of global importance (emphasis added).</i></p> <p>On page 65, the Draft Scoping Report recommends that there are “no fatal flaws” associated with the development. Given the formal conclusion (on page 63) of the “evaluation of the proposed sites for the development of the Oliphant Estate” that there is “potential for disasterous consequences”, BirdLife South Africa believes this is a clear red flag, and we question why the EAP has not recommended the no-go option.</p> <p><b>Comment noted, hence it only fair that an assessment be conducted to ascertain the level of impacts and if at all these cannot be mitigated.</b></p> <p><b>Failure to properly consider Screening Report and associated protols for the specialist assessment and minimum report content requirements for relevant environmental themes</b></p> <p>We note that, although a report from the national web-based environmental screening tool has been provided, the content of the Draft Scoping Report in general, and its Plan of Study in particular, have not taken the contents of this report into consideration. BirdLife South Africa draws the EAP's attention to Government Notice No. 320 in Government Gazette 43110 of 20 March 2020 and Government Notice No. 1150 in Government Gazette 43855 of 30 October 2020. None of the protocols gazetted in these notices have been mentioned in the Plan of Study, despite the fact that several have been identified in the Screening Report. Nor has the Draft Scoping Report included a Site Sensitivity Verification Report, as is required by</p>	

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	<p>the protocols and should be presented in the Scoping Report.</p> <p><i>Regarding the Screening Report - to say that "the content of the Draft Scoping Report in general, and its Plan of Study in particular, have not taken the contents of this report into consideration" is inequitable as this was the main guiding document for the type of Specialist assessments identified for the project, which has ultimately form part of the Plan of study.</i></p> <p><i>The sensitivity map (Figure 7.1 of the scoping report) outlines potentially sensitive areas identified through scoping within which more detailed investigation is required. These potentially sensitive areas will, therefore, be further investigated and assessed through detailed specialist studies (including field surveys) during the EIA phase of the process.</i></p> <p>BirdLife South Africa reminds the EAP of regulations 10(b) and 16(3)(a) of the EIA Regulations respectively, which provide that an applicant and any report, plan or document submitted as part of an application for environmental authorisation <i>must</i> "comply with any protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice". This requirement is also specified in regulation 23(5), which pertains to the specialist reports submitted as part of an Environmental Impact Assessment Report.</p> <p><i>Comment noted, all specialists' terms of reference will be requested that the assessment be undertaken in accordance with both the Government Notice No. 320 in Government Gazette 43110 of 20 March 2020 and Government Notice No. 1150 in Government Gazette 43855 of 30 October 2020.</i></p> <p>From a species and biodiversity perspective, it is clear that the EIA will need to include the following assessments, undertaken by specialists with appropriate fields of practice:</p> <ul style="list-style-type: none"> <li>(a) a Terrestrial Animal Species Specialist Assessment (which must involve an avifaunal specialist and be conducted in accordance with the Terrestrial Animal Species Protocol and the Species Environmental Assessment Guideline that has been published by SANBI in terms thereof);</li> <li>(b) a Terrestrial Biodiversity Specialist Assessment (conducted in accordance with the Terrestrial Biodiversity Protocol); and</li> <li>(c) an Aquatic Biodiversity Specialist Assessment (conducted in accordance with the Aquatic Biodiversity Protocol).</li> </ul> <p>Given BirdLife South Africa's in-house expertise and detailed knowledge of this locality, we would like to know who will be undertaking these specialist studies, and appreciate the opportunity to give input into their terms of reference.</p> <p><i>Comment noted, Birdlife inputs into the various specialist' terms of reference would be welcomed, relevant specialist details will be shared with Birdlife once appointments are finalized.</i></p> <p>We look forward to receiving a response and explanation of outstanding concerns. Please keep BirdLife South Africa fully informed of any further iterations in this process.</p> <p><i>Thank you for these comments which are mostly are absolutely insightful and will definitely assist in the approach to this assessment. Birdlife inputs into</i></p>	



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	<p><i>the various specialist' terms of reference are more than welcome, the consultant team would in fact appreciate a sort of workshop exercise with yourselves for the three above mentioned fields of practice prior to release into the public domain.</i></p>	
