

**FINAL BASIC ASSESSMENT REPORT (BAR) FOR:**

**THE PROPOSED DEVELOPMENT OF THE VRYBURG MALL  
ON ERF 11883 (PORTION OF ERF 506), VRYBURG**



<b>Compiled by</b>	Hiland Environmental
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**FINAL BASIC ASSESSMENT REPORT (BAR) FOR THE PROPOSED DEVELOPMENT OF THE VRYBURG MALL  
ON ERF 11883 (PORTION OF ERF 506), VRYBURG****Submitted for:****DEDECT Decision Making Purposes****Conditions of report use:**

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**This Basic Assessment Report (BAR) must comply with Appendix 1 of the NEMA EIA Regulations (2014, as amended). The following content must be included in a Basic Assessment Report:**

Requirement	Details
(a) details of- (i) the EAP who prepared the report; and (ii) the expertise of the EAP, including a curriculum vitae;	<b>Section 1.1 and Appendix K</b>
(b) the location of the activity, including: (i) the 21-digit Surveyor General code of each cadastral land parcel; (ii) where available, the physical address and farm name; (iii) where required information in terms (i) and (ii) is not available, the coordinates of the boundary of the property or properties;	<b>Section 2</b>
(c) a plan which locates the proposed activity or activities applied for as well as associated structures and infrastructure at an appropriate scale; or if it is- (i) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or (ii) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;	<b>Section 3 and Appendix B</b>
(d) a description of the scope of the proposed activity, including- (i) all listed and specified activities triggered and being applied for; and (ii) a description of the activities to be undertaken including associated structures and infrastructure;	<b>Section 3 and Appendix B</b>
(e) a description of the policy and legislative context within which the development is proposed including- (i) an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks, and instruments that are applicable to this activity and have been considered in the preparation of the report; and (ii) how the proposed activity complies with and responds to the legislation and policy context, plans, guidelines, tools, frameworks and instruments;	<b>Section 3, 4 and Appendix B</b>
(f) a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location;	<b>Section 8</b>
(g) a motivation for the preferred site, activity and technology alternative;	<b>Section 8</b>
(h) a full description of the process followed to reach the proposed preferred alternative within the site, including: (i) details of all the alternatives considered; (ii) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs; (iii) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them; (iv) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects; (v) the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts- a. can be reversed; b. may cause irreplaceable loss of resources; and c. can be avoided, managed or mitigated; (vi) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives; (vii) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected	<b>Section 8, 9, 7, 6, 10, 11,12 and 13</b>

<p>focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</p> <p>(viii) the possible mitigation measures that could be applied and level of residual risk;</p> <p>(ix) the outcome of the site selection matrix;</p> <p>(x) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and</p> <p>(xi) a concluding statement indicating the preferred alternatives, including preferred location of the activity;</p>	
<p>(i) a full description of the process undertaken to identify, assess and rank the impacts the activity will impose on the preferred location through the life of the activity, including-</p> <p>(i) a description of all environmental issues and risks that were identified during the environmental impact assessment process; and</p> <p>(ii) an assessment of the significance of each issue and risk and an indication of the extent to which the issue and risk could be avoided or addressed by the adoption of mitigation measures;</p>	<p><b>Section 9</b></p>
<p>(j) an assessment of each identified potentially significant impact and risk, including-</p> <p>(i) cumulative impacts;</p> <p>(ii) the nature, significance and consequences of the impact and risk;</p> <p>(iii) the extent and duration of the impact and risk;</p> <p>(iv) the probability of the impact and risk;</p> <p>(v) the degree to which the impact and risk can be reversed;</p> <p>(vi) the degree to which the impact and risk may cause irreplaceable loss of resources; and</p> <p>(vii) the degree to which the impact and risk can be avoided, managed or mitigated;</p>	<p><b>Section 9-11</b></p>
<p>(k) where applicable, a summary of the findings and impact management measures identified in any specialist report complying with Appendix 6 to these Regulations and an indication as to how these findings and recommendations have been included in the final report;</p>	<p><b>Section 6</b></p>
<p>(l) an environmental impact statement which contains –</p> <p>(i) a summary of the key findings of the environmental impact assessment;</p> <p>(ii) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and</p> <p>(iii) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives;</p>	<p><b>Section 9-11</b></p>
<p>(m) based on the assessment, and where applicable, impact management measures from specialist reports, the recording of the proposed impact management outcomes for the development for inclusion in the EMPr;</p>	<p><b>Section 6</b></p>
<p>(n) any aspects which were conditional to the findings of the assessment either by the EAP or specialist which are to be included as conditions of authorisation;</p>	<p><b>Section 5, 6, 9, 10, 13</b></p>
<p>(o) a description of any assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed;</p>	<p><b>Section 2.1</b></p>
<p>(p) a reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation;</p>	<p><b>Section 13</b></p>
<p>(q) where the proposed activity does not include operational aspects, the period for which the environmental authorisation is required, the date on which the activity will be concluded, and the post construction monitoring requirements finalised;</p>	<p><b>Section 12</b></p>
<p>(r) an undertaking under oath or affirmation by the EAP in relation to –</p> <p>(i) the correctness of the information provided in the reports;</p> <p>(ii) the inclusion of comments and inputs from stakeholders and I&amp;APs;</p> <p>(iii) the inclusion of inputs and recommendations from the specialist reports where relevant; and</p>	<p><b>Section 16</b></p>

(iv)	any information provided by the EAP to interest and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties; and	
(s)	where applicable, details of any financial provision for the rehabilitation, closure and ongoing post decommissioning management of negative environmental impacts;	<b>N/A</b>
(t)	any specific information that may be required by the competent authority; and	<b>N/A</b>
(u)	any other matters required in terms of section 24(4)(a) and (b) of the Act.	<b>N/A</b>

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# 1. BACKGROUND AND PURPOSE OF THIS DOCUMENT

**HillLand Environmental**, independent Environmental Assessment Practitioners (EAP), have been appointed by the Applicant, **Jacques Reynecke of Dusty Moon Investments 344 (Pty) Ltd** to ensure compliance with the regulations contained in the National Environmental Management Act (NEMA, No 107 of 1998) and Environmental Impact Assessment Regulations 2014 for the proposed development of Vryburg Mall on Erf 11883, a portion of erf 506, Vryburg.

Erf 11883 (here after referred to as 'the property') is a Business Zone I property (as confirmed by the Municipality), is approximately 5ha in extent and located south of Vryburg, accessed off the National Route (N14) west.



**(Also attached as Appendix A)**

The proposed Vryburg Mall was previously approved in terms of NEMA in 2014. However, due to various unforeseen circumstances commencement of the EA did not take place within the regulated timeframe of the EA and it has subsequently lapsed.

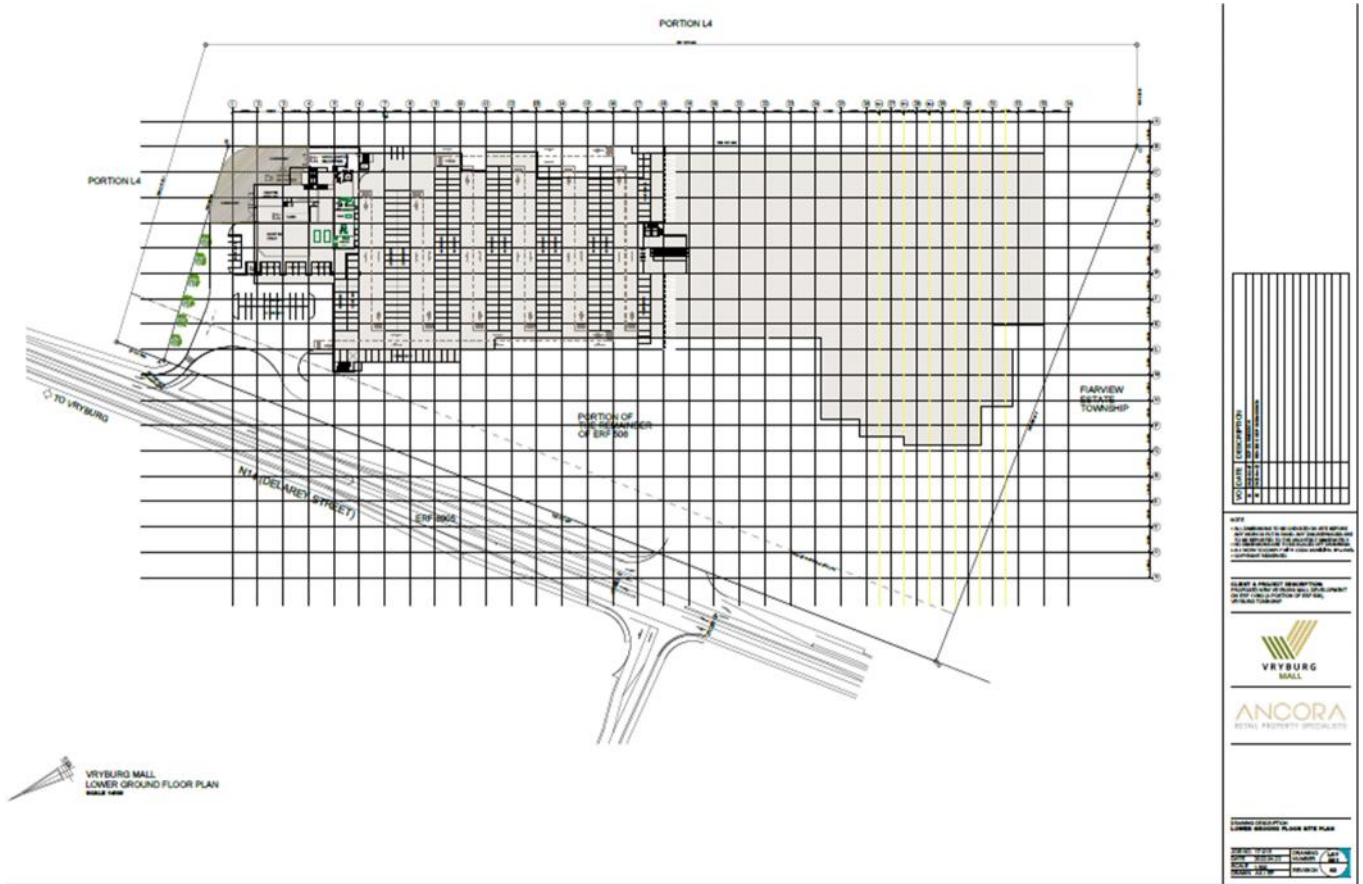
A new application for Environmental Authorisation in terms of NEMA 2014 (as amended) has therefore been submitted to allow for the commencement of the various applicable listed activities in terms of NEMA that are triggered by the proposed development of a shopping centre on the property.

The proposal will entail the development of the **Vryburg Mall** as per the SDP submitted to the Local Authority for approval (April 2022).

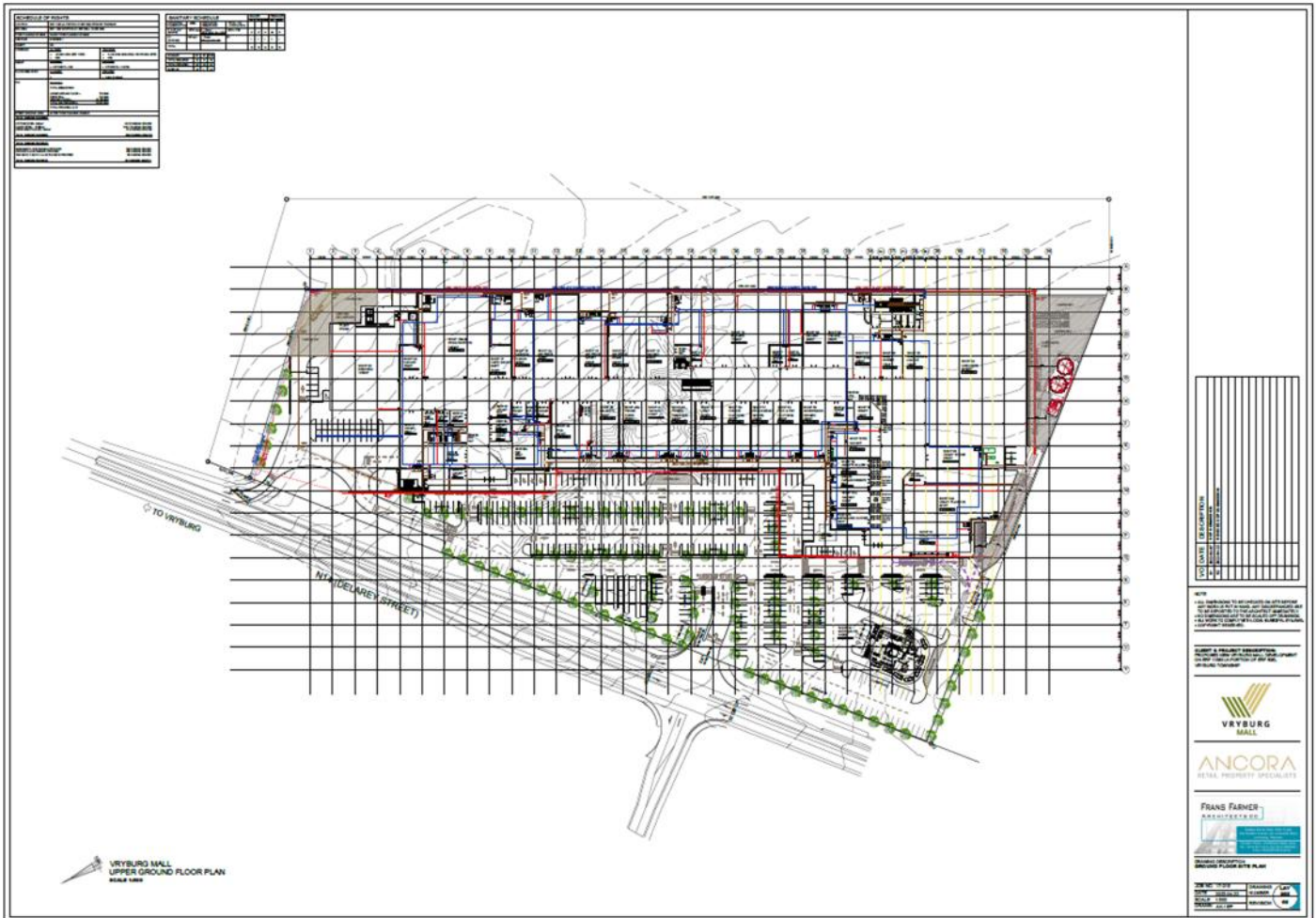
Access to the parking and site will be gained via the N14 west and a new access road will be constructed within the north-western corner of the property. The shopping centre consisting of various shops, delivery yards, parking bays, internal roads and landscape areas as per the approved SDP. It includes various levels of commercial shops, parking, delivery and refuse areas as required.



The development will require the transformation of the entire property (5ha) which will result in the clearance of indigenous vegetation.



