### APPENDIX 5 MINUTES OF ANY PUBLIC AND/OR STAKEHOLDER MEETINGS

Due to covid restriction communication was done via emails.

APPENDIX 6 COMMENTS AND RESPONSES REPORT

Comments and Responses Report – Basic Assessment Report			
Details of Comments	Comment	Initial Response from EAP	Response from EAP/ Applicant/
Received			Specialist
16/09/2021	Kindly note concerns raised around the project are the following,	Good Morning Mr Peter,	
CIIr PETER STEWART Ward 125 Region F2 CITY OF JOHANNESBURG Member Petitions	Traffic impact study conducted.	Thank you for your email. Your comments are noted and they will be addressed in the Comments and Response Report.	The traffic impact study has been updated, please refer to Appendix G3.
SECTION 79 DA COUNCILLOR	Supportive infrastructure sufficient i.e. power, water, and sewer.		With regards to supportive infrastructure, please refer to Appendix G5, the outline scheme report.
	Safety and Environmental impact	Yours sincerely, Stephanie Gopaul Project Manager	The EMPr suggests     recommendations for mitigation and     management to avoid or minimize     environmental impacts. It also covers     health and safety of the environment     and workers.
27/09/2027	Good Morning	Good Morning Mr Makhura,	
Email	-		
	Herewith attached Comments to draft	Thank you for the comments	
Katlego Makhura	BAR for the Development of a Service	received. The comments will be	
Town and Regional	Station on Portion 14 + 15 on Farm 751-	addressed and they will be	
Planners	IQ, Baragwanath Extension 5.		

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Comments and Responses Report – Basic Assessment Report				
Epitychia Trading	Trust you will find the above in order.  Best Regards  TOWN AND REGIONAL PLANNERS	included in the Final Basic Assessment Report  Kind Regards  Stephanie Gopaul  Project Manager		
	<ul> <li>Corner of Chris Hani and Aerodrome Roads, Baragwanath X 5, City of Johannesburg, Gauteng. Inconsistency in and confusion associated with property description – Portion 14 and 15 (should probably be erven of a township and not portions of a farm) of farm (no name) 751IQ, Portion 130 of the farm Diepkloof 319IQ and remainder of Portion 5 of the farm Vierfontein 321IQ. Different studies / report were done on different sections of the property (based on maps).</li> </ul>		The development will take place on Farm 751-IQ Baragwanath. The different studies/reports are updated to reflect the correct project location. Please refer to Appendix G for updated studies.	

### Comments and Responses Report – Basic Assessment Report Screening (Appendix I) The screening report does not appear • The screening report was updated to to match the property / project site show the project site. Please refer to description or the areas investigated Appendix I. by the specialists. "The N12 national roadway borders the site to the North" but the screening report site does not. "Southgate Road traverses the northern portion of the site" but the road does not traverse the site in the screening report. It is possible there is confusion between the property and the project site (development footprint). Remaining Portion 5 of the farm Vierfontein 321IQ is not noted on the screening report but appears to not form part of the development site. The access from Southgate Road appears far from the site indicated in the screening report. This needs to be checked, verified and corrected or clarified. Is the correct development site footprint used in the screening?

Location in Gauteng Environmental

Management Framework (EMF) but

• The BAR is triggered by listed

BAR on page 4.

activities stated in section 2 of the

Comments and Responses Report – Basic A	Assessment Report
requirements / themes highlighted in the screening report addressed.  Motivation why certain studies were not done etc.  The BAR only refers to biodiversity study in terms of screening requirements.  Low sensitivity in terms of  Aquatic biodiversity  Archaeological and Cultural Heritage  Paleontology	Section E of the FBAR has highlighted the themes in the screening report together with mitigation measures to avoid or minimise negative impacts. Furthermore, the biodiversity and heritage studies were undertaken which cover the themes highlighted in the screening report.

Comments and Respons	es Report – Basic Assessment Report
Terrestrial biodiversity     (Critically endangered     ecosystem).	
Specialist studies (Appendix G): The following specialist studies were done:  • Geotechnical of December 2005 – requires an update (older than 15 years) or a cover letter from specialist to indicate no changes (which is usually the case). Investigates a different area to the biodiversity study and screening report – might not include the development footprint (unclear / uncertain).	Please refer to Appendix G2 for an updated Geotechnical Report.
<ul> <li>Traffic &amp; access of June 2021 – no map showing the site. Access from Chris Hani &amp; Southgate.</li> </ul>	<ul> <li>The traffic &amp; Access study was updated and the access map has been included. Please refer to Appendix G3.</li> </ul>

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Though Archaeological and Cultural Heritage is indicated as low sensitivity (not medium as stated in the BAR), according to legislation, if a NEMA listed activity is triggered, some level of Archaeology and Cultural Heritage specialist input is still required (see National Heritage Resources Act as mention on page 3 of draft BAR). As a minimum, an exemption letter from a specialist is therefore required and needs to be submitted to the South African Heritage Resources Agency (SAHRA or provincial authority PHRA) for comment and approval. There is no proof of this though it is indicated in the draft BAR that it was done. SAHRA or PHRA does not appear on Interested and Affected Party (I&AP) list in Appendix B. Appendix F is empty. SAHRA should be included as an I&AP and some level of Archaeological and Cultural Heritage comments from a specialist should be included and submitted to SAHRA. No

The Provincial Heritage Resource
 Authority: Gauteng Department of
 Sports, Arts, Culture and Recreation
 was informed of the development
 and they provided comments which
 form part of this report. A heritage
 screening was done and submitted
 to the Gauteng Department of
 Sports, Arts, and Culture &
 Recreation. Please refer to Appendix
 G4 for the Heritage Study.

