



COMMENTS & RESPONSES REPORT

BASIC ASSESSMENT FOR THE PROPOSED POULTRY
FARM IN WATERDAL NEAR VANDERBIJL PARK,
GAUTENG PROVINCE

EIMS REFERENCE #: 1014

GDARD REFERENCE #: GAUT 002/13-14/E0378

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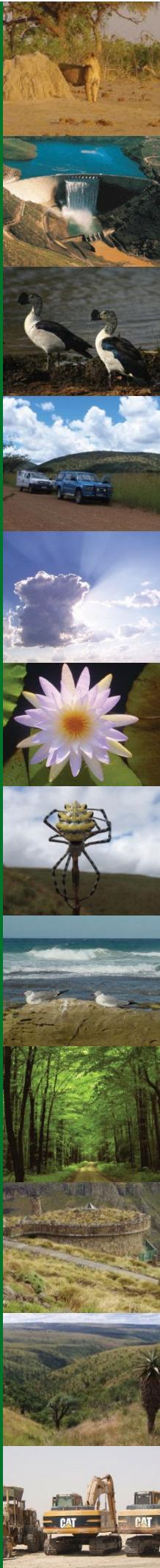
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Leaders in Environmental Management



BASIC ASSESSMENT FOR THE PROPOSED POULTRY FARM IN WATERDAL NEAR VANDERBIJLPARK

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REVISION AND AMENDMENTS

Date	No.	Description Of Revision Or Amendment
2014/12/03	0	Comments and Responses Report - Draft Basic Assessment Report

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Table of Contents

1. INTRODUCTION	2
2. PUBLIC PARTICIPATION DURING THE BASIC ASSESSMENT PROCESS	2
2.1. Notices and Advertisements	2
2.2. Identification of Interested and Affected Parties	4
3. ISSUES RAISED	5

LIST OF TABLES

TABLE 1: OPPORTUNITIES PROVIDED FOR PUBLIC PARTICIPATION	3
TABLE 2: COMMENTS RECEIVED FROM INTERESTED AND AFFECTED PARTIES AND ASSOCIATED RESPONSES.	5

LIST OF APPENDICES

APPENDIX E1: PROOF OF SITE NOTICE PLACEMENT	
APPENDIX E2: PROOF OF I&AP INITIAL NOTIFICATION	
APPENDIX E3: PROOF OF NEWSPAPER ADVERTISEMENTS	
APPENDIX E4: CORRESPONDENCE WITH LOCAL AUTHORITIES & OTHER STAKEHOLDERS	
APPENDIX E5: MINUTES OF ANY PUBLIC AND/OR STAKEHOLDER MEETINGS	
APPENDIX E6: COMMENTS AND RESPONSES REPORT	
APPENDIX E7: COMMENTS FROM I&APs ON BASIC ASSESSMENT REPORT	
APPENDIX E8: COMMENTS FROM I&APs ON AMENDMENTS TO THE BASIC ASSESSMENT REPORT	
APPENDIX E9: COPY OF THE REGISTER OF I&APs	
APPENDIX E10: COMMENTS FROM I&APs ON THE APPLICATION	

1. INTRODUCTION

This document outlines the public participation process followed in the Basic Assessment for the poultry farm in Waterdal near Vanderbijl Park, Gauteng Province. Navomix Supplies (Pty) Ltd (Navomix - the Applicant) appointed Environmental Impact Management Services (Pty) Ltd. (EIMS) to conduct the Basic Assessment and associated Public Participation Process for the proposed development.

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides:

"The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement". This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as...*"a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently"* (Greyling, 1999, p. 20). From this definition, it can be seen that the input of the public is regarded as very important indeed.

This Comments and Response Report (CRR) lists all verbal and written issues raised by Interested and Affected Parties (I&APs) and stakeholders during the public participation periods of the undertaken for the Basic Assessment process. A breakdown of the public participation process is given within the following sections.

2. PUBLIC PARTICIPATION DURING THE BASIC ASSESSMENT PROCESS

The Public Participation Process follows the requirements of Regulation 54 (c) of GN R. 543 promulgated under the National Environmental Management Act (Act 107 of 1998) (NEMA, as amended).

