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## MEC APPROVES KAMFERS DAM PROJECT



# NORTH GATE IS A GO!

**BATTLE FOR SURVIVAL:** The controversial R1,6 billion North Gate development is to go ahead - despite objections from various organisations, including the Save the Flamingo Association. The final go-ahead was granted yesterday by the MEC of Economic Affairs, Tourism, Environment and Conservation, David Molusi, who overturned appeals by several organisations, including the Northern Cape Ranchers, BirdLife South Africa and the Northern Cape Wildlife Association (Wessa NC). In a short statement from the Ministry it was said that having duly considered the appeal by the above organisations, the appeal authority (Molusi) had decided to grant that the authorisation, subject to specific conditions, be upheld and that the appeals be overturned. No further reasons for the decision were given.

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# Thumbs up

## STAFF REPORTER

**T**HE CONTROVERSIAL R1,6 billion North Gate development is to go ahead – despite objections from various organisations, including the Save the Flamingo Association.

The final go-ahead was granted yesterday by the MEC of Economic Affairs, Tourism, Environment and Conservation, David Molusi, who overturned appeals by several organisations, including the Northern Cape Ranchers, BirdLife South Africa and the Northern Cape Wildlife Association (Wessa:NC).

In a short statement from the ministry it was said that having duly considered the appeal by the above organisations, the appeal authority (Molusi) had decided to grant that the authorisation, subject to specific conditions, be upheld and that the appeals be overturned.

"The appellants and prospective developer have been informed via fax and registered mail of the decision and have also been informed that if they require the appeal authority's reasons for his decision they can apply in writing."

Adrian Horwitz from the Northern Cape Ranchers said yesterday it was a disgrace that no reasons were given.

"We should not have to apply for reasons and in terms of the Constitution we are entitled to the reasons for the decision."

He added that the Northern Cape Ranchers was studying the decision. "We cannot make any comment at this stage because no reasons were furnished."

He pointed out that because the matter was of such public interest, reasons should have been given, "especially in light of the fact that we are one week away from elections".

He added that the Northern Cape Ranchers would definitely apply for the reasons to be furnished.

"If these reasons are not given within the stipulated 90 days then, in terms of Section 5 (3) of the Promotion of Administrative Justice Act, it could be presumed that the decision was taken without good reasons and could be set aside in a court of law."

The development was originally given a provisional go-ahead in November last year and members of the public were given the opportunity to appeal.

At the time it was stated that the MEC, after considering the relevant facts and supporting documents, would have the right to uphold the original decision, with or without modifications or reverse the original decision.

Fears have been expressed that the development could endanger the lesser flamingo population at Kamfers Dam, which supports the largest permanent population of lesser flamingos in southern Africa and is one of only four breeding sites for the species in Africa.

The development thrust the city into the spotlight after it was featured on M-Net's magazine programme *Carte Blanche*.

A massive Save the Flamingo Campaign was launched to address the threats to Kamfers Dam, its flamingos as well as to encourage local authorities to preserve Kamfers Dam and its buffer zone as a conservancy area and "not permit inappropriate developments with resultant negative impacts on the dam and its flamingos".

Soon after the campaign was launched, three scientists from the Department of Economic Affairs, Tourism, Environment and Conservation, Mark Anderson, Julius Koen and Eric Hermann from the department's scientific investigations section, were suspended, apparently as a result of complaints received about their attempts to secure the future of the Kamfers Dam for posterity.

A court case is currently pending regarding the disciplinary charges against Anderson, who has

since resigned.

Lionel Adendorff, from Group 1, the developers of North Gate, could not be contacted yesterday but when the provisional go-ahead was given he gave his assurance that his firm was committed to upholding the conditions of the Environmental Management Plan, which he said was aimed at ensuring the least possible disturbance for the flamingos at Kamfers Dam.

He said at the time that the conditions included stipulations like no blasting on the site, no petrol stations and ensuring the enforcement of the biodiversity offset agreement.

"In terms of this agreement, we have committed funds, R10 million over 10 years, for education regarding the flamingos as well as tourism."

Some of this money will also be spent on pumping water to a nearby pan, as well as the building of an artificial breeding island on this pan, to ensure that the flamingos have an alternative site if necessary.

Phase one of the project includes an alternative sewerage plant as well as six housing complexes (of between 72 and 106 units each), and a shopping centre in the latter half of the first phase.

The first phase is expected to take 18 months to complete.