	Comments and Response	es Report – Basic Assessment Report	
•	proof that the project was loaded onto the SAHRIS site.  The impact on a military and defence site and vice versa is not addressed though indicated as high sensitivity.	•	A follow up with the Department of Defence will be made to establish how to address any real defence sensitivity. Construction of and access to the service station is not anticipated to have an impact on the military and defence site.
	Animal species and plant species are addressed in the biodiversity specialist investigation. A biodiversity investigation was required due to screening indicating a critically endangered ecosystem. The biodiversity report is a verification and update of the 2016 report (report older than 5 years has been updated). The report indicates: "The study area is thus no longer representative of the Soweto Highveld Grassland vegetation type, nor does it have any characteristics indicative of the		The verification and update study was done in 2020 before the 5 year period lapsed. The verification and update study confirmed that the development site vegetation structure and composition are severely altered and comprised mainly of alien and invasive species such as Eucalyptus grandis and Acacia decurrens. The study area is thus no longer representative of the Soweto Highveld Grassland vegetation type, nor does it have any characteristics indicative of the

Comments and Responses Report – Basic Assessment Report	

Kliprivier Highveld Grassland critically endangered ecosystem.

 "No indigenous vegetation was found during the field assessment nor any Species of Conservation Concern (SCC). The site was indicated as low ecological sensitivity due to transformation and level of disturbance. The site investigated appears to be larger but include the project site (development footprint). The findings cannot be disputed unless another specialist finds differently.

 The traffic and access report details the best access off existing roads (Chris Hani and Southgate) but provides no approval by the relevant roads authority. Without access Kliprivier Highveld Grassland critically endangered ecosystem.

- The verification study confirmed that no floral and faunal Species of Conservation Concern (SCC) were encountered during field assessment, and it is unlikely that any such species would be present within the study area due to the high levels of transformation that has taken place as a result of current and historic anthropogenic activities. Please refer Appendix to page 28 of the verification study. The verification update also recommended mitigation measures should any of floral or faunal SCC be encountered within the study area during construction phase. Please refer to section 7.4 on page 30 of the verification study.
- The traffic specialist has confirmed that the Johannesburg Road Agency has approved Chris Hani and Southgate to be access roads.

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approval, the filling station able to proceed.	on will not be	• A gootochnical report was compiled
No geohydrological study the risk of groundwater contamination due to un storage tanks.		<ul> <li>A geotechnical report was compiled please refer to Appendix G2. The risk of groundwater contamination can be assessed separately, however, this was not requested as part of the pre-application meeting with the department.</li> </ul>
No civil engineering report required, available service adequate capacity and e	ces and	<ul> <li>An Outline Scheme Report was developed and covers services available, services required and adequate capacity. Please refer to Appendix G5.</li> </ul>
Environmental Managemen (EMPR) (Appendix H):	t Programme	
EMPR refers to Egoli Gra     Grassland but biodiversit     makes no reference to th     vegetation.	ry study	<ul> <li>The EMPr is updated to reflect the findings of the vegetation study.</li> <li>Please refer to page 25 of the EMPr.</li> </ul>
The construction phase i does not address service		Potable water will be provided for construction workers via a bowser

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construction workers (potable chemical toilets, water, security, etc).	and temporary storage tanks until the permanent supply is connected.  Chemical toilets will be provided for use by construction workers until the permanent toilets are connected.  Contractor will provide site security during non-working hours of the construction project.
<ul> <li>No responsible parties on page 41 indicated.</li> <li>EMPR should include all management and monitoring since this becomes the legal document together with the decision which has to be complied with. EMPR does not address water monitoring adequately – groundwater monitoring and surface water monitoring as per page 57 of draft BA "Water discharged from the oil/water separator must be monitored to ensure it meets the required standard."</li> </ul>	<ul> <li>This has been added in the EMPr, please refer to page 41 of the EMPr.</li> <li>Mitigation measures for surface and groundwater impacts are presented in Section 5.3 of the EMPR (i.e pages 30-32)</li> </ul>

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Pt	ublic participation (Appendix B):		
	Wording and size of site notices cannot be seen on photographs.		<ul> <li>A3 posters were used for site notices. The words are legible on the site notices although they appear small in the photographs. Please refer to Appendix B.</li> </ul>
•	GPS positions of site notices should be provided or indicated on a map.		<ul> <li>Clear indication of the location of the site notice is indicated Appendix B.</li> </ul>
•	There is no proof that notification letter was distributed to I&APs on 27 August 2021 as indicated.		<ul> <li>Please refer to Appendix B for public participation information. I&amp;APs were notified on 27 August via email. The copy of the email will be included on the Final Basic Assessment Report (FBAR).</li> </ul>
	No minutes of meeting.		<ul> <li>The Gauteng Department of Agriculture and Rural Development (GDARD) notified the EAP on 21 August 2021 via email that a preapplication is not required. The Department directed the EAP to submit a Public Participation Plan to the Department. The Public Participation Plan was submitted to the Department and it was approved</li> </ul>

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	on 26 August 2021 via email. The communication is included on appendix 10 on pages 19 and 20 of appendix B: Public Participation Information.
No comments and response report.  How are I&APs supposed to comment on this report if they cannot confirm that the issues raised during the process were indeed captured for consideration by the decision-making authority and addressed to an extend in the report?	A comment sheet was attached together with the notification letter on 27 August 2021 and was distributed vial email together with details to so send through comments was included in the email. All comments received are compiled and addressed in the comments and response report and will be attached on the FBAR that will be submitted
<ul> <li>Appendix 9 of Appendix E is in contravention of the POPIA. These details of I&amp;APs should not be distributed to everybody (the public) in order to protect people's personal information.</li> </ul>	<ul> <li>on GDARD. Please refer to Appendix B</li> <li>This is noted, the contact details of I&amp;APs are removed from the stakeholder database and will not be included going forward.</li> </ul>
The public review period of the BAR ends on 27 / 28 September 2021 and appears to have started on 27 August	<ul> <li>An email was distributed on 27         August 2021 notifying I&amp;APs of project together with the availability     </li> </ul>

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2021. Email is however dated 16 September 2021 and according to Appendix B on public participation, I&AP were only notified on 27 August 2021 but not necessarily provided with the draft report as the notice makes no mention of the availability of the draft BAR at that stage.	of the DBAR for comments. The copy of the email will be included in the FBAR. Further, the comments period was extended by 10 days from 26 October to 06 November 2021.  Please see Appendix B for public participation information.
A 30-day period is required to review the draft BAR, according to legislation.	<ul> <li>The DBAR was released for comments on 27 August 2021 to 28 September 2021 for comments.</li> <li>Further, the comments period was extended by 10 days from 26 October to 06 November 2021.</li> </ul>
No proof that SAHRA was notified.	<ul> <li>The Provincial Heritage Resource         Authority: Gauteng Department of         Sports, Culture and Recreations was         notified of the proposed         development. A Heritage Impact         Assessment Study was undertaken         and submitted to the Provincial         Heritage Resource Authority:         Gauteng Department of Sports,</li> </ul>