**Lower level of the proposed centre (Frans Farmer Architects, April 2022 - see Appendix B)**



**Upper floor level of the proposed centre (Frans Farmer Architects, April 2022 – see appendix B)**

The proposal will result in the transformation of the entire property. As per the site development plan submitted to the Local Authority, the following scheduled areas are proposed:

**Proposed scheduled areas (Frans Farmer Architects, April 2022, see Appendix B)**

SCHEDULE OF RIGHTS							
LOCATION	ERF 11883 (A PORTION OF ERF 506) VRYBURG TOWNSHIP						
ERF AREA	ERF 11883 (PORTION OF ERF 506) = 50 823 SQM						
TOWN PLANNING SCHEME	NALEDI TOWN PLANNING SCHEME						
USE ZONE	BUSINESS 1						
DENSITY	N/A						
COVERAGE	<table border="0"> <tr> <td><b>ALLOWED</b></td> <td><b>PROVIDED</b></td> </tr> <tr> <td>= 40 858.4 SQM (ERF 11883)</td> <td>= 24 424 SQM (BUILDING) / 50 823 SQM (SITE)</td> </tr> <tr> <td>= 80%</td> <td>= 48%</td> </tr> </table>	<b>ALLOWED</b>	<b>PROVIDED</b>	= 40 858.4 SQM (ERF 11883)	= 24 424 SQM (BUILDING) / 50 823 SQM (SITE)	= 80%	= 48%
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= 40 858.4 SQM (ERF 11883)	= 24 424 SQM (BUILDING) / 50 823 SQM (SITE)						
= 80%	= 48%						
HEIGHT	<table border="0"> <tr> <td><b>ALLOWED</b></td> <td><b>PROVIDED</b></td> </tr> <tr> <td>= 6 STOREYS = 26M</td> <td>= 2 STOREYS = 13.975M</td> </tr> </table>	<b>ALLOWED</b>	<b>PROVIDED</b>	= 6 STOREYS = 26M	= 2 STOREYS = 13.975M		
<b>ALLOWED</b>	<b>PROVIDED</b>						
= 6 STOREYS = 26M	= 2 STOREYS = 13.975M						
FLOOR AREA RATIO	<table border="0"> <tr> <td><b>ALLOWED</b></td> <td><b>PROVIDED</b></td> </tr> <tr> <td>3</td> <td>= 2.638 (19 269m<sup>2</sup>)</td> </tr> </table>	<b>ALLOWED</b>	<b>PROVIDED</b>	3	= 2.638 (19 269m <sup>2</sup> )		
<b>ALLOWED</b>	<b>PROVIDED</b>						
3	= 2.638 (19 269m <sup>2</sup> )						
GLA	<b>PROVIDED</b> TOTAL BREAKDOWN: LOWER GROUND FLOOR = 275 SQM DRIVE-TRU = 240 SQM GROUND FLOOR = 18 166 SQM TOTAL FAR PROVIDED = 18 681 SQM TOTAL PROVIDED = 0.37						
STREET BUILDING LINES	AS PER TOWN PLANNING SCHEME						
<b>TOTAL PARKING REQUIRED</b>							
OFFICES (2/100) - 546 m <sup>2</sup>	10.92 PARKING SPACES						
SHOPS (6/100) - 17195 m <sup>2</sup>	1031.7 PARKING SPACES						
RESTAURANTS (4/100) - 940 m <sup>2</sup>	37.6 PARKING SPACES						
<b>TOTAL PARKING REQUIRED</b>	<b>1081 PARKING SPACES</b>						
<b>TOTAL PARKING PROVIDED</b>							
BASEMENT FLOOR PARKING PROVIDED	349 PARKING SPACES						
GROUND FLOOR PARKING PROVIDED	406 PARKING SPACES						
TAXI BAYS 11 BAYS X 6 = 66 TAXI BAYS PROVIDED	66 PARKING SPACES						
<b>TOTAL PARKING PROVIDED</b>	<b>821 PARKING SPACES</b>						

SANITARY SCHEDULE				MALLS			FEMALES	
OCCUPATION CLASSIFICATION	AREA	POPULATION BREAKDOWN	TOTAL -120 = POPULATION	WC	UR	WHB	WC	WHB
F1 & F2 & A1 (SHOPS)	18781 sqm	1 / 10sqm 18781 sqm / 10 = 1878	1878 = 1758	17	17	17	35	17
G1 (OFFICES)	546 sqm	1 / 15sqm 546 sqm / 15 = 36	36	1	1	1	2	1
<b>TOTAL</b>				<b>18</b>	<b>18</b>	<b>18</b>	<b>37</b>	<b>18</b>

SUMMARY	WC	UR	WHB
TOTAL REQUIRED	55	18	36
TOTAL PROVIDED	95	20	82
SURPLUS	40	2	46

**The following specialist assessments and technical inputs have been undertaken as part of the process:**

- J Wetland and riparian functional assessment (Limosella Consulting, August 2021) and subsequent GA application submitted on the 24<sup>th</sup> of January 2022;
- J Site Sensitivity Verification in terms of animal-, plant-, terrestrial biodiversity and aquatic biodiversity theme (Dr David Hoare, October 2021);
- J Palaeontology Report (Dr JF Durand, December 2021)
- J Traffic Impact (Civil Concepts Consulting Civil and Structural Engineers);
- J Geotechnical Assessment (Soil Kraft, 2013, confirmed by BSM Coastal Civil & Structural Consulting Engineers, 2022);
- J Archaeological and cultural heritage impact assessment (Vhubvo Archaeo: Heritage Consultants, 2022) (HIA) and subsequent conservation management plan for heritage sites forms part of the EMP (HMP).

The Draft Basic Assessment Report (BAR) and associated appendices underwent a 30-day commenting period (12 January 2022 – 11 February 2022). In their comment on the DBAR, SAHRA requested additional information including a HIA (which recommended an HMP).

This new information was distributed to all Authorities and registered I&APs for an additional 30-days to comment (18 March 2022 – 20 April 2022) in terms of regulation 19 (1)(b). Comments received on the draft BAR and the additional information circulated are responded to in the comment and response report section of the Public Participation Process report (Appendix J).

The Naledi Local Authority have confirmed the availability of services and recommended the SDP for approval. The ward councillor has been part of the process.

The legal representative of the competing Mall project submitted comment/objection on the Draft BAR and the additional Heritage information. Their comments/objections are based on a competing project which they feel will impact on their proposed development, however the Local Authority, who rule on aspects such as Need and Desirability, have approved both projects for commercial development and they should complement each other and serve the wider needs of the community at large. There is a legal challenge referenced where the competing Mall project is taking the Local Authority and Vryburg Mall on in order to delay or frustrate the approval processes and cause economic damage to the applicant. This process is being challenged by both the Local Authority and the applicant, but has no bearing on this Environmental Application process in terms of NEMA. It is interesting to note that the one aspect of the legal challenge was to interdict the Vryburg Mall from continuing without the required NEMA EA, and yet they object to the required legal process to obtain such NEMA EA.

No issues are raised that have any environmental consequence or would prevent the DEDECT from issuing NEMA Environmental Authorisation for the application. Legal responses are provided to the legal questions.

All comments have been adequately responded to and there are no fatal flaws or red flags which will have a bearing on the decision-making process.

This report serves as the Final BAR that has been submitted to DEDECT for their decision-making purposes.

## 1.1. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

**HillLand Environmental (Pty) Ltd** are the Environmental Assessment Practitioners (EAPs) who have been involved in Environmental Impact Assessments (EIA) and Management for the past 30 years.

Details of the EAPs	
<b>Cathy Avierinos</b> - BSc (Hons) degree in Botany, Environmental Management and has been practicing in the EIA field for the past 30 years – undertaking in excess of 1100 projects in the EIA field including EIA, Public participation, Environmental Management, Environmental Control, Environmental Rehabilitation and Specialist reporting. IAIASA member and EAPASA registration pending – 2019/1053	
<b>Inge Delpoit</b> - BSc (Hons) degree in Biodiversity and Ecology and has four years' experience in the EIA processes and assessment and environmental compliance monitoring. EAPASA registered – 2019/1689	
<b>Stefan Delpoit</b> - BSc (Hons) degree in Conservation Ecology and Ecology and has five years' experience in the EIA processes and assessment and environmental compliance monitoring. EAPASA registered - 2019/1123	

Please refer to the attached CV's as **Appendix K**.

## 1.2. DETAILS OF THE APPLICANT

<b>Applicant name</b>	Dusty Moon Investment 344 (Pty) Ltd
<b>Representative</b>	Jacques Reynecke
<b>Contact details</b>	<a href="mailto:jacques@vildev.co.za">jacques@vildev.co.za</a> 072 611 2064
<b>Address</b>	P.O. Box 95710, Waterkloof, Pretoria, 0145
<b>Physical address of the site</b>	Vryburg Mall – N14, Vryburg

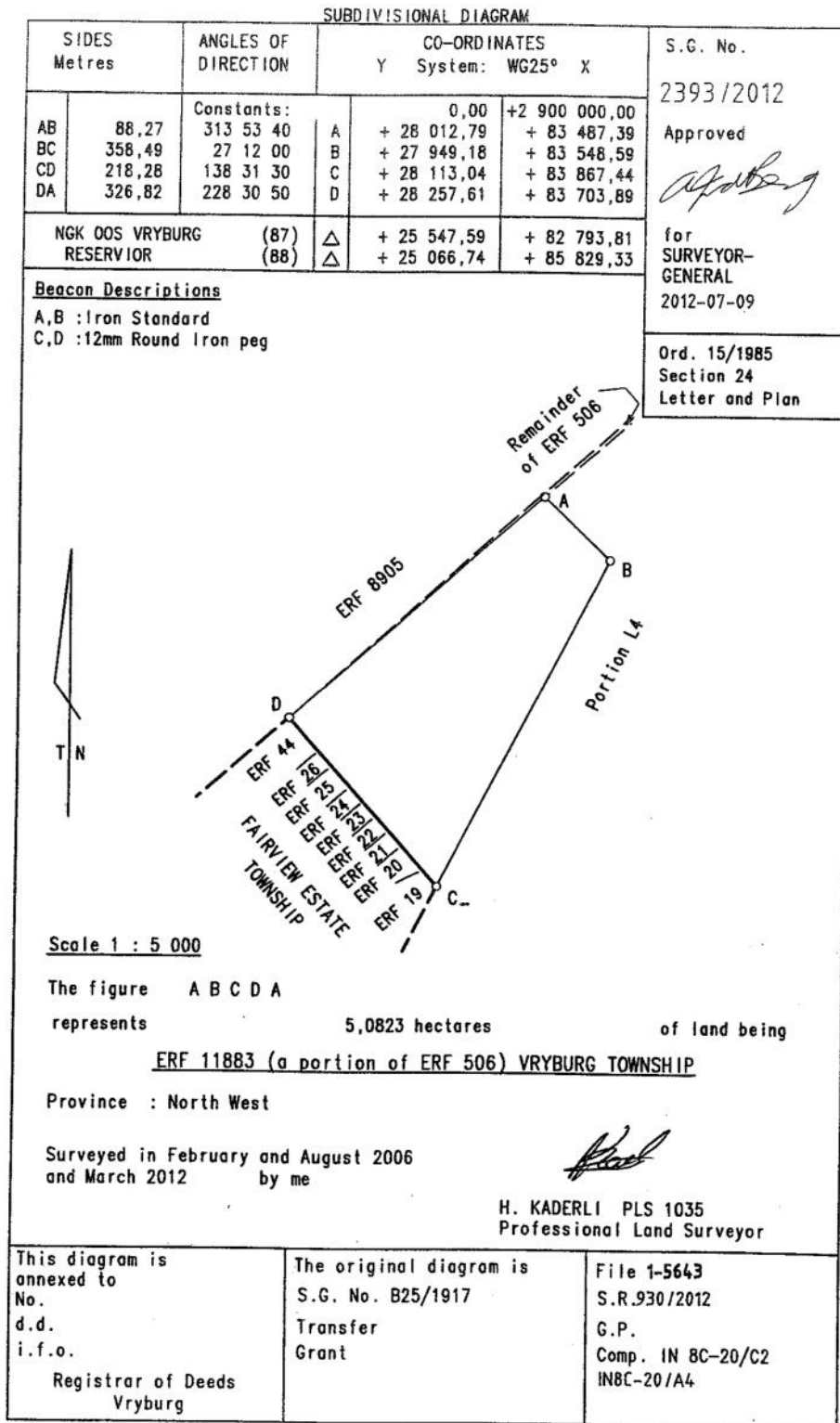
## 2. INTRODUCTION AND PROPERTY DETAILS

**HillLand Environmental**, independent Environmental Assessment Practitioners (EAP), have been appointed by the Applicant, **Jacques Reynecke of Dusty Moon Investments 344 (Pty) Ltd** to ensure compliance with the regulations contained in the National Environmental Management Act (NEMA, No 107 of 1998) (as amended) and Environmental Impact Assessment Regulations 2014 (as amended) for the proposed development of Vryburg Mall on Erf 11883, a portion of erf 506, Vryburg.

Erf 11883 is located in Vryburg in the North West Province, approximately 340km WSW of central Johannesburg. Access to the property is gained via the N14 national road (west). The surrounding area is semi-urban that is characterised by recreational and industrial landscape, and possesses amongst others infrastructure elements such as major roads, golf course and residential complexes.

### Property details

<b>Property</b>	<b>Erf 11883, a portion of Erf 506, Vryburg</b>
<b>SG Number</b>	T01N000 5000 11 883
<b>Property size</b>	5, 0823 ha
<b>Coordinates</b>	26°57'50.00"S   24°43'2.85"E
<b>Local Authority</b>	Naledi Local Municipality
<b>Local Municipality contact person</b>	<b>Enquiries:</b> <b>Dipotsiso: GN Molebalwa</b> <b>Navrae:</b> MARKEI STREET/MORILA WA MARKEI/MARKSTRAAT 29A P.O. BOX / LEBOKOSE POSE / POSBUS 55 VRYBURG 3600  TELEPHONE/MOGALA/TELEFOON (053) 928-2199 / 2200 FAX / PERESE / FAKS (053) 927 3482



**Approved SG-Diagram of Erf 11883 confirming the boundaries and size of the property (refer to Appendix A)**

It must be noted that certain of the digital government SG cadastral data sets, make use of the incorrect property boundary. The SG diagram above is the correct diagram for the site. Where the incorrect cadastral boundary has been used it is referenced and the corrected boundary is inserted as an overlay. This error has not resulted in any prejudice to the assessments undertaken as in most cases the specialist then assessed an area larger than that which the property covers.

As indicated above, the project received an Environmental Authorisation in 2014 which was not commenced with and as such has lapsed.

There is great demand for the mall and support from the local authority and as such the applicant would like to obtain environmental authorisation for the proposed development of Vryburg Mall on the property.



\* note the cadastral information on some government Database sets is incorrect - the above property boundaries from the approved SG plan must be used in all instances.

### 2.1. ASSUMPTIONS, UNCERTAINTIES AND GAPS IN KNOWLEDGE

**Conclusion and recommendations of this assessment have been made based on the following assumptions:**

- )] The conditions of the site have not changed over time (as verified by the specialists on site).
- )] The circumstances in terms of socio-economic conditions of the town have not changed to a degree that this activity is no longer favourable (retains support from the local authority).
- )] That the specialist reports on Fresh Water and Terrestrial Biodiversity have adequately addressed the relevant themes in terms of the Screening Tool now applicable to NEMA applications.
- )] That the Palaeontological desk top assessment, HIA and HMP requested by SAHRA are supported by SAHRA.
- )] That the required WULA (working within 500m of a wetland) in terms of the National Water Act will be issued.