<p>Puleng Makhetha</p> <p><b>Airports Company South Africa (ACSA),</b> Integrated Planning</p> <p>Sent via an official letter dated 10 January 2022</p>	<p>A request for comments on the above- quoted development, outlined in a draft Scoping Report dated November 2021, bears reference.</p> <p>Following a review of the development information outlined in the draft Scoping Report, the Airports Company South Africa (ACSA) has the following comments:</p> <ul style="list-style-type: none"> <li>• It is stated that additional specialist studies, which include the impact on people's health and wellbeing (<i>i.e., noise, odors, visual character</i>), are yet to be conducted and will be included in the Environmental Impact report. In addition to this, the Airports Company South Africa (ACSA) suggests that an aircraft noise study be considered.</li> <li>• Secondly, ACSA is not included on the list of interested and affected parties (IAPs) provided. As a result, we would like to request that the Airports Company South Africa (ACSA), the South African Civil Aviation Authority (SACAA) and Air Traffic Navigation Services (ATNS) be included as IAPs to ensure receipt of future correspondence related to the proposed development. The SACAA and ATNS have been copied for ease of reference</li> </ul>	<p>Dear Puleng</p> <p>Your letter received on the <b>10 January 2022</b> regarding the above project has reference. Thank you for your email and note that your recommendations have been shared with the project team for consideration in the impact assessment phase.</p> <p>As requested, ACSA and the other role players are registered on the project database and will be kept updated on the progress of the process that is being undertaken.</p> <p>The team look forward to in engaging with yourself throughout this process. Should you wish to discuss anything further, please do not hesitate to contact me.</p>
<p>Fernando Garcao</p> <p>Kimberley Rehabilitation Development (Pty) Ltd (KRD)</p> <p>Sent via a letter dated 10 January 2022</p>	<p>To whom it may concern, As the registered interested and affected party, we wish to submit our comments.</p> <p>Kimberley Rehabilitation Development (Pty) Ltd (KRD) has been in discussions with the municipality and province to implement the "Changing the Face of a City", which is aimed at providing affordable housing and mixed-use to the residents of Sol Plaatje. KRD project has been approved by the Provincial Government and Sol Plaatje Municipality.</p> <p>The proposed project will include the removal of mining debris from</p>	<p>Good Elzette,</p> <p>Your comments in the email below regarding the Oliphants Estate Housing development is noted with thanks.</p> <p>These are very useful comments and will be shared with the team for consideration in the assessment, The potential issues raised in the email below will then be assessed further within the EIA Phase.</p> <p>Please advise who is the landowner for the Roodepan Quarry property (portions 32 and 33 of Farm Roodepan 70), can you assist with a contact?</p>

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	<p>tree sites (BMW, St Augustine and Colville) to the Roodepan quarry, where KRD will rework the debris to extract clay content which will be used to manufacture clay bricks at the quarry. The clay bricks will be used for the construction of the three development sites. The Roodepan Quarry (portions 32 and 33 of Farm Roodepan 70), where the clay brick manufacturing will be undertaken, is located on a property adjacent to the proposed Oliphant Estate Township Development. This proposed manufacturing facility will create employment to the neighbouring residents of Roodepan, having less impact on the transport and other infrastructure of Kimberley.</p> <p>We want to request that you take into account the proposed clay brick making facility in your impact assessment, particularly in the cumulative impact assessment. The most important impact would be on the air quality and the health of the residents of the proposed estate township. The proposed residential area will definitely be affected by the emissions from the clay brick making facility. Our air quality specialist studies show that the brick-making facility will produce air emissions, including particulate emissions from mixing and blending of raw materials, grinding and firing. The firing will also result in sulphur dioxide, nitrogen oxides, sulphur trioxide, volatile organic compounds and some hazardous air pollutants.</p> <p>It is expected that the proposed clay brick making facility will impact the residents of the proposed residential area in terms of health.</p> <p>We request to be informed of all reports and developments on this topic and thank you in advance.</p>	<p>Lastly, do you know what activity is happening at Portion 31 of Farm Roodepan 70 (see attached map) and do you know who owns that piece of land.</p>
