

EIA and EMP Report

Comments & Response Document

Issues Trail – Northgate Property Development

Project Description		
Author	Comment	Response
N Birch	The project description provided in the EIR is wholly inadequate; a three page overview of the planned development for a project of this magnitude is not acceptable. A detailed site layout plan is not even provided.	The project description has been upgraded to include layouts and greater detail. See chapter Project Description
N Birch	The issue of the lack of an appropriately scaled map was raised in my comments on the scoping report, and it has not been addressed in the EIR, in fact no map or diagram is provided at all in the report.	Maps are included in the EIA
N Birch	What is meant by local authority within the tables? What will this area be comprised of? The size of the erven for general residential units should be provided. In Section 4.1.3.1. general residential is listed as 5.1ha and number of units proposed is 27. Does this mean the size of each erf could be between 2.5ha – 07ha?	Erf descriptions have been provided. Local authority description has been included
N Birch	What will the open space areas be comprised of? With regard to Open Space it is important to distinguish between planned natural openspace and transformed open space and to provide a breakdown of the various components of the Open Space System. Landscape or parkland Open Space represents an artificial or transformed state. If these areas are to be grassed, what grass species will be used?	Open space will be natural veld.
N Birch	Will an alien invasive species such as Pennisetum clandestinum be use, or will indigenous grass species be used? The type of plant species used in the development could impact on Kamferdam and this needs to be addressed. Where will the filling station be located? Where will the 5Ml reservoir be located?	Only local indigenous plants will be used in the development. It is recommended that no filling station be allowed.
L Randell	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.	See new Project Description
L Randell	Where is a copy of the site layout?	In the report
L Randell	Approximately how many people are expected to live in the proposed development? Without this information how can one determine the demand on resources?	+ - 12 000 when all sold out.
L Randell	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	See new Project Description

	<p>authority". What sort of development is this? Is the developer paying for the construction of facilities for the local authority?</p> <p>What is the difference between single residential and general residential?</p> <p>What is an "Educational" development? These are proposed in five of the seven stages</p>	
T Anderson	The SR and EIA reports state that NCPIH has purchased the properties; yet we have been informed that the land owners have not yet sold the properties. The true situation needs to be stated in the EIA report	Ownership has been established.
T Anderson	There needs to be a statement that should ownership of the development be transferred before it is completed, the new owners must comply with the EIA and RoD and continue the development as approved by DTEC and the municipality. This should also be stipulated in the RoD. If the new owners wish to change plans, a new EIA process must be followed.	It is requested that DTEC put this in the RoD
T Anderson	In section 4.10.4 where the HWTP is discussed, it must be stipulated exactly how much the Northgate development will contribute to the upgrade of the HWTP and if there is enough funding from the municipality and other sources to cover the total cost.	It has been mentioned many times over 20 million
T Anderson	If the HWTP upgrade is the preferred option, the EIA should include assurance that the phases of the development will wait for adequate WTP upgrade before those phases proceed to prevent any accidental or additional overflow into Kamfers Dam.	This has been mentioned in the report and at PP meeting
T Anderson	The EIA should include details and layout plans (to scale) for each phase of the development, with time frames that will be adhered to.	This has been included
B Booth	The document contains no site layout plan depicting the phase by phase development. The exact location of environmentally key installations eg the filling station is not given. For all we know it lies directly on the main drainage line.	Has been included
B Booth	<p>Regarding the upgrade itself:</p> <ul style="list-style-type: none"> ? What is the precise amount to be contributed by the developers? ? What is the precise amount to be contributed by Sol Plaatje Municipality? ? Are either of these amounts available? Can proof be provided? ? What happens if after Phase 1, no funds are available and we are saddled with an even worse hazard for Kamfersdam if compared to the present? 	<p>R 20 million</p> <p>R 20 million excluding the offset.</p>
B Booth	How are the developers and contractors to gain adequate and viable access to the proposed development site if Dr Joe van Vrede refuses to sell his pistol club to them? The adjacent property cannot be touched as it is in an insolvent estate which is proving very difficult to wind up. Consequently, this area cannot be bought.	
J Koen	No layout plans for the proposed development are appended to the document. It should be appended	This has been done

	to the final EIA to ensure that the layout is sufficient and conforms to the written text.	
Biophysical		
Fauna		
Author	Comment	Response
N Birch	Solid walls inhibit the movement of small faunal species and therefore specialised animal tunnels will need to be incorporated into the design of the boundary wall	It is recommended that the walls be impenetrable in order to prevent domestic animals from moving onto the Kamfers Dam Property. Allowing holes will negate this.
L Randell	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 goes on to say that the closest Northgate residence is 520m from 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.	Has been addressed. See 2.3 Locality Map
L Randell	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.	Biodiversity offset would provide funds for conservation of Flamingos.
L Randell	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.	Attached
T Anderson	Faunal impacts - local/widespread scale of impacts (pg 73): We disagree with the statement that impacts will be at a local scale. Any impacts on Kamfers Dam would be at a national scale (widespread) as it is an Important Bird Area and	The rating has been changed to international.

	Natural Heritage Site. This scale of impact was stated in M de Villiers' specialist report, as well as the fact that impacts on the Lesser Flamingo would be of international significance. She also stated that there will be low impacts and residual impacts even with mitigation at a national and international scale.	
T Anderson	The vertebrate fauna specialist study needs to be extended in the EIA. Two other species of frogs can be added to the list of species; the bubbling cassina and bullfrog have been recorded in the drainage line dams on Flamingo Farm (T. Anderson <i>pers. obs.</i>), the same drainage line with dams bisecting the Northgate site. The bullfrog is a Red Data listed species and requires special protection. The report should also include an assessment of the impact on the amphibians and other wildlife of transforming the drainage line into an artificial storm water management area, and therefore changing its natural ecology and drainage into Kamfers Dam.	The specialist has put an amendment to his report regarding these species.
B Booth	Page 21. In discussing the Avifauna impacts following is given as a target: 'Regularly monitor bird species.' Should the numbers deteriorate or the birds become stressed and leave what will happen? Will they continue to 'monitor'? Will the development be stopped and like God, the developers be able to put everything back to its pristine, undisturbed state?	The monitoring is to establish the possible cause of disturbance. As in the potential of hunting on KD property with rifle shots causing stress on the birds
B Booth	In terms of Fauna: The EWT (endangered Wildlife Trust) recommend at least a 500m buffer zone from breeding RDB birds but more readily recommend a buffer zone of 1km as they feel this distance offers the birds more protection and is more likely to mitigate the impacts of development. <i>If this buffer zone is recommended for other species such as the African White Backed Vulture why is a buffer zone of this magnitude not recommended for the threatened flamingos?</i>	The breeding island to the property development fence is 1.2 km. See 2.3 Locality, Figure 2.1
J Koen	Kamfers Dam is now the only breeding locality for Lesser Flamingos in South Africa. It is also a registered Natural Heritage Site and is an Important Bird Area. This makes it a site of international importance. None of the impacts on Kamfers Dam as identified in the EIA (e.g. biophysical) could therefore only have local impacts. Any negative impacts on the flamingos will be of national and international importance.	The predicted impacts have been adjusted. See Chapter 9
J Koen	In the EMP it is suggested that mammals and birds should be regularly monitored? Monitoring should be conducted for specific reasons. What are the reasons?	To determine any changes and the causes thereof.
Flora		
Author	Comment	Response
L Randell	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	It is confirmed