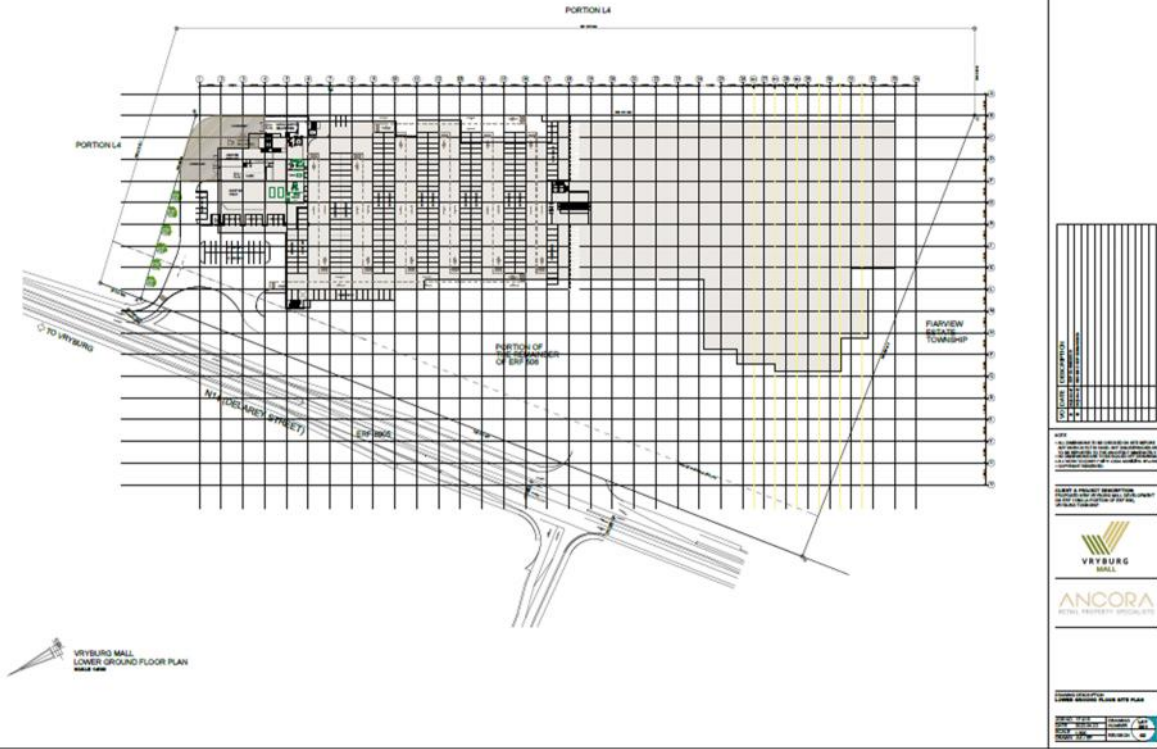
**Uncertainties and gaps in knowledge:**

- )] There are no other known uncertainties or gaps in knowledge.
- )] The cadastral boundary error has been corrected.

### 3. DESCRIPTION OF THE PROPOSAL

The proposal will entail the development of the Vryburg Mall on Erf 11883.

The shopping centre will consist of two (2) storeys that is well within the height restrictions and coverage allowed by the Local Authority (please refer to the extract of the scheduled area provided below).



Lower level of the proposed centre (Frans Farmer Architects, April 2022)



Upper floor level of the proposed centre (Frans Farmer Architects, February 2022)

As per the approved site development plan (SDP), the following scheduled areas are proposed:

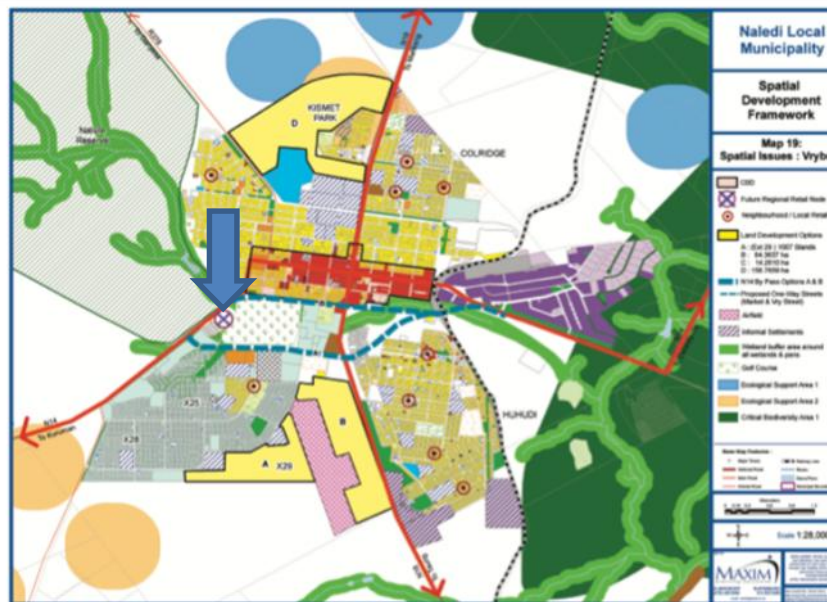
**Proposed scheduled areas (Frans Farmer Architects, February 2022)**

SCHEDULE OF RIGHTS							
LOCATION	ERF 11883 (A PORTION OF ERF 506) VRYBURG TOWNSHIP						
ERF AREA	ERF 11883 (PORTION OF ERF 506) = 50 823 SQM						
TOWN PLANNING SCHEME	NALEDI TOWN PLANNING SCHEME						
USE ZONE	BUSINESS 1						
DENSITY	N/A						
COVERAGE	<table border="0"> <tr> <td><b>ALLOWED</b></td> <td><b>PROVIDED</b></td> </tr> <tr> <td>= 40 658.4 SQM (ERF 11883)</td> <td>= 24 424 SQM (BUILDING) / 50 823 SQM (SITE)</td> </tr> <tr> <td>= 80%</td> <td>= 48%</td> </tr> </table>	<b>ALLOWED</b>	<b>PROVIDED</b>	= 40 658.4 SQM (ERF 11883)	= 24 424 SQM (BUILDING) / 50 823 SQM (SITE)	= 80%	= 48%
<b>ALLOWED</b>	<b>PROVIDED</b>						
= 40 658.4 SQM (ERF 11883)	= 24 424 SQM (BUILDING) / 50 823 SQM (SITE)						
= 80%	= 48%						
HEIGHT	<table border="0"> <tr> <td><b>ALLOWED</b></td> <td><b>PROVIDED</b></td> </tr> <tr> <td>= 6 STOREYS = 26M</td> <td>= 2 STOREYS = 13.975M</td> </tr> </table>	<b>ALLOWED</b>	<b>PROVIDED</b>	= 6 STOREYS = 26M	= 2 STOREYS = 13.975M		
<b>ALLOWED</b>	<b>PROVIDED</b>						
= 6 STOREYS = 26M	= 2 STOREYS = 13.975M						
FLOOR AREA RATIO	<table border="0"> <tr> <td><b>ALLOWED</b></td> <td><b>PROVIDED</b></td> </tr> <tr> <td>3</td> <td>= 2.636 (19 269m<sup>2</sup>)</td> </tr> </table>	<b>ALLOWED</b>	<b>PROVIDED</b>	3	= 2.636 (19 269m <sup>2</sup> )		
<b>ALLOWED</b>	<b>PROVIDED</b>						
3	= 2.636 (19 269m <sup>2</sup> )						
GLA	<b>PROVIDED</b> TOTAL BREAKDOWN: LOWER GROUND FLOOR = 275 SQM DRIVE-TRU = 240 SQM GROUND FLOOR = 18 166 SQM TOTAL FAR PROVIDED = 18 681 SQM TOTAL PROVIDED = 0.37						
STREET BUILDING LINES	AS PER TOWN PLANNING SCHEME						
<b>TOTAL PARKING REQUIRED</b>							
OFFICES (2/100) - 546 m <sup>2</sup>	10.82 PARKING SPACES						
SHOPS (6/100) - 17195 m <sup>2</sup>	1031.7 PARKING SPACES						
RESTAURANTS (4/100) - 940 m <sup>2</sup>	37.6 PARKING SPACES						
<b>TOTAL PARKING REQUIRED</b>	<b>1081 PARKING SPACES</b>						
<b>TOTAL PARKING PROVIDED</b>							
BASEMENT FLOOR PARKING PROVIDED	345 PARKING SPACES						
GROUND FLOOR PARKING PROVIDED	408 PARKING SPACES						
TAXI BAYS 11 BAYS X 6 = 66 TAXI BAYS PROVIDED	66 PARKING SPACES						
<b>TOTAL PARKING PROVIDED</b>	<b>821 PARKING SPACES</b>						

SANITARY SCHEDULE				MALES			FEMALES		
OCCUPATION CLASSIFICATION	AREA	POPULATION BREAKDOWN	TOTAL -120 = POPULATION	WC	UR	WHB	WC	UR	WHB
F1 & F2 & A1 (SHOPS)	18781 sqm	1 / 10sqm 18781 sqm / 10 = 1878	1878 = 1758	17	17	17	35	17	
G1 (OFFICES)	546 sqm	1 / 15sqm 546 sqm / 15 = 36	36	1	1	1	2	1	
<b>TOTAL</b>				18	18	18	37	18	
<b>SUMMARY</b>				WC	UR	WHB			
<b>TOTAL REQUIRED</b>				55	18	36			
<b>TOTAL PROVIDED</b>				95	20	62			
<b>SURPLUS</b>				40	2	46			

The development zone will require the transformation of the entire 5ha property.

**Planning context**



The Municipal SDF clearly indicates the site as being that of a future Regional Retail Node.



**Service infrastructure:**

**Access and traffic:**

) SANRAL have confirmed that the TIA previously done still stands and that they are happy with the access as proposed to the site off the N12 (see appendix H for their approval letter)



) Access is off Delarey Street as indicated with two entrances – a dedicated left in lane and an intersection as indicated in the attached figures

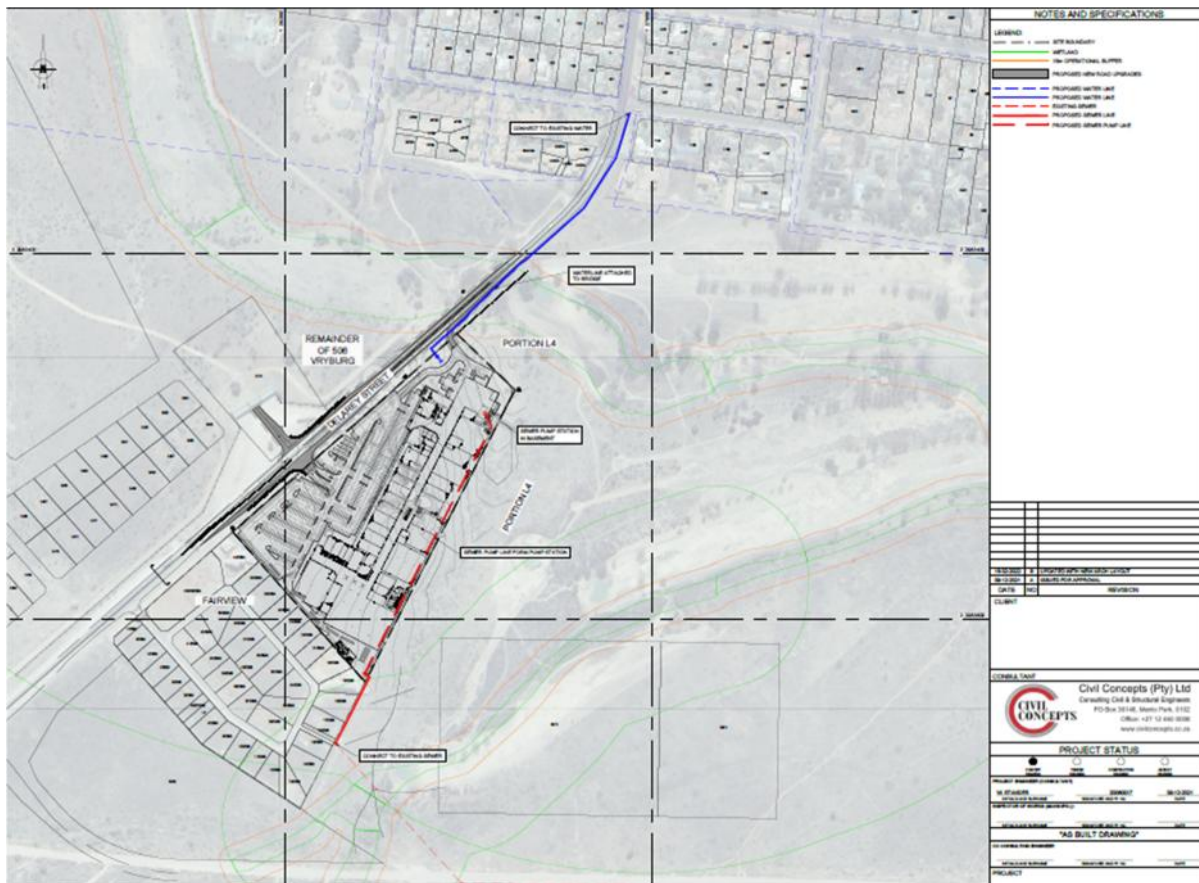
) The necessary lane widening etc is all within the road reserve and is approved by SANRAL.

) The internal roads and parking will be based on the final internal SDP approval by the Local Authority and are subject to change to make allowance for any requests of the Local Authority.



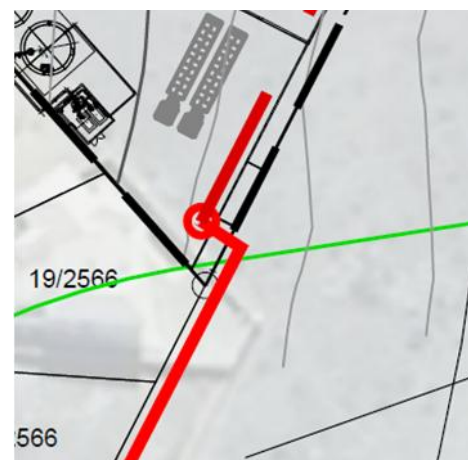
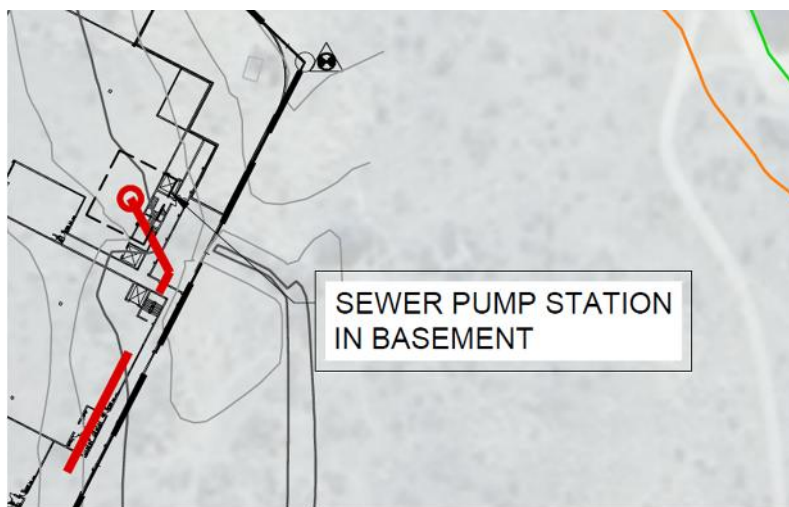
**Civil services:**

Municipal service connections for bulk infrastructure has been confirmed as follows:



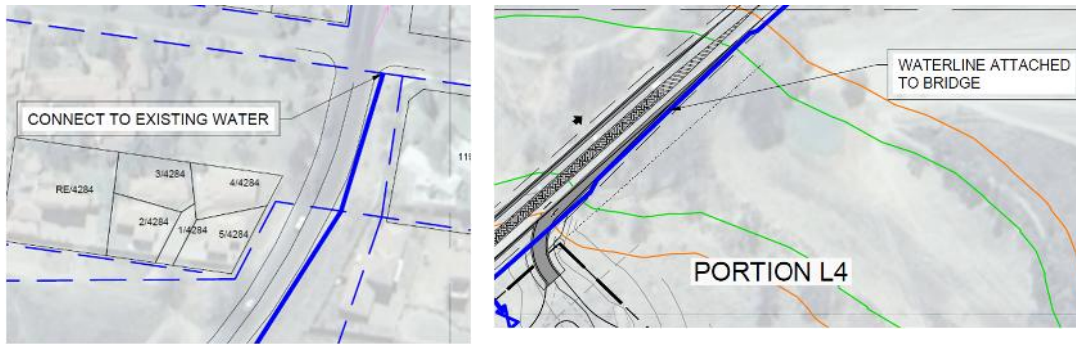
**\*extract from the bulk infrastructure approval – see appendix F for the larger plan – note this plan reflects an earlier internal layout plan which has been superseded by the April 2022 plans, but still reflects the correct service layout.**

**Sewage:** - sewage will connect via a pumpstation and 110mm rising main to the existing municipal infrastructure to the south.

