



**ENVIRONMENTAL IMPACT ASSESSMENT FOR THE
ESTABLISHMENT OF A COMMERCIAL/LIGHT INDUSTRIAL
DEVELOPMENT ON PORTION 330 OF THE FARM DOORNKLOOF
391 JR**

PUBLIC PARTICIPATION REPORT

Prepared for:

**JR 209 INVESTMENTS
(PTY) LTD FOR AND ON
BEHALF OF M&T
DEVELOPMENT**

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SUBMITTED TO:

**THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION,
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1. INTRODUCTION

The purpose of the public participation process for the establishment of a commercial and light industrial township on Portion 330 of the Farm Doornkloof 391 JR, is to obtain information through involving the community, NGO's, Ward Councillors, and other interested and affected parties. The aim is for the community to recognise the positive and negative aspects that the proposed development is anticipated to offer their living environments. The negative aspects would serve as a basis for the project team to enact a change in the course of action either through mitigation of undesirable or unacceptable impacts, or through the introduction of alternatives.

This report focuses on the issues and comments raised by interested and affected parties (I&APs). These inputs will then be used to determine the anticipated impacts that such a development could have on the social environment. The perceived impacts would assist individuals, communities, as well as government to understand and anticipate the possible social consequences of the project.

2. PUBLIC PARTICIPATION PROCESS

A public participation process, forming part of the Environmental Scoping process, was undertaken for this project to obtain the inputs of I&APs. This process included press advertisements, distribution of background information documents, site notices, E-mail, fax and telephonic communication, as well as a public meeting.

OBJECTIVES

The public participation process had the following objectives:

- To inform Interested and Affected Parties (I&APs) of the proposed development;
- To provide an opportunity for I&APs to raise issues, concerns and suggestions;
- To promote transparency and an understanding of the project and its consequences;
- To serve as a structure for liaison and communication with I&APs; and
- To serve as data gathering mechanism for the Social Scoping Study.
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The public participation process aims to promote a project process, which is both technically and financially feasible, as well as socially acceptable and desirable. It does not serve as a vehicle to quell opposition or to foster consensus among role-players.

METHODOLOGY/PROCESS FOLLOWED

An ongoing public participation process is proposed for this application, to establish a mechanism through which I&APs' inputs can be assimilated on an ongoing basis. For the purpose of this public participation process, the following activities were undertaken:

2.1.1 Identification and Registration of key Interested and Affected Parties (I&APs)

Key Interested and Affected Parties (I&APs) were identified and registered on the applications database. I&APs comprised of provincial authorities, the ward councillors of Tshwane, surrounding land owners, and estate residents, approving authorities such as DWAF, DME and SAHRA to name a few. These parties were made aware of the project when the public participation process commenced. The I&AP register has been updated throughout the process.

2.1.2 Background Information Document (BID)

A Background Information Document (BID), including a comment sheet, was formulated and distributed to the I&APs on the database. The aim of the BID was to provide the I&APs with a brief overview of the proposed project and process to be followed and contained relevant information, such as the name of the proponent and the environmental consultant, a project background and description, an explanation of the EIA process and preliminary environmental impacts identified. I&APs were invited to become part of the process and to list any concerns, issues and comments by returning the comment sheet within a thirty day period. The I&APs were also asked to list additional persons or organisations they thought should form part of the process.

2.1.3 Press Advertisements

In addition to the distribution of the BID and in accordance with the EIA regulations, the project was advertised in:

- Local and regional newspaper, the **PRETORIA NEWS** on the 22nd January 2009.
- Local newspaper, the **CENTURION REKORD** on the 22nd January 2009.

The aim was to create an awareness of the project and to invite a broader range of I&APs to register.

2.1.4 Site Advertisement

Highly visible site notices advertising the EIA process were placed on and surrounding the study area.

2.1.5 Feedback and Comments received

A number of comments were received from IAP's following the distribution of BID's, and the public notices. All these comments were acknowledged and captured. The concerns of the IAP's were brought to the attention of the applicant. Subsequently, a public meeting specifically aimed at presenting the project proposal to the community, in order to capture all the concerns/comments and objections was conducted.

2.1.6 Public Meeting

A public meeting was arranged with the registered IAP's, and other interested parties, on the 24th February 2009, from 6pm – 8pm at the Cornwall Hill College Auditorium.

The purpose of the public meeting was to provide I&APs with more detail regarding the proposed applications. This meeting had value in allowing I&APs' to raise their views and issues with regards the proposed environmental applications, and thereby ensure that the relevant environmental concerns are addressed sufficiently in the EIA process.

All parties who attended the meeting were asked to fill in the attendance register, in order to be registered on the EIA database for the application. All comments raised at the public meeting were minuted by Seedcracker Environmental Consulting CC. Minutes of the public meeting were subsequently forwarded (via fax and email) to all the parties who had attended the public meeting, as well as other interested parties. This was done to ensure that the attendees at the public meeting were satisfied that their comments were indeed captured, and would form a part of the Scoping and EIA reports.

2.1.7 Consultation with IAP's following the review of the Draft SR

Following the end of the public review period, a formal objection toward the proposed development was received from Cameron Cross Incorporated. Cameron Cross Incorporated were appointed as the attorneys to represent the Cornwall Hill Homeowners Association (CHHA). Please See Appendix 6.3.2 for this objection letter.

