

Figure 41: Soil leaching status classes for Mpumalanga.

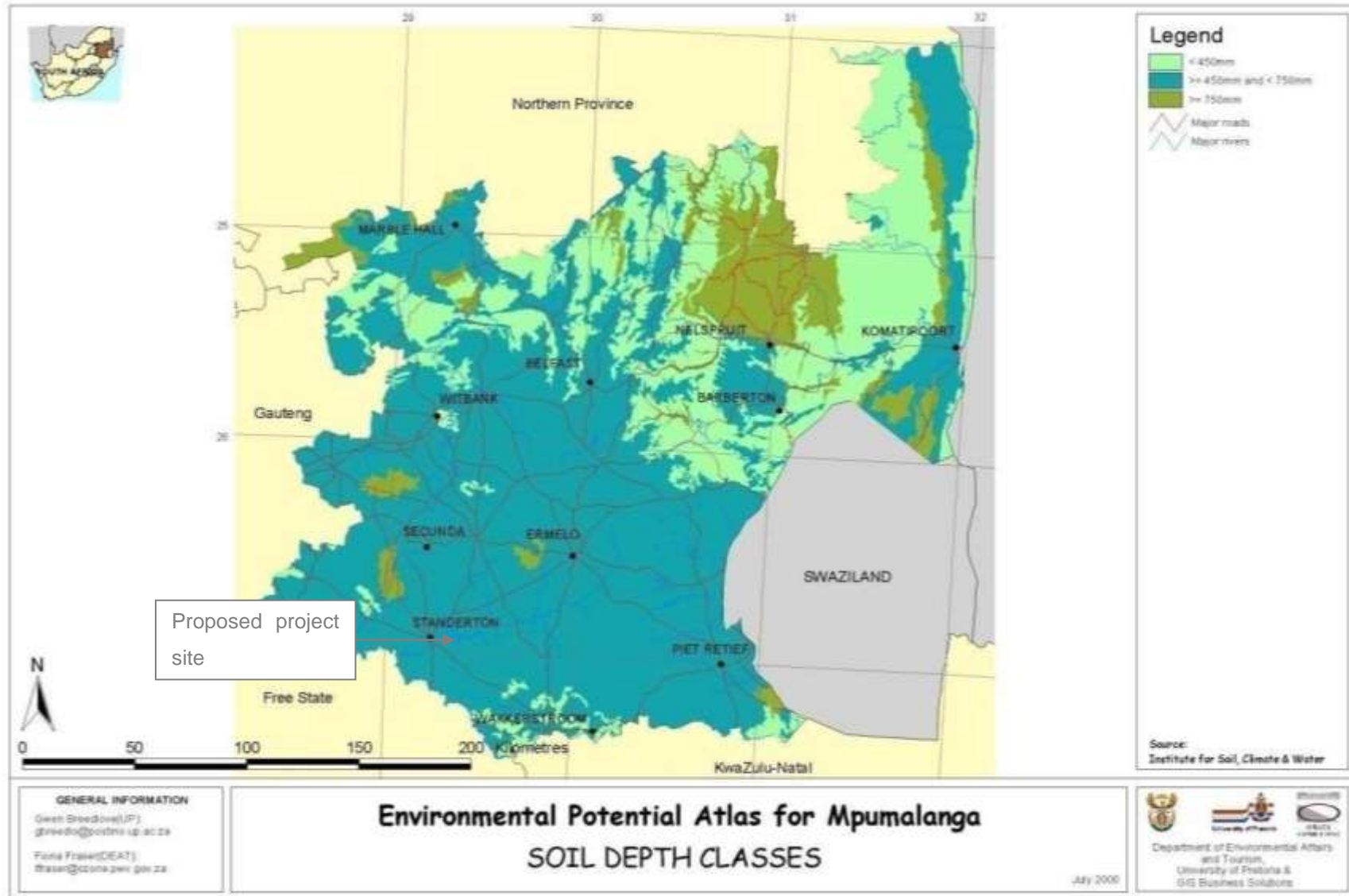


Figure 42: Soil depth in Mpumalanga.

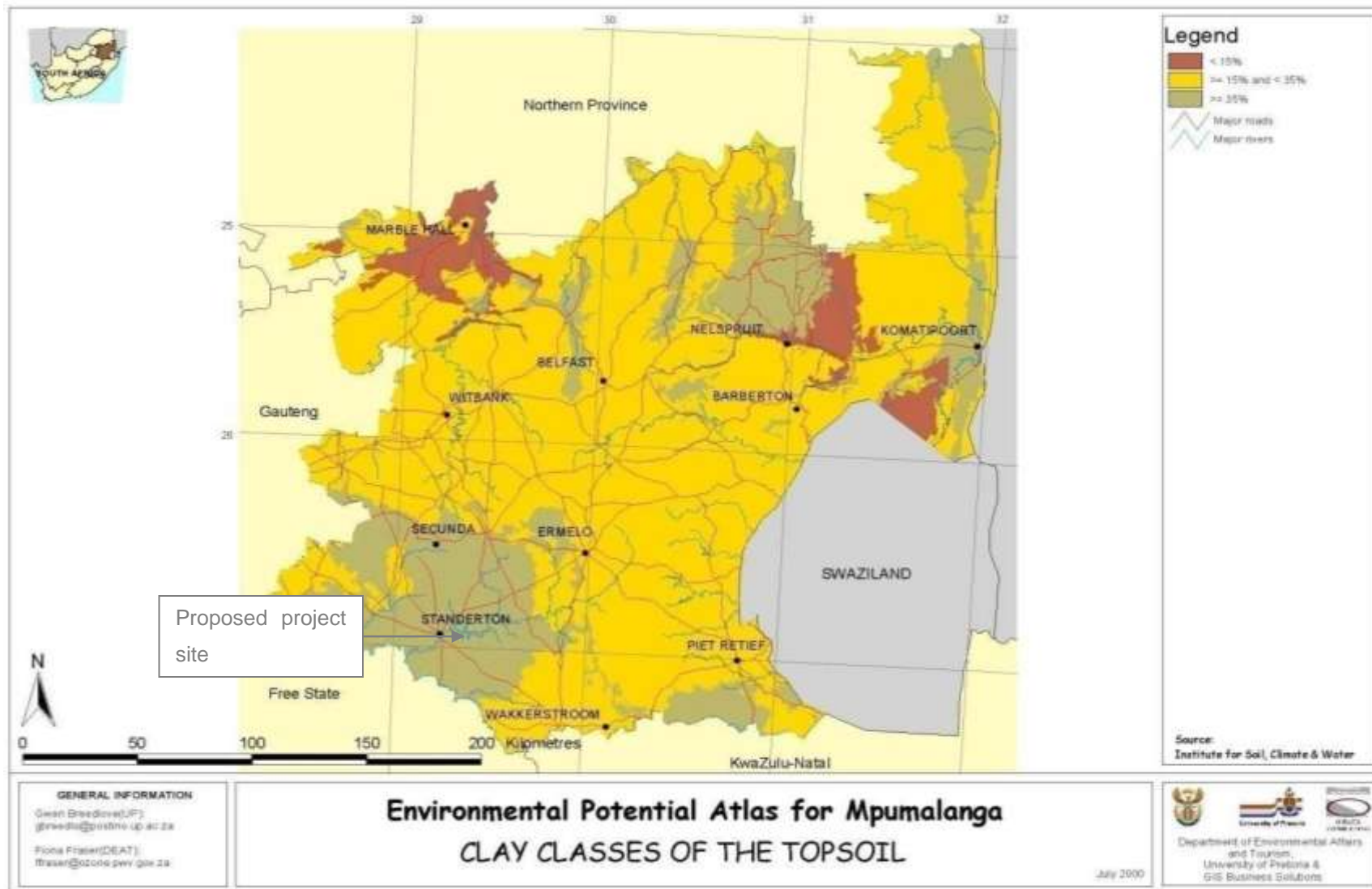


Figure 43: Clay classes of the topsoil in Mpumalanga.

