

BASIC ASSESSMENT PROCESS

PROPOSED HABATA PACKHOUSE, PORTION 5 OF FARM 194 AND ASSOCIATED ACCESS ROAD ON PORTION 2 OF FARM 194, UITENHAGE, NELSON MANDELA BAY MUNICIPALITY



BACKGROUND INFORMATION DOCUMENT, SEPTEMBER 2014

INTRODUCTION

The applicant (*Habata Boerdery*) is proposing the construction of a Packhouse on Portion 5 of Farm No 194 (17.54 ha in extent) and an associated access road on Portion 2 of Farm 194 (approximately 0.7ha), Uitenhage, Nelson Mandela Bay Municipality for the proposed packing of citrus and vegetables. The farm portions, which measure approximately 8.24 ha in combined extent, are currently zoned agriculture and will require rezoning.

Surrounding land-uses include citrus cultivation, vegetable production and natural areas. The area proposed for development is bound by agricultural development on its north-eastern, north western and south western boundary, with a rail reserve extending along the eastern boundary. The Sundays River is approximately 500 meters south-east of the site. A Hydrological specialist study has been undertaken for the proposed development and all infrastructure proposed falls outside of the 1:100 year flood line for the Sundays River. The site is located in the Nelson Mandela Bay Municipality, approximately 36km northeast of Port Elizabeth, and falls in an area designated in the NMBM SDF as an Agriculture Development Zone.

In terms of the NEMA EIA Regulations 2010: GN R543, 544 and 546 promulgated under Chapter 5 of the National Environmental Management Act (Act 107 of 1998) ("NEMA"), and published in Government Gazette 33306 on 18 June 2010 (as amended); a Basic Assessment and environmental authorisation is required prior to the commencement of any activities on the site. The applicant has appointed Public Process Consultants as the independent Environmental Assessment Practitioner to undertake the Basic Assessment including public participation for the project.

PROJECT LOCALITY

While the site is located in the Nelson Mandela Bay Municipality, the nearest town to the area under assessment is Addo approximately 8 kilometres north of the site. The site can be accessed off the gravel "Barkley Bridge" road which extends between Addo and Colchester. The Addo Elephant National Park is located approximately 3.5 km north-east of the site. The locality map attached provides an overview of the location of the property under assessment.

HOW CAN I PARTICIPATE IN THIS PROCESS?

In terms of regulation 55 (1) (b) of Government Notice R 543 interested and affected parties are to request in writing that their names be placed on the register of interested and affected parties. In order to register on the database complete the comment and registration form attached to this correspondence or submit your contact details (via fax or email), stating your full name, address and contact numbers to the consultant indicated in this documentation. Clearly state any interest that you may have in this matter. By registering on the project database you will be notified as and when information on the project is available.

WHAT DOES THIS DOCUMENT TELL YOU

This document provides you, as an interested and or affected party (I&AP), with background information on the proposed project, the Basic Assessment as well as public participation process. It indicates how you can become involved in the project, receive information and raise issues that may interest and/or concern you. The sharing of information forms an important component of the public participation process and provides you with the opportunity to become actively involved in the environmental assessment process from the outset. The input received from I&APs together with scientific and technical investigations assists the responsible authority, in this instance the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), with their decision-making.

WHAT DOES THE PROJECT ENTAIL

The applicant, Habata Boerdery, proposes the construction and operation of a Packhouse, which will include a packing facility, offices and associated carton store, to occupy an area of approximately 8000m². Additional on site infrastructure (water storage, parking, effluent and process wastewater management, stormwater management and access) will result in a developed area of approximately 4 ha. The size of the area to be developed will be confirmed through the assessment process.

Chemical solutions will be used in the packhouse facility as part of the cleaning process. All chemicals required for use at the packhouse facility will be stored on site in a fully enclosed roofed area with a storage capacity of 30m³.

The applicant proposes to pack approximately 1 million cartons of citrus annually during the packing season (approximately March to October) and vegetables during the off season. The source for the citrus will be mainly from existing citrus orchards owned by Habata Boerdery with capacity to pack from other private citrus producers.

There is an existing access road which provides access to the site. It is anticipated that a 16 meter wide right of way servitude will be registered. The access road is on the adjacent property, Portion 2 of Farm 194, owned by the same applicant.