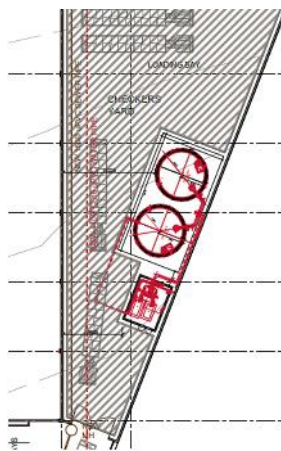


**\* insert to show detail of the sewage pump station in the basement and the connection point to the municipal system to the south.**

**Water:** - bulk water is to be supplied by the local authority at a designated connection point. From there a new 110mm municipal pipeline will be installed within the road reserve and will cross the existing culvert attached to the bridge, from there it will feed to the site through a bulk municipal connection meter.

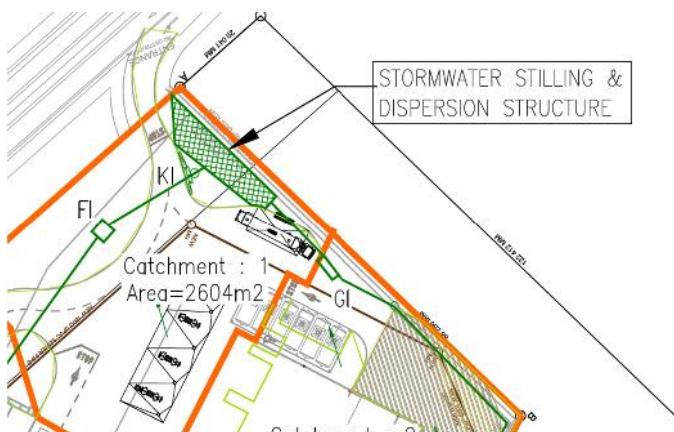


**\* connection to the existing water infrastructure of the municipality and crosses the watercourse attached to the existing bridge**



Tanks and sprinkler system for the required fire system is contained in the Checkers yard.

**Storm water:** -storm water from the site will be guided towards a storm water stilling and dispersion structure that will be landscaped in near the entrance.



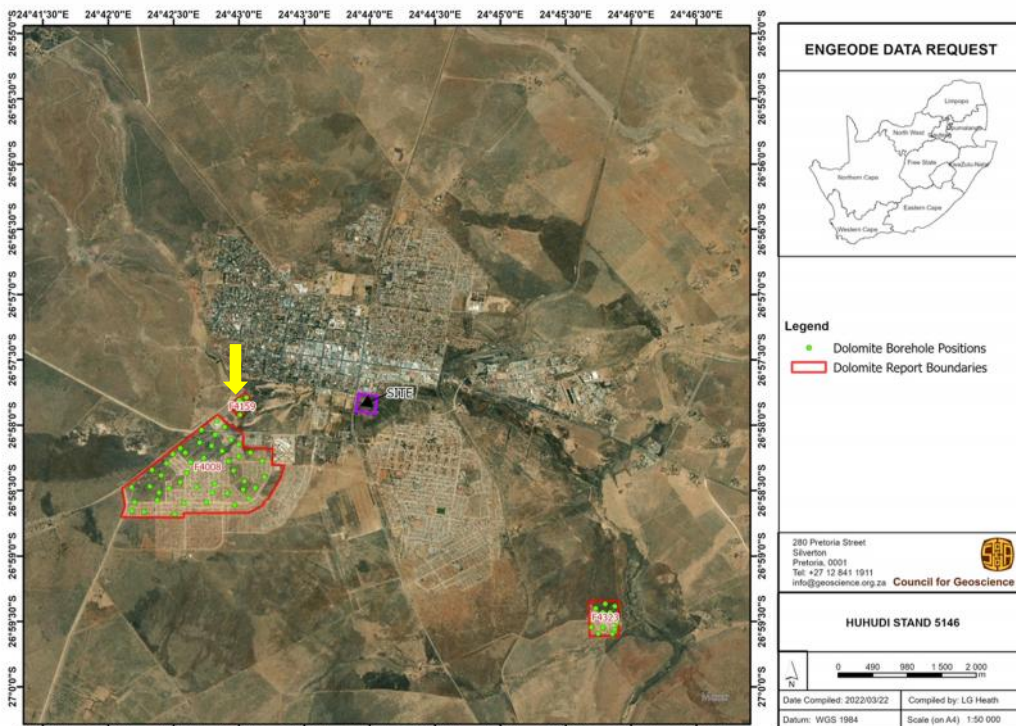
**Electrical services:** - connection to the existing municipal services as confirmed and approved. The development will require 2.5MVA and has been requested to connect to and close off a municipal connection and supply ring by installing a new Ring Main Unit (RMU). All cables will be underground and will either be copper or aluminium depending on design, availability and cost. Cables will run in the road reserves and along property boundaries.



\* note the approximate link required to close the ring main and link to the existing substation.

**Geotechnical study:**

A Geotechnical investigation was undertaken as part of the previous NEMA process. The specialist has confirmed that there is no change to the geology of the site and the geotechnical conditions have been taken into account in the structural design of the building as required by the local authority and building plan approval. The Council for Geoscience have confirmed that the necessary ground testing for the risk of Dolomite has been undertaken and taken into consideration.



\* The information confirmed with the Council for Geoscience regarding Dolomite reporting shows that Dolomite reporting for the property has been submitted and is on record with the Council as required. Please note that the site is indicated by the Yellow arrow and not the black arrow which depicts that no Dolomite reporting is in place for the other Mall in question (those who have lodged an objection against this application).

#### 4. LEGISLATION/POLICIES AND/OR GUIDELINES/PROTOCOLS

**Summary of approvals required for the proposed development**

Competent authority	In terms of legislation	Type of approval / license / required	Date (if already obtained)
Department of Economic Development, Environment, Conservation and Tourism (DEDECT)	National Environmental Management Act, 1998 (Act 107 of 1998) as amended	<b>Environmental Authorization (EA)</b>	2014 – EA lapsed This report serves as the Final BAR submitted for decision making purposes
Naledi Local Municipality	Naledi Local Municipality Planning bylaws	<b>Planning approval and SDP approval</b>	2019 and 2022 approval
Department Water and Sanitation	National Water Act (36 of 1998)	<b>General Authorization (GA) for working within the regulated area around a watercourse</b>	24 January 2022 (WU22973) – approval pending
SAHRA	National Heritage Resources Act 25 of 1999	<b>Decision in terms of S38</b>	Interim comments – 16 February 2022 HIA and HMP submission to SAHRA - 7 March 2022 & 18 March 2022  Final comment and approved – 21 April 2022
Naledi Local Municipality	Building regulations	<b>Building plans in prep for submission</b>	Approval in due course prior to commencement on site.

The following documents have informed this BAR.

- J National Environmental Act (NEMA), Act No. 107 of 1998, as amended; - **Procedures to be followed for the assessment and minimum criteria for reporting of identified environmental themes in terms of Section 24(5)(a) and (h) of the National Environmental Management Act, 1998, when applying for environmental authorisation;**
- J Environmental Impact Assessment Regulations (2014, as amended 2017); - **Listed activities being applied for**
- J National Environmental Management: Biodiversity Act, Act No. 10 of 2004; - **Disturbance of sensitive indigenous vegetation**
- J National Heritage Resources Act, Act No. 25 of 1999; - **Potential uncovering of additional heritage resources**
- J Provincial Spatial Development Framework;
- J Local Municipality Spatial Development Framework and Integrated Development Planning;
- J Guideline for Determining the Scope of Specialist Involvement in EIA Processes;
- J Guideline for the Review of Specialist Input into the EIA Process;
- J Guideline on Alternatives;
- J Guideline for Need and Desirability;
- J Guideline on Public Participation Report;
- J Guideline for Environmental Management Plans;
- J Integrated Environmental Management Information Series 7: Cumulative Effects (2004);
- J Integrated Environmental Management Information Series 5: Impact Significance (2002);
- J Department of Environmental Affairs Screening Tool and protocols (2020);
- J National Spatial Biodiversity Assessment (2009).

### 4.1. LISTED ACTIVITIES IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT AND ENVIRONMENTAL IMPACT REGULATIONS (NEMA)

The proposed development was authorised in terms of the NEMA 2010 regulations, the environmental authorisation has subsequently lapsed as there was no lawful commencement within the validity period of the EA.

Listed activities in terms of listing notices 1, 2 and 3 were reviewed for applicability and those where exclusions applied (like urban areas) or where thresholds were not reached (lengths of diameters), these were excluded and not considered any further. There is no clearing of vegetation within any CBA or within 100m of any watercourses. And there is no record of the property being used for agricultural purposes on the 1<sup>st</sup> April 1998 and aerial photography from 1987 and 2001 shows no indication of agricultural use so it has been assumed that activity 28 is not applicable.



**\* 1987 and 2001 historic aerial photos of the area show no commercial or intensive agriculture on the property. (14.06.1987 left & 10.01.2001 right (NGI, 2022))**

DEDECT provided input on the various listed activities in the application and requested for certain activities to be excluded going forwards

This application for Environmental Authorisation (EA) is applying to authorise the following listed activities:

#### 4.1.1. GN – NO. 327 OF GAZETTE NO. 40772 – (Listing Notice 1)

<p><b>27.</b></p>	<p>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <ul style="list-style-type: none"> <li>(i) the undertaking of a linear activity; or</li> <li>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</li> </ul>	<p><b>Indigenous vegetation will need to be cleared over the whole property as such this activity is applicable.</b></p>
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#### 4.1.2 GN R 324 (Listing Notice 3)

<p><b>12</b></p>	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan</p> <p><b>h. North West</b></p> <p><b>(iv).Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</b></p>	<p><b>Clearing of indigenous vegetation within an aquatic CBA as defined in the screening tool.</b></p>
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## 4.2. NATIONAL HERITAGE RESOURCES ACT, 1999 (NO. 25 OF 1999) (NHRA)

The following triggers in terms of the National Heritage Act are applicable to the proposed development:

### Section 38 of the NHRA states the following:

"38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorized as

- (a) **the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;**
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) **any development or other activity which will change the character of a site (i) exceeding 5 000m<sup>2</sup> in extent; or**
  - (ii) involving three or more existing erven or subdivisions thereof; or
  - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- (d) **the re-zoning of a site exceeding 10 000m<sup>2</sup> in extent; or**
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development".

SAHRA confirmed that they required a Palaeontology desk top assessment and this was completed by Dr. JF Durand (Sci.Nat.).

The Basic Assessment Report (Draft BAR) and palaeontological study were submitted on SAHRA's online portal on the 14<sup>th</sup> of January 2022.

Interim comments received from SAHRA on the draft BAR (16<sup>th</sup> of February 2022) confirmed that *"the proposed development has the potential to impact negatively on heritage and / or cultural resources of the area. Therefore, a heritage impact assessment must be conducted."*

A HIA was compiled by Vhubvo Archaeo-Heritage Consultants cc and submitted to SAHRA on the 7<sup>th</sup> of March 2022. Based on the recommendations of the HIA a HMP was compiled and submitted to SAHRA on the 18<sup>th</sup> of March 2022. SAHRA confirmed on the 21<sup>st</sup> of April 2022 (final comments) that they do not object to the proposal and recommendations have been included in the EMPr.

The EMPr includes the recommendations included in the palaeontological report, HIA and HMP.

## 4.3. NATIONAL WATER ACT (NO. 36 OF 1998) (NWA)

In terms of the National Water Act, activities within the regulated area of a water course or wetland need to be authorised.

Water uses for which authorisation must be obtained from DWS are indicated in Section 21 of the NWA. Section 21 (c) and (i) is applicable to any activity related to a watercourse:

- ) Section 21 (c): Impeding or diverting the flow of water in a watercourse; and
- ) Section 21 (i): Altering the bed, banks, course or characteristics of a watercourse.

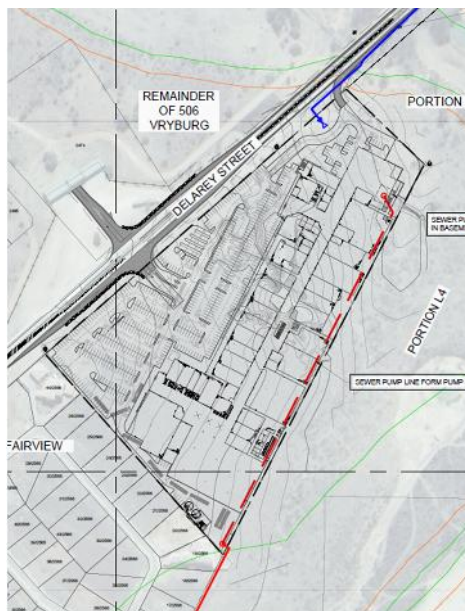
Authorisations related to wetlands are regulated by Government Notice 509 of 2016 regarding Section 21 (c) and (i). This notice grants General Authorisation (GA) for the above water uses should the Risk Assessment matrix (DWS, 2016) reflect a Low score. Activities that obtain a Medium or High risk score requires authorisation through a Water Use Licence (WUL) from the Department.

As such any activities which are regulated in terms of the NWA will need to be either confirmed to be Generally Authorised (GA) or obtain a Water Use Licence (WUL). This is a separate process that runs independently from the NEMA EIA process, but for which there is cooperative governance and streamlining of processes.

The fresh water risk assessment for the project indicates that it falls into the **Low Risk category** and as such should be Generally Authorised (please refer to report attached as Appendix E2a).