Further, Cameron Cross Incorporated requested AGES South Africa Environmental Assessment Practitioners, to review the Draft Scoping Report, and deliver critical findings on the Draft Scoping Report. Please See Appendix 6.3.2 for this review letter.

Both the objection letter received from Cameron Cross Incorporated, and the review letter received from AGES South Africa Environmental Assessment Practitioners, have been taken into consideration by S.E.C and the applicant. The Final Scoping Report has accordingly been updated to include the requirements and comments from these parties.

In addition to the above, a letter received from Kgabo V. – Sacotso Mia Trust dated 30/4/2009, brought to the applicant's attention, that a valid *land claim* for the said property has been lodged with the South African Land Claim Court. Kgabo V. – Sacotso Mia Trust act as duly appointed agents on behalf of the Bakgatla Ba Mmakau Paramount Chieftdom. Please see Appendix 6.3.3 for this written comment.

Kgabo V. – Sacotso Mia Trust demanded that the applicant cease with the rezoning of the property, and to engage into discussions with the Trust's Property Development Consultants. Hence, the applicant is currently addressing this issue. M&T have subsequently been in contact with this objector. The conclusion of this matter will be reported upon in the EIA report, however, at this stage, M&T have confirmed that this land claim is erroneous.

Following the review of the Draft SR, the applicant amended the extent of the application. This change to the application was communicated with the IAP database via fax and email. A hard copy of the Final

SR was submitted to Cameron Cross Incorporated. The Final SR was circulated to all registered IAP's via e-mail as well.

The Final Scoping Report has been prepared following the end of the public review period. The report has been updated with additional issues raised by I&APs. The final Scoping Report is submitted to GDACE for review and comment.

3. ISSUES, COMMENTS AND CONCERNS RAISED DURING THE SCOPING PHASE OF THE PUBLIC PARTICIPATION PROCESS

The following issues were raised:

INTERESTED & AFFECTED PARTY	Comment
MR GERHARD DE KOCK	Concerns about noise pollution near my homestead (compressors, air conditioning, etc.). Concerns about privacy from buildings overlooking my stand. Excessive traffic at night on the perimeter fence.
MR J KRIEK	Concerns about negative impact on property values, aesthetics, traffic, environment, security, enjoyment of property investment.
MR DEWALD ALBERTS	<p>Why is any new development going forward if the 5 o' clock development hasn't yet been completed?</p> <p>For purposes of clarity, the applicant must define exactly which businesses will be allowed within the development, and which not.</p>
MR DAVID LARSEN	We ask that the Doornkloof Owners Association (DKOA) be registered as an Interested Party
MS LIZELLE AND MR MARTHINUS DE BEER	<p>Traffic:</p> <p>The existing road infrastructure in the immediate area of the development is inadequate and needs to be assessed and pending the outcome of the assessment upgraded before any development can take place. The four-way junction between Nellmapius and Main Road at the railway bridge must be included in said study.</p> <p>Noise:</p> <p>The additional traffic will contribute to the noise pollution in the area. The impact of said pollution needs to be assessed. Preliminary plans from the developer indicate the possibility of a commercial development – refer to Figure 2. These developments will also contribute to the noise pollution and in addition the access routes required for these developments will also add to noise in the area. Road noise is a major factor in property values and it is requested that an expert study be undertaken to quantify the exact impact.</p> <p>Security:</p> <p>The Cornwall Hill perimeter wall is currently patrolled on the outside, which contributes to the safety of residents living in the estate. Once a new development is located next to the perimeter of the estate the security risk profile will change. This matter also requires careful consideration. An holistic approach where the new development co-operates with Cornwall Hill security will most likely yield the best results.</p> <p>View:</p> <p>Since the proposed development will be clearly visible from within Cornwall Hill, which is located slightly higher, the views of residents should be taken into account. For residents staying in the lower and flatter areas a green belt, e.g. trees can be used to limit the impact of a changed view. However for residents staying higher up on the hill</p>

INTERESTED & AFFECTED PARTY	Comment
	<p>a green belt will be totally ineffective. A very strict architectural guideline for structures within the proposed development must be put into place. Said guidelines must be approved by the board of directors from Cornwall Hill and strictly enforced by the developer by making it part of the property sale agreement.</p> <p>Aesthetics:</p> <p>Aesthetics aspects to consider for structures within the proposed development are roof color and covering material, façades of buildings facing Cornwall Hill (rear of buildings), maximum heights of buildings, limits applicable to radio/communication masts, covered parking bays, and windows overlooking entertainment areas of residences within the estate, rubbish disposal and loading bays.</p> <p>Privacy:</p> <p>Since the Commercial/Light Industrial Development is so close to the properties within Cornwall Hill Estate it is proposed that the question of entertainment area privacy be considered. Please refer to Figure 2. Another issue that may be a problem is the headlights from cars when they drive into the estate. In the case of the property at 368 Longdown Road buildings just across the estate's perimeter fence will overlook the entertainment area of the property.</p> <p>Crime:</p> <p>The crime problem, which can to some degree be tied to transients sleeping in the undeveloped areas, may actually get much worse during construction of the development. This has to be considered, as serious crime is rife in this area with both Cornwall Hill Estate and the Irene Village Mall suffering from multiple robberies during 2008/9.</p> <p>Property Value:</p> <p>The proposed land for the Commercial and Light Industrial development is currently zoned for agricultural use only. The development in question is also not similar to Route 21 Corporate Park since no pre-existing residential development is located next to Route 21 Corporate Park. The development of the Commercial and Light Industrial Business Park will influence property values, which require an independent assessment. The objective should be to protect the rights of the existing residents in the area by formulating the development in the correct manner. A comparison should be made between property values within nearby residential areas before rezoning and construction of the new development and thereafter. The assessment must be done by an independent party. If it is found that properties values are adversely affected the developer must be held responsible for compensating affected owners. Any owner who is registered as an interested and affected party must be able to participate their properties within this process.</p>
COUNCILLOR CHRISTA SPOELSTRA	I hereby wish to register my objection to the above mentioned development, based on the excess traffic that the development will generate on Nellmapius and Main Roads in Irene and Pierre van Ryneveld Road.