2.1.5 Land use and land capability

The footprint of the site currently comprises of eight poultry broiler houses, residential buildings, internal road infrastructure, open spaces between the houses and a bio-security buffer area around all broiler houses.



Figure 44: Current infrastructure.

Langspruit Boerdery forms part of the Agricultural industry. The current land use is therefore considered in compliance with the existing approved Lekwa Local Municipality Spatial Development Framework (SDF) (existing agriculture with a high soil potential). The approval of the proposed expansion will therefore not compromise the integrity of the existing approval and credible municipal IDP and SDF as agreed to by the relevant authorities (Refer to Figure 45).



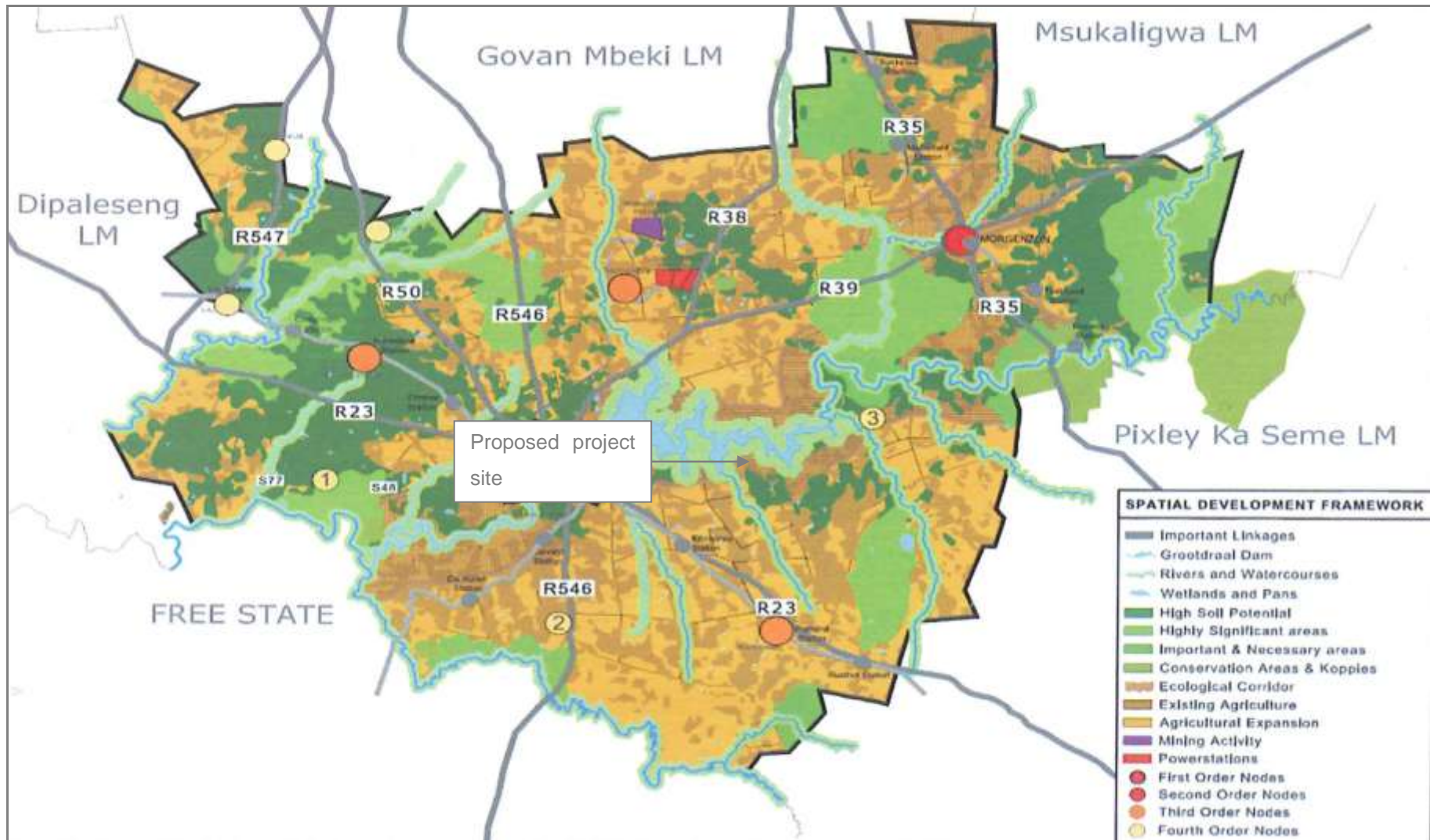


Figure 45: Lekwa Local Municipality' special development concept.

2.1.6 Fauna and Flora

Due to the disturbed nature of the vegetation onsite, a desktop assessment was undertaken to describe the vegetation of the area surrounding the site.

This site falls within the Grass Land biome region and is specifically classified as Soweto Highveld Grassland (Refer to Figure 46).

The Grassland Biome is found mainly on the high central plateau of South Africa and the interior regions of KwaZulu-Natal and the Eastern Cape. Frost, fire and grazing maintain the dominance of grasses and prevent the establishment of trees. Fire is a natural factor caused by lightning and regular burning is essential to maintaining the structure and biodiversity of this biome. Grasslands are unique ecosystems with rich and often highly specialized animal life, both above and below ground. Formerly, native grasslands supported vast herds of ungulates such as blesbok, black wildebeest and springbok. Bird densities range from 50 to 380 birds per 100 ha, and include a wide range of species.

South African grasslands essentially comprise of a simple, single-layered herbaceous community of tussocked (or bunch) grasses. It is not generally known that the majority of plant species in grasslands are non-grassy herbs, most of which are perennial plants with large underground storage structures that can live for several decades. The Grassland Biome has an extremely high biodiversity, second only to the Fynbos Biome. At a 1 000 square metre scale, the average species richness of the Grassland Biome is even higher than those of most Fynbos communities, being surpassed only by Renosterveld.

Soweto Highveld grasslands usually occur at between 1 420 and 1 760 metres above sea level on undulating areas of the Highveld plateau. The tufted grasses are dense and short to medium-high in length. *Themeda triandra* almost completely dominates the grasslands and occurs with a number of other grass species such as *Eragrostis racemosa*, *Tristachya leucothrix*, *Elionurus muticus* and *Heteropogon contortus*.

The natural grasslands are classified as endangered and are poorly conserved at present (Mucina & Rutherford, 2006). However, the proposed development sites cannot be classified as native Soweto Highveld grassland as a result of its disturbed state and as the sites are characterised by the monocrop “Weeping love grass also known as Oulandsgras”. For this reason, the impact of the proposed development on natural vegetation can be regarded as low.

Important taxa within the Soweto Highveld grasslands are the following:



Table 3: Dominant vegetation within the Soweto Highveld Grassland.