<b>Risk Assessment (GN 509)</b>	<p>The risk scores the construction and operational related impacts fall in the low category on condition that mitigation measures are effectively implemented. Particular care should be taken with the following:</p> <ul style="list-style-type: none"> <li>• Implement Best Practice with regards to the design, placement and maintenance of sewage infrastructure;</li> <li>• Implement an Alien Plant Control Plan;</li> <li>• Implement Sustainable Urban Drainage;</li> </ul>
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**Extract from the Fresh Water Risk assessment**



**The engineering services report extract over the wetland buffer areas as defined (also attached as Appendix F)**

The GA application was submitted on the 24th of January 2022 (WU22973). No decision has been made to date.



## 5. DEA SCREENING TOOL AND SITE SENSITIVITY VERIFICATION

A screening tool report was generated in **September 2021** and again in **April 2022** to assess whether any sensitivities have changed since September 2021 (please refer to Appendix D). The results of the screening tool reports generated September 2021 and April 2022 remained the same.

### 5.1. THEME SENSITIVITY AND RECOMMENDED IMPACT ASSESSMENTS

Theme	Very high sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
Agricultural theme			X	
Animal species theme				X
Aquatic biodiversity theme	X			
Archeological and cultural heritage theme	X			
Civil aviation theme		X		
Defence theme				X
Paleontology theme			X	
Plant species theme				X
Terrestrial biodiversity theme	X			

Identified Theme	Motivation for inclusion or exclusion of impact assessment / comments
Agricultural Theme	<b>Low to medium sensitivity:</b> No agricultural impact assessment is deemed necessary as the area is already approved for urban land uses and as such the sensitivity rating is disputed and has been verified on site.
Animal Species Theme	The screening tool report indicated a <b>low animal sensitivity</b> on the proposed development area. This is confirmed by the terrestrial biodiversity specialist. No further animal / avian assessments necessary.
Aquatic Theme	<b>Low and very high Sensitivity for aquatic CBA</b> - Fresh water specialists have confirmed the sensitivity of the site as low and that all work is outside of the required wetland buffers.
Archaeological and Cultural Heritage Theme	The entire site is listed as <b>Very High Sensitivity</b> ) Within 2km of a Grade II Heritage site. A full HIA was undertaken and included in this assessment.
Palaeontological Sensitivity	<b>Medium sensitivity</b> As confirmed by SAHRA, a desk top paleontology assessment was required. This has been done and included in this assessment.
Civil Aviation Theme	<b>High sensitivity</b> - Within 8 km of other civil aviation aerodrome.  The proposed development will not impact on the civil aviation aerodrome – no further assessments necessary. South African Civil Aviation was requested to comment on the proposal. No comments were received.
Defence Theme	<b>Low sensitivity</b> – no impact assessment deemed necessary.
Plant Species Theme	<b>Low Sensitivity</b> - Specialist confirmed the low sensitivity
Terrestrial Biodiversity Theme	<b>Very high sensitivity</b> – Ecological Support Area 1 – Specialist assessed the site and disputes the very high sensitivity – area suitable for development.

The screening tool requested the following additional impact assessments:

Impact assessment	Motivation for inclusion or exclusion of impact assessment / comments
Landscape/visual impact assessment	The property is located within the urban edge of Vryburg and previously obtained environmental authorization for the development of a shopping centre. As such, the proposed development will be in line with the sense of place and no visual impact assessment was deemed necessary as agreed by DEDECT.
Socio-economic impact assessment	Due to the property being identified for a Regional Shopping node, previous and current approvals, the scale of the proposal and the number of positive socio-economic impacts, no additional impact assessment was deemed necessary as agreed by DEDECT.

**Summary of appointed specialists:**

Impact assessment undertaken	Specialist appointed
Site sensitivity verification: fauna, flora and terrestrial biodiversity	<p>PREPARED BY:                      Dr David Hoare                      Postnet Suite #116                      Private Bag X025                      Lynnwood Ridge, 0040                      tel: (087) 701 7629                      fax: 086 550 2053                      e-mail: dhoare@lantic.net  <b>SACNASP: 400221/05</b></p>
Wetland and riparian functional assessment	<p>Limosella Consulting Pty Ltd                      Reg No: 2014/023293/07                      Email: <a href="mailto:antoinette@limosella.co.za">antoinette@limosella.co.za</a>                      Cell: +27 83 4545 454                      www.limosella.co.za  <b>SACNASP: 400222-09</b></p>
Archaeological and cultural heritage impact assessment Conservation management plan for heritage sites	<p><b>Vhubvo Archaeo-Heritage Consultants Cc</b>  <b>Registration No.: 2010/090598/23</b>  <b>VAT No.: 4960270322</b></p> <p>546 16th road, Building no 2                      Constantia Park, Midrand                      Tel: 011 312 2878                      Cell: 082 535 6855                      Fax: 011 312 7824                      info@vhubvo.co.za</p> <p>Office No. 25                      Bindulavhuthu Complex                      Thohoyandou CBD, 0950                      P.O. Box 696; Sibasa; 0970                      Tel/Fax: 015 9625 742</p>
Paleontological desktop study	<p>Palaeontological specialist:  <b>Dr JF Durand (Sci. Nat.)</b>                      BSc Botany &amp; Zoology (RAU), BSc Zoology (WITS), Museology Dipl. (UP),                      Higher Education Diploma (RAU), PhD Palaeontology (WITS)</p>

**6. DESCRIPTION OF THE RECEIVING ENVIRONMENT**

**6.1. HISTORICAL CONTEXT**

Historically, the site does not appear to have been used for agricultural purposes and historic imagery shows evidence of burrow pits in the centre of the property which was used for the ad hoc collection of gravel – probably for nearby roads.



**Historic image dated 14.06.1987 (NGI, 2022)**



**Historic image dated 10.01.2001 (NGI, 2022)**

Since 2001 the land use pattern remained the same and as confirmed by the specialist, the habitat on site shows various states of disturbance which is consistent with the historic use.



**2006 Google Earth aerial image**

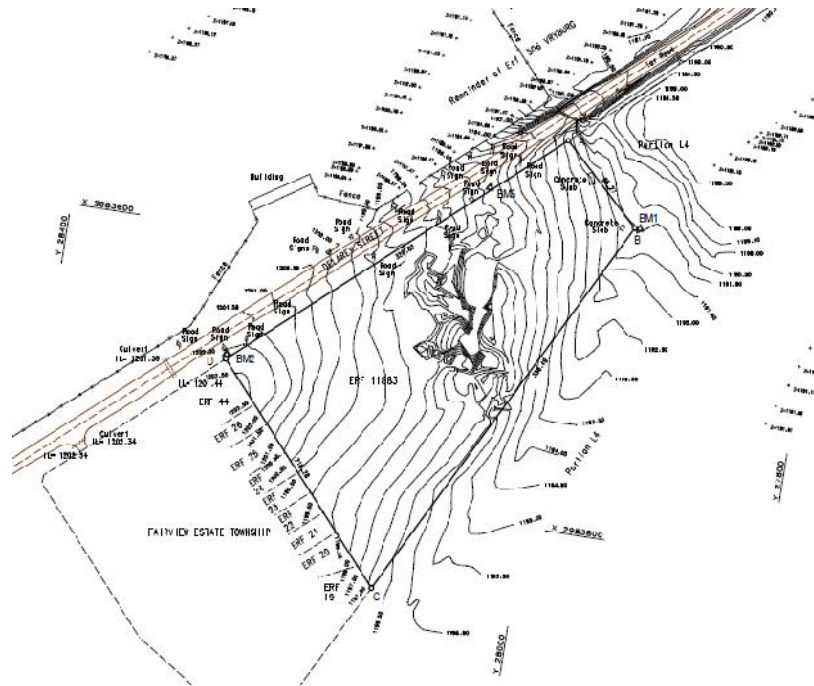


**2021 Google Earth aerial image**

## 6.2. GEOGRAPHICAL ASPECTS, TOPOGRAPHY, SOIL AND GEOLOGY & GROUNDWATER

The property is an open area between two developed areas, alongside a golf course. The property is located within the urban edge of Vryburg and can easily be accessed from the N14 west.

The topography of the property consists of relatively flat areas with an increase in slopes towards the centre of the property where the old borrow pit is situated.



**Contour map of the property (TMK, 2013)**

A geotechnical assessment was undertaken in 2013 and the details have been confirmed in 2021 as unchanged. The old borrow pits have been taken into account in the design of the proposed development and in the cut and fill design of the earthworks required.

According to Mucina & Rutherford (2006) the surface limestone of tertiary to recent age, and dolomite and chert of the Campbell Group (Griqualand West Supergroup, Vaalian Erathem) support shallow soils (0.1 – 0.25 m) of Mispah and Hutton soil forms.

According to the Study done by Soilkraft cc, the geological formation underlying the study area is the Dwyka Group of the Karoo Supergroup. According to the Geotechnical report *“the Dwyka Group largely consists of diamictite and shale. In addition, the Vryburg Formation of the Griqualand West Sequence wedges in from north west of the site. Also in the vicinity is the Boomplaas Member of the Schmidtsdrif Formation, Campbell Group (Griqualand West Sequence). The Boomplaas Member is a dolomitic lithology that contains dolomite with oolitic and/or stromatolitic structures. Interlayered shale also occurs.”*

According to the subsequent rock analyses the material has been subjected to metamorphism and that altered the bedrock to hornfels. Due to the shallow bedrock and bedrock outcrop the soil profiles were very limited. The only soil that was found was very shallow colluvial soils.

There was no risk of dolomite on site and the Council for Geosciences has confirmed that the required testing has been done on the property.

No groundwater was encountered in any of the trial holes excavated or boreholes drilled on the site.

Recommendations as included in the Geotechnical report (Soilkraft cc, 2013):

## **Structural Design**

### **) Borrow Pit Incorporation**

The incorporation of the depression resulting from the borrow area into the design. The existing depression can be expanded and used as a lower level to the structure (e.g. parking basement). The materials removed from the profile during such an operation will be processed (i.e. crushed), stockpiled and used during platform or layer work construction subject to quality assurance testing at the time.

### **) General Measures**

Site drainage must be planned carefully to ensure effective dispersion of storm water. In addition, it is recommended that buried metal objects (e.g. services, utilities, anchoring poles, etc.) be protectively coated to protect them from mildly corrosive soils.

## **Conditions of Excavation**

In general conditions of difficult to very difficult excavation prevail on site. The following is recommended:

*Colluvium:* All colluvial soils (including topsoil) may be considered excavatable by backhoe. The materials are easily excavatable.

*Bedrock:* Provision must be made for blasting, splitting and/or the use of pneumatic equipment to excavate bedrock materials.

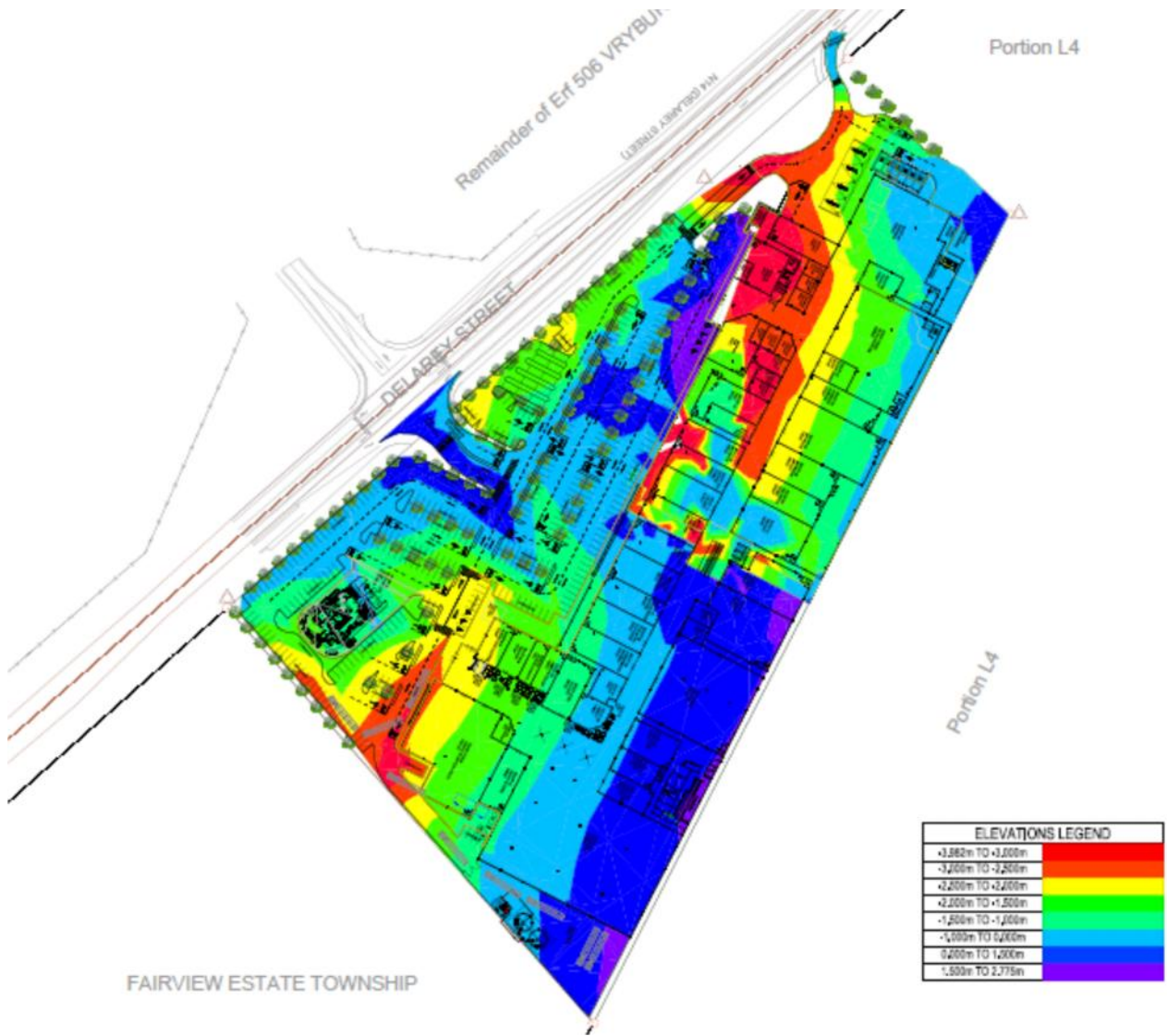
*General:* Excavation by backhoe was proven to a minimum depth of 100mm and seldom achieved a depth of 1000mm. Conditions of very difficult excavation prevail on site.

## **Material Utilisation**

It is recommended that in situ materials be considered for the construction of layer works and construction platforms. Samples tested during the investigation proved to be of G5 to G6 COLTO quality and it is recommended that an overall quality of G6 be accepted.

In situ rock materials may potentially be crushed and stockpiled for use as construction aggregate.

Such materials must be adequately tested before utilisation.



**Bulk earthworks – elevation plot (BSM Consulting Engineers, 2022)**



**Bulk Earthworks – lower parking contours plot (BSM Consulting Engineers, 2022)**

In conclusion, the property is suited for the proposed development.

### 6.3. CONSERVATION ASPECTS

#### 6.3.1. AQUATIC BIODIVERSITY

In accordance with the National Freshwater Ecosystem Priority Areas (NFEPA, 2010) the property is situated north and south of non-perennial watercourses and is located outside of the 32m buffer areas from these watercourses.



The golf course is in a valley bottom that includes a diffuse wetland area that flows into the Leeuspruit, a tributary of the Harts River, which flows into the Vaal River north-west of Barkly West.