The proposed **construction phase** of the project will entail the following activities on the site:

- Demarcation of the development footprint and equipment laydown area
- Clearing of vegetation from the development footprints
- Stockpiling of equipment and construction material
- Site excavation and levelling
- Construction of the Packhouse and associated infrastructure including:
 - Upgrading of the access road and paving of the facility
 - Water storage and reticulation infrastructure
 - Effluent and process wastewater treatment facility
 - Stormwater Management Infrastructure
- Rehabilitation of disturbed areas on the site

Once the necessary infrastructure has been constructed the Packhouse will commence operation. Activities associated with the **operational phase** of the development will be:

- Transportation of citrus/ vegetables to the site via truck and tractor trailers
- Delivery of chemicals for storage
- Transportation of packed fruit and vegetables off the site
- Maintenance of machinery and equipment as well as on-site infrastructure (maturation pond and reed bed system)
- Removal of black water for disposal at a registered wastewater treatment facility

The **decommissioning** of the facility is currently not proposed and will need to comply with relevant legislation at the time of decommissioning.

The final design and layout of the development will be informed by technical and environmental specialist input during the Basic Assessment process.

OVERVIEW OF THE ENVIRONMENTAL BASIC ASSESSMENT (BAR) PROCESS

In terms of Regulations 543, 544 and 546 promulgated under Chapter 5 of the NEMA in Government Gazette 33306 on 18 June 2010 (as amended), the project requires that a Basic Assessment is undertaken and environmental authorisation obtained prior to the commencement of any activities on the site. The need for a Basic Assessment is triggered by the following listed activities in GN R 544 & 546:

Listed Activities in terms of GN R 544 requiring Basic Assessment	
8. The construction of a hatchery or <u>agri-industrial infrastructure</u> outside industrial complexes where the development footprint covers an area of 2000 square metres or more.	The land is currently utilised for agricultural purposes and falls outside of an industrial complex. The development footprint will exceed 2000m ² .

<p>23. The transformation of undeveloped, vacant or derelict land to – (ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; -</p>	<p>It is anticipated that the proposed Packhouse and associated infrastructure, including the road will exceed 1ha.</p>
<p>47. The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre - (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres – excluding widening or lengthening occurring inside urban areas.</p>	<p>There is an existing access road to the site. The width of the road is currently not known at this stage and may require upgrading and expansion to provide access to the site. This will be determined by the project engineers during the assessment process.</p>
<p>Listed Activities in terms of GN R 546 requiring Basic Assessment</p>	
<p>2. The construction of reservoirs for bulk water supply with a capacity of more than 250 cubic metres. (a) In Eastern Cape: iii. Outside urban areas, in: (dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p>	<p>The site is in the Eastern Cape and outside of an urban area. The proposed water storage on site will exceed 250m³. The site falls within an aquatic CBA 2 area as identified in terms of the ECBCP and is approximately 3.5km from Addo Elephant National Park.</p>
<p>4. The construction of a road wider than 4 metres with a reserve less than 13,5 metres. (a) In Eastern Cape, ii. Outside urban areas, in: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</p>	<p>There is an existing access road to the site. The width of the road is currently not known at this stage and may require upgrading and expansion to provide access to the site. This will be determined by the project engineers during the assessment process.</p> <p>The site falls within an aquatic CBA 2 area as identified in terms of the ECBCP. The site is outside an urban area and is approximately 3.5km from Addo Elephant National Park.</p>
<p>10. The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres. (a) In Eastern Cape ii. Outside urban areas, in: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</p>	<p>Various chemicals are used in the Packhouse for the processing of the citrus. A chemical storage area of approximately 30m³ is proposed. However, it is not known at this stage, which of the chemicals is classified as dangerous goods¹. This will be determined through the assessment process.</p> <p>The site falls within an aquatic CBA 2 area as identified in terms of the ECBCP, is outside of an urban area and approximately 3.5km from Addo Elephant National Park</p>
<p>13. The clearance of an area of 1 hectare or more of</p>	<p>The extent of indigenous vegetation that</p>

¹ According to the NEMA EIA regulations 2010 “dangerous goods” means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated “List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)” published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;