Taxa	Species
Graminoids:	<i>Paspalum dilatatum</i> , <i>Harpochloa falx</i> , <i>Cymbopogon pospischilii</i> , <i>Cynodon dactylon</i> , <i>Eragrostis capensis</i> , <i>E. curvula</i> , <i>E. chloromelas</i> , <i>E. planiculmis</i> , <i>E. plana</i> , <i>E. racemosa</i> , <i>Heteropogon contortus</i> , <i>Hyparrhenia hirta</i> , <i>Setaria nigrirostris</i> , <i>S. sphacelata</i> , <i>Themeda triandra</i> , <i>Microchloa caffra</i> , <i>Tristachya leucothrix</i> , <i>Andropogon schirensis</i> , <i>Aristida adscensionis</i> , <i>A. bipartita</i> , <i>A. congesta</i> , <i>A. junciformis</i> , subsp. <i>galpinii</i> , <i>Cymbopogon caesius</i> , <i>Digitaria diagonalis</i> , <i>Andropogon appendiculatus</i> , <i>Elionurus muticus</i> , <i>Brachiaria serrata</i> , <i>Diheteropogon amplexans</i> , <i>Eragrostis micrantha</i> , and <i>E. superb.</i>
Herbs:	<i>Vernonia oligocephala</i> , <i>Geigeria aspera</i> var. <i>aspera</i> , <i>Hermannia depressa</i> , <i>Euryops gilfillanii</i> , <i>Dicoma anomala</i> , <i>Acalypha angustata</i> , <i>Rhynchosia effusa</i> , <i>Wahlenbergia undulata</i> , <i>Selago densiflora</i> , <i>Berkheya setifera</i> , <i>Hibiscus pusillus</i> , <i>Lippia scaberrima</i> , <i>Schistostephium crataegifolium</i> , <i>Senecio coronatus</i> , <i>Justicia anagalloides</i> , <i>Graderia subintegra</i> , <i>Helichrysum miconiifolium</i> , <i>H. rugulosum</i> , <i>H. nudifolium</i> var. <i>nudifolium</i> and <i>Haplocarpha scaposa</i> .
Geophytic Herbs:	<i>Heamanthus montanus</i> and <i>H. humilis</i> subsp. <i>hirsutus</i> .
Herbaceous Climber:	<i>Rhynchosia totta</i> .
Low Shrubs:	<i>Ziziphus zeyheriana</i> , <i>Anthospermum rigidum</i> subsp. <i>pumilum</i> , <i>A. hispidulum</i> , <i>Felicia muricata</i> and <i>Berkheya annectens</i> .



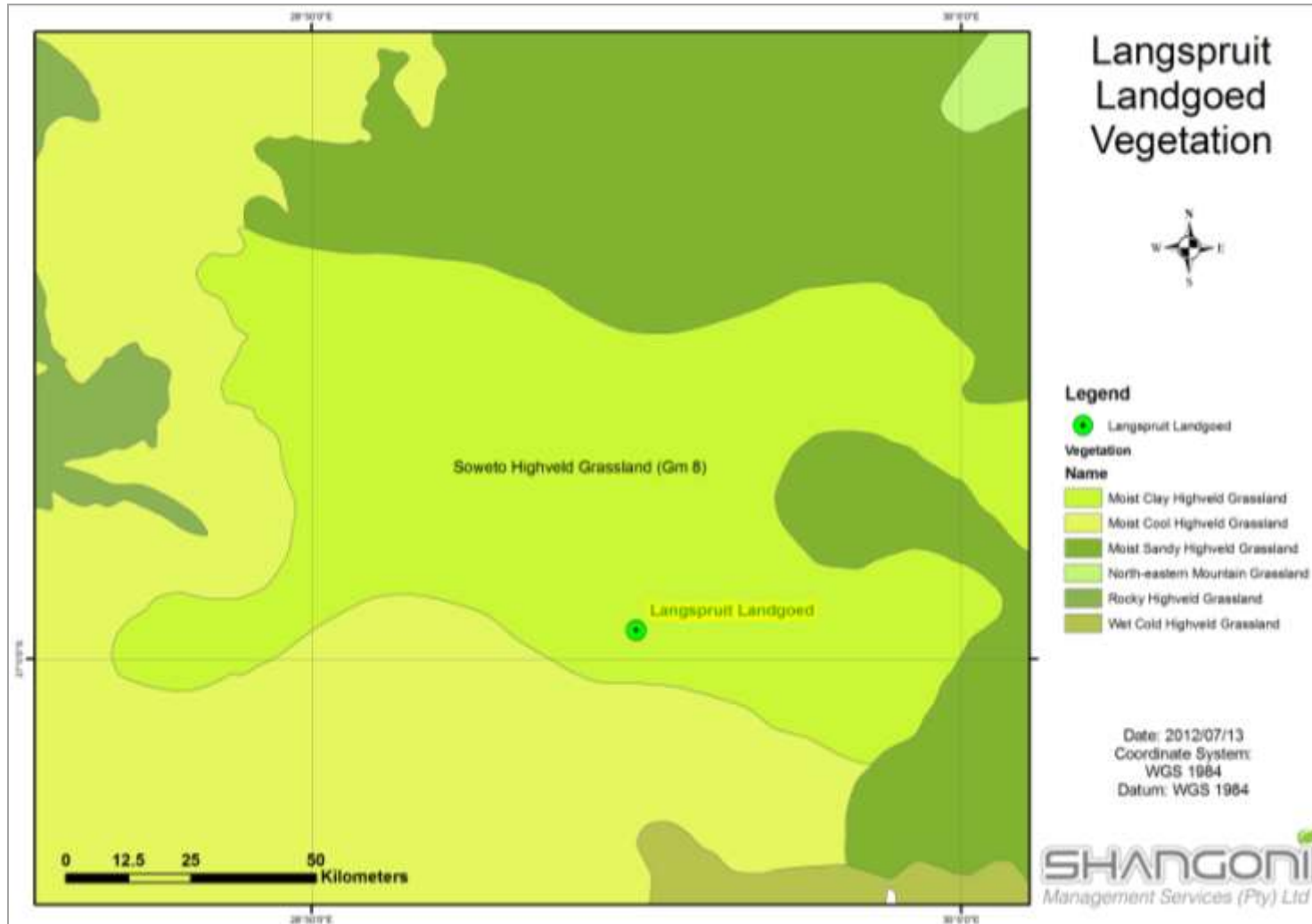


Figure 46: Vegetation map.