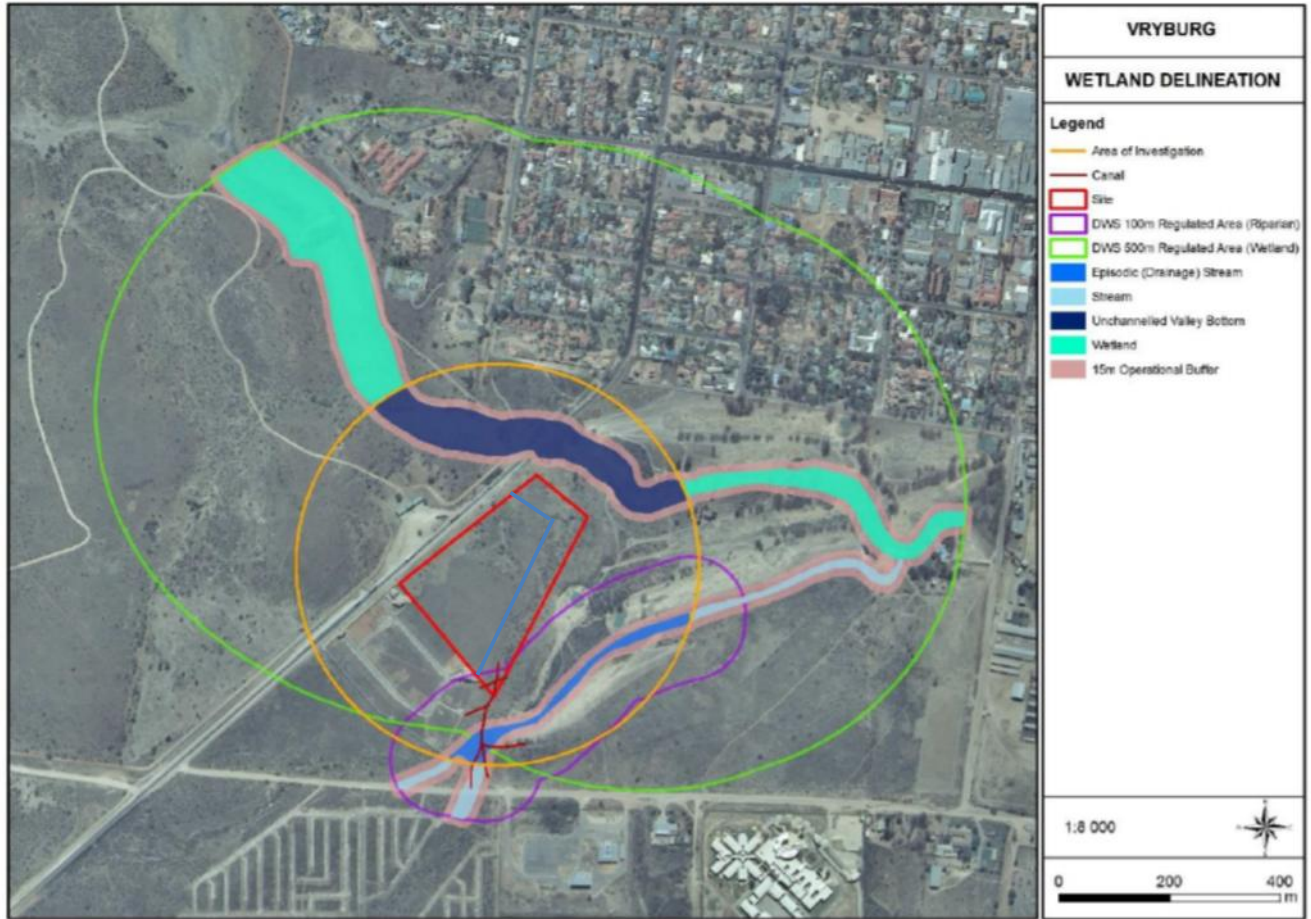
As the screening tool highlighted a very high sensitivity for the aquatic biodiversity theme, a specialist assessment was undertaken (which includes a wetland and riparian assessment).

The assessment concluded the following:

Two watercourse types were recorded around the study site and are classified (following SANBI, 2013) as (Figure 7 – see figure below):

- ) Unchannelled Valley Bottom Wetland; and
- ) Non-Perennial Episodic (Drainage) Stream.





**Figure 7 as extract from the assessment (note - boundary line in red is incorrectly reflected and should run approximately along the blue internal line)**

Although many woody trees can be seen in the watercourse north of the study site, these are predominantly Alien Invasive Species (AIS). This section of the watercourse is classified as a **valley bottom wetland**. The episodic stream located south of the study will only flow during rainfall events and does not provide specialised habitat for wetland species. Both the wetland and the episodic stream, including their operational phase buffer zone (15 m) are located outside of the study site. The construction phase buffer zones will not extend beyond the boundary of the property.

No proposed layout was available at the time of the watercourse assessment. The entire site falls within the DWS regulated area around the wetland to the north of the site and the stream to the south. We assume that activities include retail infrastructure, including parking areas, access roads, stormwater, sewage and water reticulation. The Risk Assessment assumes that, although potential impacts to the watercourses adjacent to the study site could occur as a result of the proposed mall, implementation of the mitigation hierarchy and strict adherence to measures set out below will assist in minimising the significance of impacts. Potential impacts to the wetland and the episodic stream include the following:

- ) Changes to runoff characteristics of the catchment of the watercourses leading to a cumulative increase in high energy runoff which may result in erosion and sedimentation;
- ) Disturbance of soil is likely to result in further densification of Alien Invasive species; and
- ) Unintended spills of sewage from new infrastructure will significantly affect water quality and consequent loss of aquatic habitat and ecological structure.

An extract from the Risk Matrix spreadsheet as promulgated in General Notice 509 (2016) is presented in Table 9. Risk scores for the construction and operational phases of the proposed establishment of the Vryburg Mall fall in the Low risk score. Table 10 below (see table below) presents a summary of the findings of this assessment'.

**Table 10: Summary findings relevant to Environmental Authorisation**

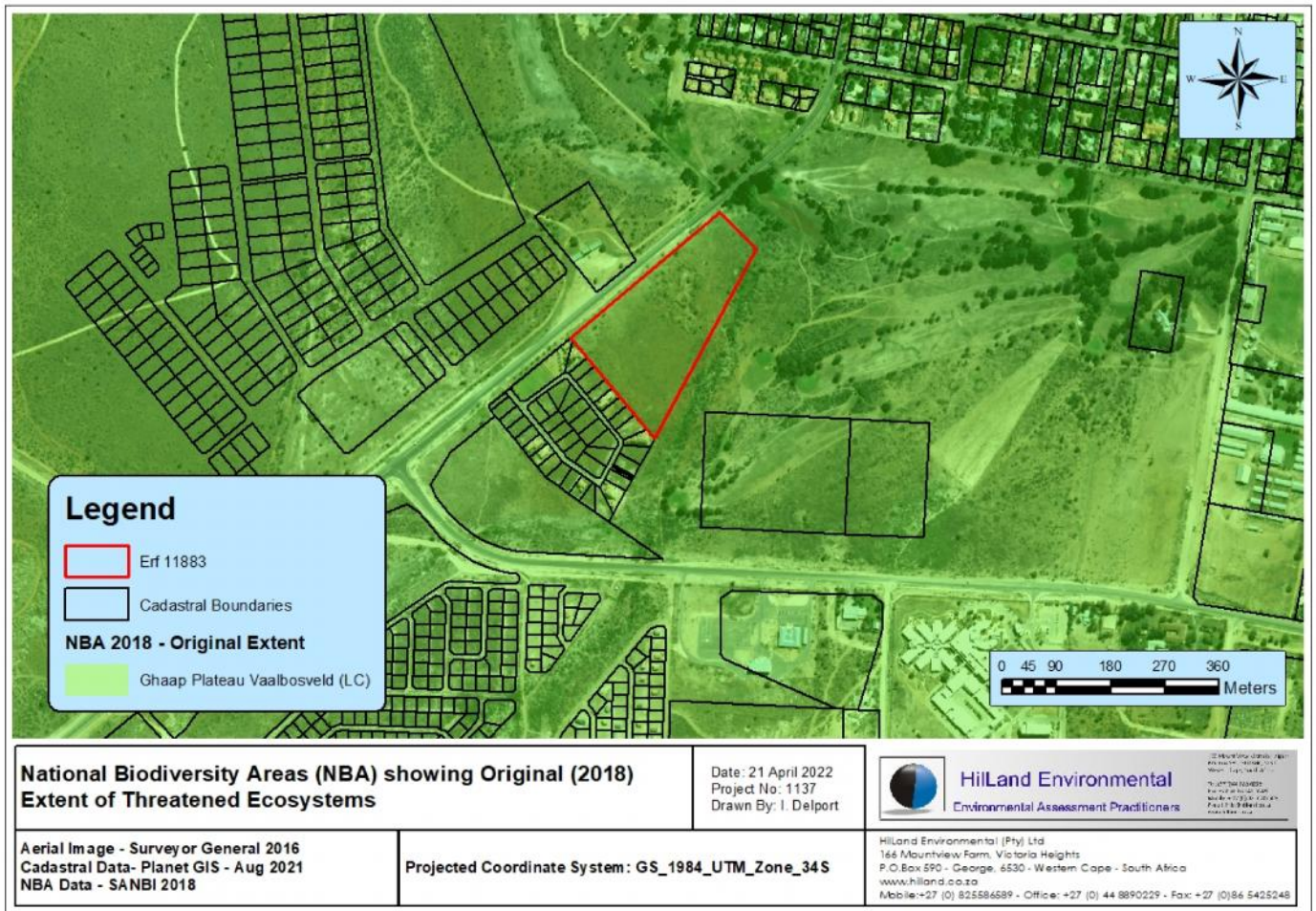
		Quaternary Catchment and WMA areas	
		A63C, #1, Limpopo	
Classification (SANBI, 2013)		Non-Perennial Episodic Streams south of the site	Unchannelled Valley Bottom north of the site (Vryburg River)
PES/EC Scores		QHI (Seaman <i>et al.</i> , 2010) VEGRAI (Kleynhans, 1999) (EC) - <b>D – Largely modified</b> . A large loss of natural habitat, biota and basic ecosystem functions has occurred	Present Ecological Status (PES) - <b>D - Largely modified</b> . A large change in ecosystem processes and loss of natural habitat and biota has occurred
WetEcoServices (Kotze <i>et al.</i> , 2020) –		<p>Generally Very Low. The highest score was for Cultivated Foods which scored Moderately Low</p>	<p>Generally Very Low. The highest score was for Cultivated Foods which scored Moderately Low. Sediment Trapping, Phosphate and Toxicant Assimilation scored Low</p>
REC (Rountree <i>et al.</i> , 2013)		D – The Ecological Category of the watercourses should be maintained	
Calculated Buffer Zone (Macfarlane <i>et al.</i> , 2015)	Operational Phase (Development footprint is precluded)	15m – falls outside the study site	15m – falls outside the study site
	Construction Phase (Should be viewed as an environmentally sensitive zone in which mitigation measures should be applied)	38m – falls outside the study site	32m – extends onto a small section of the northernmost section of the site
Extent of modification anticipated		This watercourse and its associated buffer zones lie outside the site boundaries. Changed runoff characteristics in its catchment may result in erosion. Similar to the wetland, alien invasive plants may proliferate unless they are managed, and spills of sewage will affect local and downstream water quality	A small section of the construction phase buffer zone of the Unchannelled Valley Bottom wetland falls within the study site. Changes to the runoff intensity on the site may impact the wetland by causing erosion and sedimentation. Further densification of alien invasive plants and reduced water quality resulting from sewage spills may occur

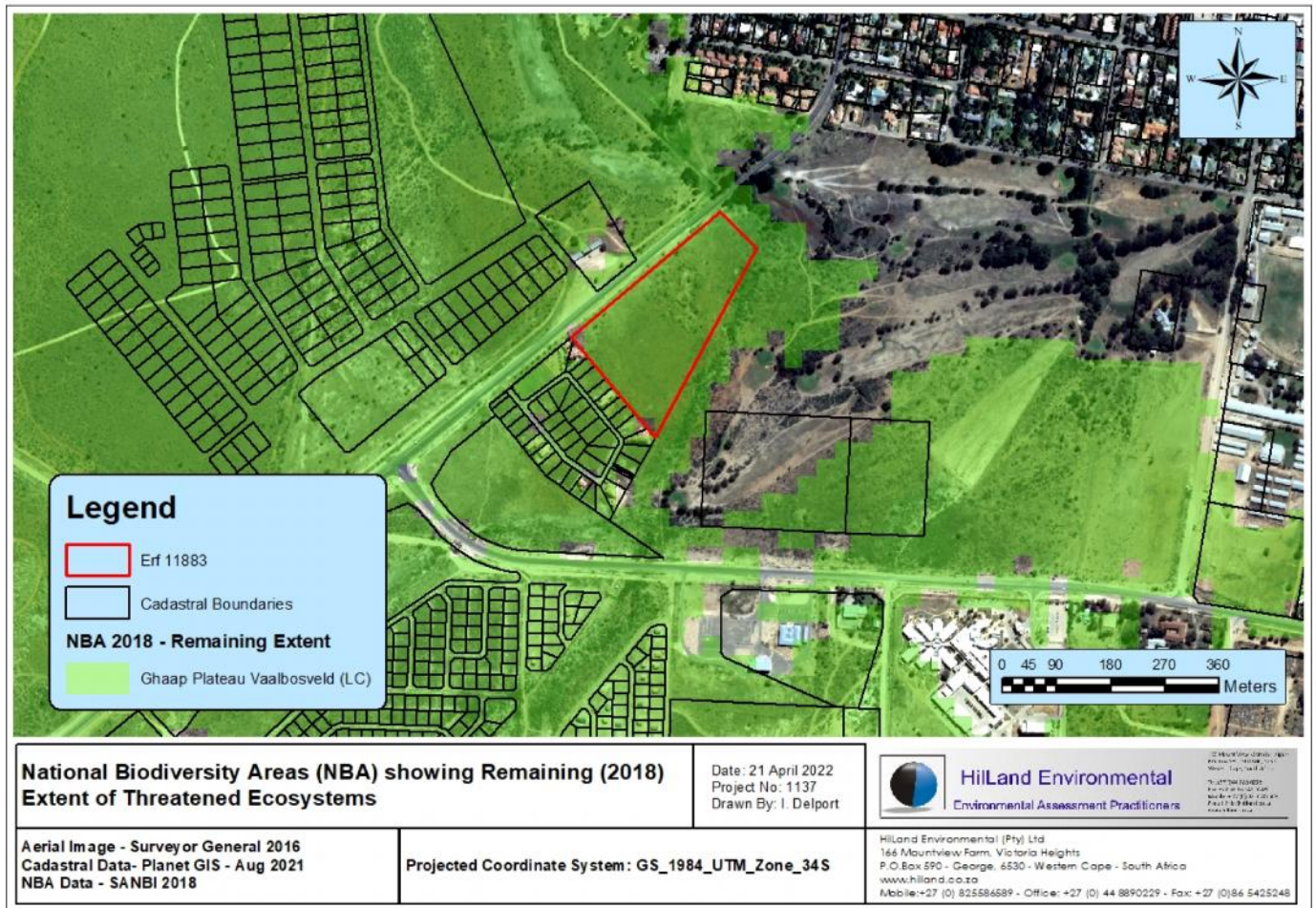
<b>Risk Assessment (GN 509)</b>	<p>The risk scores the construction and operational related impacts fall in the low category on condition that mitigation measures are effectively implemented. Particular care should be taken with the following:</p> <ul style="list-style-type: none"> <li>Implement Best Practice with regards to the design, placement and maintenance of sewage infrastructure;</li> <li>Implement an Alien Plant Control Plan;</li> <li>Implement Sustainable Urban Drainage;</li> </ul>
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Based on the risk assessment, a GA application has been submitted to the Department of Water and Sanitation (24 January 2022). The approval is pending.