<p>vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority. (c) In Eastern Cape, ii. Outside urban areas, the following: (ff) Areas within 10 kilometers from national parks or world heritage sites or 5 kilometers from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p>	<p>has previously been cleared on the site for agricultural purposes in the preceding 10 years is not known and will require confirmation through the Basic Assessment process.</p> <p>The site falls within an aquatic CBA 2 area as identified in terms of the ECBCP, is outside an urban area and within approximately 3.5km from Addo Elephant National Park.</p>
<p>19. The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. (a) In Eastern Cape, ii. Outside urban areas, in: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p>	<p>There is an existing access road to the site, which may require upgrading and expansion to provide access to the site. This will be determined by the project engineers during the assessment process.</p> <p>The site falls within an aquatic CBA 2 area as identified in terms of the ECBCP, is outside an urban area and approximately 3.5km from Addo Elephant National Park.</p>

The environmental assessment needs to show the responsible authority, DEDEAT, and the project proponent (*Habata Boerdery*) what the consequences of their choices will be in biophysical, social and economic terms. The steps in the Basic Assessment Process are outlined below.

The Basic Assessment Process including Public Participation can be summarised into the following stages:

Stage 1: Notification to Authorities and I&APs

The first stage in the process entails notification to the DEDEAT as well as interested and affected parties (I&APs) of the intention to proceed with the BAR. I&APs are required to register their interest on the project database and raise issues of concern.

Stage 2: Draft Basic Assessment (BAR) for Public Comment

The Basic Assessment is undertaken in order to identify and assess potential environmental impacts, both positive and negative, that may be associated with the proposed project. This includes mitigatory measures to reduce potential negative impacts and maximise positive benefits. The Basic Assessment will include an overview of the affected environment on which the activity is proposed to take place. Specialist information for inclusion in the Draft Basic Assessment Report has been identified as follows:

- Biophysical Site Assessment (to include vegetation and ecology)
- Desktop Palaeontological Assessment
- Traffic Impact Assessment (to be confirmed)
- Hydrological and hydraulic study (1:100 year flood line determination)
 - This study has been completed and all proposed facilities are located outside of the 1:100 year flood line of the Sundays River. The results of this study will be included in the Basic Assessment Report)
- Engineering Services Report (water, effluent management, access, stormwater management and electricity)

The Draft Basic Assessment Report, together with comments received from I&APs will be made available for a 40 day review period. Reasonable and feasible alternatives identified to date and to be included in the draft BAR are:

- Site alternatives
- No-go: to leave the land as is and not commence with the activity
- Go: the project alternative as proposed, including alternative layouts

- Reasonable and feasible alternatives as raised by I&APs

All I&APs on the project database will be notified in writing of the 40 day comment period for the Draft Basic Assessment, copies of the Draft Report and project information can be downloaded from the following project website www.publicprocess.co.za. It is not proposed that public meetings are held during this period but telephonic consultations and one on one meetings with key I&APs will take place where required.

Stage 3: Submit Final Basic Assessment Report and Draft EMPr

The comments received from I&APs will be included in the Final BAR before it is submitted to the DEDEAT for their decision making. I&APs will be notified in writing of the additional 21 day comment period on the Final Report.

Stage 4: Notification of Outcome of Decision and Appeal Period

All I&APs on the project database will be notified in writing of the outcome of the decision by the DEDEAT (granting or refusal of environmental authorisation) and appeal period, as well as the manner of appeal. An advert in this regard will also be placed in a local newspaper. Project construction may only commence once approval has been received from the DEDEAT and all the necessary permits and licences have been obtained, including the rezoning of the site.

