



**COMMENTS AND RESPONSES REPORT FOR THE
PROPOSED RE-ALIGNMENT OF P608-D604, GREATER
KOKSTAD MUNICIPALITY, KWAZULU-NATAL**

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1. INTRODUCTION

This report captures the comments and issues raised by Interested and Affected Parties (I&APs) as well as the Competent Authority [KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (EDTEA)] during the undertaking of the Basic Assessment Process for the proposed re-alignment of the P608 and D604 to create a new intersection on the N2 in the vicinity of the Pink Church landmark.

It must be highlighted that the comments in this report exclude those raised in meetings as those were responded to in the meetings undertaken during the project initial notification period between March and May 2023. This is as reflected in the various meeting minutes attached as **Appendix D3** of the Basic Assessment Report (BAR) as well as in the minutes of the pre-application meeting with the EDTEA attached as **Appendix C** of the BAR.

The necessity for the Comments and Responses Report (CRR) stems from Regulation 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998 (NEMA) Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The comments have been categorised to allow for easy reference.

The summary of the PPP that commenced in March 2023 is summarised as follows:

- A newspaper advertisement was published in isiZulu in the Classifieds section of the Isolezwe KZN on Friday 24th of March 2023. The English advert newspaper was placed on page 10 of the Kokstad Advertiser on Thursday 23rd of March 2023;
- Ten (10) site notice boards (A2 size, i.e. size 61cm x 43cm) were placed in the vicinity of the site and at the current intersections of the N2 and the P608 and D604. Each site notices was written in English and isiZulu and was accompanied by a Layout Map of the proposed development; and
- At the time of the compilation of this Basic Assessment Report, one (1) stakeholder and one (1) public meeting had been held on the 23rd of March 2023 as well as the 29th of March 2023 respectively.

This CRR will be updated to reflect comments raised by I&APs and the EDTEA, subsequent to the circulation of the Draft Basic Assessment Report. It must be noted that all references to **Appendices** made in this report are those of the Basic Assessment Report.

Table 1 indicates the details of the name of the I&AP or Competent Authority, details concerning the date of the receipt of the comments as well as the response of the Environmental Assessment Practitioner (EAP) to the comment. This report contains all comments that have been received to date.

2. COMMENTS AND RESPONSES

Table 1: Comments and responses for the proposed re-alignment of the P608-D604

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
2.1 ESKOM								
2.1.1.	Ms	Samant ha	Naicker	Eskom	06.04.2023	Letter emailed to Ntsebo.mkhize@terrat est.co.za	<p>Building Restrictions for 11-kV Overhead Power Lines: No building or structures may be erected or installed above or below the surface of the ground. Neither may any material which might endanger the safety of this power line be placed within 12 (twelve) metres from the center line of this power line/pole, on either side (overall servitude width 24 metres).</p>	This comment as well as others received from Eskom have been noted and have been incorporated into the Environmental Management Programme , Appendix F of the BAR.
							The applicant will adhere to all relevant environmental legislation. Any cost incurred by Eskom as a result of non-compliance will be charged to the	Refer to the first response.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
							applicant. Dimensions and specifics will be in accordance to Eskom standards so as to not obstruct Eskom's existing infrastructure in any way.	
							Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title, and assigns. The applicant indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with	Refer to the first response.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
							<p>Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the applicant's equipment. The applicant's attention is drawn to the Electricity Act, 1987, (Act 41 of 1987, as amended in 1994), Section 27(3), which stipulates that the applicant can be fined and/or imprisoned as a result of damage to Eskom's apparatus.</p>	
							<p>No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the applicant must give at</p>	Refer to the first response.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
							least seven working days prior notice of the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued.	
							The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act 85 of 1993. Equipment shall be regarded electrically live and therefore dangerous at all times.	Refer to the first response.
							Any third party servitudes encroaching on Eskom land shall be registered against Eskom's Notaries deed at the applicant's own	Refer to the first response.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
							cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.	
							A developer taking a new supply from Eskom, an increase of supply or line deviation is required to make an application to Eskom via the Eskom toll free number 0860037566. This application will be processed in terms of Eskom's standard customer connection tariffs, conditions and policies at the developer's cost.	Refer to the first response.
							Customers requiring Substation or Powerlines to be installed for their purpose/supply their	Refer to the first response.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
							development must grant all servitudes (a piece of ground on the property to be developed) to Eskom at no costs	
							Prior any construction activity, the applicant is required to contact Eskom and Surveyed Cross Sectional Plans (DXF or DGN files only) are to be submitted to this office. The new Horizontal and vertical alignments of the Road/s must be indicated on the plans.	Refer to the first response.
2.2. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT								
2.2.1	Ms	S.B.	Thabede	KZNDARD	04.04.2023	Letter emailed to MkhizeN@terratest.co.za	This serves as a notice of receipt and also confirms your application has been captured in our electronic Use Database Details of your application captured Type: DEVELOPMENT Your reference number: Property description:	Noted.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
							P608 AND D604 REALIGNMENT Please quote this reference number in all queries: Land Use Management Reference Number: 2023/04/6062	
2.2.2	Ms	S.B.	Thabede	KZNDARD	11.05.2023	Letter emailed to MkhizeN@terratest.co.za	D604 connects on the right hand side of N2 to Port Shepstone while P608 connects on the left hand side of N2 to Port Shepstone.	This is correct if one is travelling from Kokstad towards Port Shepstone.
							The area of P608 where realignment is proposed has an unnamed gravel road and it is envisaged that it affect the section of farming area or a farm land.	The said gravel road seems to be an internal road of the farm.
							But it is good to note that as per submitted proposed plans the proposed diversions will have a general minor impacts to farming activities on the area	The project will have minor impacts on farming activities. Furthermore, the affected landowners have provided their consent for the re-alignments through their properties

