

APPENDIX C

Public Participation Process

C PUBLIC PARTICIPATION PROCESS

This Appendix is arranged into five sub-appendices as follows:

Appendix C-1	Notification of Acceptance of Scoping Report
Appendix C-2	I&AP Register
Appendix C-3	Comments Register
Appendix C-4	I&AP Correspondence

APPENDIX C-1

Notification of Acceptance of Scoping Report



Province of the
EASTERN CAPE
Economic Development and
Environmental Affairs

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South Africa, 5200
Phone: +27 (43) 742 0340
Fax: +27 (43) 742 0323

E-mail: hlomela.ntsini@deaet.ecape.gov.za

Project Consultants: Arcus Gibb
Contact person: Ms.P.Jennings
Telephone: 043 706 3600
Fax: 043 706 3647

Enquiries: H.Ntsini
Our Ref : AR/18/F/3/1/08
Date: 24 October 2008

RE: STUTTERHEIM FILLING STATION AND TOURISM CENTRE:

With reference to your letter dated 22-October 2008, please be advised that the Department has decided to accept the Scoping Report and Plan of Study for an EIA of the above application. You may accordingly proceed with the Environmental Impact Assessment in accordance with the tasks that are outlined and submit an Environment Impact report. However we request that the following issues are addressed adequately in the EIR namely:

- i) The need and Desirability of the proposed project and;
- ii) The aspect of economic viability.

Yours Sincerely

[Handwritten signature]
24/10/08

B.B. NONCEMBU
REGIONAL MANAGER: EIM
AMATHOLE



APPENDIX C-2

I&AP Register

Stutterheim Filling Station EIA
Interested & Affected Party Database



COMPANY	TITLE	FIRST NAME	SURNAME	POSITION	CONTACT NO	FAX NO	CELLPHONE	EMAIL	POSTAL ADDRESS
KEY STAKEHOLDERS (e.g. authorities)									
DEDEA	Ms	Tembela	Mapukata		043-742 0340	043 - 742 0323	n/a	Tembela.Mapukata@deaet.ecape.gov.za	Private Bag X9060 EAST LONDON 5200
DWAF	Mr	Landile	Jack		043-748 5342	086 613 8812	082 8876458	jackl@dwaf.gov.za	St George's Road Southernwood 5201 EAST LONDON
SAHRA EASTERN CAPE	Ms.	Nolitha	Ngcayi	Cultural Officer		043 722 1749			P.O. Box 759 East London 5200
SAHRA EASTERN CAPE	Mr	Thanduxolo	Lungile	Provincial Manager	043-722 1740	043-722 1749	083 281 8145		SAHRA - East London P O Box 759 East London 5200
AMAHLATHI WATER/SEWER WORKS	Mr	Robbie	Stoltz		043-683 1216				
AMAHLATHI HEALTH	Mr	Sam	Mbenge	Health Officer	043-683 1240				
SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED	Mrs	J (Nanna)	Gouws	Statutory Control Officer	041-398 3214	041 398 3211		Nanna Gouws (SR) [Gouwsj@nra.co.za]	P O Box 27230 GREENACRES 6000
DEPARTMENT OF MINERALS & ENERGY (PETROLEUM PRODUCTS)				Petroleum Products Controller	012 317 8000	086 517 7766	072 322 8570		Private Bag x59, Pretoria 0001
AMAHLATHI LOCAL MUNICIPALITY	Mr	Alan	Ahlschlager	Town Engineer	043 683 1215	043 683 2577	082 5760 227	alan@haznet.co.za	Private Bag X2 Stutterheim 4930
AMAHLATHI LOCAL MUNICIPALITY	Mr	B	Ondala	Manager	043 6831100	043 683 1127		manager@amahlathi.co.za	
EC Department of Transport	Mr	Rodney	Offord		043 604 7427		082 773 2864		Private Bag X0023 BISHO, KING WILLIAM'S TOWN 5600
Amathole District Municipality	Mr.	Andile	Mxenge		043 703 5831	043 722 623	083 958 3427	andilemxe@amatoledm.co.za	40 Cambridge Rd; P O Box 320 East London 5200
SURROUNDING LANDOWNERS (within 100m)									
	Mrs	Petru	Harrison		043 683 2345	043 683 2345		harrison@border.co.za	7 John Ceaser Road Stutterheim 4930
	Mr	Donald	Harrison					harrison@border.co.za	7 John Ceaser Road Stutterheim 4930
Hogsback Clothing	Mr	Warren	Donaldson		0436831650	0436832885			10 Wandrahm Road
RedCrest Farms CC (ANCA Chicks)	Mr	Tony	Isemonger	RedCrest Farms CC (ANCA Chicks)	043 683 1774	086 679 5526		tony@anca.co.za	
	Mr	Bernard	Scrooby						31 La Rochelle Drive
ERF 1233	Mr.	Clint	Lentz	Owner	043 6837 366(w) 043 683 7250 (h)	043 683 7900	082 856 0283	psmclint@telkomsa.net	P.O. Box 66 Stutterheim 4930
	Mr.	G.P.	Hill						Private Bag X2 Stutterheim 4930
		M.	de Swart						164 Munroe Drive Winterstrand
		M.	Hattingh						9 John Caesar Road
		D.	Hattingh						9 John Caesar Road
		D.	Swarbool						11 John Caesar Road
		B.	Swarbool						13 John Caesar Road
		F.	Davids						13 John Caesar Road
		B.	Botha						3 John Caesar Road
		M.L.	Reabow						9 Wandrahm Road
		J.	Reabow						9 Wandrahm Road
		M.M.	Scrooby						31 La Rochelle Drive
		K.	Puchert						7 Wandrahm Road
		L.	Puchert						7 Wandrahm Road
		C.	Donaldson						10 Wandrahm Road
		J.S.	Swanoepel						27 La Rochelle Drive
		J.G.	Swanoepel						27 La Rochelle Drive
		S.	Schwartz						3 Wandrahm Drive
		W.	Braun						3 Wandrahm Drive