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	Culture and Recreation on 28 January 2022.
It is unclear if all the neighbours and other filling stations in the area were identified and notified. No map showing surrounding properties.	Neighbours and other filling stations were notified about development via email. However, some filling station we could not get hold of to get their email address. Please see stakeholder database on Appendix B which include some of the filling stations and neighbours we managed to get hold of. Furthermore, a newspaper advert and site notice were placed to reach as many I&APs as possible.
Draft BAR mentions two (2)     newspaper notices but only one is     provided.	This is noted is corrected in the FBAR. The Sowetan newspaper which is both local and national was used to advertise.
The public participation process is considered flawed and should be repeated.	The comments period was extended by 10 days from 26 October to 06     November 2021 and stakeholders

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		were notified of the extension to provide enough time for stakeholders to send comments. Please see Appendix B for communication.
Alternatives:		
Location alternative: The motivation for not considering a location alternative is invalid since access will not be gained from Aerodrome Road but from Southgate Road and the location of the filling station is not directly adjacent to Southgate Road.		Please refer to Appendix G3.  Different scenarios have been proposed with pros and cons.
The Environmental Impact Statement (page 54 of draft BAR) contains contradictory information - indicated access from Southgate Road only?  Needs to be clarified because the site layout indicates access from both Chris Hani and Southgate as does the specialist study as does a later statement in this section.		This has been corrected, access will be gained from Southgate Road and Chris Hani Roads. Please refer to page 54 of the FBAR.

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The property is also much bigger (20ha) than the development footprint. It should be motivated why that specific location on the larger property was selected.	<ul> <li>Please refer to the Outline Scheme Report on Appendix G5.</li> </ul>	
Activity alternative: Can existing filling stations not meet the current and future demand for fuel? "There are a few service stations in the surrounding areas" (page 57 of draft BAR) – how many are a few, these should have been identified and considered. The need and desirability is therefore questionable.	<ul> <li>A thorough feasibility assessment was undertaken by Shell and an investment proposal was submitted to its internal board to confirm that the opportunity is viable and will lead to sufficient volumes and turnover projections.</li> <li>A cannibalisation assessment was also done using an external feasibility tool which assesses if there is a material cannibalisation effect on existing service stations in the surrounding area. The cannibalisation effect on existing sites was deemed to be immaterial (less than 5%) which affirms that this new service station fills a gap in the area and there is a need on the busy Chris Hani Rd.</li> </ul>	

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	Access alternatives could have been considered and assessed.	Please refer to Appendix G3 for alternative access.
	General:	
	Photographs (Appendix E) do not indicate the position from which the photographs were taken nor in which direction the photographer was looking. Photographs in Appendix E are also not titled and therefore provide no information and serve no purpose except showing some vegetation somewhere on the site.	Direction from which photographs were taken has been added, please refer to Appendix E.
	The facility illustration (Appendix C) shows details of the convenience store building and other supporting structures and infrastructure but no detail on the forecourt or underground storage tanks which is the subject of the listed activity (storage and handling of dangerous	The facility illustration shows the building layout, however the site plan does show the location of the thanks on the site.

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goods) that needs to be considered for approval. This is, however, indicated in Appendix A, the site plan.	
The BAR template is no longer used for the BAR. Since this old template is used, there is no place in the BAR where the screening report and its requirements are addressed. DEA or DEFF is now DFFE. Different references to the same authority.	<ul> <li>This is noted, going forward the latest template will be used, otherwise section E of the BAR and the EMPr highlight mitigation measure to avoid or minimise negative impacts</li> </ul>
No proof of Environmental     Assessment Practitioner (EAP)     qualification, experience,     competency, registration (EAPASA)     and independency.	Please see EAP's CV and Registration on appendix J
<ul> <li>Nowhere is it clearly indicated what         area is the property and what the         development footprint— maps is and         the descriptions do not correspond         and neither does the specialist         investigations nor screening report.         Clarity needs to be provided.</li> </ul>	<ul> <li>Site Plan shows site boundary, please refer to Appendix A. The screening report was amended to show the development footprint.</li> </ul>

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 Listed activities: Only the storage and handling of dangerous goods activity is applied for (Activity 14). No activity for the clearance of vegetation is included though it is stated that vegetation is described as natural veld with heavy alien infestation and the area to be disturbed is 5ha.

The biodiversity verification and report update indicate that the study area is largely characterised by alien species. The woody component almost exclusively comprises alien trees (Eucalyptus grandis and Acacia decurrens). The forb layer has been degraded to the extent that weedy alien species dominate and have displaced most of the native species. Not only does dumping occur on site, but there is evidence of uncontrolled fires and a large section is used by vehicles for parking which leaves little opportunity for native vegetation to recover. The vegetation is no longer representative of the reference vegetation type, nor does it have any characteristics indicative of the Kliprivier Highveld Grassland (CR) endangered ecosystem. Given this, the study area is not considered to have any remaining indigenous vegetation. Activity 27 of Listing Notice 1 (R.983) and Activity 12 of Listing Notice 3 (R.985) will therefore

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	not be triggered as no indigenous vegetation, as defined by NEMA, was present in the study area. Please refer to page 30 of the report in Appendix G1.
4 X 46m3 tanks will be installed but the products are not stated.	The site plan does specify the products in question. Please refer to Appendix A. Tank 1 will be for ULP95, tank 2 will for ULP93, tank 3 will be for VPD50 and tank 4 will be for DX50
Socio-economic context is very general and does not indicate the project's socio-economic contribution (job creation, investment etc) which first mentioned in the Impact Assessment (page 42). Socio-economic benefits should form part the need and desirability motivation.	of 42 of the FBAR.
<ul> <li>Mention of a drainage line (along N12) and low-lying sump nature but not addressed anywhere— Section 2</li> <li>(c) &amp; (i) water use license? Wetland conditions not investigated?</li> </ul>	