INTERESTED & AFFECTED PARTY	Comment
	<p>Previously the Ward Committee and I objected to any further developments in the area due to insufficient roads in the area. I previously commented to M&T's application for PART OF THE REMAINDER OF PORTION 335 OF THE FARM 391 JR: IRENE X 70 as follows:</p> <p><i>To ensure that future township development and road upgrading will take place, M&T must build the extension of Hertzog road up to where it will link up with the planned Olievenhoutbosch road, as well as the Olievenhoutbosch road from the Irene Farm Villages up to the future junction of Olievenhoutbosch road and Nellmapius drive. These road upgrades will create two entrances to and from the development, and therefore ensure that not all the traffic goes through Pierre van Ryneveld. At the meeting at Cornwall Hill Mr van Rensburg was not aware of these comments from the committee and my self.</i></p> <p>A full Traffic Impact Study must be done as well as the issues around aesthetics, property values, heights, pollution etc, which were raised at the meeting at Cornwall Hill.</p> <p>Considering the above, I can not support the development, and therefore require that the completion of the above mentioned roads as well as the upgrading of the bridge, as mentioned in the minutes of the meeting be a prerequisite before commencement of any further developments in the area. Please ensure that this issue is addressed in your engineering services report to the Roads & Stormwater Division.</p>
<p>MRS ALYSON LEA-COX (IRENE LAND OWNERS ASSOCIATION (ILA) MANAGER)</p>	<p>Please register the Irene Landowners' Association as an Interested Party for the proposed development of portion 330 of the Farm Doornkloof 391 JR.</p> <p>All correspondence and further notices should be be be sent to: Martie Knoetze, Email – quidlibet@mweb.co.za, Cell: 082 576 7198</p> <p>Copy to: Alyson Lea-Cox, Email – ilamanager@irene.co.za, Cell 072 714 3740</p> <p>I wish to register as an interested party and submit my objections re. the above development:</p> <p>1. <u>Traffic impact on Irene Village.</u></p> <p>a. Nellmapius and Main Rd are already overloaded at peak times.</p> <p>b. Main/Nellmapius will be the quickest access roads from the N1 at Botha Laan off ramp – this further exacerbate traffic..</p> <p>c. Cars, Trucks, buses, wishing to beat the traffic jams in Nelmapius and Main already rat- run through Irene</p> <p>2. <u>Dolomitic area</u></p> <p>a. Area prone to sink holes/subsidence. Already proven at Cornwall Hill Estate.</p>

INTERESTED & AFFECTED PARTY	Comment
	<p>3. <u>Sesmylspruit</u></p> <ul style="list-style-type: none"> a. Possible pollution /stormwater from light industrial operations b. Preservation of river and environs non-negotiable c. Preservation of flora and fauna –what is proposed building line? <p>4. <u>Zoning</u></p> <ul style="list-style-type: none"> a. Both applications not in keeping with high income residential estates nearby. b. Portion of site was an in-fill site with attendant restrictions on future development.
<p>MR DEON ONSELEN CHAIRMAN)</p> <p>VAN (ILA</p>	<p>We hereby wish to register our objection to the above-mentioned development.</p> <p>Our objection is based on the excess traffic that this development will generate and the effect it will have on Nelmapius Drive and Main Road in Irene.</p> <p>These roads and intersections around Irene, have already reached full capacity and motorists are taking short cuts through the village, using our roads as major thoroughfares.</p> <p>In the absence of an independent Traffic Impact Study, which must indicate what mitigating measures will be employed, together with M &T's track record of not providing and upgrading road infrastructure to service their developments, our objection will remain.</p> <p>We are ready to make representations at a public hearing.</p>
<p>SONYA SEMMELINK (LCI TOWN PLANNERS, ENVIRONMENTAL CONSULTANTS)</p>	<p>Herewith my concerns and comments with regards to the abovementioned 2 EIA applications.</p> <p>EIA for Commercial & Light Industrial Township Establishment</p> <p>In terms of the Tshwane Town Planning Scheme, 2008, "light industrial" is defined as land and buildings used for inter alia, a bakery, a builder's yard, a car wash, contractor's yard, drycleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops and a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p> <p>"Commercial use" is defined as land and buildings used for distribution centres, wholesale trade, storage, warehouses, transport depot, laboratories and computer centres and may include offices, light industries, a cafeteria and a caretaker's flat, which are directly related and subservient to the main commercial use which is carried out on the land or in the building.</p>