	<p>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. 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.</p>	<p>It (the maps) was not at the time in electronic format and is now and included.</p> <p>It (the maps) was not at the time in electronic format and is now and included.</p>
N Birch	<p>The EMP indicates that the protected trees be marked and that buffer zones be fenced off. Where will these buffer zones be, how big will the buffer zones be, standard practice for a buffer zone around protected species is a minimum of 500m what is proposed for the development?</p>	<p>The Camel thorn trees will form part of the development. Where a tree needs to be removed in order to accommodate a structure, permits will be obtained to do so. The tree will be transplanted in a suitable and similar habitat as is standard practise.</p>
N Birch	<p>Page 21 of the EMP states that corridors of open space should be provided. Where will these corridors be, this should be indicated on a map. What will the open space consist of? Natural vegetation or landscaped areas? It is important to distinguish between planned natural open space and transformed open space and to provide a breakdown of the various components of the Open Space System. Landscape or parkland Open Space represents an artificial or transformed state. Page 18 states that vegetation corridors need to be created. Where will these be located, how much space will they occupy what will they link to and will they be natural vegetation or will they be planted kikuyu?</p>	<p>The planned open space is natural vegetation, not landscaped or planted. The open areas are as depicted on the maps.</p>
N Birch	<p>What type of plant species will be used for landscaping on the estate and in the gardens of the houses?</p>	<p>Natural endemic vegetation will be used in the development. As the various properties will be sold to individuals with various tastes and preferences and as this has not happened yet, I am unable to provide this list.</p>
T Anderson	<p>Fragmentation of habitats was not addressed under the impact assessment section. Developing around Kamfers Dam (KD) without leaving a natural, undisturbed biodiversity corridor for biota movement to the north will form an 'island', an</p>	<p>This has been done.</p>

	<p>isolated fragment of habitat that comprises the KD ecosystem. This could have national and international scale impacts over the long term. We note that there is mention of buffer zones and vegetation corridors in the EIA and EMP, but we would like to see these as well as a northwards biodiversity corridor mapped (with specialist input) in the development layout plan. This is to enable connectivity between habitats that maintain biota movement and biodiversity beyond the site boundary. The final detailed development layout for each phase should be planned around these buffer zones and corridors.</p>	<p>Final design is done and included</p>
T Anderson	<p>The DSR sections describing the flora of the biophysical environment and the impact assessment are not adequate, and for the EIA report they need to be more detailed and done by a plant specialist (a botanist, not a mammalogist or zoologist or EAP without enough expertise). It is essential that a proper vegetation assessment is done in the EIA. Sensitive habitats with protected species, threatened or endemic species must be identified and geo-referenced if present and mitigating measures provided for these species. The botanist should also assist with identifying and mapping the Kamfers Dam ecosystem extent, green areas that need to be left untouched, buffer zones and necessary natural biodiversity corridor from Kamfers Dam (portion 70/49) through the Northgate site (Camel Thorne Estate area, phase 7) and further to the northwest/north. The impacts of habitat fragmentation, impacts on species of special concern, the transformation of the natural vegetation of the drainage line and other possible impacts identified by a botanist must also be assessed.</p>	<p>See botanist reply as appended this C & R</p>
B Booth	<p>In urban areas the buffer zone is set at a minimum of 200m from the edge of the plant population. (Urban area is defined to mean all built up areas in Gauteng, including residential, commercial, retail, institutional, educational, industrial and mixed use developments, where proposed developments are 50 percent abutted by urban development and which can be readily connected to municipal bulk infrastructure services).</p>	<p>See botanist reply as appended this C & R</p>
B Booth	<p>Seeing that Northgate is outside the urban edge (SDF (2004) - the urban edge has not been reviewed through a SDF process) it is considered rural and therefore the following applies: In rural areas, a larger buffer zone width is required to protect populations of Red List Plant Species from detrimental edge effects that are active over distances greater than 200 metres, in accordance with their priority grouping, as defined in the section below, as follows –</p> <p>☞ in respect of an A1 priority grouping, a buffer zone of at least 600 (six hundred) meters</p>	<p>See botanist reply as appended this C & R</p>

	<p>from the edge of the Red List Plant Species population must be allowed;</p> <ul style="list-style-type: none"> ✍ in respect of an A2 priority grouping, a buffer zone of at least 500 (five hundred)meters from the edge of the Red List Plant Species population must be allowed; ✍ in respect of an A3 priority grouping, a buffer zone of at least 400 (four hundred) meters from the edge of the Red List Plant Species population must be allowed; ✍ in respect of a B priority grouping, a buffer zone of at least 300 (three hundred) meters from the edge of the Red List Plant Species population must be allowed. <p>(A1 endemic to the province; A2 endemic to the province & one other province; A3 endemic to province and 2 or more other provinces; B not endemic to SA.)</p>	
B Booth	Red data species, for example the bullfrog, are totally ignored by the EIA.	Is taken into account in the Ecological assessment
B Booth	Page 18 In discussing the Botanical impacts the following is given as a target: '3) Fence off rare species as indicated on the map.' What map?	Included
B Booth	<p>With respect to the RDB plants we understand that the Ecological Management Plan must –</p> <ul style="list-style-type: none"> ? Ensure the persistence of the Red List Plant Species population; ? Include a monitoring programme that monitors the size, stage structure and vigour of the Red List Plant Species population as well as threats to the population; ? Facilitate/augment natural ecological processes such as fire and herbivory; ? Provide for the habitat and life history needs of important pollinators; ? Minimise artificial edge effects (e.g. water runoff from developed areas and application of chemicals); ? Include an ongoing monitoring and eradication programme for non-indigenous species with specific emphasis on invasive and weedy species; <p>Result in a report back to the Department on an annual basis</p>	Not sure of the question here?
J Koen	Kamfers Dam is part of the Highveld Salt Pan vegetation type (Mucina and Rutherford 2006) and must be discussed in that context and not within the context of the Kimberley Thornveld within which it broadly falls.	See botanist reply as appended this C & R
Light		
Author	Comment	Response
J Koen	Flamingos disperse and return from/to Kamfers Dam mostly at night. What influence would a new huge light source in close proximity to the pan have on the navigational potential of the flamingos?	It is well known that flamingos fly over Kimberley at night, as confirmed verbally by Mr M Anderson to the consultant. It is recommended in the EIA