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<ul> <li>Page 12 of draft BAR. Natural veld with heavy alien infestation – no percentage provided.</li> <li>Page 13 of draft BAR. Retail is not marked though it is indicated that the Southgate Value Mart is 500m south east from the site.</li> </ul>		or minimise any form of water pollution. With regards to wetland investigation, the environmental screening report did not suggest any form of water that could be impacted by the development, hence no investigation was done. Water sensitivity is not picked by the screening report. The percentage has been added in the BAR. Please refer to page 12 of the BAR.  This has been corrected. The Southgate Value Mart occurs in 1.1 km from site, not within 500m radius the site.
Page 19 of draft BAR: "Landowners and neighbouring land occupiers were informed via email and verbal communication during the initial public participation phase and site visit. See Appendix C2." No appendix C2. Numerous references to Appendix C2 which does not exist. When was the initial public participation phase	•	This has been corrected. Please refer to Appendix B for all communication with I&APs. I&APs were informed of the development and were given an opportunity to comment. This report has consolidated and responded to all comments received.

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anybody raise any people afforded a raise issues prior the draft BAR?  • Page 22 of draft B services available capacity to accommodate and sewage Marie-Louise land appropriate for ha	wbody register? Did wissues? Were n opportunity to to the publication of  AR: No proof of or having adequate amodate project - e management.  Ifill site is no ezardous	This has been updated in FBAR. Also please refer to the Outline Scheme Report on Appendix G5 waste removal.
hydrocarbon wast  Page 23 of draft B question on DWS No proof of munic availability for pro	AR: No answer to water use permit. cipal water	<ul> <li>Answer has been provided. Please see 23 of the BAR</li> </ul>
<ul> <li>Page 40 of draft B stormwater atten location is not ind layout.</li> <li>Page 41 of draft B</li> </ul>	uation pond but	The layout will be updated to show the storm water attenuation.
hedgehog, grass-o raises concerns. P	owl and bullfrog	The biodiversity verification and report has highlighted recommendations to minimize negative impacts on both floral and faunal species that may be

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			encountered on site during planning, construction and operational phases. Please see page 32 of the biodiversity verification and report on appendix G.
	57 of draft BAR: First mention of Meredale School – location relative to site not indicated or discussed anywhere else.		<ul> <li>Page 57 of the BAR highlight how the proposed development will benefit the community, Meredale School is mentioned as one of the examples of neighbouring institution.</li> </ul>
	Dear Sir/Madam  Please find the attached letter.		
	The Basic assessment Report must comply with Appendix 1 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended.		The Basic Assessment Report is compiled as per the Environmental Impact Assessment (EIA) Regulations, 2014 as amended.
14/10/2021 Gauteng Department of Agriculture and Rural Development	A description of all the activities to be undertaken inclusive of the storage capacity for underground storage tanks must be listed and specified.		Activities to be undertaken are described in the EA application and in the Basic Assessment Report.
	The Biodiversity Update and Verification Report identified the site to be Portion 130 of the farm Diepkloof 319 IQ and the Remainder of Portion 5 of the farm Vierfontein 321 IQ whereas the project title in the application form indicate the site to be Portion 14 and 15 on the farm		The development will take place on Farm 751-IQ Baragwanath. The EA application and the different studies/reports are updated to reflect the correct project location.

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751 IQ, Baragwanath Extension 5. Therefore, the correct property description must be provided in the application from and the final report.		
The need and desirability of the development must be clearly outlined in the final report.	The need and desirability of development is outlined on page 57 of the final basic assessment.	
A credible method of impact assessment, impact identification, rating and mitigation must be used to determine the impact of the proposed development on the biophysical environment on the site.	The basic assessment report has identified the type, duration, extent and scale impacts and recommended mitigation measures.	
Comparative assessment of all alternatives taking into consideration, the sensitive areas on the site, surrounding land uses, nature and scale of activity components must be done and outcomes reported on in the report.	Please refer to Outline Scheme Report on Appendix G5.	
A detailed site development and layout plan overlain by a composite sensitivity map must be attached in the final report. This specified plan must be an A3 size, and take into consideration all activities listed inclusive of associated infrastructure such as access routes and bulk services connection, and must reflect proper legend.	Please see appendix A for site plan. Please see appendix I for site sensitivity.	
A detailed storm water management plan for this development must be compiled and approved by the local authority before incorporating such plan into the	A detailed storm water management will be complied and submitted to the local authority for approval before the development start.	

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final report. The stormwater plan must consider the slope of the site, the capacity of the existing man-made stormwater systems in the area as well as the capacity of the drainage lines which may be the receiving system of all runoffs from the proposed development.	
A confirmation from the local authority with regards to provision of bulk services (e.g. water supply, sewerage and waste disposal, energy, storm water) and related services such as road infrastructures is required. This must include a description of the infrastructure, specifications, layout, capacity and the planned routes.	The Outline Scheme Report on Appendix G5, concludes that, provided the proposed infrastructure mentioned in the report is constructed, the development should be supported by the local authority, as there is sufficient capacity in the existing municipal infrastructure.
The Public Participation process must be carried out in accordance with the minimum requirements of Chapter 6, Public Participation, GN. R326, of the EIA Regulations 2014 as amended.	Public Participation was carried out in accordance with chapter 6 of GN. R326 of the EIA Regulations 2014 as amended. Please see appendix B for public information.
A site (project) specific Environmental Management Programme (EMPr) which is practical and enforceable is attached in the report. However, the EMPr must be in line with the content requirements as stipulated in Appendix 4 of the Environmental Impact Assessment (EIA) Regulations, 2014, and must incorporate management and mitigation measures to	A detailed EMPr with mitigation measures was developed. Please see appendix H