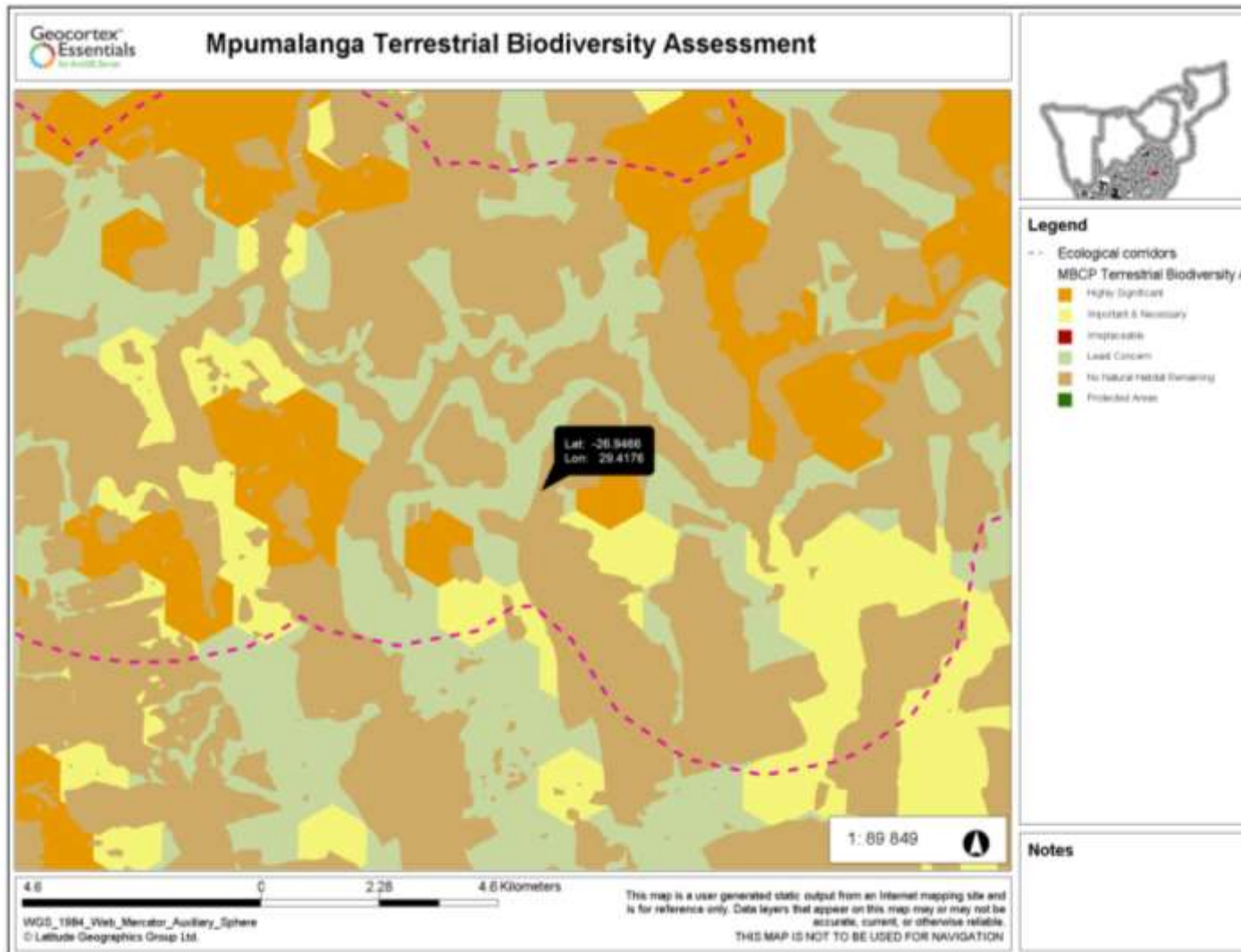


Figure 47: Mpumalanga Terrestrial Biodiversity Assessment.



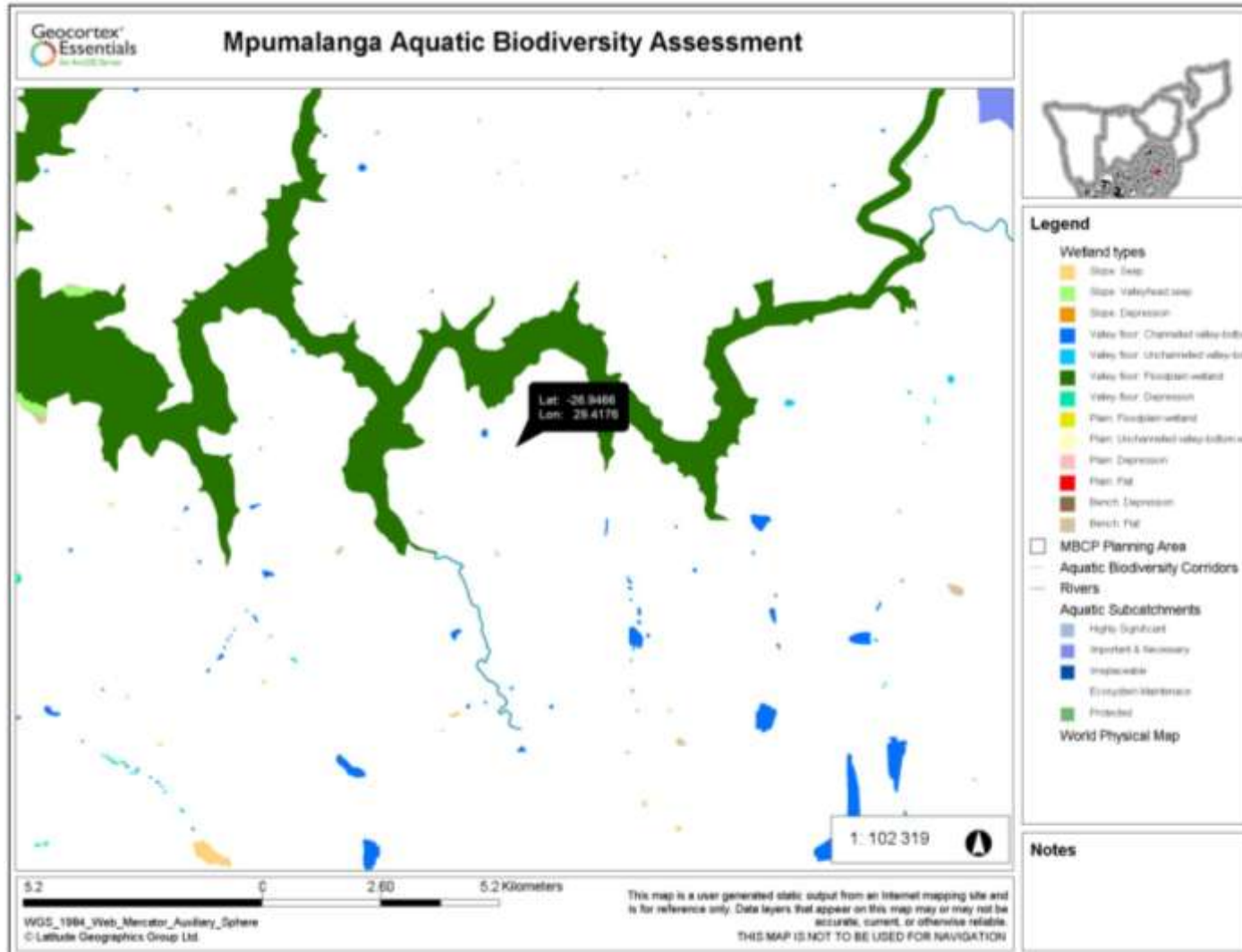


Figure 48: Mpumalanga Aquatic Biodiversity Assessment.



2.1.7 Surface water

The site area falls within the Vaal River catchment in the upper reaches of the Vaal River (Upper Vaal Water Management Area or WMA), as shown in Figure 49 and Figure 50. The catchment covers an area of 192 000km² and the mean annual runoff for this area of the Vaal River catchment is approximately 1 100 million m³/annum. The soil profile of the Upper Vaal WMA has an undulating relief and the soil depth is moderate to deep.

The site area falls within the Vaal River catchment in the upper reaches of the Vaal River (Upper Vaal Water Management Area or WMA). Table 1 (Surface water abstraction and storage volumes) in GN 288 of 4 April 2012, general authorisations in terms of Section 39 of the National Water Act, 1998 (Act No. 36 of 1998), states that the maximum volume of surface water that may be abstracted from this property is 2000m³ a year at a maximum rate of 1l/s. Table 1 of GN 288 also states that a maximum storage of 2 000m³ of water may occur on this property. Refer to Section 1.5.1 for the water use licensing requirements of the project.

2.1.7 Groundwater

The property falls within the C11L quaternary drainage region. Table 2 (groundwater abstraction rates) in GN 288 of 4 April 2012, general authorisations in terms of Section 39 of the National Water Act, 1998 (Act No. 36 of 1998), states that 75m³ water may be abstracted per hectare per year in the C11L quaternary drainage region. Refer to Section 1.5.1 for the water use licensing requirements of the project.