		that only down facing lights be used. See botanist reply as appended this C & R
Noise		
Author	Comment	Response
B Booth	Besides being given the height of the security fence and the budgeted amount, we are given no specifications of this sound-proof, human and animal proof construction. Is it to be brick and mortar? How wide? Where does it begin? Where does it end?	Has been included see Figure 4.9
B Booth	Page 31 states'1) A test blast must be used to determine ground vibration travel, noise travel and disturbance factor and reaction of the flamingos on the island'. Firstly they are not necessarily all sitting on the island waiting for the test to pass – they are in crèches, scattered all over the pan or flying in the area. Secondly the impact of this test blast could be severe and that would be the end of an international scientific feat. If the impact is not known, the exercise should be avoided especially in a unique situation such as this.	No formation of crèches on the shoreline has occurred. The impact will no less than proposed rifle shots from Flamingo farm. It is recommended ot use Nonex – no blasting.
Water & sewage		
Author	Comment	Response
N Birch	If this boundary wall is to be a solid brick construction (which it will need to be in order to fulfil its functions as per the specialist recommendations) what will the impact be of a solid barrier crossing a major drainage line into the pan? The construction of a wall to protect the flamingos may have detrimental effects on the drainage ecosystem into the pan. This aspect will have to be addressed in the design of the boundary wall and should have been reported on in the EIR	This is a bit confusing as the previous request was for open sections to allow movement of animals? Where the drainage line currently exits into KD an adequate water pipe outfall will be established to allow for a severe flood event. The pipe will sieved to allow for water pass but no animals. See specialist report.
L Randell	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”?	See specialist report
L Randell	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.	Attached.
L Randell	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 ²) on-site. However,	No wetlands were reported by the botanist

	<p>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:</p> <p>The flood line of the drainage line in order to determine buffer zones along the water course.</p> <p>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”.</p> <p>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.</p>	See specialist report
L Randell	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.	See section 3.3.6
L Randell	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.	It is clearly stated that phases 2 – 8 will only commence once the Homevale upgrade has occurred. The proponents are making R 20 million available for the upgrade.
L Randell	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?	See above Only phase 1 will occur prior to the upgrade. See 4.1.3.1 The upgrade will ensure

	How will these impacts be mitigated for?	that water of a higher quality will come out of the facility for use in Kimberley. At present a municipal sponsored EIA is under way to transfer excess water to another facility.
N Birch	Details need to be provided on the storm water control dams. Where will these be located, how will they be designed? What will be their size? Will they be designed to incorporate natural wetland type plants such as Phragmites and Typha spp?	The current dam walls will be made higher and upgraded to accommodate the storm water. See specialist report.
T Anderson	Ground water: The specialist report discusses the possibility that ground water could be contaminated and pollutants could flow along the drainage line into Kamfers Dam. Should the suggested borehole monitoring show that the ground water is contaminated, what preventative actions can/will be taken? These must be listed in the EMP. Should the three containment dams overflow into the drainage channel during periods of high rainfall, what preventative action will be taken to prevent this contaminated water reaching and polluting Kamfers Dam? If nothing can be done then alternative storm water runoff diversion elsewhere (out of the Kamfers Dam catchment) must be investigated, designed and added to the EMP.	See EMP See specialist report
T Anderson	In the EIA report there should be details under the water sections on the exact engineering design of how water runoff and storm water will be diverted away from Kamfers Dam and prevented from flowing along the drainage line into Kamfers Dam. Will it be diverted/pumped to a less sensitive environment elsewhere? How will the water management dams be constructed, how will overflow be prevented during high rainfall events, will the dams be impervious so that no seepage of polluted water gets into the groundwater, into the drainage line and eventually into Kamfers Dam? These details must also be listed in the EMP.	See specialist report
B Booth	Page 9 states that 'Homevale to be upgraded prior to <i>occupancy</i> of phases two to eight', not even prior to <i>construction</i> . Given the status quo of the sewage entering Kamfersdam, this is preposterous!	It is clearly stated that phases 2 – 8 will only commence once the Homevale upgrade has occurred. The proponents are making R 20 million available for the upgrade.
B Booth	Page 27 gives as a target '4) Sewage water must not negatively impact on the water level of Kamfersdam.' Given the stated priority regarding building and upgrading the sewage plant, this can never be achieved.	It is clearly stated that phases 2 – 8 will only commence once the Homevale upgrade has occurred. The proponents are making R 20 million available for the upgrade.

J Koen	Water drains from the property to Kamfers Dam in an easterly and not westerly direction. Earthen dams will be constructed in the drainage line to control storm water run-off. No indication is given of the size and design of these dams. In addition, no indication is given of any contingency plans should a potential pollutant disaster occur within the development site with the possibility of pollutants entering Kamfers Dam via the drainage line.	Earthen dams on the property will be upgraded to accommodate the storm water. See EMP.
Soil - geotechnical		
Author	Comment	Response
Biodiversity offsets		
Author	Comment	Response
T Anderson	In the table (under sect. 7.3.6.1, pg 35) ranking the HWTP upgrade as positive (under cost), it states that the contribution by the developers to the HWTP upgrade can be seen as a <i>biodiversity offset</i> . This is not true, it is a <i>mitigation measure</i> . Refer to our comments that explain what is considered to be a biodiversity offset. We requested that it must be stipulated exactly how much the Northgate development will contribute to the upgrade of the HWTP and if there is enough funding from the municipality and other sources to cover the total cost. You state in the FSR that you are unsure that this forms part of the EIA, which you state is to assess the impact of the non-upgraded plant versus the upgraded plant. We think our point was misunderstood and it does form part of the EIA. In the EIA there should be a commitment to a specific amount of financial contribution for the essential HWTP upgrade and a verification (from SPM) that there will be enough funding overall to upgrade it before development. The developers must mitigate their exacerbation of the already high impacts of a non-upgraded plant; and therefore it must be upgraded and the costs of this mitigation (as listed for others like the perimeter wall) must also be detailed in the EIA	It is clearly stated that phases 2 – 8 will only commence once the Homevale upgrade has occurred. The proponents are making R 20 million available for the upgrade. This is not seen as a offset.
T Anderson	Economic issues and their control - 5.1 Biodiversity Offsets: As mentioned before, these measures are not all biodiversity offsets and need to be listed under two separate sections – mitigating measures and biodiversity offset agreement. Points a) to c) are mitigating measures, d) & e) are tourism offsets, and point f) is a possible biodiversity offset.	See report 8.3
T Anderson	The investigation into appropriate biodiversity offset options should also be detailed in the EIA report. A negotiated agreement with the FET on the planned financial donations to protect Kamfers Dam should be appended to the EIA and EMP to secure a biodiversity offset commitment. The Eco Centre management and suggested game wardens to protect Kamfers Dam are concerns the FET raised (in its comments of 8/02/2008) that still need resolution. The FSR states that the FET has not indicated whether they wish to receive funds/the	See report – Chapter 8