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impacts identified during the assessment and in the specialist studies.  If you have any queries regarding the	This is noted, thank you
at the number or email address indicated above.	
Draft Basic Assessment Report (No ref) compiled by Kantey and Templer dated 22 September 2021 refers:  Description of the project: The applicant intends to develop a new Shell retail service station located on the above mentioned properties measured 6,798.00m 2 in extent. The applicant is proposing to install 4X 463 petroleum underground storage tanks and associated infrastructure, service station, a convenience store and 4X drop ATMs.	The applicant intend to develop a filling station and convenience store which include 4 x 46m3 petroleum underground storage tanks and associated infrastructure, service station, a convenience store and 4 x drop down ATM's. The total site is 12 885m <sup>2</sup>
Guidelines, By-laws, Precinct and policies:  The report considers relevant policies and by-laws. The development is viewed as in line with the development principles of the spatial development framework of the City of Johannesburg.	This is noted.
Description of alternatives:  No location alternatives have been considered in terms of location, activity, technology, or design as Shell purchased the site to construct the service station.	Yes, this is correct

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Summary of significant issues taken into consideration:  The impacts associated with the proposed development are included in the report.  The following studies are attached:	Yes, this is true
Traffic and access assessment The report found that the construction of filling station will not have any impact on or be impacted by the operating conditions at the adjacent intersection.	
• Biodiversity verification and Report  The report found that the subject site is situated within an area that comprise urban development to the north and east, with open veld to the west. The report also found that the site is exposed to the various historic and ongoing disturbance, resulting in largely degraded habitat with generally low floral and faunal diversity and disturbance. In terms of the study subject site no longer represent the vegetation type and lacks indigenous vegetation.	Yes, this is correct
• Geotechnical Investigation:  The study recommend that trees with large roots may have to be removed from the site to facilitate development. All disturbed soil should remove and	• Yes, this is correct

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replaced with suitable compacted/ engineered fill capable of supporting the envisaged foundation loads. The report stipulate that needs to be adhered to during construction phase.		
Mitigation Measures: Mitigation measures are proposed for each identified environmental impact. The proposed actions required are also included in a Draft Environmental Management Plan (EMPr).		Yes, this is correct
Public Participation Public participation is in the process of taking place. All concerns raised by I&AP's must be addressed in the FBAR		All concerns are addressed in the FBAR. Please see Appendix B for public participation information.
Recommendations: Having noted the above factors and studies, the Department has no objection to this application subject to the following recommendation:  • All recommendations made on Specialist Studies should be adheres as stipulated		All recommendations made on Specialist Studies will be taken into consideration to ensure compliance.

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	The storm water management plan should comply with the COJ Stormwater By- Laws, with particular attention drawn to the provisions of Clause 44 must be submitted for approval to both JRA and EISD.		This is noted. A storm water management plan will developed and submitted with JRA and EISD for approval prior to construction.
	<ul> <li>No discharge of waste water or fluids may be done through storm water channels.</li> </ul>		• This is noted.
	<ul> <li>All landscaping in common areas and streetscaping must use indigenous plants only, with preference given to locally indigenous species.</li> </ul>		This is note and it will be taken into consideration.
27/10/2021 Molokomme Tebego	Dear Applicant	Good Morning,	
Statutory Bodies: Provincial Heritage Resources Authority: PHRA-G Gauteng Department of	In terms of section 38 of the National Heritage Resources Act 25 of 1999, a heritage impact study plus public participation process should be conducted. Furnish us with the (hard copy) report/s for adjudication.	Thank you for your email. Your comments are noted and they will be included in the comments and response report.  Yours sincerely,	A heritage study was conducted in accordance of section 38 of the National Heritage Resources Act 25 of 1999 and was submitted with the Provincial Heritage Resources Authority: PHRA-G Gauteng Department of Sport, Arts,
Sport, Arts, Culture & Recreation	Kind Regards, Tebogo Molokomme	Stephanie Gopaul	Culture & Recreation. Please refer to Appendix G4.

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04/11/2021 Peter Stewart	Please note the new councillor for Ward 125 is Cllr Matsobane Victor Sekhu.  Please address all correspondence to him.	Good Morning Cllr Peter,  Thank you for your email.  It is noted, I will include Cllr Matsobane Victor Sekhu in the stakeholder database.	This is noted, going forward all communication will be directed to Cllr Matsobane Victor Sekhu.			
04/11/2021 Ridwaan Habib	Good day, Could you kindly send me the GPS co- ordinates and precise location of the proposed development?	Good Morning Ridwaan,  The GPS coordinates are Latitude (S) 26°15'48.9" Longitude (E) 27°58'23.1"				

APPENDIX 7 COPY OF THE REGISTER OF I&APS

# Interested and Affected Parties Database: The Proposed Development of a Shell Service Station located on Corner of Aerodrome and Chris Hani Roads, Baragwaneth Extension 5, Gauteng

Name	Surname	Organisation	Position	Email	Telephone	Cell	Fax
Commenting Authorities							
Nhlanhla	Makhatini	Gauteng Department of Agriculture and Rural Development					
Malasela	Sehona	Gauteng Department of Agriculture and Rural Development	Environmental Officer				
Phuti	Matlamela	Gauteng Department of Agriculture and Rural Development	Environmental Case Officer				
Caroline	Sithi	Gauteng Department of Agriculture	Environmental Officer				
Teboho	Leku	Gauteng Department of Agriculture	Environmental Officer				
Steven	Mukhola	Gauteng Department of Agriculture and Rural Development	Director				
Mulalo	Mukwevho	Gauteng Department of Agriculture and Rural Development					
Matilda	Gasele	Gauteng Department of Agriculture and Rural Development	Head of Department				
Helgard	Muller	Gautong Donartment of	Acting Deputy Director				
Oscar	Mpilo	Gauteng Department of Energy					
Mbulelo	Tshangana	Department of Water and Sanitation	Director-General				
Xoliswa	Mkhalali	Gauteng Department of Human Settlements	Head of Johannesburg Region				
Pumla	Ncapayi	Gauteng Department of Economic Development	Head of Department				
Ofentse	Morwane	Gauteng Department of Community Safety	Head of Communications				
Ms Zinhle	Groep	Gauteng Department of Transport	Private Secretary to the Minister				
Ms Thandeka	Hlengwa	Gauteng Department of Transport	PA to Chief of Staff	_			
Noluthando	Cembi	Gauteng Heritage Resource Authoruty	Built Environment				
Tebogo	Molokomme	Gauteng Heritage Resource Authoruty	Officer				
Tasneem	Motara	Gauteng Department of Infrastructure Developments	MEC for Infrastructure Development and Property Management				
Local Municipality							
Applications Unit		City of Johannesburg Metropolitan (JHB)	Environmental Unit				
Tiaan	Ehlers		Department of Development Planning and Urban Management				
Dr. Ndivhoniswani	Lukhwareni	Metropolitan Municipality(JHB)	Municipal Manager				
Peter	Stewart	, ,	Ward 125 Councillor				
Nozipho	Maduse		Department of Development Planning and Urban Management				
Gift	Mabasa		Department of Development Planning and Urban Management				
Libraries		No.	A				
Sapnar	Ragunan		Assistance Director				
Tuta	Nteboheleng	Diepkloof Zone 5 Library			<del>                                     </del>	-	
5 114							
Fuel Association Committee							
Fatima B	Shaik	Association (SAPIA)	Head: Health, Safety, Security & Environment				
Mackenzie	Ndlovu	Fuel Retailers Association	Regional Representative Gauteng				
Neighboring Fuel Stations							
Total Meredale							

