

Stakeholder Engagement: Comments and Responses Report for the Wembezi JunXion Commercial Development on Portion 51 (Of 7) of the Farm Klipplaat Drift No 1009, uThukela District Municipality (I&AP redacted version)

Communication	Received from	Comment	Response
Comments received on the BID			
Email dated 12 October 2021	(Neighbour)	Requested to be kept up-to-date on the project progress.	Noted.
Email dated 20 October 2021	(Neighbour)	<p>How does the developer connecting into the municipal sewer infrastructure?</p> <p>Also has the developer conducted the various assessments to rule out the need for a WULA?</p>	<p>The sewerage treatment works in Wembezi is situated approximately 2 km west of the proposed development. The works has adequate capacity for the proposed development. The internal sewer reticulation will be water-borne gravity sewers outfalling into the bulk municipal sewer. (Refer Chapter 3.3.4 of the BAR.)</p> <p>The DWS did receive a copy of the BID and the dBAR where it states that no WUL is required. No comments have been received from them on this; they would have provided guidance should a WUL be required. However, if a WUL is required, it will be taken up by the developer independently from this EA application process. (Refer Chapter 5.3.3 of the BAR).</p>
Comments received on the dBAR			
Email dated 31 January 2022	(Neighbour)	<p>Proposed situation of the development on the main Estcourt / Wembezi road instead of on that portion of the farm land adjacent to Wembezi Township.</p> <p>This will significantly increase vehicle and foot traffic which will have environmental impact on farms adjoining the development including but not limited to emissions and littering.</p> <p>The development will increase security risk in the area – theft and robbery.</p> <p>It is unlikely that the development will have a positive effect on the Farm land values and has the potential to have exactly the opposite effect.</p>	<p>The proposed 20 ha property was subdivided from the farm years ago. This is the reason for selecting this property for the proposed development.</p> <p>The Traffic Impact Assessment (TIA) report deals with the expected increase in traffic; it also details the road upgrades required to handle the increased traffic (refer Appendix D and Chapter 3.1.1 of the BAR). Additional foot traffic is expected, specifically approaching the development from Wembezi (i.e. from the west). It is envisioned that the DoT will require pavement walkways to be constructed to accommodate this foot traffic; the developer has committed to ensuring pavement walkways are constructed to accommodate the expected foot traffic. This should keep the pedestrians off the road (refer Chapter 3.3.1 of the BAR). It is expected that additional litter may be generated as a result of the development. The operator / owner has committed to ensure all litter surrounding the development, i.e. along the P29 and the P 179, is collected on a regular basis (refer Chapter 3.3.2 and Table 18 of the BAR, and Chapter 7.6 of the EMPr).</p> <p>The increase risk of security has been identified in the BAR, both during construction and operation (refer Chapters 8.2.1, 8.2.5, 8.3.7, 8.4 and 8.7.3 and Tables 15, 16, 17 and 18 of the BAR).The widespread crime rate in SA continues to be problematic; with the mitigation measures prescribed the development is not expected to significantly alter the existing scenario.</p> <p>In Chapter 8.2.2 of the BAR it is stated that the development will have a positive effect on surrounding property values due to the development of currently unoccupied and unmanaged land. Chapter 8.7.2 highlights the potential / opportunity for other development</p>