	Eco Centre or not, but we understand from the FET's correspondence that they will not have the capacity to manage the Eco Centre or game wardens and do not agree with those particular offers. FET did not disagree with the proposed financial contribution towards conservation.	
T Anderson	Reference to 12 & 13, correspondence 17/01/08 for what a biodiversity offset agreement entails. In the DSR, the points under Phase1 and Phase 2- 8 (a) – (e) are not biodiversity offset measures.... Only point (f) can be considered a possible biodiversity offset.	See report – Chapter 8
J Koen	Various biodiversity offsets are proposed by Northgate. Some of these proposed “offsets” (e.g. perimeter wall, electric fencing and security camera, contributory relationship with the FET) are not true biodiversity offsets as it does not really compensate for the potential harm to the biodiversity, especially the flamingos of Kamfers Dam. Proper biodiversity offsets must be identified and investigated during the EIA process. Such offsets could possibly include the construction of a second flamingo breeding island.	See report – Chapter 8
J Koen	Some of the proposed financial “offsets” are allocated to the FET without any prior discussions. The FET feels uncomfortable with this situation and may not want to accept some of these “offsets” (e.g. the management of a general Eco Centre not located at Kamfers Dam) as it falls outside of the main objectives of the FET. It must be stressed that an Eco Centre is not seen as biodiversity offset or even a mitigation measure. The FET may also not be able to take on the protection of the flamingos on private property (through the appointment of wardens) as it will be dependent on agreements with the landowner.	Discussions will be held with DTEC to determine the suitability of the PBO Public Benefit Organisation. If the FET does not want to be included another suitable vehicle will need to be established. See Chapter 8
General - biophysical		
Author	Comment	Response
N Birch	No site sensitivity map is provided. This issue must be addressed and a site sensitivity map provided.	Included
N Birch	Although the vegetation specialist report mentions that a vegetation map (vegetation units) is provided in Appendix D of the specialist report, this appendix was not part of the report in electronic format (this was not indicated when the availability of electronic copies of the EIR was advertised).	Included
N Birch	The extended faunal specialist study was not attached to the EIR, and it is not clear from the EIR if additional red data species were encountered.	Included
L Randell	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”.	Certainly not the case.
L Randell	Energy:	See services report

	<p>What is the estimated electricity demand for this development?</p> <p>What is the source of the increased electricity demand, considering Eskom is currently not able to provide enough electricity for South Africa?</p> <p>What energy saving initiatives are being incorporated into this development?</p>	
L Randell	<p>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":</p> <p>Where will the storage facility be located?</p> <p>What is the capacity of this facility?</p> <p>What will be stored at this facility?</p> <p>When will it be constructed (during which phase)?</p>	Not recommended to take place as part of the development.
T Anderson	<p>Biophysical: It is stated that 'of significant importance is that the impacts will be localized to the development footprint and local area'. This is true for some impacts, but more importantly it is of significant importance that some of the impacts could be of national and international significance (with and without mitigation). For example, even with mitigation, fragmenting the Kamfers Dam ecosystem further or causing its total isolation if no northwards biodiversity corridor is left intact could cause impacts of national and international significance.</p>	This has been overall addressed in that certain impacts have been allocated an international significance rating
T Anderson	<p>Under the biophysical setting description (1.10.2 DSR), the sensitivity of the Kamfers Dam ecosystem and fact that portions of the Northgate site are part of its catchment area should be discussed</p>	See botanical section in Impacts chapter EIA
Specialist studies		
Author	Comment	Response
L Randell	<p>Specialist study request</p> <p>Storm water design and evaluation of impacts</p> <p>Upgrade of Homevale sewage treatment facility</p> <p>Capacity for Homevale treatment of the effluent</p> <p>Water balance study of Kimberley supply and demand</p> <p>Placement of water storage facility</p> <p>Please provide a response to these concerns, indicating where in the report these have been addressed.</p>	<p>Included</p> <p>Municipality has not provided the detailed report.</p> <p>See page ?</p>
Flamingo Environmental Trust	<p>Two additional studies that need to be conducted are: a) Social impact study and b) Strategic Environmental Assessment.</p>	<p>The social specialist study has been conducted in the EIA phase.</p> <p>The SEA does not form part of this EIA which is documenting the impacts of a single development. The SEA should form part</p>

		of the Spatial Development Plan for the whole of Kimberley and should be commissioned by the municipality.
Socio-economic		
Author	Comment	Response
T Anderson	Has the informal settlement (shanty town) community been informed about the planned development and how it will have an impact on them? Were they part of the SIA survey and how did they respond to the fact that they would have to move? Can any of them afford to rent or buy into Northgate? Is this shanty town on one of the proposed Northgate properties or not; this is unclear as contradicting information is provided in the SR and issue response.	They were included in the study and no they don't have to move.
T Anderson	Under the Economic factors (1.9.4 DSR), financial figures of the cost/benefit analysis for bulk infrastructure supply should be provided for all the alternatives.	In benefits and costs have been discussed in the assessment of alternatives. Chapter 7
T Anderson	The Eco Centre would serve tourism and educational purposes, not offset residual biodiversity impacts. The DSR states that ownership of the Eco Centre will be transferred to the Flamingo Environmental Trust and it will manage the Eco Centre. Has the FET agreed to this and does the Trust have the capacity to do so to ensure it is a sustainable venture?	See report
J Koen	Under the section <i>Land tenure and capability</i> (p.78) it is stated that the change in land use of the proposed development site will be beneficial as it is too small for commercial farming purposes and will contribute to job creation. This statement was made in isolation of the positive contribution that the land could possibly make towards support for the Kamfers Dam Conservancy as stipulated in the draft SDF. It is our contention that the contribution of the site as a buffer for Kamfers Dam and a possible habitat corridor for various biota should be investigated.	The current SDF is the defining document not the draft as it may well change.
Alternatives		
Author	Comment	Response
N Birch	As part of an EIA, alternatives must be assessed. The issue of the lack of correct assessment of the alternatives was raised in the scoping report. "the extent to which these alternatives have been investigated within the scoping report falls short of a true investigation of any of these alternatives" Your response in the issues trail was, "The scoping report has assessed the broader site alternatives. The impact assessment phase as mentioned in the PoS will undertake a detailed assessment. A full assessment of alternatives will be undertaken in the EIA phase" However this is not the case as the locality alternatives listed in the scoping report (which were not adequately assessed) are not even mentioned in the EIR. The fact that the proposed development site is situated so close to a sensitive area should prompt a detailed	Site / location alternatives do not need to be assessed as the owner has the right to decide what he wants on his property. See report