# Interested and Affected Parties Database: The Proposed Development of a Shell Service Station located on Corner of Aerodrome and Chris Hani Roads, Baragwaneth Extension 5, Gauteng

Page 2 of 4

		Challes to Challes and Challes				
Issac		Shell Service Station and Shell Shop	Manager			
Neighboring Schools						
Murray		Meredale Primary School				
Neighbouring Businesses						
Kgomotso	Lekgotlane	SAB Baragwanath Depot	Site Represantative			
Fun Valley Pleasure Resort		Fun Valley Pleasure Resort				
Glasfit Aeroton		Glasfit Aeroton				
DTD High Technical						
Southgate Mall						
Socrates	Koom	Road Lodge Southgate	General Manager			
Sun1 Hotel Southgate	Sadeck	Jabar	General Manager			
	•	•				
Aeroton Steel (Pty) Ltd		Aeroton Steel (Pty) Ltd				
Katlego Mankoto	Makhuru	Epitychia Trading (Pty)				
Andre	Du Toit	Town Planners PROPERTY DEVELOPM	Town Planners PROPERTY DEVELOPMENT CONSULTANTS			
Geraldane	Polh	BSG Autoglass	General Manager			
Queenton	Duplessies	Frigoglass South Africa Pty Ltd	Plant Manager			
Doornkop Military Base parkrun						

APPENDIX 8 PROOF OF PUBLIC PARTICIPATION PLAN SENT TO THE DEPARTMENT





# **Public Participation Plan**

Shell Downstream South Africa (Pty) Ltd Aerodrome Service Station

25 August 2021

Project No.: 0562661



Document details	The details entered below are automatically shown on the cover and the main page footer. PLEASE NOTE: This table must NOT be removed from this document.
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Client Name	Shell Downstream South Africa (Pty) Ltd

### Document history

		Author	Reviewed by	ERM approv		
Version	Revision			Name	Date	Comments
Draft	00	Nombukiso Ntshalintshali	Stephanie Gopaul	Name	00.00.0000	Text

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### **Signature Page**

25 August 2021

## **Public Participation Plan**

Shell Downstream South Africa (Pty) Ltd Aerodrome Service Station



Stephanie Gopaul Principal Consultant Simon Van Wyk Partner

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South Africa

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ВА		Bas	Basic Assessment							
BAR		Bas	Basic Assessment Report							
CA		Coi	Competent Authority							
DEFF		Dej	Department of Environment, Forestry and Fisheries							
EA En		Env	Environmental Authorisation							
EAP		Env	Environmental Assessment Practitioner							
EIA E		Env	Environmental Impact Assessment							
EMPr		Env	Environmental Management Programme							
ERM		Env	vironmental Resources Management (Pty) Ltd							
GDAR	RD	Ga	uteng Department of Agriculture and Rural Development							
			Sovernment Notice							

Shell Downstream South Africa (Pty) Ltd Aerodrome Service Station

I&AP'S Interested and Affected Parties

NEMA National Environmental Management Act

PPP Public Participation Process

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### 1. INTRODUCTION

Public participation is the interaction and engagement between the public and those undertaking the Environmental Authorisation (EA) process. The Public Participation Process (PPP) is a two way communication process which helps the public understand the processes and mechanisms through which environmental issues and needs are investigated and resolved by the responsible agency. The process also keeps all Interested and Affected Parties (I&APs) informed of the status and decision made for a project.

The PPP takes into consideration all comments and concerns raised by the public. This includes the resource which should be used, as well as the alternative developments being considered.

The Department of Environmental Affairs (DEA, now the Department of Environment, Forestry and Fisheries- DEFF) released the Integrated Environmental Management Guidelines Series (Guideline 7) in 2012. This Guideline provides guidance on the procedure and provisions of the PPP in terms of the National Environmental Management Act (No. 107 of 1998) (NEMA) and its Environmental Impact Assessment (EIA) Regulations, 2014 (as amended 7 April 2017) (the "EIA Regulations")<sup>1</sup>, as well as other regulations. According to the DEA, "public participation is one of the most important aspects of the EA process" and this is "because people have a right to be informed about potential decisions that may affect them and to be afforded an opportunity to influence those decisions".

### 1.1 COVID-19

On 5 June 2020, the Minister of DEFF issued Directions<sup>2</sup> regarding measures to address, prevent and combat the spread of COVID-19 relating to National Environmental Management Permits and Licences.

The purpose of these Directions is to limit the threat posed by the COVID-19 Pandemic, as well as to alleviate, contain and minimise the effects of the National State of Disaster. This is particularly relevant to environmental licencing, as well as the PPP, processes.

In accordance with Annexure 3 of the Directions, a Public Participation Plan is required prior to submission of the Application for EA. The Public Participation Plan must be agreed to, and approved by, the Competent Authority (CA) prior to the application being submitted.

The purpose of this document is to present the Public Participation Plan for the Project to the CA, i.e. Gauteng Department of Agriculture and Rural Development (GDARD).