INTERESTED & AFFECTED PARTY	Comment
	<p>This application deals with the impact that the proposed development will have on the existing environment on the application site itself, as well as on the surrounding area.</p> <p>In terms of the definitions, it is clear that the "light industrial" rights which is more manufacture related uses, will impact far more on the environment than the "commercial use" which is cleaner and more office related. The light industrial uses will not fit in with the existing adjoining uses which is mainly residential (Cornwall Hill Country Estate as well as Irene Farm Villages). Most of the "light industrial" uses for instance have a significant noise impact on the area as well as harmful and/or chemical waste that will have to be disposed of. This proposed land use is therefore not supported at all, as not even mitigating measures can make these uses attractive next to a residential development.</p> <p>The "commercial uses" can have a lesser impact on the environment but this impact must still be evaluated in the following areas:</p> <ul style="list-style-type: none"> • Noise impact of the proposed uses – trucks delivering and removing goods • Waste management including the screening and removal of refuse • Aesthetic impact as businesses usually have a "back yard" with rubbish bins, waste and flotsam which will be the view that residents of Cornwall Hill look down upon • Light impact from electronic signage boards at businesses. Currently the light noise at night from the Route 21 Park, Irene Village Mall and the billboard across Nelmapius Road is already extremely high. Any light signage will have to face the R21 and no lighting up of buildings should be permitted as those lights would be aimed toward Cornwall Hill • Impact of taxi movement – currently an informal "taxi rank" operates in Nelmapius Road adjacent to Irene Village Mall with pedestrians crossing the busy road. A new development will add to the taxi volumes, this will need to be addressed in some way • Additional traffic volumes on the existing road network especially in Nelmapius Road from the R21 right up the intersection at Main Road.
MR ROBERT MARTIN	<p>I object to the establishment of this township on the following basis:</p> <ul style="list-style-type: none"> • it is in too close proximity to the residential estate • noise and vehicular pollution • the expected traffic congestion • the effect on property valuations, owing to the invasiveness and visual aspects

INTERESTED & AFFECTED PARTY	Comment
	<ul style="list-style-type: none"> • the effect on the flora and fauna in the vicinity • the potential advent of crime • the uncertainty what constitutes a light industrial township • the effect of erosion, storm water and run-off into the Sesmyl River • To this point I suggest that the developer approaches effected parties in transparent fashion and also in the spirit of compromise. If the development comprises strictly two story <u>office blocks</u> with a specific environmental theme with tangible measures to address the issues raised above I may give my stance further consideration. There must be a meaningful green belt between the office park and the residential estate, with buildings that are uniform and aesthetically desirable to those in the vicinity. • I acknowledge that a process has commenced to address the EIA and other issues. However in the meantime I reserve my rights until convinced otherwise.
TRACEY REBELLO PAARL MEDIA	<p>How do we go about lodging concerns regarding this centre?</p> <p>As residents we have already seen a huge increase of crime in the area since the Irene Mall opened. Not to mention the increase in traffic noise and pollution. There is also a concern that Southdowns, Irene Mall and the Eco Décor & Eco Boulevard tenants are struggling to pay rents Etc,</p> <p>This will be way too much congestion for a small strip of land running next to luxury housing developments and will decrease the property values. It is also my opinion that the land developed by MT Developers on the adjacent side of the R21 highway next to the Rietveli nature reserve has become an eyesore. They squeeze as many stack units into a small amount of land possible. Irene / Rietvlei area used to be such a wonderful nature conservation area. We can't let property developers take over and ruin the landscape. There is plenty of property still available on the 'R21 corridor' which can be used for industrial development.</p> <p>If they want to develop the Irene land, make it more ascetically appealing for the residents and kinder to the environment.</p>
CARIANNE FREEBURY (RETAIL AFRICA (PTY) LTD)	<p>Please inform Hester Potgieter and Henlie Du Randt at Retail Africa (PTY) LTD</p>
MR ALLAN WALLACE OPERATIONS MANAGER: KAROO CUISINE	<p>I am interested in getting info on the proposed commercial/light industrial development on portion 330 of the farm Doornkloof 391 JR – where exactly is this in relation to Cornwall hill and Irene farm villages so I can see if I need to consider attending the public meeting on 24 Feb? Is there a place I can get the map and location of it relative to the area?</p>

INTERESTED & AFFECTED PARTY	Comment
YANNI ANASTIASADIS	<p>I have read an advertisement giving notice of scoping and EIA process for the proposed development on portion 330 of the Farm Doornkloof 391 JR.</p> <p>Please accept this e-mail as my written request to participate in the EIA process as an interested/affected party and would like for you to please send me all details of the application so that I can review it. Once I have reviewed it I can provide you with any comments.</p> <p>I look forward to receiving all the information applicable. Should you wish to discuss anything with me please do not hesitate to contact me on 072 696 9919.</p>
LINA MOLUBI	<p>Dear Stephanie</p> <p>My we please have the following information:</p> <ul style="list-style-type: none"> ✓ The specialist studies that have been conducted already ✓ The Layout of the Township and detail on potential bulk of various land uses ✓ Town Planner's details
ADVOCATE SNYMAN JAN	Require progress information

4. ISSUES, COMMENTS AND CONCERNS RAISED FOLLOWING THE END OF THE SCOPING PHASE OF THE PUBLIC PARTICIPATION PROCESS

Please see Appendix 6.3.2 for the full objection letter received from Cameron Cross Incorporated.