Communication	Received from	Comment	Response
		<p>We hope to engage further on this matter as we seek an amicable way forward</p>	<p>in the area; urban sprawl is inevitable. (Refer also Tables 15 and 16 of the BAR). Commercial land essentially has a higher value than agricultural land. The effect on property values is purely speculative.</p> <p>We promote further participation in the process.</p>
Email dated 2 February 2022	EDTEA Z Ntshingila	<p>A. Project description:</p> <ul style="list-style-type: none"> • Please specify the size of the land that is proposed for the development. • Will the Agricultural land form part of the development and specify the size. <p>• Please define and give specifications for the light industry.</p> <p>B. Listed activities:</p> <ul style="list-style-type: none"> • Please confirm the “possible triggers” and applicability of all the listed activities as discussed during the pre-application meeting. • Please confirm the storage capacity of fuel. <p>C. Minutes:</p> <ul style="list-style-type: none"> • Please provide responses to the concerns/questions raised during the Pre-application meeting dated 28 July 2021. <p>D. Public Participation:</p> <ul style="list-style-type: none"> • All comments from I&APs must be included and responded to in the fBAR. The issues raised by the I&APs should be addressed and integrated into the impact and mitigation measures in the EMPr. • Please ensure that all proof of document circulation, receipt and communication with all I&APs must be included in the fBAR. • The BID appended in the report is addressed in English, please note all notices provided must be in both English and isiZulu to accommodate all I&APs. • Provide proof of pictures taken during door-to-door deliveries of communication. <p>E. Locality Map and layout plans or facility</p>	<p>A. Project description:</p> <ul style="list-style-type: none"> • Refer Chapter 3.1 of the BAR. More detail in terms of the phases, sizes and zoning of the proposed development has been provided. • Refer Chapter 5.1 of the BAR. The 20ha subdivision will be rezoned (mixed use); this is in progress but will only be submitted once the EA has been received. It must be noted that the Department of Agriculture, Land Reform and Rural Development has indicated their approval for the proposed release of the agricultural land from the provisions of the Subdivision of Agricultural Land Act (70 of 1970) for a shopping centre and filling station. Refer Appendix B. • This has been defined and specified in Chapter 3.1 of the BAR and Appendix B. <p>B. Listed Activities:</p> <ul style="list-style-type: none"> • A table listing all “possible triggers” as discussed at the pre-application meeting has been included in Chapter 1.4.1 of the BAR, Table 5; it includes the applicability thereof. • This has been confirmed as 69 000 m³, refer Chapter 1.4.1, Table 6 and Chapter 3.1 of the BAR. <p>C. Minutes:</p> <ul style="list-style-type: none"> • All concerns/ questions raised at the pre-application meeting have been addressed in the BAR <p>D. Public Participation:</p> <ul style="list-style-type: none"> • All comments received have been included in this report and have been addressed in the BAR and / or the EMPr as referenced. • Proof of document circulation and receipt has been included in the BAR, refer Appendices C2c, C4a, C4b and C4c. • The BID was also provided in isiZulu and has been included in the BAR, refer Appendix C2b. • No pictures were taken during door-to-door deliveries of communication, however, these were signed for by the relevant recipients, refer Appendix C2c. Also, each neighbour that received door-to-door notification subsequently registered as an I&AP, proof of receipt. <p>E. Locality map and layout plans / facility illustrations:</p>

Communication	Received from	Comment	Response
		<p>illustrations:</p> <ul style="list-style-type: none"> The layout plan must be legible with legends easily linked to activities components. It is required in terms of Appendix 1 3(I)(I)(II): "A map at an appropriate scale which superimposes the proposed activity, its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers." A floor plan for the proposed development and the fuel station must be provided inclusive of oil separators, monitoring wells and tanks. The layout provided on page 10 is unclear, please note that the final layout must be on an A4 page and must be signed by the engineer. <p>F. Specialist studies:</p> <ul style="list-style-type: none"> All specialist studies must be signed and dated, CVs and declarations appended to the final reports. Geotech Phase 1 report, Engineering service report and Hydrological Assessment report are all labelled as preliminary assessment reports, please note that only final reports are required. Geotech Phase 1 report: Figures referred to must be clearly labelled and a description provided underneath for ease of reference and preferably non monochrome in colour. Please provide geological designs for the site. The ToR for the Hydrological Assessment Report must include the evaluation of all the potential impacts of the development on groundwater resources and therefore provide mitigation measures to be undertaken. The groundwater boreholes mentioned in the report must be indicated on a map in relation to the project development. The depth of the local aquifer must be determined as well as the groundwater flow direction. The EMPr must address possible impacts that may occur within the fore-court and fuel off-loading areas, oil separator and waste from oil/water separators. 	<p>The locality map is included in Chapter 1.3 of the BAR, figure 2 and an A3 version is attached as Appendices B2.</p> <ul style="list-style-type: none"> The latest zoning plan has been included in the body of the BAR, refer Chapter 3.1.1, figure 3 and an A3 version is attached as Appendix B3. Updated layout plans have also been included in the body of the BAR, refer Chapter 3.1.1, figures 4, 5 and 6 and A3 versions attached as Appendices B4, B5 and B6 (signed versions). There are no environmental sensitivities and therefore no areas that need avoiding and no buffers. This is confirmed in the Heritage Impact assessment report (refer Appendix D1), the Palaeontological Impact Assessment (refer Appendix D2) and Amafa's Approval (refer Appendix D3) Floor plans for the proposed development and the petrol filling station (PFS) have been provided; refer Chapter 3.1, Figures 4, 5 and 6 and Appendices B3, B4 and B5. A3 layout plans are included as Appendices B3, B4 and B5. (signed versions). <p>F. Specialist studies:</p> <ul style="list-style-type: none"> The latest versions of all the specialist studies are signed and now include CVs and declarations attached as appendices. The latest versions of all the reports attached in Appendix D, are final reports. The figures are now clearly labelled and a description is provided underneath for ease of reference, refer Appendix D3. The report will be submitted in colour. Geological designs for the site have been included in the report. The Hydrogeological Assessment includes the evaluation of all the potential impacts of the development on groundwater resources and provides mitigation measures to be undertaken, refer Appendix D5. The groundwater boreholes have been indicated on a map in relation to the project development. The depth of the local aquifer as well as the groundwater flow direction are stated, refer Appendix D5. This has been included as Section 7.19 of the EMPr; refer Appendix E.

Communication	Received from	Comment	Response
		<ul style="list-style-type: none"> • All phases of the project development must be clearly indicated in the EMPr. • A Spill Contingency Plan which includes actions to control, contain and recover hydrocarbon spillage of significant quantity must be appended in the EMPr. • Stormwater management plan must be attached to the EMPr. <p>G. Miscellaneous:</p> <ul style="list-style-type: none"> • One (1) hardcopy and one (1) CD or soft copy of the report must be provided in the final BAR. • All figures and/or images must be in colour. • Please don't print in a booklet format. 	<ul style="list-style-type: none"> • All phases are indicated in the EMPr; refer Appendix E. • The Spill contingency plan has been included in the EMPr, refer Appendix E. • The stormwater plan has been attached to the EMPr, refer Appendix E. <p>G. Miscellaneous:</p> <ul style="list-style-type: none"> • One hard copy and one CD of the final BAR will be provided. • Report will be printed in colour • Noted (no paper and ink saving will be implemented).
E-mail dated 15 March 2022	DFFE N Sontangane	<p>The Department has no objections towards the proposed activities provided that there are no indigenous trees in a natural forest and protected tree species that will be impacted upon by the development. In addition, the Department recommends the following:</p> <p>a) The existing indigenous vegetation located within the non-developed area of the property should be retained and the condition of the area must be improved by removing alien invasive plants.</p> <p>b) These non-developed areas should be revegetated with 10% indigenous trees which are endemic to the area.</p> <p>c) Transplantable indigenous trees/plants should be transplanted to a suitable habitat within the property.</p> <p>This letter does not exempt you from considering other legislation.</p>	<p>Noted.</p> <p>a) As per the Chapter 5.5.4 of the BAR and the Ecological Assessment (Appendix D of the BAR), the site was reversibly modified and no representative examples of KZN Highland Thornveld were identified.</p> <p>b) This is addressed in the BAR, refer Chapter 8.6.2 and in the EMPr, refer Chapter 7.19.</p> <p>c) As per the Chapter 5.5.4 of the BAR and the Ecological Assessment (Appendix D of the BAR), the site was reversibly modified and no representative examples of KZN Highland Thornveld were identified.</p> <p>Noted.</p>
Letter dated 16 March 2022	KZN AMAFA & Research Institute Mr J Pakwe	<p>The Heritage Officers Committee meeting discussed the new information emailed to the case officer in a meeting held on 16 March 2022. The committee concurred with Lindsay Napier that the structure that is within the area demarcated for development is modern and does not have heritage nor architectural significance. A form A application to demolish the structure is therefore no longer required in terms of Section 37 of the KwaZulu-Natal Amafa and Research Institute Act no. 05 of 2018. The committee further reconsidered asking for a</p>	<p>Noted.</p>

Communication	Received from	Comment	Response
		<p>Phase II Heritage Impact Assessment in support of the recommendation made in the Phase I assessment. The Heritage Officers Committee meeting resolved not to object to the overall proposed development within the stipulated mitigation measures, subject to the below standard conditions:</p> <ol style="list-style-type: none"> 1. The KwaZulu-Natal Amafa and Research Institute should be contacted if any heritage objects are identified during earth-moving activities and all development should cease until further notice. 2. No structures older than sixty years or parts thereof are allowed to be demolished, altered, or extended without a permit from the KwaZulu-Natal Amafa and Research Institute. 3. Under no circumstances may any heritage material be destroyed, inundated, collected, or removed from site unless under direction of the KwaZulu-Natal Amafa Research Institute and a heritage specialist. 4. Should any remains, that could potentially be human remains be found on site, the South African Police Service (SAPS) should be contacted and the KwaZulu-Natal Amafa and Research Institute must be notified immediately. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu-Natal Amafa and Research Institute. 5. No activities are allowed within 50m of a site which contains rock art. 6. Sources of all-natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage and environmental (NEMA) legislation. 	<ol style="list-style-type: none"> 1. Section 7.1 of the EMPr includes the chance find of archaeological material, palaeontological material (concentrations of bones or shells), or human burials. The Chance Find Protocol is attached as Appendix 4 to the EMPr. 2. There are no such structures. 3. Noted. (Refer point 1 above.) 4. Noted. (Refer point 1 above.) 5. Noted. 6. Noted.
Letter dated 16 March 2022	Department Agriculture, Land Reform and Rural Development Dr B Modisane	The Department has no objection against the proposed release of agricultural land from the provisions of the Subdivision of Agricultural Land Act (70 of 1970) for a shopping centre and filling station.	Noted.