	investigation into at least one alternative site.	
N Birch	<p>where alternative locations or sites are identified as alternatives, the features of each location or site should be investigated to the same level of detail for the purposes of The comparative assessment of the alternatives. The comparative assessment should at least include the following aspects :</p> <ul style="list-style-type: none"> o capital and operating costs; o direct, indirect and cumulative impacts; o mitigation measures; o physical, legal or institutional constraints; and o compliance with policy and legal requirements. <p>This has not been considered in terms of the consideration of a site alternative in the report.</p>	Not required
N Birch	<p>The fact that Private property can only be considered in an alternative if the owner is willing to sell or be part of the development, is valid and is acknowledge, however it seems as though the Northgate property has not yet been purchased as stated in the issues trail “The property in question is private property and has been purchased by the developer” and that the sale will only be finalised once the RoD from DTEC has been finalised which is often the case in developments such as these. Thus an alternative site can be easily be assessed as it does not have to be purchased before assessment but merely identified for purchase.</p>	Has been cleared up
L Randell	<p>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.</p>	Not required
L Randell	<p>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 sited approach considering the current energy crisis in South Africa.</p> <p>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.</p>	Municipality will not be liable for maintenance costs
L Randell	Initiatives have been implemented in low cost	We agree

	developments in Cape Town and have been running successfully for a number of years. These avenues should be considered by the Municipality.	
L Randell	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.	Included
T Anderson	Of major concern is that alternative sites were not further assessed in the EIA as requested and our suggestions for alternative sites were ignored. The location of a residential development can make a big difference to the environmental impact and therefore assessing alternative localities is necessary in an EIA such as this one. The preferred site is not the only option as, for example, in the case of proposed mine sites. As the properties have not yet been purchased, there is no reason why the other sites as suggested cannot be investigated, and no feasible reasons to the contrary are provided in the EIA.	Site / location alternatives do not need to be assessed as the owner has the right to decide what he wants on his property. See report
T Anderson	We strongly recommend the detailed assessment of two valid alternative sites (not sites for which EIAs and plans already exist) besides the no-go option and the Northgate preferred alternative of low-density, phased development.	Site / location alternatives do not need to be assessed as the owner has the right to decide what he wants on his property. See report 7.2.1
T Anderson	The evaluation of the environmental factors of the alternative sites is not adequate. These should not only compare a few factors to the Northgate site, but also consider the sensitivity of the receiving natural environment, land-use capability, whether it is disturbed or undisturbed (greenfields), within a threatened ecosystem or not, bordering on sensitive or threatened ecosystem or in a drainage area.	Site alternatives are not required. See report 7.2.1
T Anderson	Assess the greener alternative of dry toilet systems and grey water pumped to gardens and elsewhere so that no sewerage is added to HWTP.	Municipality will not maintain.
B Booth	Alternative sites have not been evaluated independently by the developers. Previous EIA's commissioned by other developers were alluded to in a very superficial way. In an area as sensitive as this, this is not acceptable.	Site / location alternatives do not need to be assessed as the owner has the right to decide what he wants on his property. See report 7.2.1
B Booth	While we appreciate the fact that Kimberley and its people need investment, it seems patently obvious that this is not the correct site for that development. Alternative sites must be adequately evaluated.	Site / location alternatives do not need to be assessed as the owner has the right to decide what he wants on his property. See report 7.2.1
J Koen	There should be a thorough assessment of alternative development sites. A housing development of this scale may be more appropriate at another less sensitive area within the urban edge. The only alternatives investigated in the EIA are	Site / location alternatives do not need to be assessed as the owner has the right to decide what he wants on his

	related to technology, scale and design/layout.	property. See report 7.2.1
Public Participation		
Author	Comment	Response
N Birch	Public participation is one of the most important aspects of the environmental authorization process. This stems from the requirement that people have a right to be informed about potential decisions that may affect them and that they must be afforded an opportunity to influence those decisions. Effective public participation also improves the ability of the competent authority to make informed decisions and result in improved decision-making as the views of all parties are considered. Yet many of the issues raised during the scoping process have not been addressed in the EIR. Although the guidelines for public participation state that all comments need to be recorded, there is no clear indication as to how issues raised by I&APs must be addressed. However failure to adequately address the issues raised by I&APs is seen as a fatal flaw in the EIA process and provides adequate grounds to appeal a RoD.	Have been done
N Birch	Where are the comments from DWAF and the Department of Agriculture? Has the application been approved by the Department of Agriculture in terms of Act 70 of 1970? If so why is the letter of approval not in the EIR it is directly relevant in terms of comments received by other organs of state?	Those that we have are appended. Approvals from departments as you should well know will only given on review of the report.
N Birch	Although stated in the EIR and the final scoping report that the report (EIR) will be on the Turgis website www.turgis.co.za I was unable to access the report on the site	Is available
N Birch	Time Frames Again no clear time frames are provided as to when documentation was released for review and when comments need to be received by.	Done
L Randell	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.	Done
L Randell	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	Done

	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.	
L Randell	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.	Done
L Randell	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.	My mistake and rectified. However comments can be handed in at any time during the process.
Bulk services		
Author	Comment	Response
N Birch	Electricity: The issue of capacity was raised in my comments on the scoping report, your response was; " Refer to bulk services report" however no mention of capacity is made in the report Report of Electrical Services produced by Dihlase Consulting Engineers. They have merely dealt with the required system upgrades that are needed for the development. What needs to be addressed is, will this development put additional strain on the national grid resulting in Eskom load shedding Kimberley for hours each week? Eskom have stated that only in 2013 will our electricity crisis will be under control. However this development is scheduled to commence this year which means that by the end of the year, early next year phase 1 could be completed and be drawing additional power from Sol Plaatje Municipality, where is this additional power coming from? Building substations and power lines does not address the issue of power generation/capacity.	There is spare capacity available at HA Morris substation, hence, there would be no extra strain on the grid. Due to the Prison, the psychiatric hospital and Northgate; SPM has also requested an increase in the bulk supply to the city from Eskom, the 30MVA required for Northgate is included in this application. See copy of letter attached. SPM has also confirmed that the required supply will be made available to Northgate.
N Birch	Will this development put additional strain on the national grid resulting in Eskom load shedding Kimberley for hours each week? If this will be the case then the issue of loss of revenue to business in Kimberley as a result of the load shedding will need to be assessed in the social and economic impact study. The SIA only addresses the issue in terms of the construction phase namely Increased Demand on Municipal Services during construction, but does not even mention the economic implications of load shedding on local business owing to SPM having to provide electricity to an additional township development and commercial centres.	No, it will not cause Eskom to apply additional load shedding to Kimberley. The national target for 4 years is 6 000 000 additional houses. This equates to 4109 houses per day, and the department claims to be on target. This is to be expected in a rapidly developing country such as SA. There is available capacity in the Northern Cape to support the 0.05% increase that Northgate