<sup>&</sup>lt;sup>1</sup> Environmental Impact Assessment (EIA) Regulations, 2014 (as amended 7 April 2017), published under Government Notice No. 982 in Gazette No. 3822 of 4 December 2014, in terms of sections 24(5) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998)

<sup>&</sup>lt;sup>2</sup> Disaster Management Act (57/2002): Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to National Environmental Management Permits and Licences (5 June 2020).

### 1.2 Application History

Shell Downstream SA (Pty) Ltd. (hereafter referred to as Shell) has appointed Environmental Resources Management Southern Africa (Pty) Ltd. (hereafter referred to as ERM) to conduct the Basic Assessment process for the development of a service station on portion 14 + 15 of the farm 751-IQ, Baragwanath Extension 5, City of Johannesburg Metropolitan Municipality. This Project requires an Environmental Authorisation (EA) from the Gauteng Provincial Department of Agriculture and Rural Development (GDARD) in terms of the National Environmental Management Act (Act No. 107 of 1998), as amended (NEMA). This is a new project therefore no prior meetings have been had as yet.

A Public Participation Plan has been initiated in order to ensure that I&APs are offered a chance to raise their concerns, and to see these being addressed by the Applicant, and being integrated in the project reports as required by the applicable EIA Regulations.

The objectives of the PPP for the development of the Aerodrome Service Station Project are as follows:

- To identify relevant individuals, organisations and communities who may be interested in or affected by the existing and proposed activities.
- To clearly outline the scope of the Project, including the scale and nature of the existing and proposed activities.
- To identify viable Project alternatives that will assist the relevant authorities in making an informed decision.
- To identify shortcomings and gaps in existing information.
- To identify key concerns raised by I&APs that should be addressed in the subsequent specialist studies.
- To highlight the potential for environmental impacts, whether positive or negative.
- To inform and provide the public with information and an understanding of the existing and proposed activities, issues and solutions.
- To clearly outline how the PPP will be undertaken in light of the current "National State of Disaster".

Taking this into consideration, the EAP aims to run PPP from to 25 August 2021 to 25 September 2021, and in line with the Regulations, will ensure that:

- all reasonable measures are taken to identify potential I&APs for purposes of conducting public participation on the application; and
- ensure that, as far as is reasonably possible, taking into account the specific aspects of the application-
  - (a) information containing all relevant facts in respect of the application or proposed application is made available to potential I&APs; and
  - (b) participation by potential or registered I&APs has been facilitated in such a manner that all potential or registered I&APs are provided with a reasonable opportunity to comment on the application or proposed application.

#### 2. PROJECT OVERVIEW

#### 2.1 **Proposed Location of the Shell Aerodrome Service Station**

The proposed area is located on the corner of Aerodrome and Chris Hani Roads, Baragwanath Extension 5, Gauteng. It is bordered by the N12 national roadway to the north, Aerodrome Road to the west and Chris Hani Road to the southwest. Furthermore, Southgate Road traverses the northern portion of the study area and is situated directly adjacent to Baragwanath South Africa Brewery Depot. The study area is situated approximately 3km east of the Chris Hani Baragwanath Hospital and approximately 1km west of Southgate Mall. The study area is located within moderately high density mixed development area (residential and industrial), however the immediate surrounding areas to the south and west are vacant land and immediate surroundings to the north and east of the study area comprise industrial development.



Figure 2.1 Locality Map

#### 2.2 **Planned Development**

Shell intend on developing a filling station and convenience store on the corner of Aerodrome and Chris Hani Roads, Baragwanath Extension 5, Gauteng. The proposed filling station will be constructed on Portion 14 + 15 of Farm 751-IQ, Baragwanath, the City of Johannesburg Metropolitan Municipality. The study area is bordered by the N12 national roadway to the north, Aerodrome Road to the west and Chris Hani Road to the southwest. Furthermore, Southgate Road traverses the northern portion of the study area and is situated directly adjacent to Baragwanath South Africa Brewery Depot. The study area is situated approximately 3km east of the Chris Hani Baragwanath Hospital and approximately 1km west of Southgate Mall and as such requires fuel filling stations.

The Proposed construction of a service station triggers the following listed activity in Government Notice (GNR) 983 (2014, as amended):

Activity 14 of Listing Notice 1 (GN R 983 of 2014, as amended): "The development 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".

The proposed filling station will consist of:

- 4 x 46m3 petroleum underground storage tanks
- Service station
- A convenience store
- 4 x drop down ATM's

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#### 3. **PUBLIC PARTICIPATION PLAN**

In accordance with Regulation 41 of the EIA Regulations, the following activities have and will be conducted:

- Ongoing consultation with the GDARD.
- Identification and registration of new I&APs, in addition to those already registered for the project.
- Fixing of a notice board for the duration of the revised BAR commenting period.
- Written notice to all I&APS (electronically).
- Placement of an advertisement in 1 regional and 1 local newspaper.
- Hosting of BAR on a publically available website for the comment and appeal periods.

#### 3.1 **Timeframes**

Activity

BAR

Submission to GDARD

The development of the Shell Aerodrome Service Station has triggered the need for a Basic Assessment process to be followed, to apply for the EA in terms of the EIA Regulations. The revised draft BAR (BAR) and Draft Environmental Management Programme (EMPr) will made available to currently registered I&APs as part of the PPP.

A Project schedule (Appendix A) has been developed for the Project, with key dates as follows:

**Completion Timeframe** Draft BAR Compilation 01 August – 23 August 2021 Submission of EA Application and DBAR to GDARD 25 August 2021 30-day PPP 27 August – 27 September 2021 Consolidating Comments and Finalising 28 September – 01 October 2021

Table 3-1: Project timeline

#### 3.2 **Basic Assessment Process**

The Applicant is in the process of undertaking the following activities as part of the Assessment Process:

04 October 2021

- Submission of the Public Participation Plan, in line with the National Disaster Management Directions for NEMA applications.
- Compilation of the DBAR and EMPr, including the PPP.
- Notification of I&APs of the DBAR.
- 30-day PPP and review of the DBAR and EMPr.
- Review and decision by the competent authority (i.e. GDARD).
- Appeal Phase.