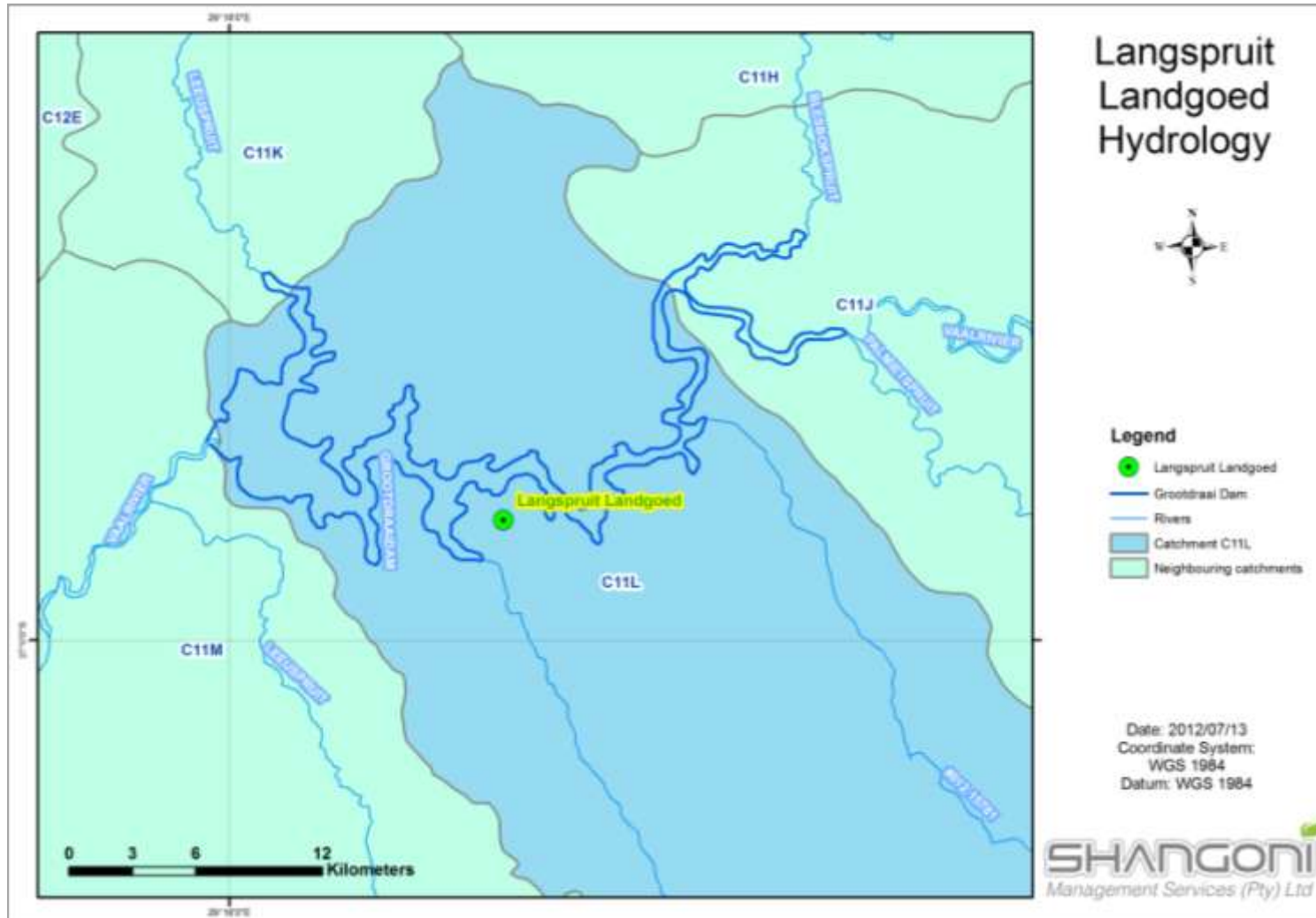


Figure 49: The Vaal River catchment (C11L quaternary catchment).



Figure 50: Primary catchments in Mpumalanga.

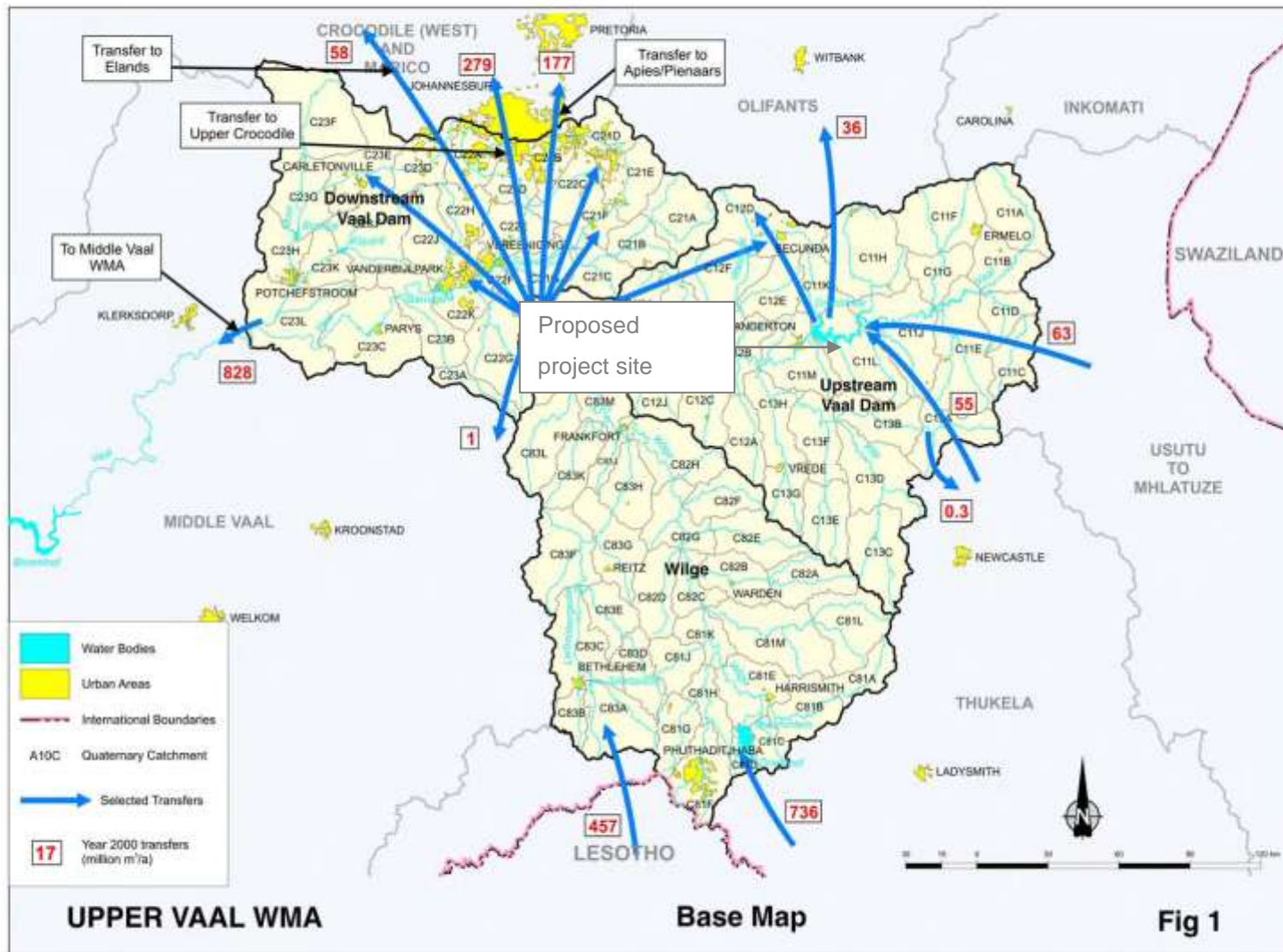


Figure 51: Upper Vaal Water Management Area (Basson, & Rossouw, 2003).

2.1.8 Water Authority

The relevant Water Authority is the Mpumalanga regional office of the Department of Water Affairs (DWA).

2.1.9 Noise

Noise on and around the proposed site is generated by general farming activities, limited vehicle movement, broiler raising activities and limited residential activities.

According to Jorgensen & Johnson (1981), the noise levels generated by general construction activities on a building site can reach levels of approximately 70 dB, caused by for instance heavy machinery. It can therefore be assumed that the proposed development will have a negative impact on the environmental noise of the area once construction starts.

Sound is inversely proportional to the distance from the source and can get absorbed by buildings and vegetation barriers. Noise intensity (dB) will be at its highest on site and will decrease as you move away from the source.

The decline curve below (Refer to Figure 52) gives an indication of how noise generated at the site will decrease with distance. This gives a clear indication of the distance that the sound would have travelled upon reaching a level of 60 dB, prescribed by the SABS as being the acceptable limit for environmental noise.