As stated hereinabove, the CHHA *is not opposed to development of the property*, save for the objections listed in paragraph 3.4.1 to paragraph 3.4.4 below and provided that the CHHA is afforded the opportunity to *inter alia* provide inputs in respect of *inter alia* the land use, the proposed development layout and the architectural design as set out in paragraph 1.3 above.

However, the CHHA **objects** to the development of a **commercial and/or light industrial** township on the property. The CHHA submits that a commercial and/or light industrial township as defined in the Tshwane Town-Planning Scheme, 2008 and as set out above will have a significant impact on the environment (visual impact, noise impact, waste generation, air pollution etc.) and will not fit in with the existing land uses in the surrounding area which constitutes *inter alia* residential, upmarket retail and conservation areas. The CHHA is of the opinion that Cornwall Hill Country Estate enhances the value of the surrounding area and conversely any development on the property adjacent to the estate should contribute to the value of surrounding area. The CHHA's objection is based on *inter alia* the following grounds:

Visual impact

The draft SR confirms that due to the scale and nature of the proposed development, in comparison to the immediate surrounding land uses, the visual impact of the proposed development on surrounding communities is considered to be significant.

The property is adjacent to the Cornwall Hill Country Estate and the development will be clearly visible from the aforesaid estate. In order to address the aforesaid significant impact, SEC proposes screening elements such as trees and berms. It can be argued that the screening elements will be sufficient for those residents in Cornwall Hill Country Estate whose property is situated on the lower areas directly adjacent to the proposed development. However, the members of the CHHA submit that these mitigation measures will not address the visual impact on residents whose property is situated higher up on the ridge.

Furthermore, according to the draft SR internal landscaping and architectural design of the different components of the proposed development can also contribute positively to the aesthetics of the area. The **draft SR fails to provide information regarding the**

Noted.

Noted. Mitigation measures to be addressed in the Specialist Visual Impact Assessment during the EIA phase.

Detail on landscaping and architectural design is currently not available. This detail will be addressed in the Environmental Impact Report, where the contributions of a Landscape Master Plan and alternative Architectural Illustrations will be included in the draft EIR

<p>landscaping and the architectural design of the different components that should be investigated and assessed during the Environmental Impact Assessment ("EIA") phase, and accordingly it cannot be expected from interested and affected parties to meaningfully comment on the content of the draft SR.</p>	<p>for public review.</p> <p>The Draft Scoping Report serves to define the Scope of Work to be addressed in detail in the EIA phase. It is submitted by S.E.C that the Scoping Report complies with Regulation 29(1) (a – j) and 29(2) of the EIA regulations, where the prescribed content of the Scoping Report has been met.</p> <p>The Scoping Report has provided a description of:</p> <p>29(1)(a)(i)(ii) the details of the EAP;</p> <p>29(1)(b) the proposed activity;</p> <p>[S.E.C acknowledges that a description of the feasible and reasonable alternatives was not provided in the Draft Scoping Report. Therefore, the final Scoping Report has been amended to include these descriptions] ;</p> <p>29(c) the property on which the activity is to be undertaken and the location of the activity on the property</p> <p>29(d) the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity;</p> <p>29(e) all legislation and guidelines that have been considered in the preparation of the scoping report;</p> <p>29(f) environmental issues and potential impacts, including cumulative impacts, that have been identified;</p> <p>29(g) the methodology that will be adopted in assessing the potential impacts that have been identified, including any specialist studies or specialised processes that will be undertaken;</p> <p>29(h) details of the public participation process conducted in terms of regulation 28(a), including (i) the steps that were taken to notify potentially interested and affected parties of the application; (ii) proof that notice boards, advertisements and notices notifying potentially interested and affected parties of the application have been displayed, placed or given; (iii) a list of all persons or organisations that were identified and registered in terms of regulation 57 as interested and affected parties in relation to the application; and (iv) a summary of the issues raised by interested and affected parties, the date of receipt of and the response of the EAP to those issues;</p>
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<p>Furthermore, the preliminary layout plan for the proposed development in the draft SR depicts a high density commercial/light industrial township and does not provide for internal landscaping, trees or berms. Accordingly, the CHHA submits that the preliminary layout plan does not correspond with the information set out in the draft SR.</p>	<p>29(i) a plan of study for environmental impact assessment which sets out the proposed approach to the environmental impact assessment of the application, which must include (i) a description of the tasks that will be undertaken as part of the environmental impact assessment process, including any specialist reports or specialised processes, and the manner in which such tasks will be undertaken; (ii) an indication of the stages at which the competent authority will be consulted; (iii) a description of the proposed method of assessing the environmental issues and alternatives, including the option of not proceeding with the activity; and (iv) particulars of the public participation process that will be conducted during the environmental impact assessment process; and (j) any specific information required by the competent authority.</p> <p>29(2) guidelines applicable to the kind of activity which is the subject of the application.</p> <p>[S.E.C acknowledges that the GDACE draft Ridges Policy was not provided in the Draft Scoping Report, even though the Scoping Report clearly stated the presence of a ridge system on site. Therefore, the final Scoping Report has been amended to include this draft Policy] ;</p> <p>Detail on landscaping and architectural design is currently not available. This detail will be addressed in the Environmental Impact Report, where the contributions of a Landscape Master Plan and alternative Architectural Illustrations will be included in the draft EIR for public review. The scope of work required for the proposed development, needs to be discussed with the Visual Specialist, after approval of the Plan of Study for EIA by GDACE.</p>
<p style="text-align: center;">Traffic Impact</p> <p>The draft SR does not provide for any impacts relating to increased traffic during the construction or operational phase of the proposed commercial and light industrial development and it is clear that the existing infrastructure</p>	<p>The Draft Scoping Report serves to define the Scope of Work to be addressed in detail in the EIA phase. It is submitted by S.E.C that the Scoping Report complies with Regulation 29(1) (a – j) and 29(2) of the EIA</p>