		would bring to the national average.
B Booth	The National Electricity Grid is under severe strain. Eskom has placed a moratorium on all development country-wide. Load shedding in Kimberley, already a reality, could be exacerbated by the additional requirements of each of Phases 1 to 8 of the Northgate Development. However many substations and additional lines are constructed – even if Eskom had the finance to do this - the infrastructure alone does not guarantee the availability of electricity.	Eskom has not placed a moratorium on development. See above.
B Booth	Is there to be a backup generator to supply electricity to these wonderful security features should there be load shedding or as often happens in the area, a power failure? This would certainly be of particular importance for the effective functioning of the electrical fence.	Yes
J Koen	Who will be responsible for the long-term maintenance of the security wall?	The developers will contribute an amount of R290.00 from the proceeds of every unit in Phases 2 – 8 transferred which will be invested in a local attorneys trust account. This amount will be invested and will pay for the future maintenance of the wall. Budgeted Donation: R 1,570,640.00 Budgeted Contribution for maintenance per annum: R 157,064.00
J Koen	Who will be responsible for managing security, especially access to Kamfers Dam, through the security camera monitoring system?	Public benefit organisation who will receive budgeted donation of R5.2M for investment to fund monitoring system and other projects.
N Birch	Sewage: The EIA states that the effluent produced by the development could impact negatively on Kamfersdam but that this can be mitigated by the upgrade of Homevale WTP, which we can all agree would be a positive for Kimberley, however what is not adequately addressed is that phase 1 “Triangle Mall & Estate” will be completed before the planned upgrade (scheduled only for phase 2) and that the already over capacity Homevale WTP will have to deal with additional sewerage from phase 1. Thus the impact of pollution from the effluent will be very high and will remain very high until the upgrade is completed (the impact of effluent pollution is stated to be high in the EIR but with mitigation in the form of the upgrade is lowered to medium). What happens if phase 2 and the upgrade of the sewerage plant	Only phase 1 will occur prior to the upgrade. See 4.1.3.1 The market for phase one purchases are people currently living in Kimberley and thus their impact is already part of the current situation.

	<p>is not undertaken or if the upgrade and phase 2 is postponed for a few years? Placing more strain on a system that is already over capacity will result in untreated/inadequately treated effluent entering the pan and polluting this system which will have detrimental effects on the pan ecosystem and the flamingos. The fact that additional sewage will be allowed to enter an already over capacity system and cause pollution is an environmental fatal flaw in this project. The only adequate mitigation measure for this impact is to enforce the planned upgrade of the Homevale WTP prior to commencement of any phase of this development.</p>	
N Birch	<p>The only adequate mitigation measure for this impact is to enforce the planned upgrade of the Homevale WTP prior to commencement of any phase of this development.</p> <p>Roads: The EIR states that the access for the property will be via Midlands road and Albatross street. The traffic impact study states that access to the development will be as follows: The main, and initial access, to the development will be at the Roodepan Road / Eagle Street intersection, with a new eastern approach at this intersection. Access will also be provided from Roodepan Road to the higher density development (as well as the shopping centre) to the north of the mentioned intersection. An additional access on the Roodepan Road is being planned on the northern boundary of the layout. This access should be constructed as part of the construction of this part of the layout. As it would be difficult to accommodate all trips generated by the development through the Barkly Road corridor, an additional access to the N12 will have to be established. This access will have to be established once development of the residential erven and units exceeds 50%. Furthermore the comments from the Traffic Services Department (Sol Plaatje Municipality) stated that they would like the developer "to consider the development of an alternate route as the Midlands and Barkley Road is oversaturated. Why is no mention made of this in the EIR?"</p>	<p>Addressed above</p> <p>Recommended that no link road to N 12 be built and the current road infrastructure be upgraded to accommodate the traffic impact</p>
B Booth	<p>Sewage and the promised upgrade to the Homevale Sewage plant remain a serious constraint to the proposed development. Firstly, Phase 1 is allowed to proceed prior to the upgrade. Additional sewage will be consequently be added to a system which is already operating well beyond its capacity and effectiveness. The upgrade must take place prior to any development taking place.</p>	<p>Only phase 1 will occur prior to the upgrade. See 4.1.3.1</p> <p>The market for phase one purchases are people currently living in Kimberley and thus their impact is already part of the current situation.</p>
N Birch	<p>Although the impacts of road construction were assessed no consideration has been given to alternative access points in the assessment of</p>	<p>No additional access is recommended.</p>

	alternatives or in the project description. Why has a recommendation given by a specialist been ignored? Has an alternative access road been considered? If so where? If an alternative access road has not been considered why has it not been considered?	
B Booth	The Midlands –Barkly Road which would be the principle access to the site, is already over saturated (Traffic Services Report).	Must be upgraded
N Birch	Safety and Security: The issue of safety and security that was raised at scoping has not been fully investigated in the EIR. Although the impacts of noise associated with hunting rifles has been addressed the issue of safety of the prospective residents of the development from rifle bullets has not been mentioned in the EIR nor in the Social Impact Assessment even though it is stated in the comments report that “This will be attended to in the social specialist report”.	The permit for the hunting farm was applied for and granted after the council had rezoned the development property. The culpability issues for a shooting accident will, as always, rest with the shooter. It should also be noted that the N12 and the railway line is far closer to the game farm than the development.
N Birch	The EIR and EMP mention that security cameras will be set up to monitor the wall the Booth residence and the flamingo breeding island on a 24 hour basis. How will this be funded? Will a home owners association be set up and the home owners subject to a security levy? The intention is to develop affordable housing, thus if a levy will be part of this ownership in this area, how much will it be? Will it still be affordable to the potential residents? What will the response plan be if someone is detected on the breeding island? Will the police be called? Will security guards from the development detain the person until the police arrive? It is all very well to have cameras on the area but will there be a comprehensive action plan? Otherwise it does not serve a purpose.	Public benefit organisation will be appointed in consultation with DTEC who will receive a budgeted donation of R5.2M for investment to fund monitoring system and other projects. The homeowners will not be subjected to a levy.
B Booth	Security cameras are said to be erected and monitored to provide 24-hour surveillance to cover the Booth residence and the Flamingo breeding island. It sounds wonderful but logistically the statement is highly suspect. Where is the control room? Who is to monitor the situation? Who is to bear the cost? In perpetuity? Who is to provide the maintenance? What happens if there is a breach of security? Who will react? What are the consequences?	Public benefit organisation will be appointed in consultation with DTEC who will receive a budgeted donation of R5.2M for investment to fund monitoring system and other projects. The homeowners will not be subjected to a levy.
B Booth	The draft EIA, although providing a Social Impact study, does not address the safety and security of the thousands of prospective inhabitants, given that the adjacent property is a registered Game Farm. Culpability issues arising from possible accidents are ignored although raised in the Scoping phase.	The permit for the hunting farm was applied for and granted after the council had rezoned the development property. The culpability issues for a