According to Figure 52, at a distance of 27 metres from the construction site, generated noise would have decreased to a level of 60 dB and at a distance of 45 metres it would have decreased to approximately 55dB. It can therefore be said that noise travelling further than 45 metres will have a low impact on neighbouring farms and residential areas.



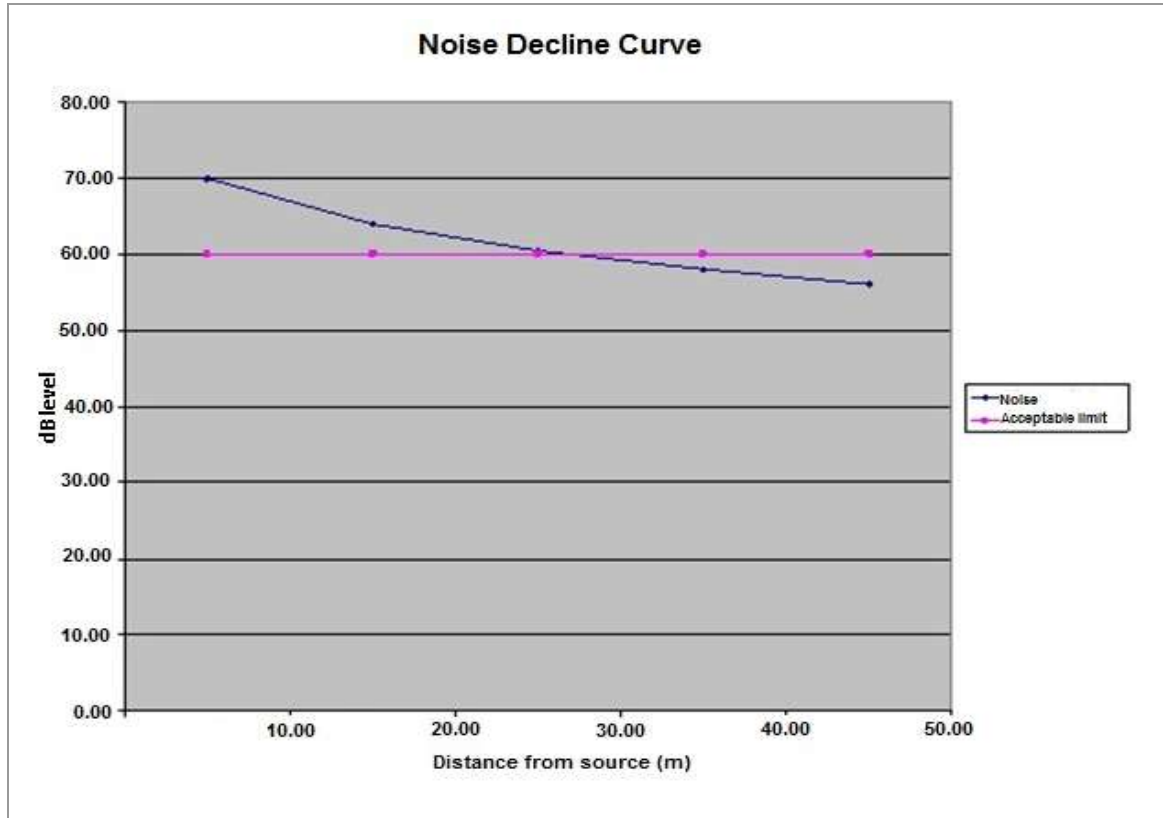


Figure 52: Noise decline curve.

2.1.10 Sites of archaeological and cultural interest

A site walk-through of the proposed development was undertaken. The objective of the study was to identify possible archaeological, cultural and historic sites within the proposed development areas.

No obvious features, sites, graves or artefacts of cultural significance that could be impacted upon by the proposed development were found.

2.1.11 Visual aspects

The site is secluded and lies approximately 11km north-east of the closest main road (R23). The proposed broiler facility expansion will therefore not have a significant visual impact on the surrounding environment.

2.1.12 Air Quality

South Africa has limited financial and technological resources as well as air quality specialists to ensure efficient and effective air quality improvements. The risk thus exists that these resources would be stretched beyond their capacity if they were required to simultaneously manage the air



quality throughout the country. By establishing priority areas, these resources can be focused on recognised areas of concern.

The Highveld was declared as a priority area on 23 November 2007, and is now referred to as the Highveld Priority Area in terms of section 18(1) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004). This means that the ambient air quality in this area currently exceeds or may in future exceed the ambient air quality standards and that the area requires a specific air quality management plan (Gert Sibande, 2009). The Air Quality Management Plan aims to put systems and methods in place to systematically deal with the Air quality issues.

The Highveld Priority Area includes five of the seven local municipalities in the district, namely the Govan Mbeki-, Dipaleseng-, Pixley ka Seme-, Msukaligwa-, and Lekwa local municipality (Gert Sibande, 2009).

Construction Phase

The proposed expansion will have a short-term and low, negative impact on the air quality of the property as a result of excavation activities that will take place during the construction phase of the project. However, with the correct mitigation measures introduced the dust can be controlled by means of suppression techniques such as the watering of cleared areas and the introduction of speed limits for construction vehicles operating onsite.

Operational Phase

Manure refers to the combination of faeces and urine (uric acid) excreted by poultry. Ammonia is produced as a by-product of the microbial decomposition of the organic nitrogen compounds in manure. Nitrogen occurs as both unabsorbed nutrients in animal faeces and as either urea (mammals) or uric acid (poultry) in urine.

The formation of ammonia in faeces is slower, but will continue with the microbial breakdown of manure under both aerobic and anaerobic conditions. The potential for ammonia emissions exists wherever manure is present and ammonia will be emitted from confinement buildings, open lots, stockpiles, anaerobic lagoons, and land application from both wet and dry handling systems.

Emissions will depend on how much of the ammonia-nitrogen in solution reacts to form ammonia versus ionized ammonium (NH_4^+), which is non-volatile.

The volatilization of ammonia from any manure management operation can be highly variable depending on the following:



- total ammonia concentration,
- temperature: high temperature favours higher concentrations of ammonia and thus greater ammonia emissions.
- pH: high pH favours higher concentrations of ammonia and thus greater ammonia emissions.
- storage time.

Maintaining good litter conditions is important in minimizing and preventing atmospheric ammonia emissions and the social impact due to nuisance caused by odours generated by the litter.

2.2 Socio-economic aspects

The site is located within the Lekwa local municipality. This local municipality forms part of the Mpumalanga province and falls under the jurisdiction of the Gert Sibande District Municipality.

2.2.1 Demography

According to the 2008 figures, there were 117 833 people and 32 241 households in the Lekwa Local Municipality. The average household had 3.5 persons per household, slightly lower than that of the Mpumalanga Province as a whole, at 4.3 persons per household. The table below indicates the population statistics for the Lekwa Local Municipal Area as in 2008 (KV3 Engineers, 2009).

Table 4: Lekwa Local Municipality population statistics.

Population Group	Figures
Black African	101 304
Coloured	1 961
Indian or Asian	1 149
White	13 419
Total Population	117 833

Approximately 51% of the population was female. In terms of age, Lekwa Local Municipality had a relatively young population, with 40% of the population between the ages of 0 and 20 years, 59% below the age of 30, 26% between 30 and 50 years of age and 11% older than 50 (KV3 Engineers, 2009).



