

To whom it may concern

**RE: CONCERNS RAISED REGARDING THE PROPOSED NORTHGATE DEVELOPMENT – KIMBERLEY.**

Through colleagues and friends I have been made aware of the proposed Northgate development. After reviewing the reports available, there are a number of concerns regarding the report and the details available for the proposed development. I have outlined these below with reference to the relevant sections of the report where necessary.

**1. CONCERNS REGARDING THE PUBLIC PARTICIPATION**

I did not register as an Interested and Affected Party (I&AP) from the beginning of the process. However, I do not feel this is a reason for not making all information available to me. I would like the following comments to be noted.

- Section 10.1.6 of the Environmental Impact Assessment (EIA) states that “a comment sheet asking stakeholders to respond to particular questions accompanies the report; and further written submissions are encouraged”. However, no such comment sheet is available with the report.
- In addition, there are no contact details accompanying the EIA indicating where comments can be sent.
- The report provides no indication of time frames available for comment. Section 10.1.5 states “”. A period of four weeks is available for public comment on the EIA Report.” However, there is no date that indicates when this four week period starts. There is a date on the front page of the EIA, but no indication as to whether this is the start of the four week period.
- No contact details for the authorities are provided. It is my preference to send my comments to the authorities as well as the consultant to ensure that my concerns are noted by the authorities and not covered up by the consultants / developers.
- The file name of the EIA indicates that this is the FINAL report. If this is the case, what is the point of circulating it for public comment? If the report is final it indicates to I&AP that there will be no changes to the document to address our concerns. Why then are we then “encouraged” to submit comments?

With this in mind it gives the impression of a blatant attempt to limit the feedback from the public and not to include any concerns that are submitted.

**2. COMMENTS FOR THE EIA**

After reviewing the EIA (referred to as FINAL in the file name) it is evident that the report does not meet all the requirements of the NEMA<sup>1</sup> EIA Regulations 385. The following sections of the report are either not included or inadequately addressed:

- Regulation 32(2)(b) “a detailed description of the proposed activity”. – Not adequately addressed.
- Regulation 32(2)(f) “a description of the need and desirability of the proposed activity”. – Not included.
- Regulation 32(2)(k) “an assessment of each identified potentially significant impact, including”
  - “(v) the degree to which the impact can be reversed; – Not included.
  - (vi) the degree to which the impact may cause irreplaceable loss of resources;” – Not included.
- Regulation 32(2)(l) “a description of any assumptions, uncertainties and gaps in knowledge”. – Not included.

***Executive Summary:***

There is no executive summary to provide readers with an overall understanding of the development and the content of the document. The inclusion of an executive summary in a report is standard practice by anyone who writes reports on a regular basis. It facilitates the review process and should be included in the final EIA.

***Description of Affected Environment:***

The description of the biophysical environment (Section 3.2), particularly relating to fauna and flora (Section 3.2.2), is very poor. The authors have neglected to provide **any** description of the fauna currently utilising the site. The only mention of the flamingo breeding island is a confusing reference to distances of man-made structures to the Kamfersdam northern shoreline. Here the report indicates that the breeding island is 200m inside Kamfersdam. The report then goes on to say that the closest Northgate residence is 520m from

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<sup>1</sup> National Environmental Management Act, Act No. 107 of 1998.

the shoreline. How is it then possible for the Property boundary to be 1.2km from the breeding island? That is a greater distance than the closest proposed house.

In Section 3.2.3, the report states “The potential does exist that the area could be included in a general Kamfersdam conservation effort which is focused on the protection of the resource for flamingo conservation”. At present the site is used for grazing and hence the presence of humans is limited and potential sources of pollution into the dam are largely not anthropogenic. A little later in the same section the report states “the development of this property could be the used as part of the conservation of the area through the provision of funds for the conservation of flamingos” (Section 3.2.3). I fail to see how the introduction of humans, the destruction of vegetation, the increased surface run-off containing anthropogenic pollutants and many more changes can be considered a “conservation area” that would benefit the breeding colony of flamingos. In addition, I don't think that we can buy the happiness of the flamingos. Increasing available funds while decreasing the suitability of the site is not a beneficial trade.