		E.	Peterson						14 Willowdale Drive Bonnie Doon East London
		T.	Gower						35 Justin Road Winterstrand
		Z.	Matikinca						52 Long Street Stutterheim 4930
		M.	Magida					magidam@mweb.co.za	P.O. Bxo 1893 Cape Town
		-	Siziba						P.O. Box 175 Stutterheim 4930
		B.	Peterson						14 Willowdale Drive Bonnie Doon East London
	Mr.	E.	Rala						P.O. Box 499 OR 53 Allred Street Stutterheim 4930
WP TIMBERS PRODUCTS CC	Mr.		Kotze						P.O. Box 147 Stuterheim
		G.	Rodhani	Resident	043 683 2014	043 683 2014	084 420 75555		
		M.	Rodhani	Resident	043 683 2014	043 683 2014	084 420 75555	wern@haznet.co.za	
		Y.	Kingon	Resident	043 683 2450	n/a	n/a	wattlechop@telkomsa.net	
Amahlathi Tourist Association		Chandre	Mammes	Amahlathi Tourist Association	n/a	n/a	083 4692 2544	chandremammes@yahoo.com	
Amahlathi Tourist Association		D.	Friedemann	Amahlathi Tourist Association	n/a	086 61000 10	082 502 3597	doug@tvelela.co.za	
Amahlathi Tourist Association		Hammish	Scott	Amahlathi Tourist Association	n/a	086 6179 626	083 659 8860	hscott@eci.co.za	
Amahlathi Tourist Association		Hester	Steyn	Amahlathi Tourist Association			827748770	ham@mzntimbers.co.za	
Ben Motors		Neil	Smith	Ben Motors	n/a	043 683 31360	082 261 9424	ben@telkomsa.net	
Phakisa Development		Z.M.	Mdla	Phakisa Development	043 642 2785	043 642 2785	082 670 6163/082 670 6168	mathelo.mdla@frphakisa.com	
		Mark	Daniel	Developer	n/a	043 683 2059	082 496 4007	mdauriel@hayledeau.co.za	
Stutt Garage		F.	Coetzea	n/a	n/a	043 6831 932	082 893 9930	stuttgarage@haznet.co.za	
Amahlathi Tourist Association		S.	Wernberg	Amahlathi Tourist Association	043 683 2450	n/a	n/a	wern@haznet.co.za	
GENERAL PUBLIC (all other I&APs)									
EBB Consulting cc	Mr	Kallie	Erasmus	Representing PRAF		0866 855 979	082 446 4424	kallie@icon.co.za ; kallieerasmus@gmail.com	
Boardman Bros Ltd	Mr	W H	Bernhardt	Neghbouring Water Consumer		043 683 2885	083 7009473	info@newden.co.za	