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							As there might be an agricultural land that might be impacted can we please have the size of the land that is going to be affected	An area of about 11.3 Hectares (inclusive of the proposed road reserve) will be affected by the proposed development.
							Moreover, as there waterbodies that might be impacted can we please have a clear indication whether Water Use Licence in terms of National Water Act applicability and relevancy towards what is proposed.	A General Authorisation has been obtained for the project.
							As said this is just a notification sheet little information was provided by the applicant a detailed application with specialist studies will be forwarded	A Draft Basic Assessment Report with further details on the project as well as copies of specialist studies will be availed to your department for comment.
2.3 EZEMVELO KZN WILDLIFE								
2.3.1.	Ms	Nerissa	Pillay	Ezemvelo KZN Wildlife	03.04.2023	Correspondence by email to	Thank you for your email. Please ensure that the hardcopy report	Noted.

NO	TITLE	NAME	SURNAME	ORGANISATION	DATE OF RECEIPT OF COMMENT	COMMUNICATION METHOD	COMMENT	RESPONSE
						MkhizeN@terratest.co.za	<p>is provided to our offices for review and comment, upon availability. Should you wish to provide a USB instead, kindly ensure that it is accompanied with a cover letter.</p> <p>Should you have any queries or require any assistance regarding the above, please do not hesitate to contact our offices.</p>	
2.4. OTHER INTERESTED AND AFFECTED PARTIES								
2.4.1	Mrs	Helen	Treweek	Portion 2, Farm Strydfontein 255 ES	04.04.2023	email to MkhizeN@terratest.co.za	Just to say that I am in agreement with the realignment of the roads P608 and D604.	Noted.
2.4.2	Mr	Max	Bastard	Portion 2, Farm Strydfontein 255 ES	04.04.2023	Telephonic discussion on 03.04.2023 with NMkhize subsequent to a Public Meeting held on 29.03.2023	<ul style="list-style-type: none"> <u>Thoroughfare:</u> The request for a thoroughfare through my land will not be permitted as my security is a concern as there has been several break-ins on my property <u>Security:</u> 	Noted.

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							<ul style="list-style-type: none"> ○ The threat to security is perceived; ○ I'm unaware of attacks on anyone along the current D604; ○ If safety is a concern, community members need to make means to ensure this. E.g., ensure that they do not miss the times during which taxis are available, walk in groups, ask someone to collect them, etc.; ○ There are already risks on the current D604 ○ The issue at hand is of infrastructure and not social. Safety issue must be dealt with 	

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							<p>through other means, e.g. police.</p> <p>There are taxis available to residents. A full development cannot be redone to cater for someone who requires transport outside of the time that taxis are available.</p>	

3. CONCLUSION

This report includes covers the comments and responses received during the initial Notification Phase for the proposed re-alignment of the P608-D604 project. The responses provided have, where necessary referred the reader to appendices of the BAR. With the exception of comments received from community members during the initial notification phase, all other comments received from Government Departments and relevant Authorities were included in this Report. The questions/comments from as well as the responses from Community Members are captured within the meeting minutes in **Appendix D3** of the BAR. This report has therefore presented all comments received to date.