Although the negative impacts listed in Section 3.2.3 are valid, it is still the responsibility of the land owner to maintain their land. Overgrazing, resulting in erosion, is due to poor management and should not be rewarded by the purchasing of land for development. If this is the attitude of South Africa we will have every farmer who is strapped for cash mismanaging their land in order to degrade the site so that it is “suitable for development”.

#### ***Project Description:***

Section 4 of the report is a joke!! Regulation 32(2)(b) stipulates that a **DETAILED** description of the proposed activity is required. The description in the report provides no indication as what activities are actually going to take place on-site. After reading this section I am no wiser as to the following and would like to ensure that these questions are answered in order for the impacts of this development to be assessed.

- Where is a copy of the site layout?
- Approximately how many people are expected to live in the proposed development? Without this information how can one determine the demand on resources?
- Energy:
  - What is the estimated electricity demand for this development?
  - What is the source of the increased electricity demand, considering Eskom is currently not able to provide enough electricity for South Africa?
  - What energy saving initiatives are being incorporated into this development?
- Storm water control:
  - Where will the proposed “storm water control dams” be located?
  - What is the estimated volume of surface water run-off?
  - What is the capacity of the “storm water control dams”?
- Section 1.3 lists the “listed activities” that are “primary activities to the project”. One of these is Activity 3 as per R385 “The construction of filling stations, including associated structures and infrastructure, or any other facility for the underground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin.” Basic information has not been provided in the “Project Description”:
  - Where will the storage facility be located?
  - What is the capacity of this facility?
  - What will be stored at this facility?
  - When will it be constructed (during which phase)?
- There is no explanation as to what is involved in the construction of any of the development phases. For example:
  - In phase 1 there is 1.3 ha (12 to 13 units) of undetermined development. What is this?
  - In phases 1 and 2 there is space allocated for “local authority”. What sort of development is this? Is the developer paying for the construction of facilities for the local authority?
  - What is the difference between single residential and general residential?
  - What is an “Educational” development? These are proposed in five of the seven stages.

#### ***Wetlands / Water Courses:***

Section 3.2.3 of the report states that there are no wetlands on the property, nor is there any indication that the consultants consider there to be any “water courses” (in terms of the NWA<sup>2</sup>) on-site. However, the same paragraph refers to a drainage line leading to Kamfersdam. According to the definitions of the NWA [definition 1(xxiv)(b)], a water course is “a natural channel in which water flows regularly or intermittently”. Therefore, all necessary provision of the NWA will apply to this drainage line. In this regard I feel the EIA fails to provide the necessary information, such as:

<sup>2</sup> National Water Act, Act No. 36 of 1998.

- The flood line of the drainage line in order to determine buffer zones along the water course.
- A wetland surveys to confirm whether the drainage line is or is not a wetland? Considering the vegetation survey identifies a vegetation unit named “pan fringe”.
- A surface hydrological report to determine the change in storm water flow into the drainage line as a result of the development. An impact assessment as a result of this change and how this will affect Kamfersdam.

#### *Sewage Facilities:*

Section 4.1.2 of the report highlights that the current sewage facility for Kimberley is “operating over capacity”. The report glosses over the negative impacts that have resulted from this and vaguely states that “The Kimberley Sol Plaatje Municipality has committed funds for a facilities upgrade that will involve the complete overhaul of the plant to accommodate Kimberley’s growth.” No time frames are given for this upgrade, with only a vague mention of this upgrade taking place after the completion of phase 1 (Section 8.3.4.1). If this is the case, this will have serious consequences which have not been considered in this EIA. As these consequences will be as a direct result of this development, they have to be addressed in this EIA.

One of the principles of NEMA [Section 2(4)(a)(i)] is “That the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied”. The focus of this principle is the avoidance of impacts and disturbance to ecosystems. In this case, this can be achieved by the upgrading of the sewage facility BEFORE any further development takes place.

As very limited information is provided in the EIA, please can you ensure that the following questions are answered:

- What is the time frame is for the upgrade of the sewage facility in relation to the time frame of the Northgate development
- If the upgrade will occur after the initiation of construction of the Northgate development, how does the municipality intend to cope with the increased sewage loads?
- What will the ecological impacts be in Kamfersdam?
- How will these impacts be mitigated for?

#### *Alternatives:*

No Site / Location Alternatives were reviewed in this EIA, despite this being listed as a possible alternative in to be considered in Section 7.2.1. Considering Section 5.2 identified that the development will have a significant impact on the biophysical environment. The consequence of which “would have a severe negative impact on the economy of Kimberley and the Northern Cape, and could destroy the flamingo conservation effort which is of international importance.” Given that this is the only breeding site for the Lesser Flamingo in South Africa, it would be wise to consider alternative sites.

Section 7.3.1 – Technology Alternatives: Two sources of energy were considered briefly, viz. Eskom power and solar energy. Solar energy was excluded very quickly based on cost. This is a very short sighted approach considering the current energy crisis in South Africa.

- In order to substantiate the claims in the EIA, please provide the relative costs of Eskom power vs. solar power.

There are many options (National or international donors) that can be investigated for the funding for energy efficient initiatives and it appears that this was not done. Similar initiatives have been implemented in low cost developments in Cape Town and have been running successfully for a number of years. These avenues should be considered by the Municipality.

Section 7.3.2 – Design / Layout Alternatives: This section states: “Various options were also investigated in terms of design and layout of the development.”

- Please can you make these “various options” available in order for I&AP to review these.
- Please provide us with a design layout of the preferred design, as none is included in the EIA where it would be most beneficial.

#### *Evaluation of Biophysical Impacts*

**Surface and Ground Water:** Section 8.3.4.1 lists the “Stakeholder Concerns” (listed below). However, I have not found any sections in the EIA where these have been addressed.

- Specialist study request
- Storm water design and evaluation of impacts
- Upgrade of Homevale sewage treatment facility
- Capacity for Homevale treatment of the effluent

- Water balance study of Kimberley supply and demand
- Placement of water storage facility
- Please provide a response to these concerns, indicating where in the report these have been addressed.
- Please make copies of the surface hydrology specialist report available for review. Of the reports received for review, only the Geo-hydrological Assessment (ground water study) was included.

**Flora:** Section 8.3.5 - Flora, makes reference to the botanical specialist study. In this study, two species are listed as “Protected species”. Yet under the section describing Sensitive Habitats, the report refers to the occurrence of “one the protected species, the vlei lily”.

- Please confirm if the Vlei Lily is a protected species or not.

**Flora:** It is standard practice for specialists to provide a vegetation map of the units identified and a sensitivity map. Neither of which are provided in the specialist study. In order to evaluate the impacts of the development on vegetation it is necessary to relate the proposed site layout, the vegetation map and the sensitivity map.

- Please provide these maps so that both I&AP and the authorities can make an informed opinion.

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**Fauna:** Although Section 8.3.6.1 refers to a specialist faunal survey, no such report is included in the EIA.

- Please provide a copy if this report in order for the I&AP and the authorities can make an informed opinion.

### 3. CONCLUSION

This EIA does not contain enough information for anyone to make an informed decision. The blatant lack of information in the EIA, such as a very pathetic project description and a lack of a site layout are two basic examples of the inadequacy of the document. The lack of information to facilitate public participation is also a great concern.

In conclusion, I do not believe that there is enough information available in this report for the authorities to make an informed decision. All comments raised by the public need to be addressed and a revised EIA needs to be circulated for comment, incorporating the concerns raised.

Kind regards



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