2.1. NOTICES AND ADVERTISEMENTS

Notification during this Basic Assessment public participation process was given in the following manner:

- An advertisement was placed in the Sedibeng Ster newspaper which was verified by the Emfuleni Local Municipality as the most widely read newspaper within the study area (refer to Appendix E3 for proof of advertisement placement);
- Two A2 Correx notices were placed at the nearest road to, as well as, at the entrance of the proposed development site (refer to Appendix E1 for proof of site notice placement);

- Initial notification letters, faxes, and/or emails were sent out to all pre-identified key I&APs such as government organisations, NGOs and other organisations that might be affected (refer to Appendix E2 for proof of I&AP notification).
- A4 notices were had delivered to surrounding landowners (refer to Appendix 2 for the Distribution list of surrounding landowners)

The notices and written notification gave I&APs the opportunity to submit their issues/queries/concerns to the environmental consultants, Environmental Impact Management Services (Pty) Ltd (EIMS), of which the contact person, contact number, email and faxes were clearly stated on the notice. Comments/concerns and queries were encouraged to be submitted in either of the following manners:

- Electronically (fax, email)
- Telephonically, or
- Written letters.

All comments received by EIMS to date have been included in this report as part of the Draft Basic Assessment Report submitted to the Gauteng Department of Agriculture and Rural Development (GDARD – the competent authority).

Table 1 below summarises the public participation process to date.

TABLE 1: OPPORTUNITIES PROVIDED FOR PUBLIC PARTICIPATION

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
Announcement of Basic Assessment Project	Newspaper Advertisement	Sedibeng Ster	15 May 2014
Initial Public Notification	Placement of site notices	Two A2 site notices were placed in the vicinity of the proposed development site.	15 May 2014
Initial Public Notification	Notification of key I&APs	Key I&APs were notified via registered post, fax and/or email	15 May 2014
Draft Basic Assessment Report Public Notification	Notification of key I&APs of the availability of the Draft Basic Assessment Report for public review	Key I&APs were notified via registered post, fax and/or email	4 December 2014

2.2. IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES

The Interested and Affected Parties (I&APs) for this project include all pre-identified and registered key stakeholder groups and individuals. The key I&APs were mostly pre-identified but some were registered as a result of the initial notification documents (site notices, advertisement, and notification letters/faxes/emails that were distributed within organisations and/or departments (refer to Appendix E9 for the full register of the key I&APs, local authorities, and organs of state).

The proposed study area includes a single property which is owned by the applicant, thus no landowner notification was required.

3. ISSUES RAISED

The issues and comments raised during the public consultation process are summarised in Table 2 below. Please refer to Appendix E4 for a copy of all correspondence.

TABLE 2: COMMENTS RECEIVED FROM INTERESTED AND AFFECTED PARTIES AND ASSOCIATED RESPONSES.

Name	Date	Method	Comment	Response
Mr Nico Groenewald Chief EHP Emfuleni Local Municipality	19 May 2014	Email	<p>Please register me as an I&AP for the above mentioned project (reference number: 1014).</p> <p>Is it also possible to provide the basic assessment to enable us to comment and or raise concerns from an Environmental Health point of view on e.g. the following:</p> <ul style="list-style-type: none"> ✓ Zoning of land ✓ Waste management ✓ Compliance with relevant legislation ✓ General hygiene requirements ✓ Possible health effect 	<p>Thank you for responding to our initial notification regarding the proposed poultry farm Basic Assessment project in Waterdal. This serves to confirm that you have been registered as an Interested and Affected Party (I&AP) for the project and will receive further correspondence regarding the project.</p> <p>Once the Draft Basic Assessment Report is available, you will be notified on where and how you can access the document for review as well as the duration of the comment period. Please do not hesitate to contact EIMS should you have any further queries or comments in this regard.</p>
Mr Gregory Seitei Assistance Manager Spatial Planning Emfuleni Local Municipality Land Use Management	21 May 2014	Email	<p>The earmarked site is within the jurisdiction of the Emfuleni Local Municipality. The zoning for the site is agriculture (primary right). Poultry farming is an agricultural activity and therefore the development is supported.</p> <p>As per the I&AP process, the application is in line with the Emfuleni Spatial Development Framework 2012-2017 proposal.</p> <p>In lieu of the above, the Spatial Planning section</p>	<p>Thank you very much for your response to our initial notification, your comments have been noted and will be included in the Comments and Responses Report that will be submitted along with the Basic Assessment Report to the competent authority, the Gauteng Department of Agriculture and Rural Development (GDARD).</p>