### 3.3 Register of I&AP's

As part of the initial BA process, a stakeholder database was developed from identifying all competent authorities and relevant stakeholders, as well as identifying all surrounding businesses and listing their contact details. Stakeholder details were verified and updated as necessary. In complying with the EIA Regulations, ERM will notify registered stakeholders of the PPP via email.

Furthermore, additional stakeholders and interested and affected parties (IA&Ps) will be registered on the database throughout the consultation process. Notification of the new I&APs will be facilitated as described in Section **Error! Reference source not found.**.

# 3.4 Notification of I&AP's in Terms of Regulation 41 of the EIA Regulations, 2014 (as amended 1 April 2017)

### 3.4.1 Site Notices

According to the EIA Regulations, a notice board must be fixed at a place conspicuous to, and accessible by, the public; (i.e. at the boundary, on the fence or along the corridor of the site).

Site notices will be erected and will be the required size in accordance with the EIA Regulations, as well as laminated and mounted to steel poles (where possible). This will ensure that the site notices are available for the full duration of the PPP. Please see Appendix C for the Site Notice template.

### 3.4.2 Newspaper Adverts

One newspaper advert will be published as follows:

In English, in The Sowetan which is also a national newspaper.

The advertisements will outline the Project, as well as the process which will be followed in terms of the EA process. The advertisements will also include contact details of the EAP, as well as how to register as an I&AP. Please see Appendix D for the Newspaper Advertisement template.

### 3.5 The Draft BAR and EMPr Availability

The Draft BAR and EMPr will be made available on ERM's website, which each I&AP will be sent a link to upon the commencement of the PPP. The Draft BAR and EMPr will be made available for the full duration of the PPP.

If any of the I&APs have difficulty accessing the Draft BAR and EMPr, it will be possible for them to request and collect a hardcopy from a location to be determined at that stage (pending national or local restrictions related to Covid). During this time, all comments and concerns will be taken into consideration and recorded. All responses to these comments will be presented to the GDARD as part of the Final BAR and EMPr.

Registered I&APs will be informed of the submission of the final BAR as well as GDARD's decision.

### 3.6 Notification of the Decision Made by the GDARD

Once the GDARD has made a decision on the Draft BAR and EMPr, an email will be sent to each I&AP notifying them of the decision, as well as the link to the EA issued by GDARD. If the I&AP

cannot access the EA online, they must contact the EAP who will use one of the following methods to ensure the I&AP receives the document:

- e-mail
- ERM website
- Zero Data Portal
- **Cloud Based Services**

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#### APPENDIX A PROJECT SCHEDULE

Activity	Completion Timeframe
Draft BAR Compilation	01 August – 23 August 2021
Submission of EA Application and Draft BAR to GDARD	25 August 2021
30-day PPP	27 August – 27 September 2021
Consolidating Comments and Finalising BAR	28 September – 01 October 2021
Submission to GDARD	04 October 2021

## APPENDIX B I&AP DATABASE

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### Interested and Affected Parties Database: The Proposed Development of a Shell Service Station located on Summit Road Midrand, Gauteng

Shell									
Name	Surname	Organisation	Position	Email	Telephone	Cell	Fax	Physical Address	Postal Address
Commenting Authorities									
Nhlanhla	Makhatini	Gauteng Department of Agriculture and Rural Development							
Caroline	Sithi	Gauteng Department of Agriculture and Rural Development	Environmental Officer						
Teboho	Leku	Gauteng Department of Agriculture and Rural Development	Environmental Officer						
Steven	Mukhola	Gauteng Department of Agriculture and Rural Development	Director						
Mulalo	Mukwevho	Gauteng Department of Agriculture and Rural Development							
Matilda	Gasele	Gauteng Department of Agriculture and Rural Development	Head of Department						
Helgard	Muller	Gauteng Department of Water Affairs	Acting Deputy Director						Private Bag X313
Oscar	Mpilo	Gauteng Department of Energy							
Mbulelo	Tshangana	Department of Water and Sanitation	Director-General						
Xoliswa	Mkhalali	Gauteng Department of Human Settlements	Head of Johannesburg Region						
Pumla	Ncapayi	Gauteng Department of Economic Development	Head of Department						
Ofentse	Morwane	Gauteng Department of Community Safety	Head of Communications						
Tasneem	Motara	Gauteng Department of Infrastructure Developments	MEC for Infrastructure Development and Property Management						
Local Municipality									
Applications Unit		City of Johannesburg Metropolitan (JHB)	Environmental Unit						
Tiaan	Ehlers	City of Johannesburg Metropolitan (JHB)	Department of Development Planning and Urban Management						
Dr. Ndivhoniswani	Lukhwareni	City of Johannesburg Metropolitan Municipality(JHB)	Municipal Manager						
Peter	Stewart	City of Johannesburg	Ward 125 Councillor				-	1	-
Nozipho	Maduse	City of Johannesburg Metropolitan (JHB)	Department of Development Planning and Urban Management						
Gift	Mabasa	City of Johannesburg Metropolitan (JHB)	Department of Development Planning and Urban Management						
Tshilidzi Tshimanga	Tshimanga	City of Johannesburg Metropolitan (JHB)	Department of Development Planning and Urban Management						
Libraries									
Sapnar	Ragunan	Naturena Library	Assistance Director						



### Interested and Affected Parties Database: The Proposed Development of a Shell Service Station located on Summit Road Midrand, Gauteng

Shell						
Tuta	Nteboheleng	Diepkloof Zone 5 Library				
Fuel Association Committee						
Fatima B	Shaik	South African Petroleum Industry Association (SAPIA)	Head: Health, Safety, Security & Environment			
Mackenzie	Ndlovu	Fuel Retailers Association	Regional Representative Gauteng			
Neighbouring Businesses						
Kgomotso	Lekgotlane	SAB Baragwanath Depot	Site Represantative			
Fun Valley Pleasure Resort		Fun Valley Pleasure Resort				
Glasfit Aeroton		Glasfit Aeroton				
DTD High Technical						
Southgate Mall						
Socrates	Koom	Road Lodge Southgate	General Manager			
Sun1 Hotel Southgate	Sadeck	Jabar	General Manager			
Total Meredale						
Murray		Meredale Primary School				
Aeroton Steel (Pty) Ltd		Aeroton Steel (Pty) Ltd				