APPENDIX C-3

Comments Register

Source	Date	Issue Raised	Response
Tony Isemonger, ANCA Chicks	2 April 2008 Telephonic comment	Concerned that odour from chicken abattoir, particularly once a rendering plant is implemented, may impact negatively on the tourism centre	See sections 6.3.2 and 6.3.6 of this report.
Neil Smith, BCN Filling Station	3 April 2008 Telephonic comment	Viability of proposed filling station and impacts on existing filling stations	See section 6.3.6 above, economic impacts to be addressed in EIA.
Petroleum Retailers Alignment Forum, Kallie Erasmus	5 April 2008	<p>1. Environmental Issues:</p> <ul style="list-style-type: none"> • Water, ground, air & light pollution; • Ecological and other biophysical impacts; • Traffic. <p>2. Socio-economic Issues:</p> <ul style="list-style-type: none"> • Need for and desirability of yet another filling station; • Feasibility of proposed filling station; • Impact on existing filling stations. • How many jobs will be lost? • How many jobs will be created? • Sense of place. <p>3. Cultural/Historical Issues:</p> <ul style="list-style-type: none"> • To be guided by contextual specificities. <p>4. ALTERNATIVES</p> <p>The identification, assessment and comparison of alternatives is not a matter of choice in a statutory EIA but is a mandatory requirement in terms of NEMA and the EIA Regulations.</p> <p>The EIA Applicant will be required to deal with at least the following:</p> <ul style="list-style-type: none"> • Site alternatives; • Alternative land uses; • Temporal alternatives; 	<p>Items 1-4 are noted and are addressed in section 6.3 of this report and will be addressed in the EIA should further study be required.</p> <p>Item 5 the scoping and EIA process will be conducted in accordance with the legislated requirements. See also sub-section 6.3.2.</p>

Source	Date	Issue Raised	Response
		<ul style="list-style-type: none"> • Design alternatives; • The no-go option. <p>5. Any other Issues or Comments: We will require full compliance with the provisions of the NEMA EIA Regulations read together with the principles in Section 2 and the minimum criteria established by Section 24(4) of NEMA.</p>	
P.M. Harrison and 19 others: M. Hattingh D. Hattingh D. Swartbooi B. Swartbooi F. Davids B. Botha M.L. Reabow J. Reabow B.T. Scrooby M.M. Scrooby K. Puchert L. Puchert C. Donaldson W. Donaldson J.S. Swanepoel J.G. Swanepoel S. Schwarz W. Braun D.F. Harrison	16 April 2008	<p><u>Note:</u> All issues raised pertain to the use of site alternative 1.</p> <p>1. Safety:</p> <ul style="list-style-type: none"> • Risk to persons and property associated with possible blasting activities during construction; • Risk associated with the storage and dispensing of hazardous materials in close proximity to a residential area; • Increased vehicle traffic through a residential area if access to the site is via La Rochelle Drive. <p>2. Air Quality:</p> <ul style="list-style-type: none"> • Dust and noise associated with construction activities; • Noise associated with vehicle movements and increased human activity in close proximity to a residential area; • Increased vehicle emissions; • Odour nuisance from uncollected wastes emanating from 	<p>Noted that site alternative 2 is preferred.</p> <p>See section 6.3.4.</p> <ul style="list-style-type: none"> • Excavation methodology will be informed by the findings of the geotechnical study; • National standards for the operation of filling stations mitigate this risk to a level where many filling stations are safely operated in high density urban areas throughout the country; • No access from La Rochelle Drive into this site alternative is proposed. <p>See section 6.3.2.</p> <ul style="list-style-type: none"> • This is a short term impact which can be mitigated to some extent through the implementation of an appropriate EMP; • Some level of mitigation may be possible through appropriate design; • A permanent impact of low significance; • This is a management issue requiring