Name	Date	Method	Comment	Response
			has no objection to the proposed development. I hope that this in order.	
Ms Lungile Motsisi Eskom transmission Asset Management and Execution	26 May 2014	Email	I refer to your letter dated 13 May 2014 and wish to inform you that Eskom Transmission (Tx) services will not be affected. For further information please contact the writer at the above-mentioned telephone number.	Thank you very much for responding to the notification regarding the proposed Poultry Farm in Waterdal near Vanderbijlpark. Your comment (via letter received dated 26 May 2014) that Eskom Transmission services will not be affected by the proposed development has been noted, and will be included in the Comments and Responses Report that will be submitted along with the Basic Assessment Report to the Gauteng Department of Agriculture and Rural Development (GDARD).
GDARD EIA Unit Biodiversity Information	06 June 2014	Email	With regard to the above project, no specialist biodiversity studies are required to be investigated. The absence of wetlands on site should be verified. Should a wetland be located, a wetland specialist study will be required. Please note that this information is relevant solely for the study site specified in your request. Red/Orange Listed plant species information relevant to a wider geographic area can be obtained from Lorraine Mills (Lorraine.Mills@gauteng.gov.za). The most recent version of GDARD Minimum Requirements for Biodiversity Assessments (currently version 2) can be obtained by e-mailing GDARD_BiodiversityInfo@gauteng.gov.za	This was noted by EIMS.

Name	Date	Method	Comment	Response
			For further queries please contact Phuti Matlamela (Phuti.matlamela@gauteng.gov.za).	
Ms Dinah Louw Town Planner Emfuleni Local Municipality Land Use Management	11 June 2014	Email	<p>Attached approved minutes of a planners meeting held on 14 May 2014. Refer to Item 7.3 on the approved minutes: The poultry business was discussed and it was concluded that the abattoir will not be supported for it is not an agricultural use. Please take note of this decision and that the Department Land Use Management are not in favour of the environmental consent being obtained for an abattoir.</p> <p>Please acknowledge receipt of this email.</p> <p>(The minutes of the Emfuleni Local Municipality Planners meeting are included in Appendix E4).</p> <p>I will not be able to give you the conditions from the Health and Environment Departments. Please contact Mr Nico Groenewalt at nicog@emfuleni.gov.za for the Health requirements and Mr Johannes Mabena at zamanim@emfuleni.gov.za for the Environmental requirements.</p> <p>The resolution taken was an indication that an application for an abattoir for poultry will not be supported from a Land Use Management point of view.</p>	<p>Thank you very much for the feedback from your planners meeting (held on the 14 May 2014). Your comment regarding the abattoir component of the proposed poultry farm on Holding 18 in Waterdal has been noted, and will be included in the Comments and Responses Report to be submitted along with the Basic Assessment Report to the Gauteng Department of Agriculture and Rural Development (GDARD) for decision making.</p> <p>Please may you assist with providing us with a copy (or advice on where we can get a copy) of the Health and Environmental Conditions referred to in point 7.3 of the Planners Meeting Minutes (meeting held on the 14 May 2014). Moreover, as the abattoir component of the proposed application is not an Agricultural Use (as stated in your email below), should the applicant need to apply for a zoning change (re-zoning) in order to accommodate for the abattoir part of the poultry farm, please advise if this is something that would likely be approved by the Emfuleni Land Use Management.</p> <p>EIMS contacted Mr Nico Groenewalt and Mr Johannes Mabena requesting copies of the said health and environmental conditions.m</p>
Ms Sarah Mathobela	12 June 2014	Email	Office of EIMS kindly note that your documents have been referred to the following office –	This was noted by EIMS.