<p>Ester van der Westhuizen-Coetzer</p> <p>EKAPA Mining</p> <p>Sent via a letter dated 12 January 2022</p>	<p>This document serves as proof that Ekapa Minerals is against the development of the Oliphants Estate Township Development in Kimberley near the well-known Kamfersdam, one of four breeding sites in Africa for Lessor Flamingos and the only breeding site in South Africa.</p> <p>The Mine has been involved with Kamfersdam, the birdlife and biodiversity of the area since 2006. It is well known that Ekapa was the initiators, builders and financiers of the flamingo island constructed in 2006. This Island contributed to the success story of</p>	<p>Ekapa Minerals objection against the project is noted</p> <p>Comments is noted</p>

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	<p>the flamingos breeding for the first time in South Africa and contributing about 26 000 chicks over 3 years to the Lessor flamingo population.</p> <p>1. After reviewing the scoping report, the Mine would like to highlight the following issues that needs to be addressed or resolved and taken into consideration: The development will take place less than 500 m from the current breeding site on the southwestern side of Kamfersdam. This breeding site has been successful since 2016. Estimated 10 000 chicks were raised in this area since 2016. However, during breeding season these birds are very sensitive to disturbance like people and domestic dogs. Unfortunately, with additional development comes more disturbance from humans and dogs. Hunting of flamingos with dogs was a big issue before. This will have a huge impact on the flamingo population and can even lead to the flamingos not utilizing the site for breeding or feeding in future. Flamingos and the conservation of this site has always been a part of the tourism of Kimberley and is visible in numerous symbols in and around town. Not only can this development be fatal for the breeding and presence of the Lessor flamingos of Kamfersdam but it will also have a huge impact on the tourism of Kimberley</p> <p>2. The Mine and Birdlife are both involved in monitoring the bird biodiversity of Kamfersdam and the health of the birds for the past few years. Iron and lead are already a problem in the area due to the impact of various other activities. In 2021 the birds in the southern and western side of the dam died in big numbers due to high iron levels that compromised the immune systems of various species and made them susceptible to everyday diseases that killed some birds. The origin of the high heavy metal levels is still in question but only a few sources are available that can have an impact. Sewage being one of the sources. Adding over 2700 new households with 5-6 members in each household will contribute a heavy load to the currently un-operational Homevale sewage system. This sewage plant has</p>	<p>1. The statement above is agreed with that the Lesser Flamingo population at Kamfers Dam is a national asset and represents the only breeding population in South Africa. It is therefore critically important to conserve the population and to manage the water levels and water quality in manner which will benefit the flamingo populations. Relevant specialists are being engaged with in this regard</p> <p>Among other measure is a suggestion of a buffer zone applied to the Kamfers Dam shoreline to mitigate against potential disturbances or displacement imposed by the proposed development against the Lesser Flamingo population. Based on the (1) initiation flight distances of Lesser Flamingo (c. 200 m), (2) the breeding status of Lesser Flamingos at Kamfers Dam and the (3) potential occurrence of African Marsh Harrier on the southern part of the study site, a 500 m buffer zone is proposed along the edge of Kamfers Dam. The buffer zone should be viewed as sensitive and is a no-go area (no person or any development should be allowed within the buffer zone apart from authorized personnel such as conservation staff members).</p> <p>These studies will be sent to your organization for review and commenting once completed.</p> <p>2. Comment is noted, and the graveness of this situation cannot be overlooked as the success of the project is reliant on the availability of different services particularly from the local municipality hence ongoing consultations are underway with the Sol Plaatje Local Municipality in this regard. For the purpose of this assessment, workable options to be addressed in this regard are as follows:</p> <ul style="list-style-type: none"> <li>• Option 1: Using the Municipal system</li> <li>• Option 2: The exact reasons for the inability of Homevale WWTW to handle further sewage have not been divulged and thus any option to assist in overcoming this lack of capacity, would need to be investigated prior to carrying out any remedial work and the costs, all of which be borne by the Developer. In view of the large costs associated with up-sizing of waste water treatment works, this is not seen as a viable option.</li> <li>• Option 3: Another way to ensure that the volume of effluent emanating</li> </ul>