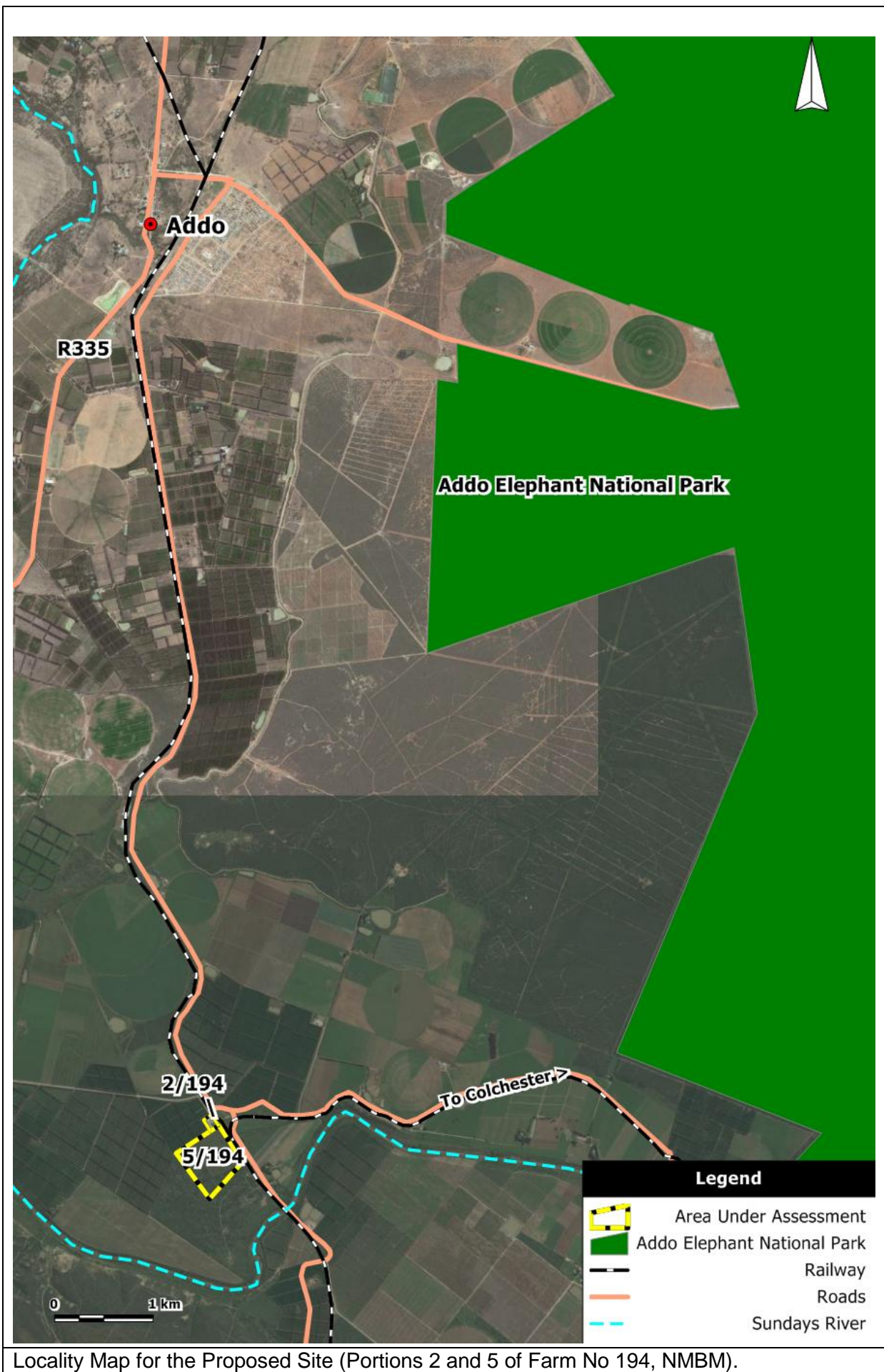
WHAT IS YOUR ROLE AS AN I&AP?

1. I&APs are required to respond to the letters of notification and/or newspaper advertisements and register their interest on the project database
 - By emailing, faxing or mailing a comment form to the participation consultant indicated below.
 - By registering your interest in the project you will be kept informed of the process and will be notified of any opportunities to comment
2. I&APs are required to state their area of interest and/or concern in the matter
 - By emailing, faxing or mailing a comment form to the public participation consultant indicated below.
3. By telephonically contacting the public participation consultant if you have a query, comment, or require further project information.
4. By reviewing the Draft BAR and submitting any comments within the 30-day comment period.

WHO SHOULD YOU CONTACT?

Sandy Wren, Public Process Consultants, PO Box 27688, Greenacres, 6057, Phone 041-374 8426 Fax 041-373 2002 Email sandy@publicprocess.co.za

Information on the project can be downloaded from the following website: [**www.publicprocess.co.za**](http://www.publicprocess.co.za)



Locality Map for the Proposed Site (Portions 2 and 5 of Farm No 194, NMBM).