Source	Date	Issue Raised	Response
		<p>the fast food outlet</p> <p>3. Waste Management:</p> <ul style="list-style-type: none"> • Litter blown from the development will accumulate in the residential area <p>4. Security:</p> <ul style="list-style-type: none"> • Increased pedestrian traffic through residential area with concomitant increase in opportunistic crime <p>5. Visual Impact:</p> <ul style="list-style-type: none"> • View of the development from the residential area will be of the rear of the buildings and include goods receiving and storage areas. <p>6. Economic:</p> <ul style="list-style-type: none"> • Possible devaluation of residential properties 	<p>compliance with health regulations.</p> <ul style="list-style-type: none"> • This is both a design and a management issue, see section 6.3.3. • Implementation of an appropriate boundary wall or fence around the development will be required, see section 6.3.5. • Implementation of an appropriate boundary wall or fence around the development will assist in mitigating this impact, see section 6.3.8. • See section 6.3.7.
H. and L. Roohani	4 May 2008	In favour of locating the development on site alternative 2 and strongly against the use of site alternative 1.	Noted.
W. Donaldson and 31 others: K. Vockerodt K. Puchert C. Connellan B.T. Scrooby M. Stone J.S. Swanepoel M.M. Scrooby M.L. Reabow	21 April 2008	<p><u>Note:</u> All issues raised pertain to the use of site alternative 1.</p> <p>1. Air Quality:</p> <ul style="list-style-type: none"> • Noise from the development itself and from people and vehicles moving through the residential area to and from the development <p>2. Waste Management:</p> <ul style="list-style-type: none"> • Litter blown from the development will accumulate in the 	<p>Noted that site alternative 2 is preferred.</p> <p>See section 6.3.2.</p> <ul style="list-style-type: none"> • No access from La Rochelle Drive into this site alternative is proposed. <p>See section 6.3.3.</p> <ul style="list-style-type: none"> • This is both a design and a

Source	Date	Issue Raised	Response
C.E. Schwantl W.R. King M. Hattingh C.S. Swartbooi A. Swartbooi C.P. Scholtz J.R.W. Mills J.A. Langley William Braun S. Schwartz Craig Ahlschlager M. de Bruin Louise Ferreira Mario Ferreira N. Pedro Hleziphi V. Wotshela J.L. Wattrus Des Hansel N.W. Gotywa Gareth Friend Anne Tessendorf Dennis le Roux W.H. Gelderblom		residential area. 3. Security: <ul style="list-style-type: none"> • Potential increase in crime arising from increased movement of people through the residential area. 4. Social Impacts: <ul style="list-style-type: none"> • Anti-social activities associated with the use of the development as an overnight truck stop 	management issue. See section 6.3.5. <ul style="list-style-type: none"> • Implementation of an appropriate boundary wall or fence around the development will be required. See section 6.3.7. <ul style="list-style-type: none"> • As no overnight truck stop facility is proposed for the development, this will become a management issue requiring firm handling.
South African National Roads Agency Limited	4 April 2008	Provided a copy of the standard SANRAL “Procedures for Road Planning and Geometric Design” which set out the requirements for the development of filling stations, service areas and access points along national roads.	These will be complied with.
Petroleum Retailers Alignment Forum, Kallie Erasmus	1 July 2008	1. Process Related Issues <ul style="list-style-type: none"> • Draft Scoping Report does not conform to the requirements of the legislation, specifically regulation 29. 2. Purpose of the Report <ul style="list-style-type: none"> • Consideration of alternatives in draft Scoping Report too 	For the Department of Economic Development and Environmental Affairs (DEDEA) as competent authority to decide.

Source	Date	Issue Raised	Response
		<p>detailed for the scoping phase.</p> <p>3. Legislation and Policy Guidelines Considered</p> <ul style="list-style-type: none"> • Environment Conservation Act, 1989, not relevant to EIA process <p>4. Location of the Proposed Development</p> <ul style="list-style-type: none"> • Present zoning of the site • Status of any application for amended land use rights • Contact details of the person(s) responsible for such applications • EIA to include an examination of the extent to which the proposed land use and applicable spatial planning frameworks are in agreement with one another • History of the commonage to be investigated and explained <p>5. Description of the Proposed Activity</p> <ul style="list-style-type: none"> • NEMA and its Regulations require the development as a whole to be assessed <p>6. Motivation for Project</p> <ul style="list-style-type: none"> • Do not accept the motivation as supplied • Require the feasibility studies that are to be conducted to go beyond consideration of the filling station component and to include the development as a whole • Failure to consider residential use as an alternative land use is a fatal flaw in the draft Scoping Report <p>7. Alternatives</p> <ul style="list-style-type: none"> • EIA to include a full and comparative assessment of all the site, activity and design alternatives identified by the consultants • Use of the sites for residential development needs to be 	<p>DEDEA to decide.</p> <p>Both site alternatives are currently zoned “Undetermined”. It is understood that an application is in preparation. Mr D. Poortman, Nzelenzele, Preston & Medcalf Inc, deon@npmgeomatrics.co.za.</p> <p>Noted.</p> <p>Noted.</p> <p>Apology accepted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted, see section 7 of the final Scoping Report.</p> <p>Noted.</p>

Source	Date	Issue Raised	Response
		<p>included as an alternative</p> <ul style="list-style-type: none"> • Other feasible land uses, such as agriculture, commercial excluding a filling station, tourism excluding a filling station and industrial need to be considered <p>8. List of Issues and Impacts Associated with the Project Phases</p> <ul style="list-style-type: none"> • Not proceeding with the development will keep the land available for alternative uses and obviate the possibility of the negative impacts associated with filling stations materialising • Require that all alternatives be fully and fairly assessed and compared <p>9. Receiving Biophysical Environment</p> <ul style="list-style-type: none"> • A specialist geohydrological assessment is essential to determining and considering the potential threat to water <p>10. Receiving Socio-Economic Environment</p> <ul style="list-style-type: none"> • There are already 3 filling stations in Stutterheim and the information at our disposal at this time suggests that none of them attain sales that meet the national average for sustained viability • The proposed filling station is likely to render one or more of the existing filling stations entirely non-viable and lead 	<p>Alternative land use decisions outside of this EIA (e.g. future use of land for residential) are evaluated in terms of the rezoning application by the local authority.</p> <p>The current use of the site as grazing (i.e. the No Go alternative) will be assessed. The individual components to the development (e.g. no filling station) have been already assessed by the proponent in terms of their initial feasibilities prior to this EIA and are therefore not part of project proposal.</p> <p>Noted, see section 7 of the final Scoping Report.</p> <p>Noted, DEDEA to decide what constitutes “fully and fairly”.</p> <p>DEDEA to decide.</p> <p>It would be appreciated if that information could be shared with the EAP so that it may be included in the competent authority’s decision making process.</p>

Source	Date	Issue Raised	Response
		<p>to closures that will cost more jobs than the proposed filling station will create</p> <ul style="list-style-type: none"> • Proper social and economic impact assessments need to be done <p>11. Key Issues and Responses</p> <ul style="list-style-type: none"> • Water, air, noise and light pollution should be properly assessed and reported on <p>12. List of Issues and Impacts Associated with the Project Phases</p> <ul style="list-style-type: none"> • List is incomplete and should include all issues identified by I&APs <p>13. Plan of Study for EIA</p> <ul style="list-style-type: none"> • Is not detailed enough in its description of assessments to be undertaken, with respect to both the issues to be assessed and the components of each issue to be assessed <p>14. Specialist Methodologies</p> <ul style="list-style-type: none"> • This section does not meet the requirements of the Regulations 	<p>See Plan of Study for EIA.</p> <p>Noted, the Plan of Study has been updated with the standard impact assessment framework. Actual specialist methodologies will depend on the approach taken by each specialist.</p> <p>See section 6 of the final Scoping Report.</p> <p>DEDEA to decide.</p> <p>DEDEA to decide.</p>

I&AP Comments Register as it stands at the end of the Scoping Phase. This register will be updated with comments submitted during the EIA phase.

NOTE: Copies of I&AP Correspondence submitted during the Scoping Phase were included in the Appendices to the Scoping Report submitted to DEDEA. Copies of I&AP Correspondence submitted during the EIA Phase will be added to this Appendix for submission with the final EIA Report.

APPENDIX C-4

I&AP Correspondence