Name	Date	Method	Comment	Response
Office of Property Management and Advisory National Department of Rural Development and Land Reform			Gauteng Province (Mr Colin Cloete).	
Transnet	25 June 2014	Fax	It is hereby certified that this proposal does not affect Transnet property rights.	This was noted by EIMS.
Ms Rochelle Adolph Sedibeng District – Chief Environmental Health Gauteng Department of Health	30 June 2014	Fax (on behalf of Ms Hlahane – see below)	Please receive comments on the notification regarding the application for Environmental Authorisation for the proposed Development of a Poultry farm in Waterdal near Vanderbijlpark, Gauteng Province.	This was noted by EIMS.
Mrs S. Hlahane Director Sedibeng DHS Gauteng Department of Health	30 June 2014	Fax (via Ms Rochelle Adolph – see above)	A site inspection was conducted on 19/06/2014 by the Provincial Environmental Health Practitioners. Ms R. Adolph-Mohamed, Mr Reggie Muvhali and Mr Sifiso Ngubeni, on the above-mentioned property as described. During the site inspection the following were identified: ☞ The land proposed for the new development is	This was noted by EIMS.

Name	Date	Method	Comment	Response
			<p>vacant and is not in very close proximity of nearby townships the land needs to be serviced with relevant infrastructure.</p> <p>The Provincial Department of Health has no objection to the above mentioned proposed development. All relevant legislative frameworks of GDARD, including all Local By-Laws and Legislation that must be adhered to at all times.</p>	
Mr Steve Sebeho Director Capital Works Gauteng Department of Education	07 July 2014	Fax and Letter	<p>I wish to refer to the letter NH/sk/1014 dated 14 May 2014.</p> <p>Based on the information submitted, Gauteng Department of Education (GPEDU) has no objection to the proposed development of Vanderbijlpark poultry farm. You are however reminded to comply with all relevant legislation and requirements of other government Departments (i.e. National, Provincial and Local).</p> <p>If you have any queries concerning this issue, contact the official at the number given above.</p>	This was noted by EIMS.
Mr Vusimuzi Mashaba	14 August 2014	Telephone	<p>Mr Vusimuzi Mashaba saw one of the placed site notices and called to ask about the project.</p> <p>Mr Vusimuzi Mashaba wanted to know if the project had been approved.</p> <p>Mr Vusimuzi Mashaba asked to be registered as an Interested and Affected party (I&AP) and furnished EIMS with his postal and email</p>	<p>EIMS gave Mr Vusimuzi Mashaba a brief description of the project and where in the Basic Assessment (BA) process the project is at present.</p> <p>EIMS informed Mr Mashaba that a Draft BA Report is being prepared, which will be submitted to the competent authority GDARD. Only after the GDARD has received and reviewed the Final BA Report will they make a decision. Registered Interested and</p>

Name	Date	Method	Comment	Response
			<p>addresses.</p> <p>Mr Vusimuzi Mashaba asked for Navomix Suppliers (Pty) Ltd (the Applicant)'s contact details.</p>	<p>Affected Parties (I&APs) will be notified of this decision. EIMS asked Mr Mashaba if he would like to be registered to receive further communication on the project.</p> <p>EIMS has registered Mr Mashaba on the I&AP database for the project as per contact details provided.</p> <p>Ms Nobuhle Hughes let Mr Mashaba know that she would consult with the Applicant and ask permission to forward their details to Mr Mashaba.</p> <p>After discussions with the Applicant and their approval, EIMS provided Mr Mashaba with the Applicant's contact details.</p>
<p>Mr D. A. Emmet</p> <p>Gauteng Department of Roads and Transport – Roads and Development Facilitation, Transport Infrastructure Planning (Deputy Director)</p>	<p>16 September 2014</p>	<p>Letter</p>	<p>Your letter NH/sk/1014 dated 14 May 2014 has reference.</p> <p>There is no objection to the above-mentioned application as no routes of the Gauteng Provincial Transportation Network are directly affected.</p> <p>These conditions are laid down in terms of delegated authority in terms of the provisions of the Gauteng Transport Infrastructure Act, Act No. 8 of 2001 and do not exempt the applicant/ owner/ successor-in-title from the provisions of any other law.</p>	<p>The comment from the Department was noted by EIMS.</p>