Table 5: Distribution of Population by Gender in Lekwa Local Municipality (Lekwa Local Municipality – IDP, 2007/2011)

Statistical baseline	Male	Female
2001	50 629	52 636
2007 (Projection)	54 679	56 846
Ward 13	5 970	5 754
Ward 13 (2007-Projection)	6 447	6 214

Table 6: Population Distribution per Ward 13 in Lekwa Local Municipality

	Date	Ward 13	Total Population
Population	Population (2001)	11 726	103 265
	2007 Projection	12 664	111 526
African	African (2001)	10 993	89 054
	2007 Projection	11 872	96 176
Coloured	Coloured (2001)	30	1 936
	2007 Projection	32	2 091
Indian	Indian (2001)	0	951
	2007 Projection		1 027
White	White (2001)	699	11 351
	2007 Projection	755	12 258

2.2.2 Major economic activities

The Lekwa Local Municipality is relatively industrialised and has a large number of sectors that have been established in the Municipal area. These sectors include the mining of coal and the lignite sector that is the main sector in the Lekwa Municipality (KV3 Engineers, 2009).

Other sectors include textiles, engineering, animal feed producers, dairy producers, mining, hunting, farming and grain mills, community services, electricity, gas, trade, steam and hot water supply. The agricultural activities in Lekwa also include sheep, chicken and cattle farming and the cultivation of sorghum, mushrooms, maize, sunflower and flowers (KV3 Engineers, 2009).

The land use within the Municipality is almost entirely dominated by agriculture (Refer to Table 8). Many of the grasslands in the Municipal area are used for the rearing of dairy cattle. In the last 15 years the poultry sector has developed substantially and there are approximately 50 poultry broiler farms in the Lekwa municipal area.



Table 7: Gert Sibande State of HDI, Gini Coefficient and Poverty Rates. (Pixley Ka Seme Local Municipality – dIDP, June 2009).

	Human Development Index		
	1996	2001	2007
Lekwa Local Municipality	0.53	0.55	0.55
Gert Sibande District Municipality	0.50	0.53	0.54
Mpumalanga	0.49	0.52	0.53
National	0.56	0.59	0.60
	Gini Coefficient		
	1996	2001	2007
Lekwa Local Municipality	0.57	0.62	0.65
Gert Sibande	0.61	0.67	0.68
Mpumalanga	0.61	0.66	0.68
National	0.62	0.66	0.67
	% People Living in Poverty		
	1996	2001	2007
Lekwa Local Municipality	37.5%	48.8%	48.0%
Gert Sibande	47.8%	53.4%	48.8%
Mpumalanga	50.4%	56.0%	51.2%
National	40.8%	48.1%	42.8%

Table 8: Population Distribution per Ward in Lekwa Local Municipality.

	Ward 13	Total of all wards
Agricultural related work	2022	7 695
Mining Quarrying	3	1 171
Manufacturing	32	2 468
Electricity, gas and water	0	1 131
Construction	18	1 184
Wholesale and retail	121	3 206
Transport and Communication	35	637
Business service	28	1 029
Community Service	62	3 622
Private households	437	3 361
Undetermined	96	1 078
Extra territorial organization	0	0
Rep. Foreign Government	0	0



2.2.3 Unemployment and employment

Unemployment remains one of the serious socio economic challenges throughout South Africa. High rates of unemployment have direct links with other social issues and problems such as poverty, inequality, social instability and crime.

According to Global Insight SA's estimates, 22% of the economically active population in the Lekwa Municipality is unemployed and it was expected that the remaining percentage would be employed, but almost 55% of the population is economically inactive. With 35% of the population being financially responsible for the other 65% of the population, the dependency- and unemployment-rates are very high in the Municipality.

Approximately 64% of people in the Lekwa Local Municipality who were economically active, i.e. between 15 and 65 years of age. Of this group, approximately 40% of people were employed while approximately 60% were unemployed.

30.87% of the employed population works in the community services sector as specified by the census. Thereafter, 25.07% of the employed population works in the trade industry, followed by 12.55% in agriculture. The construction, electricity and transport sectors are the smallest sectors in terms of the number of people employed.

11% of households in Lekwa Municipality have earnings of less than R1 100 per month. In the Gert Sibande District Municipality, households earning less than R1 100 per month are classified as poor households (KV3 Engineers, 2009).

Recent analysis has indicated that the unemployment rate has increased for the Mpumalanga province as a whole. The comparison between 1998 and 2005 rates shows that unemployment has increased from approximately 18.3% in 1998 (Statistics South Africa, 1998) to 23.4% in 2005 (KV3 Engineers, 2009).

Table 9: Population Distribution per Ward in Lekwa Local Municipality.

Ward	Employed	Unemployed	Not Economically Active
13	2 853	1 217	2 533
Total	26 591	15 286	24 240



Table 10: Industrial Economic Sectors and employment within Lekwa Municipality (Lekwa Local Municipality – IDP, 2007/2011).

Sector	Number employed	% of total
Agricultural related work	7 838	28.2%
Mining, Quarrying	1 170	4.2%
Private households	4 332	15.6%
Manufacturing	2 481	9%
Community services	4 725	17%
Electricity, gas and water	1 133	4%
Construction	1 188	4.3%
Business service	1 035	3.7%
Wholesale and retail	3 239	11.7%
Transport & communication	638	2.3%
Total	27 779	100%



3. LEGISLATION AND GUIDELINES APPLICABLE

3.1 Laws of general application

- Constitution of the RSA, 1996 (Act No 108 of 1996)
- National Environmental Management Act, 1998 (Act No 107 of 1998)
- Environment Conservation Act, 1989 (Act No 73 of 1989 as amended)
- Promotion of Access to Information Act, 2000 (Act No 2 of 2000 as amended)

3.2 Atmospheric emissions

- National Environmental Management: Air Quality Act (Act No 39 of 2004)
- Environment Conservation Act, 1989 (Act No 73 of 1989) – Noise Control
- Regulations in terms of Section 25 of the Environment Conservation Act, 1989

3.3 Water Management

- National Water Act, 1998 (Act No 36 of 1998)

3.4 Waste management

- National Environmental Management: Waste Act (Act No 59 of 2008)

3.5 Planning of new activities

- National Environmental Management Act, 1998 (Act No 107 of 1998)

3.6 Land and Soil Management

- National Environmental Management Act, 1998 (Act No 107 of 1998)
- Environmental Conservation Act, 1989 (Act No 73 of 1989)

3.7 Heritage resources

- National Heritage Resources Act No 25 of 1999 (Act No 25 of 1999 as amended)

During the course of the development, the developer and contractors must comply with all other relevant legislation (including the bylaws of the Local Municipality).



4. PUBLIC PARTICIPATION PROCESS

4.1 Introduction

A Public Participation Process (PPP) is a requirement in terms of the 2010 EIA Regulations of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and it forms an integral part of any EIA process.

This section provides information pertaining to the PPP that was conducted by Shangoni Management Services during this particular assessment.

The purpose of this process is to gather information from the community and relevant Stakeholders that could ultimately affect the decision-making process concerning the Planning, Construction and Operational Phases of the proposed Langspruit Boerdery Broiler Facilities expansion project. The community and public have been identified as I&APs and have been given the opportunity to participate in this process. Their comments, whether positive or negative, can influence the decision of the Authorities and the developer's final actions.

4.2 Objectives of the PPP

The PPP has the following objectives:

- To inform I&APs as well as all Stakeholders of the proposed development;
- To provide an opportunity for I&APs and Stakeholders to raise environmental issues or concerns and make suggestions;
- To promote transparency and an understanding of the project and its consequences;
- To serve as a structure for liaison and communication with I&APs and Stakeholders.

To summarise, the objective of the on-going PPP is to promote candour and transparency concerning the proposed broiler facility expansion for the duration of the project. The process should by no means be regarded as a vehicle to temper opposition or objections. Any conclusions agreed upon must be socially, financially and technically acceptable and feasible in order to meet the requirements of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998).



4.3 The Guidelines Followed for the PPP

The PPP for this project was conducted by Shangoni Management Services and undertaken strictly according to the guidelines in terms of the National Environmental Management Act (NEMA), No. 107 of 1998, Chapter 6:

4.4 Public Participation Process

54. (1) This regulation only applies in instances where adherence to the provisions of this regulation is specifically required.