<p>in the area is inadequate and cannot even accommodate the current traffic.</p> <p>The draft SR does not address the aforesaid concern and it does not provide for the upgrading of the current infrastructure. Despite the concerns raised by registered interested and affected parties at the public meeting, the draft SR only makes reference to <i>traffic noise</i> generated from the proposed development. Although SEC identified the need for a traffic impact assessment report as one of the specialist studies to be undertaken during the EIA phase, the draft SR does not provide for traffic impacts during the construction and operational phase of the proposed commercial and light industrial development and the measures to be implemented in order to address this impact. Accordingly, registered interested and affected parties are not afforded the opportunity to comment on the traffic impacts and the measures suggested to address the impact during the scoping phase.</p> <p>The CHHA submits that the draft SR does not include material information such as a description of the impacts of the increased traffic on the current infrastructure as required in terms of the EIA Regulations. Various interested and affected parties raised concerns regarding the impact on traffic and the current infrastructure in the area, and SEC failed to address these concerns in the draft SR. The City of Tshwane Metropolitan Municipality's Ward Councillor registered her objection to the proposed development based on <i>inter alia</i> the current infrastructure which cannot accommodate the excess traffic that will be generated by the proposed commercial and light industrial development¹³. Accordingly, the CHHA requests the GDACE to reject the draft SR in terms of regulation 31(1)(c)(i) of the EIA Regulations as same does not contain material information required in terms of the regulations.</p>	<p>regulations, where the prescribed content of the Scoping Report has been met.</p> <p>Traffic Impact was identified as an anticipated impact of the development. The Scoping Report recommends that a Traffic Impact Study forms a part of the EIA phase. In this specialist study, the specialist traffic engineer will address the <i>status quo</i> of the traffic situation, as well as required upgrades of the road network in the area will be comprehensively addressed.</p> <p>S.E.C submits that Regulation 28(e)(i)(ii) of the EIA Regulations have been met, and therefore, fulfils the requirements of determining the "Scope" of work to be addressed in the EIA phase of this application.</p>
<p style="text-align: center;">Noise Impact</p> <p>Commercial and light industrial townships generally have a significant noise impact on the receiving area. The draft SR provides for impacts associated with traffic, construction and operational noise. The members of the CHHA are concerned about the noise impact associated with the construction and operational phase of the proposed development. According to the draft SR the</p>	<p>Noted.</p>

<p>noise impacts will be addressed during the EIA phase and recommendations to manage the noise impact during the construction phase and operational phase will be provided for in the EIA report.</p> <p>The CHHA submits that the draft SR does not sufficiently provide for the impacts associated with noise and accordingly the CHHA is not afforded the opportunity to comment on the impacts associated with noise during the scoping phase.</p> <p>Furthermore, the draft SR does not provide for a noise impact assessment and CHHA submits that such an assessment should be undertaken by an independent consultant in order to adequately address the issues pertaining to noise.</p> <p>Accordingly, the CHHA requests the GDACE to reject the draft SR in terms of regulation 31(1)(c)(i) of the EIA Regulations as same does not contain material information required in terms of the regulations.</p>	<p>S.E.C submits that Regulation 28(e)(i)(ii) of the EIA Regulations have been met, and therefore, fulfils the requirements of determining the "Scope" of work to be addressed in the EIA phase of this application. Further, S.E.C describes the anticipated sources of noise identified in the Scoping Phase of the application, and therefore, the Scoping Report complies with Regulation 29(1) (a – j) and 29(2) of the EIA regulations.</p> <p>S.E.C acknowledges that no reference was made in the Draft Scoping Report for a specialist Noise Impact Assessment. This error has subsequently been corrected in the Final Scoping Report, where a Noise Impact Assessment has been recommended for the EIA phase of the application.</p> <p>S.E.C submits that Regulation 28(e)(i)(ii) of the EIA Regulations have been met, and therefore, fulfils the requirements of determining the "Scope" of work to be addressed in the EIA phase of this application. Further, S.E.C describes the anticipated sources of noise identified in the Scoping Phase of the application, and therefore, the Scoping Report complies with Regulation 29(1) (a – j) and 29(2) of the EIA regulations.</p>
<p>N1/R21 Environmental Management Policy</p> <p>The draft SR refers to the N1/R21 Environmental Management Framework ("EMF") compiled by Strategic Environmental Focus in 2005 and N1/R21 Environmental Management Policy which gives effect to the main findings and guidelines presented in the EMF. The aforesaid Environmental Management Policy divides the N1/R21 Quadrant into 5 control areas and land use guidelines have been developed for the various control areas to ensure that future development takes place in a sustainable manner. The property earmarked for the proposed development falls within Control Area 4 which provides for "Ecological" including "Eco-focused" development.</p>	<p>Comments Noted.</p>