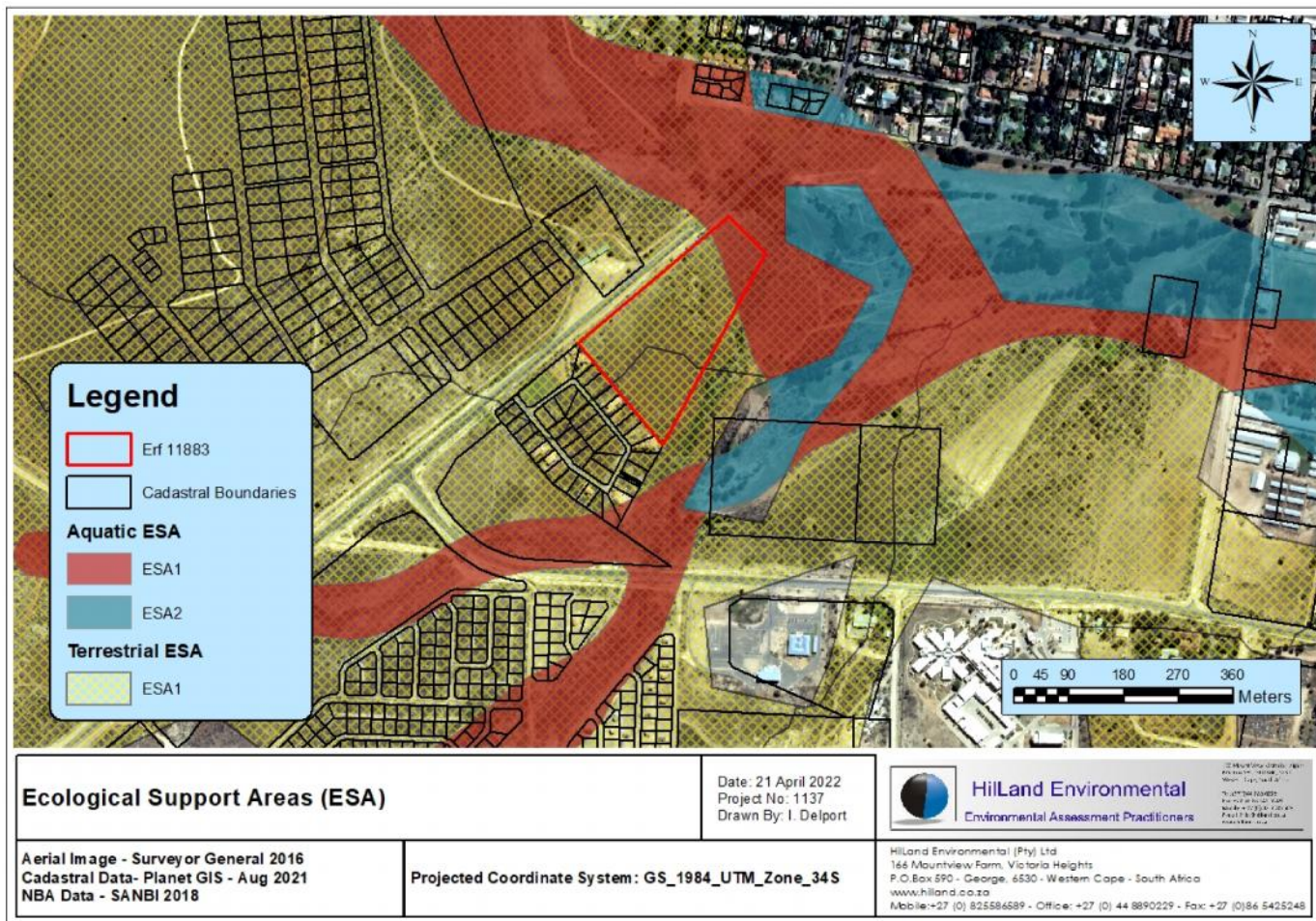
**6.3.2. TERRESTRIAL BIODIVERSITY, FAUNA AND FLORA**

In accordance with the National Biodiversity Areas (NBA) mapping showing the original and remaining extent of threatened ecosystems (based on 2018 data), the property forms part of least threatened Ghaap Plateau Vaalbosveld. The NBA data from 2011 and 2016 does not map the property as forming part of any endangered or critically endangered vegetation types.





In accordance with the North West Biodiversity Spatial Plan (NW BSP), the property forms part of an aquatic Ecological Support Area (ESA 1) north and terrestrial ESA (ESA 1). The ESA encompasses all non-developed areas in proximity to Vryburg which indicates that according to the conservation plan, the natural habitat on site and in surrounding areas is considered to be important for maintaining ecological processes.



**Site verification was undertaken by the specialist David Hoare and the following results were found (as extracted from the specialist assessment (Haore, 2021):**

“The habitat on site is in **various states of disturbance**. In the central part of the site is an area that was excavated, probably as a borrow pit (Figure 5 – see figure below). These areas are still highly disturbed and more than 2 m deep in places, surrounded by dumped rubble and mounds of material. Indigenous and exotic shrubs have invaded in places, but the area mostly has bare soil and weedy grasses.

There are areas in a band adjacent to the road that were probably disturbed during the process of constructing the road. They are now covered by a secondary vegetation cover that includes grass and weeds.



**Figure 5 as extracted from the specialist report indicating the excavated area in the centre of the property (Hoare, 2021)**

The valley in the bottom of the site is dominated by woody plants (Figure 6 – see figure below), including *Vachellia karroo*, *Ziziphus mucronata*, *Tarchonanthus camphoratus*, *Grewia flava*, and *Vachellia hebeclada*. The understorey in these areas is weedy and includes species such as *Glandularia aristigera*\*, *Chenopodium album*, *Flaveria bidentis*\*, and *Solanum sisymbriifolium*\*. There are a number of footpaths crossing this valley that appear to be used regularly.

There is a small area of grassland remaining on site that is in a natural state (Figure 7- see figure below). Dominant grasses in this area included *Themeda triandra*, *Setaria sphacelata*, *Heteropogon contortus*, *Fingerhuthia africana*, *Eragrostis superba*, and *Schmidtia pappophoroides*, along with a variety of herbaceous species, including *Indigofera daleoides*, *Rhynchosia sp.*, *Hibiscus trionum*, *Sida rhombifolia*, *Moraea sp.*, *Albuca sp.*, *Aptosimum procumbens*, *Melolobium sp.*, *Blepharis sp.*, *Heliotropium steudneri*, *Maclodium zeyheri*, *Helichrysum argyrosphaerum*, *Bulbine abyssinica*, *Aloe grandidentata*, *Felicia muricata*, *Trachyandra saltii*, *Asclepias melliodora*, *Chascanum hederaceum*, *Jamesbrittenia tysonii*, *Lippia scaberrima*, *Polygala hottentotta*, and *Thesium magalismontanum*.

**The species diversity on site is moderate. The indigenous species are mostly typical of grassland within Ghaap Plateau Vaalbosveld.**



**Figure 6 as extracted from the specialist assessment indicating the dense woodland in the valley bottom on the property (Hoare, 2021)**



**Figure 7 as extracted from the specialist assessment indicating the grassland present on site (Hoare, 2021)**

**Species of concern:**

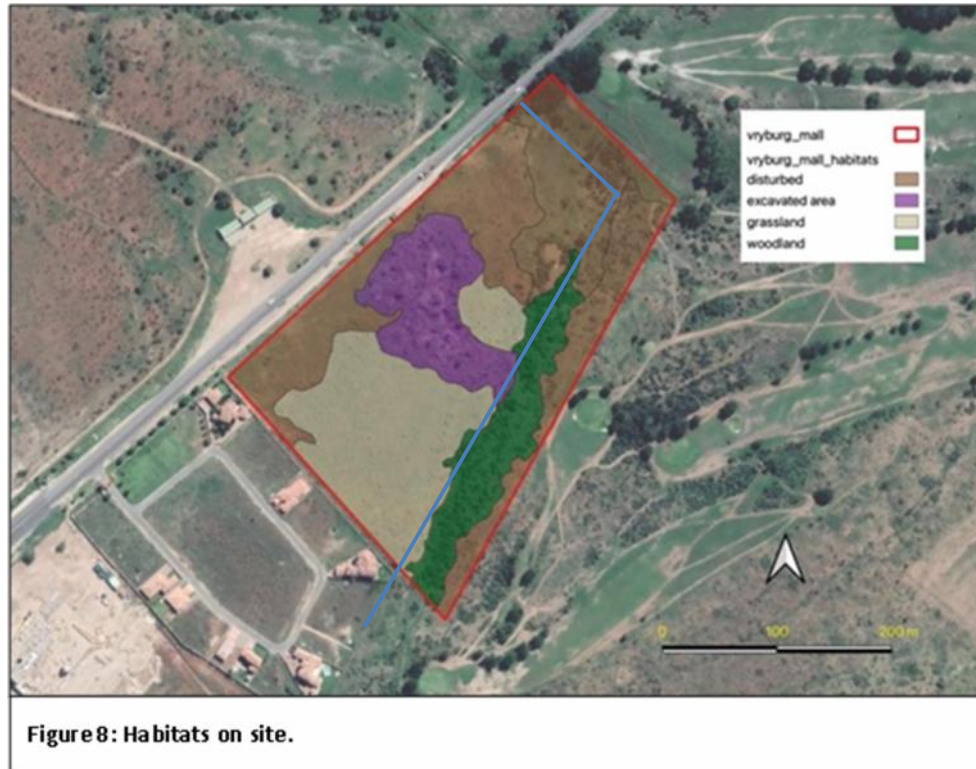
One plant species of concern was found on site, the Near Threatened *Drimia sanguinea*. This species is currently threatened by mass harvesting for the medicinal plant trade, where it is estimated that more than 400 000 bulbs are harvested annually, mostly in and around Gauteng. The small colony of bulbs seen on site (about 15 plants) is insignificant in comparison to this annually harvested number.

Three protected species (Cape Nature and Environmental Conservation Ordinance 19 of 1974) occur on site, namely *Moraea* species (all species of *Iridaceae* are protected), *Asclepias meliodora* (all species of *Apocynaceae* are protected), and *Aloe grandidentata* (All species of the genus *ALOE* except those

specified in Schedule 3 and the species *Aloe ferox* are protected). These species are widespread and not threatened.

**No protected tree species were found on site.**

The specialist provided the following map specifying the habitats present on site:



**Habitats present on site (Hoare, 2021) – note the incorrect cadastral information was used and resulted in survey outside of the property boundary. The blue lines indicate the approximate location of the correct cadastral boundary**

Based on the above findings the site is considered to potentially have an ecological value. The only remaining habitat that is in a natural state and that has a potential biodiversity value is the grassland. This area is however fragmented by the surrounding land uses and isolated from similar grassland areas in nearby sites.

**Dr Hoare (2021) concluded the following:**

“The following conclusions can be made with regards to the site:

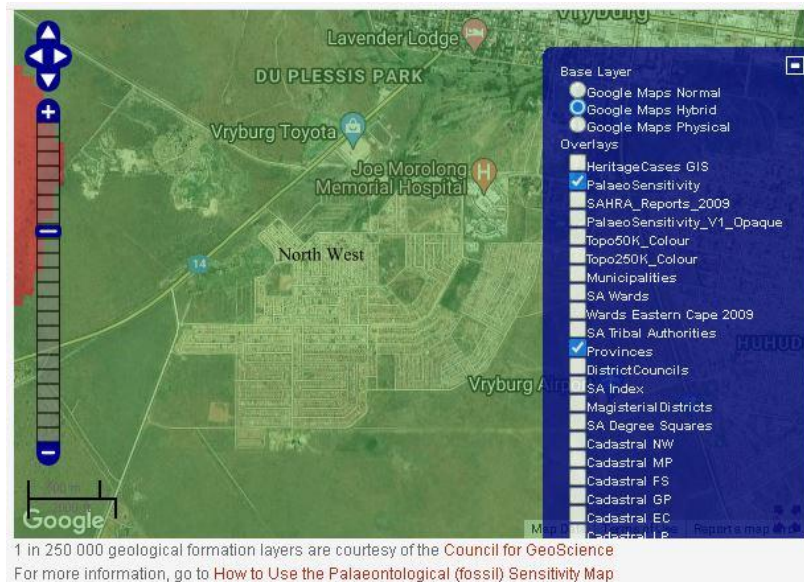
- ) There is **some** remaining original vegetation on site, including grassland and woodland.
- ) The remaining areas have **undergone disturbance and degradation.**
- ) There are **no threatened plant or animal species** that were found on site, **but one Near Threatened species was found on site, listed due to harvesting for the medicinal market.**
- ) Despite this occurrence, habitat on site is **not considered to be important for any threatened organisms.**
- ) The Site Sensitivity Verification indicates agreement with the sensitivity indicated in the Screening Tool in the sense that the site is within an Ecological Support Area (even though significant parts are not in an original state). However, the terrestrial habitat on site is **isolated** from other terrestrial habitats and consists of a relatively small fragment. It therefore has little ecological support value in a broader context. **Loss of the natural habitat on site is therefore unlikely to have any significant effect on the ecological support function of the broader landscape.**



- J) No specific measures are required to buffer sensitive features, to protect any habitat or species on site, or to retain any parts of the site in a natural state.
- J) A permit is required for destruction / removal / relocation of protected flora that occurs on site (*Drimia sanguinea*).

**6.3.3. HERITAGE RESOURCES AND HISTORICAL AND CULTURAL ASPECTS**

In accordance with the SAHRIS website, the site has been highlighted as falling within a ‘green’ category for paleontological resources.