- (2) The person conducting a public participation process must take into account any guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of the application which is subjected to public participation by-
- (a) fixing a notice board at a place conspicuous to the public at the boundary or on the fence of -
- (i) the site where the activity to which the application relates is or is to be undertaken; and
 - (ii) any alternative site mentioned in the application;
- (b) giving written notice to -
- (i) the owner or person in control of that land if the applicant is not the owner or person in control of the land;
 - (ii) the occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
 - (iii) owners and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
 - (iv) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;
 - (v) the municipality which has jurisdiction in the area;
 - (vi) any organ of state having jurisdiction in respect of any aspect of the activity; and
 - (vii) any other party as required by the competent authority;
- (c) placing an advertisement in –
- (i) one local newspaper; or
 - (ii) any official *Gazette* that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;



- (d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken: Provided that this paragraph needs not be complied with if an advertisement has been placed in an official *Gazette* referred to in sub regulation (c)(ii); and
- (e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desiring of but unable to participate in the process due to
 - (i) illiteracy;
 - (ii) disability;
 - (iii) or any other disadvantage.

(3) A notice, notice board or advertisement referred to in sub regulation (2) must

- (a) give details of the application which is subjected to public participation; and
- (b) state-
 - (i) that the application has been submitted to the competent authority in terms of these Regulations, as the case may be;
 - (ii) whether basic assessment or scoping procedures are being applied to the application, in the case of an application for environmental authorisation;
 - (iii) the nature and location of the activity to which the application relates;
 - (iv) where further information on the application or activity can be obtained; and
 - (vi) the manner in which and the person to whom representations in respect of the application may be made.

(4) A notice board referred to in sub regulation (2) must-

- (a) be of a size at least 60cm by 42cm; and
- (b) display the required information in lettering and in a format as may be determined by the competent authority.

(5) Where deviation from sub regulation (2) may be appropriate, the person conducting the public participation process may deviate from the requirements of that sub regulation to the extent and in the manner as may be agreed to by the competent authority.

(6) Where a basic assessment report, scoping report or environmental impact assessment report as contemplated in regulations 22, 28 and 31 respectively is amended because it has been rejected or because of a request for additional information by the competent authority, and such amended report contains new information, the amended basic assessment report, scoping report or environmental impact assessment report must be subjected to the processes contemplated in regulations 21, 27 and 31, as the case may be, on the understanding that the application form need not be resubmitted.



(7) When complying with this regulation, the person conducting the public participation process must ensure that-

- (a) information containing all relevant facts in respect of the application is made available to potential interested and affected parties; and
- (b) participation by potential interested and affected parties is facilitated in such a manner that all potential interested and affected parties are provided with a reasonable opportunity to comment on the application.

(8) Unless justified by exceptional circumstances, as agreed to by the competent authority, the applicant and EAP managing the environmental assessment process must refrain from conducting any public participation process during the period of 15 December to 2 January.

Register of interested and affected parties

55. (1) An EAP managing an application must open and maintain a register which contains the names, contact details and addresses of -

- (a) all persons who, as a consequence of the public participation process conducted in respect of that application in terms of regulation 54, have submitted written comments or attended meetings with the applicant or EAP;
- (b) all persons who, after completion of the public participation process referred to in paragraph (a), have requested the applicant or the EAP managing the application, in writing, for their names to be placed on the register; and
- (c) all organs of state which have jurisdiction in respect of the *activity* to which the application relates.

(2) An EAP managing an application must give access to the register to any person who submits a request for access to the register in writing.

Registered interested and affected parties entitled to comment on submissions

56. (1) A registered interested and affected party is entitled to comment, in writing, on all written submissions, including draft reports made to the competent authority by the applicant or the EAP managing an application, and to bring to the attention of the competent authority any issues which that party believes may be of significance to the consideration of the application, provided that-

- (a) comments are submitted within-
 - (i) the timeframes that have been approved or set by the competent authority; or
 - (ii) any extension of a timeframe agreed to by the applicant or EAP;
- (b) a copy of comments submitted directly to the competent authority is served on the EAP; and
- (c) the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application.



- (2) Before the EAP managing an application for environmental authorisation submits a final report compiled in terms of these Regulations to the competent authority, the EAP must give registered interested and affected parties access to, and an opportunity to comment on the report in writing.
- (3) The report referred to in sub regulation (2) include-
- (a) basic assessment reports;
 - (b) basic assessment reports amended and resubmitted in terms of regulation 24 (4);
 - (c) scoping reports;
 - (d) scoping reports amended and resubmitted in terms of regulation 30(3);
 - (e) specialist reports and reports on specialised processes compiled in terms of regulation 32;
 - (f) environmental impact assessment reports submitted in terms of regulation 31;
 - (g) environmental impact assessment reports amended and resubmitted in terms of regulation 34(4); and
 - (h) draft environmental management programmes compiled in terms of regulation 33.
- (4) The draft versions of reports referred to in sub regulation (3) must be submitted to the competent authority prior to awarding registered interested and affected parties an opportunity to comment.
- (5) Registered interested and affected parties must submit comments on draft reports contemplated in sub regulation (4) to the EAP, who should record it in accordance with regulations 21, 28 or 31.
- (6) Registered interested and affected parties must submit comments on final reports contemplated in sub regulation (3) to the competent authority and provide a copy of such comments to the applicant or EAP.
- (7) The competent authority must, in order to give effect to section 24O of the Act, on receipt of the draft reports contemplated in sub regulation (5), request any State department that administers a law relating to a matter affecting the environment to comment within 40 days.
- (8) The timeframe of 40 days as contemplated in sub regulation (7) must be read as 60 days in the case of waste management activities as contemplated in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), on which the Department of Water Affairs must concur and issue a record of decision in terms of section 49(2) of the National Environmental Management: Waste Management Act, 2008 (Act No. 59 of 2008).



(9)(a)When a State department is requested by the competent authority to comment, such State department must, within 40 days or in the case of Department of Water Affairs, 60 days for waste management activities, of being requested to comment by the competent authority, provide comments to the competent authority.

(b)If a State department fails to submit comments within 40, or 60 days for waste management activities, from the date on which the Minister, MEC, Minister of Mineral Resources or identified competent authority requests such State department in writing to submit comment, it will be regarded that there are no comments.

Comments of interested and affected parties to be recorded in reports submitted to competent authority

57. (1) The EAP managing an application for environmental authorisation must ensure that the comments of interested and affected parties are recorded in reports and that such written comments, including records of meetings, are attached to the report, submitted to the competent authority in terms of these Regulations.

- (2) Where a person is desiring but unable to access written comments as contemplated in sub regulation (1) due to-
- (i) a lack of skills to read or write;
 - (ii) disability; or
 - (iii) any other disadvantage,

reasonable alternative methods of recording comments must be provided for.

4.5 Public Participation Process Followed

The following PPP was conducted for the proposed Langspruit Boerdery Broiler Facilities expansion project:

- Identification of key Interested and Affected Parties (all adjacent landowners);
- Identification of key Stakeholders;
- Informing the key Stakeholders of the process by means of correspondence;
- Placement of a press notice in the Standerton Advertiser, informing the public of the process;
- Placement of site notices at the site; and
- Correspondence with I&APs and Stakeholders and the addressing of their comments.



4.5.1 Identification & Registration of I&APs on a Database

Through networking and advertising, I&APs were registered on a database. Shangoni ensured that individuals or organisations from an institutional as well as a geographical point of view were identified.

Geographically, Shangoni focused on nearby or adjacent landowners, communities and structures that represents them. Institutionally, the focus was on those organisations or individuals that may influence policies and decisions or make a contribution to the project. Not all of these organisations were necessarily in the direct project sphere of impact.

4.5.2 Notification of key stakeholders and IAPs

Stakeholders are all the relevant Authorities and land owners that may possibly be affected by the proposed broiler facility expansion. The following stakeholders were identified:

