

Public Participation Report

Summary and Results of Consultation

For the proposed “Penny” Eco-Lodge Development located within the Manyoni Private Game Reserve (Formerly the Zululand Rhino Reserve) in Northern KwaZulu-Natal.



Prepared on behalf:

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DEA Reference: To be Determined

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1 INTRODUCTION

An application has been submitted to the Department of Environmental Affairs (DEA) by Ibhubesi Lala (Pty) Ltd, for the proposed “Penny” Eco-Lodge Development located within the Manyoni Private Game Reserve (formerly the Zululand Rhino Reserve) in Northern KwaZulu-Natal. As part of the environmental process IDM Environmental (IDME) has been appointed by the applicant to facilitate and manage the public participation process in terms of the NEMA Regulations (2014) as amended. The following document is a summary of the public participation process followed during the Basic Assessment process for the proposed Penny Eco-Lodge Development.

2 REQUIREMENTS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED)

In terms of Regulation 41 (b) of the NEMA Regulations (2014) as amended, IDM Environmental on behalf of Ibhubesi Lala (Pty) Ltd is required to consult and notify in writing all landowners (including adjacent) or lawful occupiers, government departments/ state enterprises and any other potential Interested and Affected Parties (I&APs) of the proposed Penny Eco-Lodge Development Basic Assessment process being followed. It is further required that with the Basic Assessment Report, information of the public participation and consultations be provided. The NEMA Regulations as well as the NEMA Public Participation Guideline were used to guide the process. The process followed includes:

- Planning Phase: The identification of landowners (including adjacent) or lawful occupiers, government departments/ state enterprises and any other potential I&APs.
- The Informing of the Stakeholders and I&APs of the proposed Penny Eco-Lodge Development Basic Assessment through:
 - Advertising in one local newspaper (Annexure B);
 - Placement of site notices (Annexure A) on the site boundary, access gate and outside municipal offices; and
 - The email (Annexure C) and mail (Annexure D) of Notification and BID Documents.
- The Placement of the Draft BAR 1 and EMP in local library for public review and comment;
- Conducting a Public Open Day.
- Providing of any further information and capturing all comments from I&APs on a Comment and Response Table (Please see **Table 3**).
- Formulation of a Public Participation Report.

Table 1 below outlines the requirements for the public participation process set out in Section 41 of the NEMA Regulations as well as the actions taken by the Environmental Assessment Practitioner (EAP) and Public Participation Officer for the proposed Eco-Lodge.

Table 1: Public Participation Process followed

<p>a. Fixing a notice board at a place conspicuous to the public at the boundary or on the fence or along the corridor of</p> <ul style="list-style-type: none"> i. the site where the activity to which the application relates is or is to be undertaken; and ii. any alternative site; 	<p>Notice boards were placed at various locations including the Jozini Local Municipality, the site boundary and the entrance to the Manyoni Private Game Reserve.</p>
<p>b. Giving written notice, in any of the manners provided for in Section 47D of the Act, to –</p> <ul style="list-style-type: none"> i. the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; ii. owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; iii. the municipal councilor of the ward in which the site or alternative site is situated and any organization of ratepayers that represents the community in the area; iv. the municipality which has jurisdiction in the area; v. any organ of state having jurisdiction in respect of any aspect of the activity; and vi. any other party as required by the competent authority. 	<p>A Background Information Document was compiled for the proposed development and distributed to the surrounding neighbours per registered post and email.</p> <p>The BID included some project background details of the Independent Environmental Assessment Practitioner as well as the process to be followed during the EIA.</p> <p>An invitation to become involved in the project and to register as a stakeholder was also included in the Background Information Document.</p> <p>Notices of a public meeting and consultation process were placed on the Jozini Local Municipality and the Hluhluwe Library Notice Boards, and the BID, draft BAR and specialist report were made available on the EAP website and a hard copy placed at the Hluhluwe Library.</p> <p>Letters and emails were sent to all relevant Governmental Departments and Organisations, including all neighbours, who might have an interest in or be affected by the</p>

	proposed development to invite them to comment on the proposed development. Copies of the Waybills are included.
<p>c. Placing an advertisement in –</p> <p>i. one local newspaper; or</p> <p>ii. any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;</p>	The EIA process was advertised in the Zululand Observer on the 27th of October 2016.

3 PUBLIC PARTICIPATION FOR THE BASIC ASSESSMENT REPORT (BAR)

Copies of the PPP and meeting notice, draft BAR; BID and Specialist Report were made available to the following Government Departments for comment:

- Department of Water and Sanitation;
- Department of Agriculture, Forestry and Fisheries;
- Department of Rural Development and Land reform;
- KZN Department of Economic Development, Tourism & Environmental Affairs;
- KZN Department of Agriculture and Rural Development;
- KZN Department of Transport;
- KZN Department of Health;
- Umkhanyakude District Municipality;
- Jozini Local Municipality;
- South African National Roads Agency (Eastern Region); and
- Ezemvelo KwaZulu-Natal Wildlife.

4 REGISTER OF INTERESTED AND AFFECTED PARTIES

According to the Environmental Impact Assessment Regulations of 2014, a register of interested and affected parties must be kept during the EIA process. **Table 2** below contains information on all I&APS contacted.

Table 2: Register of I&APs

Department	Contacted Person	Received Response
General Manager of the Zululand Rhino Reserve	Ms. Karen Holmes	Yes
Neighbouring Lodge owner/manager	Mr. Val Purves	No
Neighbouring Lodge owner/manager	Mr. W Chris	No
Department of Water and Sanitation	Ms. Colleen Moonsamy Mr/Ms. Ashley Starkey	Yes
Department of Agriculture, Forestry and Fisheries	Head of Relevant Department	No
Department of Rural Development and Land reform	Mr. Walter Silaule	No
KZN Department of Economic Development, Tourism & Environmental Affairs	Mr. Sabelo Ngcobo Ms. Felicia Mdamba Mr. Sihle Buthelezi Mr. Dayalin Naidoo Ms. Mandisa Makhathini	Yes
KZN Department of Agriculture and Rural Development	Head of Relevant Department	No
KZN Department of Transport	Mr/Ms. Kwanele Ncalane	No
KZN Department of Health	Head of Department	No
Ezemvelo KwaZulu-Natal Wildlife	Ms. Nerissa Pillay	No
SANRAL	Mr. Ishaan Ramklown	Yes
Jozini Local Municipality	For attention of Municipal Manager	No
Umkhanyakude District Municipality	For attention of Municipal Manager	No
Other I&APs	Mr. Rob Harvey	Yes

5 PUBLIC MEETINGS

IDM Environmental hosted a public meeting at the Mkuze Country Club (Mkuze) at 14h00 on 14th November 2016.

6 COMMENTS RECEIVED FROM I&APS

The comments received from the I&APs regarding the BID and draft BAR 1 are included in the Comments and Response Report in **Table 3** below.

Interested and Affected Parties		Date	Issues raised	EAPs response to issues as mandated by the applicant	Section and paragraph reference in this report where the issues and or response were incorporated.
List the names of persons consulted in this column, Mark with an X where those who must be consulted were in fact consulted.		Comments Received			
<u>Affected Parties</u>					
Land Owner/s	N/a – Applicant is the land owner				
Land owner/s or lawful occupiers on adjacent properties	X				
Karen Holmes	x	28 th November 2016	Ms. Holmes the General Manager of the Manyoni Private Game Reserve provided consent to the applicant to develop the proposed Penny Eco-Lodge. Ms. Holmes provided a map with the buildings and the xy coordinates. All the buildings are required to fit within the 5 ha area as designated on the map. The applicant must ensure that the spacing does not change when construction takes place. If	Noted.	No further action required.

			so then the applicant is required to reapply to the General Manager of the Reserve.		
Mr/Ms. Val Purves	X				
Mr/Ms. W Chris	x				
Municipal Councillor	-				
Municipality/ies	X				
Jozini Local Municipality	X				
Umkhanyakude District Municipality	X				
Departments and Organ of states	X				
Department of Water and Sanitation;	X	5 th December 2016 via Pre-Application meeting	<p>Ms. Moonsamy of DWS noted the following:</p> <ul style="list-style-type: none"> The location of the septic tanks could trigger a Full WUL. This depending on the location and specialist study recommendations. A risk assessment must be undertaken by the specialist and the specialist must indicate if the septic tanks trigger the Full WUL. Regarding abstraction amounts, Ms Moonsamy requires the actual amount of water that is anticipated to be used. This can be provided 	<p>Noted</p> <ul style="list-style-type: none"> The Freshwater Assessment was amended to include the risk assessment of the septic tanks on the Msunduzi River. The Report is included in Appendix 5. Borehole testing undertaken. First test was conducted on the 3/07/2016 and the second test was conducted on the 19/02/2017. Each test started at 6:00 and ended at 18:00. Results were the same for both tests - the pump was run continuously over a period of 12 hours with the water depth being tested every hour - the 	<p>Relevant studies undertaken and results included in the BAR and EMP.</p>

			<p>through Borehole testing recommendations provided by the Engineers.</p> <ul style="list-style-type: none"> • Groundwater flow must be assessed to determine if pollution during the construction and operation phases will enter the Msunduzi River and dam. 	<p>water level in the borehole never decreased indicating that the amount of water being removed is not more than the borehole can supply. In a 12 hour period the borehole could store approximately 49000L of water - which is more than sufficient to operate the Lodge. Leopard Mountain, a very busy neighbouring lodge in the reserve, operates on 5000L of water per day and consists of 9 chalets with a maximum of 18 guests.</p> <ul style="list-style-type: none"> • IDM Environmental indicated that a follow up meeting would be conducted to provide further outstanding information. 	
x	19 th June 2017 via Pre-Application meeting	Ms. Moonsamy of DWS noted the following:	<ul style="list-style-type: none"> • A Full Water Use License would be required for Section 21 A, C, G and I Water Uses. • Section A for the abstracting of water from a borehole. • Section C and I for being within the 1:100 year floodline of the Msunduzi River and the drainage channel. • Section G for the disposal of sewage through a septic tank and soakaway system. • A Public Participation process of 60 days will need to be carried out. • The guideline document on Licensing format and Requirements will need to be adhered to. This will 	A Full WUL process will be followed in order to authorise Section 21 A, C, G and I Water Uses. A public participation of 60 days will be followed for the Application. Furthermore, the the guideline document on Licensing format and Requirements as obtained from DWS during the pre-application meeting will be used to guide the WUL process.	

			help guide the WUL process and indicate what is required in the Technical Report, The compilation of specialist studies and what additional supporting documentation is required by DWS to make an informed decision on the WUL application.		
Department of Agriculture, Forestry and Fisheries	X				
Department of Rural Development and Land reform;	X				
KZN Department of Economic Development, Tourism & Environmental Affairs;	X	14 th November 2016 via meeting and subsequent email	Information requested by Mr. Naidoo and Ms. Mdamba of EDTEA included: 1. Information on the game ranger/site manager for the proposed Penny Eco-Lodge. 2a. Ms. Mdamba indicated a meeting with Ms. Lwandle Sibango (DWS Official for the region) must be arranged to discuss water related issues for the proposed Eco-Lodge Development. 2b. The applicant must include an additional NEMA trigger in Listing Notice 3 on the development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps less than 15 people into the BAR.	Mr. Wiggishoff of IDME attended the meeting and noted: <u>For the record, I would like to confirm the content of our meeting discussions as follows:</u> 1. Mr. Ivor Van Rooyen is the resident game ranger and property manager for this application site. You are welcome to visit the site at any time and Ivor will gladly take you around the site. 2. Based on the documents presented to you, including the BID, the draft BAR, the EMP and the specialist Aquatic and Botanical studies, I noted your comments for the record as follows:	

			<p>2c. The name of the management authority for the Park.</p> <p>2d. A request for further details on property information.</p> <p>2e. A request for further information on the provision of services to the Eco-Lodge.</p>	<p>a. It is critical that we meet with DWS and in particular Ms. Lwandle Sibango based on the issues raised by DWS on an adjacent development site within the Rhino Reserve. Meeting with DWS occurred and water related issues were discussed. Please see correspondence with Ms. Moonsamy.</p> <p>b. You will revert to me with the reference for the additional NEMA Regulatory trigger you have identified for the development. Trigger included.</p> <p>c. You have requested the name of the management authority for the Park. It is the Zululand Rhino Reserve Management Authority.</p> <p>d. I have attached the gazette notice extract for the Zululand Rhino Reserve and the applicant property.</p> <p>e. A more detailed report is required with particular focus on providing greater engineering details, diagrams, functionality and locality in terms of sanitation arrangements. See Basic Assessment Draft 2.</p>	
KZN Department of Agriculture and Rural Development;	X				
KZN Department of Transport;	X				

KZN Department of Health	X				
South African National Roads Agency;	X	21 st November via email	SANRAL requested information indicating the access to site from the N2 freeway.	Mr. Wiggishoff provided documents to SANRAL with a locality map and further information on the access to site.	
		22 nd November 2016 via email	SANRAL has no objection to the proposed Eco-Lodge provided the existing access road D464 is used from the N2 Freeway as indicated in the Basic Assessment Report.	Noted.	No new access road off the N2 is required. Access to the Eco-lodge will be through the existing road D464.
Ezemvelo KwaZulu-Natal Wildlife.	X				
Communities	N/a				
Traditional Affairs	N/a				
Other affected and interested parties	x				
Rob Harvey	x	20 November 2016 via email	Mr. Harvey indicated he had no objections to the proposed Penny Eco-Lodge.	Noted.	

Annexure A: Site Notices

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