<p>The purpose of Control Area 4 is to maintain and manage the connection with the Rietvlei Nature Reserve and to protect red data species and the associated habitats. Accordingly, in terms of the aforesaid Environmental Management Policy no developments within this control area are to compromise these non-renewable natural resources and land uses supported within this area are conservation-related activities and low impact, cultured developments provided that they do not compromise the integrity or sensitivity of the environment.</p> <p>The CHHA submits that the proposed commercial and light industrial township is not in line with the Environmental Management Policy and land use guidelines applicable to the property earmarked for the proposed development.</p> <p>The preliminary layout plan for the proposed development in the draft SR depicts a high density commercial and light industrial township and does not provide for any conservation areas or “connect” with the Rietvlei Nature Reserve. Furthermore the draft SR does not take into account the aforesaid land use guidelines applicable to the property. A commercial and light industrial development will compromise the integrity and sensitivity of the environment and should not be supported by the GDACE.</p> <p>Accordingly, the CHHA requests the GDACE to reject the draft SR in terms of regulation 31(1)(c)(i) of the EIA Regulations as same does not contain material information required in terms of the regulations.</p>	<p>S.E.C submits that the Draft SR addressed this issue on page 25 of the Draft SR as follows: ..” With regards the above Frameworks and Policies (N1/R21 Environmental Management Framework (“EMF”) compiled by Strategic Environmental Focus in 2005 and N1/R21 Environmental Management Policy), any development proposal on Portion 330 of the Farm Doornkloof 391 JR, must be subject to a thorough and detailed Environmental Impact Assessment, which incorporates the principles of all the statutory Acts and provincial guidelines or policies...”</p> <p>At this Scoping Phase of the application, the preliminary layout served only as a visual reference, and in no way reflects the final proposed layout for the development.</p>
<p>Non-compliance with statutory requirements</p> <p>The draft SR does not <i>inter alia</i> provide for an identification and description of alternatives as required in terms of regulation 29(1)(b) of the EIA Regulations. In terms of the aforesaid regulation a description of any feasible and reasonable alternatives must be included in the scoping report.</p> <p>The draft SR states that a full assessment of the impacts and proposed alternatives will form part of the EIA report. In addition, the draft SR states that specialist recommendations will assist with the identification of potential alternatives. It is clear that the draft SR does not sufficiently identify or describe any alternatives to the proposed development. According to the draft SR the identification and assessment of alternatives will only take</p>	<p>Comment Noted. S.E.C acknowledges that a <i>description</i> of the feasible and reasonable alternatives that have been identified was not provided in the Draft Scoping Report. Therefore, the final Scoping Report has been amended to include these descriptions</p>

<p>place during the EIA phase.</p> <p>The CHHA submits that the draft SR is fatally flawed and does not comply with the statutory requirements provided for in the EIA Regulations. Accordingly, registered interested and affected parties have not been afforded the opportunity to meaningfully comment on the identified alternatives during the scoping phase due to the failure to provide a sufficient description of the alternatives.</p> <p>In view of the above the CHHA requests the GDACE to reject the draft SR in terms of regulation 31(1)(c)(i) of the EIA Regulations as same does not contain material information required in terms of the regulations.</p>	
<p style="text-align: center;">Material information required by Regulation</p> <p>Regulation 29(1) of the EIA Regulations provides for the content of the scoping report and states that the scoping report must contain all the information that is necessary for a proper understanding of the nature of issues identified during scoping.</p> <p>The aforesaid regulation furthermore lists issues and information that must be included in the scoping report. As stated hereinabove, the CHHA as requested AGES South Africa to review the draft SR and to compile a report reflecting their findings. In terms of the aforesaid report AGES concludes as follows:</p> <ul style="list-style-type: none"> ➤ According to the C-Plan, the site earmarked for the proposed development is severely sensitive and numerous environmental processes are present on the study area; ➤ Tshwane Open Space Framework: None of the recommended open spaces in the aforesaid framework are foreseen to be compatible with the proposed land use alternative and furthermore none of these open space typologies have been considered in the layout produced or considered under "Alternatives"; ➤ The proposed land use alternative is clearly in contradiction with the N1/R21 Environmental Management Policy. It is proposed that a different land use be evaluated during the EIA phase; 	<p>The Draft Scoping Report serves to define the Scope of Work to be addressed in detail in the EIA phase. It is submitted by S.E.C that the Scoping Report complies with Regulation 29(1) (a – j) and 29(2) of the EIA regulations, where the prescribed content of the Scoping Report has been met.</p> <p>Noted in the DSR</p> <p>Comment Noted. The applicant seeks approval of the Plan of Study for EIA before alternative layouts are investigated. It is expected that the specialist studies will determine the layout.</p> <p>Comment Noted.</p>

<ul style="list-style-type: none"> ➤ Scientific Aquatic Services, in its letter dated 3 February 2009 recommended that the drainage features on the subject property cannot be considered to be a wetland feature and the small earth dam on the subject property can be considered to be an artificial wetland system created by the earth dam and that therefore no formal delineation of the feature as a wetland is, therefore, deemed necessary. According to AGES this recommendation by the consultant is highly questionable and it is therefore recommended that further investigation be conducted through a Wetland Delineation in order to confirm the already identified wetland on-site. This area should be excluded from the proposed development and indicated on amended site layouts; 	<p>Comment Noted.</p>
<ul style="list-style-type: none"> ➤ Even though SEC has clearly indicated that ridges are present on-site, the GDACE Ridges Policy was not mentioned or considered in the draft SR. An assessment of this policy as well as a visual impact assessment will be required to determine the intensity of the proposed impact on the ridges present on-site; 	<p>S.E.C acknowledges that the GDACE draft Ridges Policy was not provided in the Draft Scoping Report, even though the Scoping Report clearly stated the presence of a ridge system on site. Therefore, the final Scoping Report has been amended to include this draft Policy.</p>
<ul style="list-style-type: none"> ➤ It should be noted that according to the C-plan there is a historical location noted for this specific site and same will subsequently impact on future layouts; 	<p>Comment Noted.</p>
<ul style="list-style-type: none"> ➤ Indications from C-Plan, Tshwane Open Space Framework and N1/R21 Environmental Management Framework (EMF) indicate that the proposed development and these guidelines are in direct conflict with one another and specifically the proposed land use alternative; 	<p>Comment Noted.</p>
<ul style="list-style-type: none"> ➤ The statements made in respect of the geotechnical aspects in the draft SR are unsubstantiated and it seems to be in direct opposition to standard geotechnical mitigation measures; 	<p>Comment Noted. Geotechnical Report for the greater area is subsequently attached to the Final Scoping Report.</p>
<ul style="list-style-type: none"> ➤ The draft SR does not propose that a noise impact assessment be undertaken. AGES is of the view that a noise impact assessment should 	<p>S.E.C acknowledges that no reference was made in the Draft Scoping Report for a specialist Noise Impact Assessment. This error has subsequently been corrected in the Final Scoping Report, where a Noise Impact</p>

<p>be included as part of the EIA phase.</p> <ul style="list-style-type: none"> ➤ The draft SR does not propose that a visual impact assessment be undertaken. AGES is of the view that a visual impact assessment should be included as part of the EIA phase. ➤ It is noted that the alternatives mentioned in the draft SR is not sufficient and it is required that the following alternatives be assessed together with the alternatives already provided: <ul style="list-style-type: none"> o Locality alternatives; o Land use alternatives (e.g. commercial/residential development); and o Architectural alternatives. ➤ According to AGES it is highly recommended that an extensive services report be compiled by a qualified Civil Engineer, as well as a traffic impact assessment by a qualified Traffic Engineer. ➤ The statements made in respect of zoning fall according to AGES completely outside the authority of an EAP, furthermore should such an opinion be given it must at least be substantiated. ➤ It is clear from the public participation process that there is wide-ranging and strong opposition to the proposed development. It is highly recommended that the alternatives set out above be included and assessed during further phases of the study. 	<p>Assessment has been recommended for the EIA phase of the application.</p> <p>S.E.C acknowledges that no reference was made in the Draft Scoping Report for a specialist Visual Impact Assessment. This error has subsequently been corrected in the Final Scoping Report, where a Visual Impact Assessment has been recommended for the EIA phase of the application.</p> <p>Comment Noted. Comment Noted. S.E.C acknowledges that a <i>description</i> of the feasible and reasonable alternatives that have been identified was not provided in the Draft Scoping Report. Therefore, the final Scoping Report has been amended to include these descriptions</p> <p>Comment Noted. If the Plan of Study for EIA is approved by GDACE, the applicant will appoint the specialist engineers to commence with these studies.</p> <p>Comment Noted. The professional judgement of the EAP was provided.</p> <p>Comment Noted.</p>
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5. SOCIAL RELATED CONCLUSIONS AND RECOMMENDATIONS

In terms of the public participation exercise conducted for the establishment of a commercial and light industrial township on Portion 330 of the Farm Doornkloof 391 JR, the following **conclusions and recommendations** can be made:

- A number of the I&APs consulted had objections to the proposed development.
- The comments raised during this public participation process and the perceived negative impacts identified pertain around the following impacts:
 - Traffic Impacts;
 - Incompatible Land Use;
 - Noise Impacts;
 - Visual Impacts;
 - Property values;
 - Environmental Impact to sensitive area;
 - Safety and Security
 - Stormwater Management and pollution to the Sesmylspruit
- The Final Scoping Report must be amended to include the Objections received from Cameron Cross Incorporated, on behalf of the Cornwall Hill Homeowners Association (CHHA). The Final Scoping Report must be amended to address the objections received.
- Specialist studies to be conducted during the EIA phase of the application include (but not limited to) Noise, Visual, Traffic and Civil Services.
- The CHHA must be involved in the proposed development layout and the architectural design of the development.

6. ANNEXURE

6.1 INTERESTED AND AFFECTED PARTIES (I&APs)

6.2 BACKGROUND INFORMATION DOCUMENT (BID)

6.3.1 WRITTEN COMMENTS RECEIVED DURING THE SCOPING PHASE

SEE SECTION 3 OF THIS REPORT

6.3.2 WRITTEN OBJECTION RECEIVED FROM CAMERON CROSS INCORPORATED FOLLOWING THE END OF THE DRAFT SCOPING REPORT REVIEW PERIOD

6.3.3 WRITTEN COMMENT RECEIVED FROM KGABO V. – SACOTSO MIA TRUST

6.4 PRESS ADVERTISEMENTS

6.5 SITE NOTICES





6.6 INVITATION TO THE PUBLIC MEETING

6.7 AGENDA OF THE PUBLIC MEETING

6.8 ATTENDANCE REGISTER OF THE PUBLIC MEETING

6.9 MINUTES OF THE PUBLIC MEETING

6.10 COMMENTS ON THE MINUTES OF THE PUBLIC MEETING