		<p>shooting accident will, as always, rest with the shooter.</p> <p>It should also be noted that the N12 and the railway line is far closer to the game farm than the development.</p>
T Anderson	<p>The perimeter security wall maintenance provisions are not included. Furthermore, who will fund the permanent security camera monitoring system and its maintenance? Will the developers or home owners through a levy?</p>	<p>Public benefit organisation will be appointed in consultation with DTEC who will receive a budgeted donation of R5.2M for investment to fund monitoring system and other projects. The homeowners will not be subjected to a levy</p>
B Booth	<p>Who is to appoint, pay and monitor the security guards – page 22?</p>	<p>No security guards</p>
N Birch	<p>Spatial Planning: The issue of the lack of reference to the local spatial planning documents (IDP & SDF) was raised at scoping phase, your response to this issue was “The SPD and IDP are currently being revised to include the northern areas. The new SDF will only be available in draft format for comment from March 2008. No diagrams are yet available, even in draft format.” However no further mention of spatial planning is made in the EIR.</p>	<p>Only the SDF of 2004 is relevant. The SDF issue has been discussed exhaustively and legal opinions have been sought. Please see legal opinions.</p>
N Birch	<p>The urban edge indicates the desired physical extent of urban development. In terms of the Municipal Town Planning application it has been stated that the current SDF (2004) has been used to guide this application. However the current SDF shows that the intended development site is outside the urban edge. No development should be approved beyond the Urban Edge delineation unless the Urban Edge has been amended through a SDF review process as stipulated by the Municipal Systems Act. If this review process has yet to be completed, why is this development being considered?</p>	<p>This statement is incorrect. Any developments outside of the urban edge may be approved by council resolution, in this case C595/07.</p> <p>The letter from the ED of Spatial Planning dated October 2006 states that the property was previously zoned for residential use and that any new applications for residential rezoning would be welcomed.</p> <p>The urban edge as defined in the new SDF draft copy is incorrect and the consultants erred in not including Northgate. This issue has been addressed by the developers and town planners in the public participation process for the new SDF.</p>
N Birch	<p>The current SDF (2004) even proposes a buffer zone be maintained between the developed areas and environmentally sensitive dam area. Should development occur in other areas around</p>	<p>The buffer zone was created by the proclamation of Flamingo Farm as a natural heritage</p>

	<p>the dam then surely this buffer zone should be implemented right around the dam? If a buffer zone is required to protect the pan from development to the south then surely a buffer zone would be needed to protect the pan from development to the west and north? This buffer zone must be included in the development layout and should extend all along the southern western and northern border of the proposed development. Spatial planning forms an important component of an EIA for this kind of development, as development in inappropriate areas constitutes a fatal flaw in the process, and this needs to be highlighted as part of the EIA.</p>	<p>site by the present owners. Should any further buffer zones be required, they should be purchased by individuals or organizations for that purpose. This is not a fatal flaw.</p>
N Birch	<p>CBD Impact: The impact of erecting commercial centres within the proposed development on the CBD has not been addressed within the EIA. Although this issue was raised during scoping it has been completely ignored, no mention is made of this potential impact to the CBD in the Social and Economic Impact report nor in the EIR.</p>	<p>The spatial planning issue has now been evaluated exhaustively and two legal opinions requested. Both state that the new SDF in draft format is not relevant to this development.</p>
Legislative		
Author	Comment	Response
N Birch	<p>The issue of the lack of reference to the local spatial planning documents (IDP & SDF) was raised at scoping phase, your response to this issue was "The SPD and IDP are currently being revised to include the northern areas. The new SDF will only be available in draft format for comment from March 2008. No diagrams are yet available, even in draft format." However no further mention of spatial planning is made in the EIR.</p>	<p>The spatial planning issue has now been evaluated exhaustively and two legal opinions requested. Both state that the new SDF in draft format is not relevant to this development.</p>
B Booth	<p>Both the existing (2004) SDF and the draft SDF now open for public comment have been raised repeatedly in the Scoping and EIA processes. Consequently the EIA must address this issue. The proposed development contravenes both the 2004 SDF since it is outside the urban edge and the draft SDF (2008-2013). It patently ignores the issue. The SDF issue has been brought up by I&AP's but has been ignored by the EAP.</p>	<p>Any developments outside of the urban edge may be approved by council resolution, in this case C595/07. The letter from the ED of Spatial Planning dated October 2006 states that the property was previously zoned for residential use and that any new applications for residential rezoning would be welcomed. The spatial planning issue has now been evaluated exhaustively and two legal opinions requested. Both state that the new SDF in draft format is not relevant to this development.</p>
L Randell	<p>After reviewing the EIA (referred to as FINAL in the file name) it is evident that the report does not meet</p>	<p>All included</p>

	<p>all the requirements of the NEMA EIA Regulations 385. The following sections of the report are either not included or inadequately addressed:</p> <p>Regulation 32(2)(b) "a detailed description of the proposed activity". – Not adequately addressed.</p> <p>Regulation 32(2)(f) "a description of the need and desirability of the proposed activity". – Not included.</p> <p>Regulation 32(2)(k) "an assessment of each identified potentially significant impact, including"</p> <p>"(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.</p> <p>Regulation 32(2)(l) "a description of any assumptions, uncertainties and gaps in knowledge". – Not included.</p>	
T Anderson	<p>In the SDF (Vol. 3, available at www.solplaatje.org.za) more than half of the Northgate area is zoned in sub-area 31 (zoned as the National heritage – Kamfers Dam Flamingo conservancy for conservation, pg. 74) and the western portions are in sub-area 32 (zoned to support tourism and hospitality for the Kamfers Dam conservancy, pg. 76). These sub-areas are <i>not</i> zoned for residential developments. As the SDF is a legally required document forming the foundation of a municipality's IDP, all planning decisions on development applications must be based on the extent the application conforms with and gives effect to the SDF.</p>	The SDF issue is clear – see Legal report
B Booth	<p>What happens should it be found during an Environmental Audit (as prescribed) that there has been non-compliance with the recommendations of the EIA, EMP or the conditions of the ROD? If a fine is imposed, many developers would gladly pay this and carry on in their own fashion. It hardly negates the problem or ensures compliance on the part of the developer and/or contractor.</p>	This dependent on DTEC and compliance.
J Koen	<p>The Forestry Act on p. 12 should read National Forests Act.</p>	Thank you
General		
Author	Comment	Response
N Birch	<p>An EIR document should be read as a stand alone document. Regulation 32 (2) states that an environmental impact assessment report must contain all information that is necessary for the competent authority to consider the application and to reach a decision. Any reviewer or I&APs who have not been involved in the process from the very beginning should be able to read through the EIR document provided and obtain comprehensive knowledge of the project. The EIR document provided for this project falls far short of this criteria.</p>	Been done
N Birch	<p>Certain information such as the full Flamingo specialist report, the faunal report, TIS, and bulk services reports etc are not appended</p>	Been done