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	<p>not been fully operational or operating in the last 4 years. Raw sewage has been flowing into Kamfersdam since 2016. Take note that the people living in these houses will also be exposed to both the smell of the raw sewage flowing into Kamfersdam daily and the diseases that goes with open sewage in the area.</p> <p>3. Kamfersdam is one of two lowest points in Kimberley. All storm water flows either to Du Toits pan or to Kamfersdam during the rainy season. The area earmarked for this development is between Kamfersdam and one of the biggest areas that contribute to the storm water flow of Kamfersdam. It was observed that the plan for the development is considering stormwater management. Further information and assurance is needed in this regard:</p> <ul style="list-style-type: none"> <li>• Have or will proper calculations be done so that proper stormwater management can implemented?</li> <li>• After construction and development, will proper maintenance and cleaning of stormwater drains be done regularly?</li> </ul> <p>Apart from potential damage to infrastructure, if no maintenance and cleaning is done the dam will not receive all the stormwater needed to maintain natural biodiversity necessary for the survival and breeding of the flamingos and other species. Table 3.2 Listing notice 1 of GNR 327 Activity 25 was removed along with the building of additional reservoirs. The consultant also states that the developer removed these option as they would rather tie in with the current system. Take note that the document still indicates in other areas that the developer would like to build both a sewage plant and reservoir. These two references are conflicting and confusing.</p> <p>4. If the developer is considering a new sewage plant/sewage packaging plants, it needs to be established what the quality of the treated effluent will be and how it will be used.</p> <p>5. With 2700 new households that will contribute to the daily domestic waste site of Kimberley, was or will proper research be done to ensure that the current waste site and municipal</p>	<p>from the full development can be dealt with over the full phased development, which will take several years, will be for the Developer to establish their own on-site package plant. These plants are modular and thus can be sized and upgraded as more development takes place</p> <p>The EIA study will explore these alternative further.</p> <p>3. Your concern is noted, stormwater management plan. This will include amongst others, collection of existing climate data and reports, topographical information, detailed background of the project and any other important data. The baseline hydrology assessment will serve to get an understanding of the overall hydrological characteristics for the project area being investigated. It is understood that the proposed development will result in a modification of the land from natural conditions (natural vegetation and topography) to developed (compacted soil and incorporation of hardstanding surfaces). As a result, when developed, the peak flows and runoff volumes will increase due to the presence of hardstanding areas which will inhibit infiltration and promote surface runoff. Therefore, it is necessary to ensure that the developed or post-development peak flows and runoff of volumes are attenuated to natural or pre-development conditions, thereby mitigating any increased flood risk to the downstream environment. Accordingly, the project team is engaging with a hydrologist to undertake a hydrological assessment and the</p> <p>4. Comments is noted, as explain in point 2, the EIA study will explore these alternative further.</p> <p>5. Comments is noted, the developer is in talks with the local municipality on the issue of waste management onsite, the outcome of this discussion will be included in the EIA report.</p> <p>6. Comment noted, this Scoping exercise was (together with IAPs) to 1) Identify and evaluate potential environmental (biophysical and social) impacts and benefits of the proposed development within the broader study area through a desk-top review of existing baseline data; 2) identify potentially sensitive environmental features and areas on the site to inform the preliminary design process and most importantly 3) to define the scope of studies to be undertaken within the EIA process.</p>

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	<p>system can handle the removal and disposal of these additional households? If not, the public and conservation area set aside in the planning and development might become another polluted area or dump site that will influence the birdlife and biodiversity of Kamfersdam negatively.</p> <p>6. The above mentioned and discussed concerns are real issues that needs to be addressed before the development can even be considered. From Ekapa's perspective there can be no viable or sustainable solution that will guarantee that the only breeding site and foraging habitat for Lessor flamingos in South Africa can be safe guarded and conserved for future generations of South Africans or the benefit of tourism in Kimberley. The Mine believes that alternative sites for housing elsewhere in the Kimberley area need to be considered and a moratorium placed on development in proximity to Kamfersdam.</p>	