	to the EIR although they are referred to in the document. Although the Flamingo report and the TIS are appended to the final scoping report if the information they provide is relevant to the EIR then at least the final scoping report should be appended to the EIR.	
N Birch	It is recognized that once all these reports are included, the EIA document can be very bulky. In such a case it is standard practise to compile a separate specialist report document, where all the specialist reports are placed together and can be easily referenced from the EIR document.	Been done
L Randell	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.	Not in this report
N Birch	The location of the construction camp should be provided on a site map, as the positioning of such a camp could influence the severity of its associated impacts.	A construction camp is not recommended
N Birch	Page 18 references a map, what map is being referred to as no map is provided in the document.	Maps are included in the report
N Birch	Regular monitoring is advocated, what type of monitoring will be set up, will this include permanent enclosure plots, fixed transect? The type and regularity of the monitoring needs to be specified.	See report: Automatic recorders measuring water level, EC and temperature on a continual basis should preferably be installed in the monitoring boreholes. The data can then be downloaded on a six monthly basis during the water quality sampling run
N Birch	What is the contingency plan if the storage tanks at the filling station leak? What is the proposed monitoring system to safe guard and check for leaking storage tanks?	Filling station is not recommended in the EIA
N Birch	Point 8.7 states; The following Key Performance Indicators must be reported on a regular basis. What will the regular basis be? Every week, every month once a year? Who will the report be given to?	See report: Groundwater samples should be collected at the monitoring boreholes every six months and send to an accredited laboratory for selective constituent analysis (N, K, Cl, Na, NH4, PO4, SO4 and COD). Monitoring data should be analysed and reported on by a qualified hydrogeologist on at least

		an annual basis.
T Anderson	The final development layout plan (all phases) needs to be appended to the EIA report. The FSR stated that a final detailed development plan would be included in the EIA	Been done
T Anderson	The final development layout plan (all phases) needs to be appended to the EMP report as this is what the ECO and contractors will be referring to and must comply with.	Been done
T Anderson	Sect. 1.7.2 (DSR) schedule for development states that once the RoD is issued, the alienation process with regards to change of ownership will begin. In sect. 1.1 it states that the properties were already purchased in 2006. Did the properties not change ownership then, or what change of ownership does this refer to?	Sale to individual property owners within the development
B Booth	In the electronic version of the EIA the file name indicates that this is the FINAL report. If the report is final it indicates to I&AP's that there will be no changes to the document to address our concerns	My mistake, however comments can be submitted to DTEC at any stage.
B Booth	There is no executive summary to provide readers with an overall understanding of the development and the content of the document. An executive summary facilitates the review process and should be included in such a document	Not in this report
B Booth	It should be noted that overgrazing, resulting in erosion, is due to poor management and should not be an excuse to develop land as this is an irresponsible use of a natural resource	Correct, not intended as such.
B Booth	Whereas 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 ",no such comment sheet is available with the report	Comments can be set at any time.
B Booth	The property being considered is 'due to its close proximity to Roodepan and the city environment greater and greater threat in the form of theft and trespassing is occurring making the viability of domestic husbandry more marginal.'(page 13) By putting such a huge development 40m from the boundary fence, this scourge will be transferred and intensified on Flamingo Farm, a registered game farm, owned by Northern Cape Ranchers CC , who are principally Livestock dealers and additionally, game farmers.	The perimeter fence is designed to preclude this.
B Booth	Who appoints the Environment Control Officer? Who pays him/her? To whom is he/she accountable?	The developer
B Booth	The view so prominently touted in advertising this development will surely be cut off by any vaguely adequate structure. <i>Irresponsible advertising</i> is therefore another charge which can be laid at the door of the developer.	Not sure how to comment.
B Booth	Flamingo Viewing Platforms are promised. When is this to come to fruition? Is there a contract in place? Can the developer be held accountable?	Money will be made available to construct at the wish of the PBO. See Chapter 8
B Booth	The same points apply to the contributions to the	See above

	Environmental Trust.	
B Booth	<p>The area should be a conservancy as delineated by the draft SDF, commissioned by the Sol Plaatje Municipality and completed by KOPLAN Consultants CC. I refer you to Mr Paul Kotze (TRP (SA) B.Art et Scien (Planning) MBA.)-cell:0828941232 or paul@koplan.co.za in connection with</p> <ul style="list-style-type: none"> ? the legal obligations related to implementing the SDF, ? the relevance of the SDF to the EIA process. This is corroborated by MCA Spatial Planning and Design in Cape Town. ? the declaration of the proposed site as part of the Kamfers Dam Conservancy and a section for tourism and the hospitality industry. 	The SDF issue is clear – see Legal report
B Booth	<p>It is acknowledged by the developer and the EAP that the impact related to the flamingos has national as well as international significance. The developer states that he believes that sufficient mitigating measures have been included to ensure the permanence of the flamingo breeding programme.</p> <p><i>Why then was this EIA application not lodged with the National Department since, according to NEMA, the Minister must be identified as the competent authority when the activity has implications for national environmental policy or international environmental commitments or will affect more than one province or traverse international boundaries?</i></p>	National DEAT has received the EIA and is consulted.
J Koen	Note that to our knowledge the wetland's name is spelt as "Kamfers Dam" and not "Kamfersdam".	Thank you
J Koen	A serious concern regarding the location of the Northgate development is that it does not fall within a residential development area as identified in the Sol Plaatje Municipality's draft SDF. More than half of the area is outside the urban edge and is zoned for conservation, while the rest is within an area zoned to support hospitality and tourism for the conservation zone. The proposed development must be discussed clearly within the context of the SDF, which is presently a limiting factor. The limitations imposed by the SDF necessitate the evaluation of alternative sites for development. FET also maintains that another housing development of this magnitude in the catchment area of Kamfers Dam is inappropriate and that the area should be used to support the Kamfers Dam Conservancy, with possible future extension to the Vaal River.	The SDF issue is clear – see Legal report. The draft may change. By the same token DTEC could not make a RoD decision based on a draft EIA?
J Koen	Please confirm that Northern Cape Property Investment Holders is the owner of the property. If not, it must be stated so in the final EIA.	Been done.