**Extract from SAHRIS website highlighting the paleontological sensitivity**

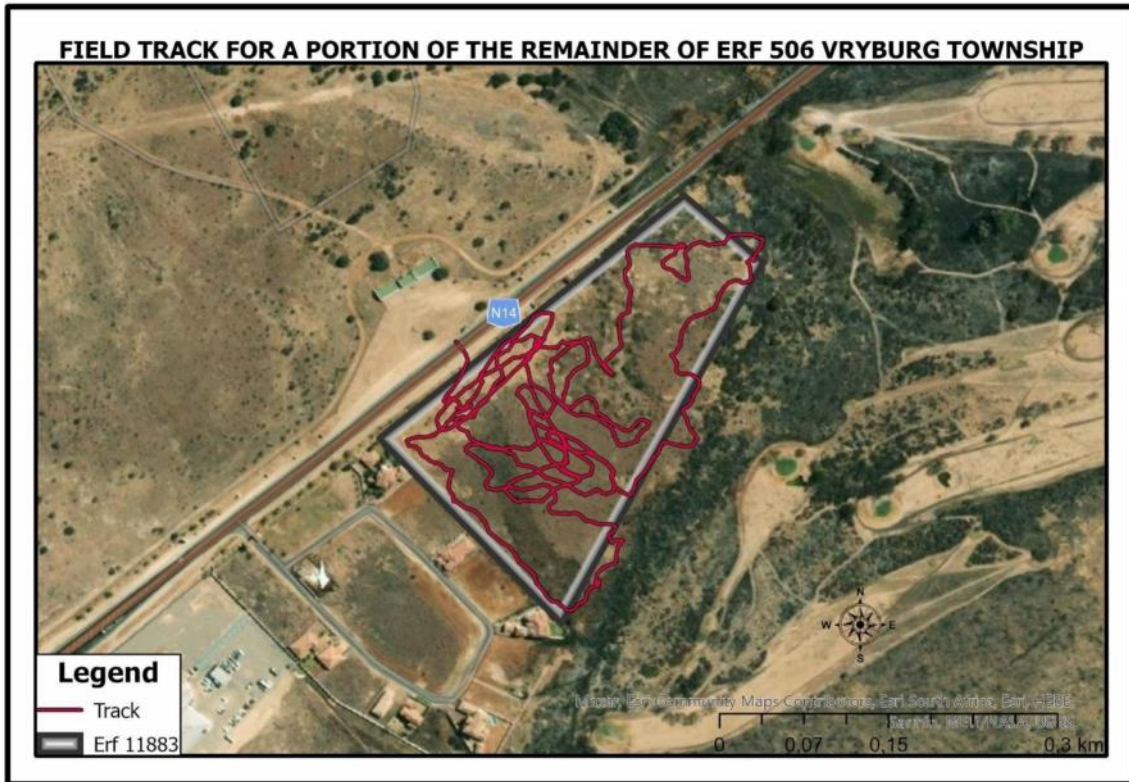
Colour	Sensitivity	Required Action
RED	VERY HIGH	field assessment and protocol for finds is required
ORANGE/YELLOW	HIGH	desktop study is required and based on the outcome of the desktop study, a field assessment is likely
GREEN	MODERATE	desktop study is required
BLUE	LOW	no palaeontological studies are required however a protocol for finds is required
GREY	INSIGNIFICANT/ZERO	no palaeontological studies are required
WHITE/CLEAR	UNKNOWN	these areas will require a minimum of a desktop study. As more information comes to light, SAHRA will continue to populate the map.

Based on the required action a desktop study is required and this was confirmed by SAHRA on the 9<sup>th</sup> of December 2021.

A desktop assessment was undertaken by Dr JF Durand (appendix E3) which formed part of the Draft BAR. The following conclusion was made in this assessment: *“The study area is underlain by rocks of the Vryburg Formation of the Griqualand West Supergroup and the Dwyka Group of the Karoo Supergroup. The rocks of both these geological units are considered to be of Moderate Palaeontological Sensitivity. The chances of finding fossils in these rocks are however **very poor and none have been reported from the study area**. In the unlikely event of fossils being at the study site during development, the ECO should follow the Chance Find Procedure. Although disturbed fossils should be collected and stored safely until it can be inspected by a palaeontologist, no attempt should be made to remove such accidentally discovered fossils from the rock by an unqualified person”* (Durant, 2021). Recommendations made by the specialist have been included in the EMPr.

The Draft BAR including the desktop palaeontological study was submitted to SAHRA for comment on the 14<sup>th</sup> of January 2022. Interim comments from SAHRA (case officer: Elijah Dumisani Katsetse, 16 February 2022) confirmed: *“the proposed development has the potential to impact negatively on heritage and/or cultural resources of the area. Therefore a heritage impact assessment must be conducted”*.

A Heritage Impact Assessment (HIA) was done by Vhubo Archaeo-Heritage Consultants (report date: February 2022). The desktop assessment indicated that the site has no potential to yield any archaeological site or isolated tools. The survey confirmed the desktop assessment. It was, therefore, confirmed that the proposal will result in diminutive threats to archaeological grave sites and heritage remains, with impacts ranging from low to very low.



**Field track of the assessment undertaken by the specialist (Vhubo Archaeo-Heritage Consultants, 2022)**

**Recommendations, discussion and conclusion made by the specialist:**

*“Recommendations are given from a heritage point of view with the consideration of the nature of the proposed project and the significance of the heritage resources in the vicinity of the proposed area. The following are the recommendations based on the above findings:*

- ❖ A Heritage Management Plan (HMP) must be developed to ensure the following:
  - ✓ Guide the developer and relevant stakeholders in addressing concerns related to the identified Bio-Museum; and
  - ✓ Develop a monitoring programme to facilitate effective implementation of the HMP.

*It is recommended that a Heritage Management Plan and Monitoring Plan be compiled before construction resumes. This plan must be compiled by a professional archaeologist and be tailored to ensure protection of the area of the Museum which is nearby the proposed development. The management plan must aim to conserve the site from any form of malfunctionality that may happen during construction, either be by accident or ill-informed. Furthermore, it must be designed to retain the significance of the Museum, and ensure that the enhancement, presentation and maintenance of the surrounding area of the Museum is*

*deliberately and thoughtfully designed to protect the heritage values of the place. Other sensitive issues that must be addressed in the HMP are the following:*

*Aspects related to dumping of construction material within the area zoned for a museum must be highlighted;*

*Parking of construction machinery/ and or vehicles of construction workforces during the period of construction; and*

*Labor-intensive workers should be notified about this museum, and its significance.*

## **Conclusions**

*A thorough background study and survey of the proposed development was conducted and findings were recorded in line with SAHRA guidelines. As per the recommendations above, there are **no major heritage reasons why the proposed development could not be allowed to proceed**. It is thus recommended that SAHRA approves the proposed development to proceed subject to the recommendations given above".*

Based on the recommendations made by the specialist a conservation management plan for heritage sites has been compiled and is included in the EMP for implementation. The HIA and HMP have been submitted to SAHRA for comment and approval on the 7<sup>th</sup> and 18<sup>th</sup> of March 2022. SAHRA confirmed in their final comments dated 21<sup>st</sup> of April 2022 that they do not object to the project.

## **7. SOCIO-ECONOMIC ASPECTS AND PLANNING CONTEXT**

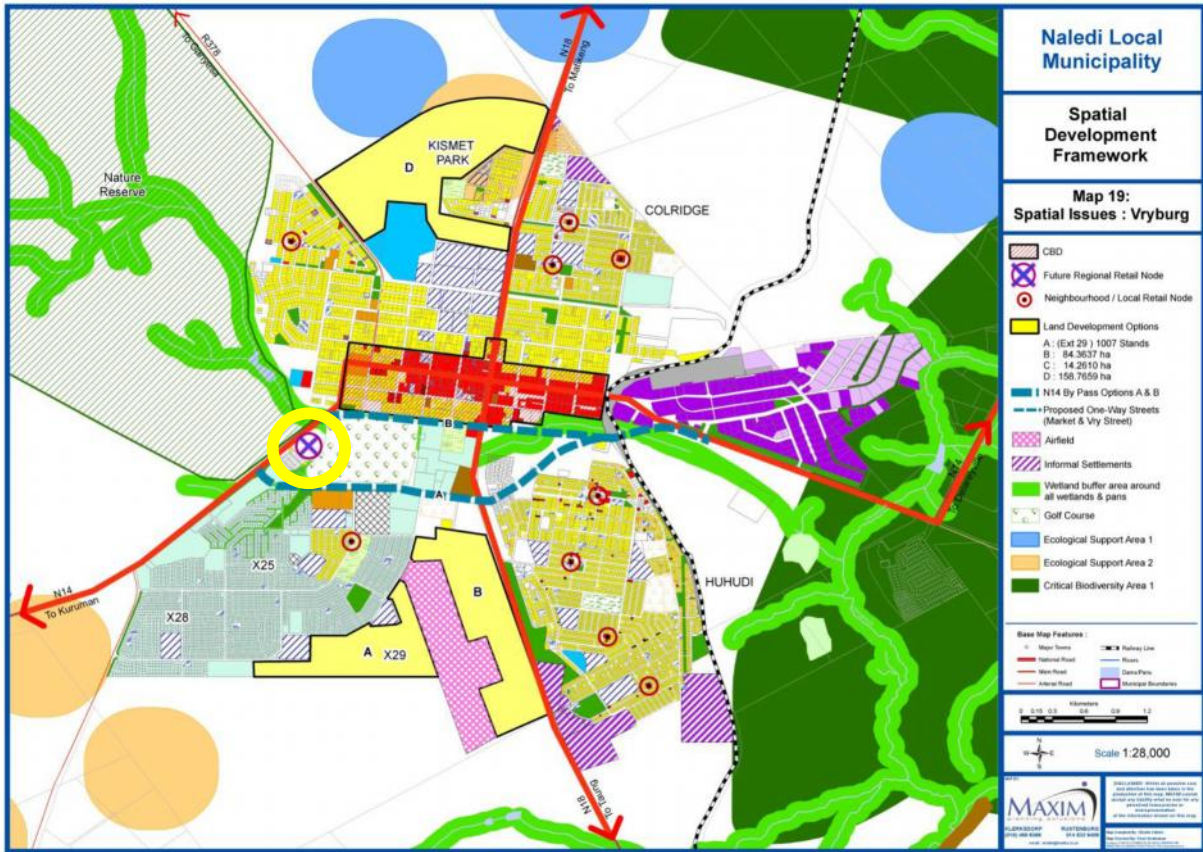
Erf 11883 is a business zone property that has been historically used for ad hoc mining activities (borrow pit) and approved for commercial development. The previous NEMA authorisation has however lapsed, and the property remained vacant and undeveloped.

In accordance with Naledi's Integrated Development Plan (IDP, 2017-2022), the property has been earmarked as a 'future regional retail node'. As extracted from the IDP:

*There are a number of existing retail nodes / centres within Vryburg town:*

- ) Brink Centrum - Cnr. De Kock and Stella Streets*
- ) New Centre Shopping Centre – Market Street – extending to the Midas complex*
- ) Vryburg Mall - Cnr. De Kock and Vry Streets*

The proposal is therefore in line with the IDP earmarking the area for the proposed use.



**Map extracted from the IDP highlighting the locality of the property by the yellow circle. The future regional node is highlighted by the purple cross**

The proposed development of a shopping centre will be located within the urban edge, in proximity to central Vryburg and on a property that is easily accessible from the N14. Surrounding land uses include semi-urban, recreational and industrial landscape, major roads, golf course and residential complexes. The proposed development will therefore be in line with the surrounding land uses. There are currently no shopping facilities within this area.

As per the IDP: “the focus must be on “people not places” while ensuring that Naledi plays its very specific role in the national efforts to create a developmental state which addresses the primary needs relating to education, healthcare, safety and poverty alleviation while creating opportunities for economic growth and job creation”.

The proposal will be in line with this focus as it will provide a service in accordance with the IDP as it will provide a shopping centre in line with the need and desirability of the community and it will provide a number of short- and long-term job opportunities. As stated in the IDP, Vryburg has a high unemployment status. The proposed development will relieve some of these numbers:

Employment Status	
Employment Status	Number of people
Employed	18201
Unemployed	6415
Discouraged work seeker	1780
Not economically active	16341
Not applicable	24040
Total	66781

Figure 12 represents the employment status against the total population

(Source: Census 2011 by Statistics South Africa)

Impact of the proposal in terms of people's health and well-being (e.g. in terms of noise, odours, visual character, and sense of place):

Potential impact	Applicability of the proposal
<b>Noise impact</b>	The proposal will result in short-term noise during the construction phase.
<b>Visual character and sense of place</b>	The construction of the shopping centre will be in line with the planned development of the area and is located within the urban edge. As such, it will be in line with the surrounding land uses. Visual mitigation measure will be implemented in the design of the centre.
<b>Health impact</b>	No negative health impacts will arise as a result of excising the proposal.
<b>Traffic impact</b>	The impact in terms of traffic have been assessed in the TIA and access approved by SANRAL.
<b>Air and water quality</b>	The proposal will have no impact on the air quality and no water resources will be impacted as confirmed by the specialist.
<b>Biodiversity impacts</b>	The site has been assessed in terms of terrestrial and aquatic biodiversity and confirmed that there are no adverse impacts.
<b>Heritage impacts</b>	The site has been assessed in terms of heritage impacts and confirmed that there will be no adverse impacts

The Local Authority supports and have confirmed that the property is still zoned and approved for the development of the Mall (see Appendix L2) and is supported in their local planning policies and guidelines. The Final SDP has been approved by Council and the next phase is building plan submission.

Naledi Municipal Manager (M.T. Segapo) provided a letter of support (08/02/2022). This has been included in the Public Participation Process Report (PPP).

## 8. NEED AND DESIRABILITY AND ALTERNATIVES ASSESSED

This section references the Department's guideline on the Need and Desirability (March 2013) and DEA's Integrated Environmental Management Guideline on Need and Desirability.

The property is zoned Business Zone I and is located within the urban edge of Vryburg. Historically the property has been approved for the development of the Vryburg Mall and subsequently has been earmarked for retail/commercial development in accordance with Naledi Municipal IDP. The proposal will therefore be in line with the current land use rights of the property.

The property is surrounded by compatible land uses which include residential, recreational, industrial etc. The development of the shopping centre will therefore add to the sense of place and existing land uses and provide a much-needed stimulus to the local economy.

The development was aimed at providing a centralised commercial centre easily accessible off the N14 and that would benefit the entire community. The proposal will result in a number of positive socio-economic impacts, and it was highlighted in the public participation period of the Draft BAR that the Mall is desired by the community. The only negative comments received were those from a competing commercial interest via Twin Cities' legal advisers. The local authority has however approved both development sites in terms of their IDP and the applicant for this application has no objection to the competition from the other facility.

During the initial feasibility investigations, the possibility of either residential or commercial developments were considered (BAR 2013). A residential development would provide additional housing for Vryburg. The site location is however specifically indicated in the IDP as a regional retail node and not for additional residential development. The shortage of centralised commercial areas prompted the decision to develop such a centre. This will also contribute to employment in town. The increase in commercial opportunity as well as the employment opportunity during construction and operation is both positive impacts of the type of activity

decided on. Negative impacts include the potential loss of housing and the increase in competition for local businesses.

As the mall was previously approved no alternatives are considered at this stage. No planning or other regulatory factors were brought up during the authority or public consultation phases that influenced the proposed development and use of the site as the commercial centre as identified in the IDP.

The layout of the mall considered various alternatives to maximise ease of entrance and exit. Due to the site bordering the Golf Course alternative entrances were limited. The proposed layout maximises retail space and parking as well as facilitating traffic flow. The positive impacts that came from this decision include maximum retail and parking space and easy traffic flow. The final internal layout and traffic flow will be included in the SDP as approved by the Local Authority in their planning process. In terms of the NEMA EA – the entire site will be transformed.

The potential for the use of alternative technologies during the construction of a mall is relatively limited due to current construction methods and safety regulations. The outfitting of the mall will incorporate energy saving technology such as Solar Panels for additional electricity generation, Energy Efficient Lighting, Energy Efficient Technology and water saving measures.

The non-development of the site will maintain the status quo of the site. The site is currently severely disturbed with exotic vegetation and areas of earthworks disturbance through ad hoc mining of gravels. The area is used for illegal dumping. The area will need to be rehabilitated to provide a functioning ecosystem. If left as is the amount of litter will increase which may lead to potential health and safety problems. The no-go alternative will mean that there will be no potential noise, traffic or visual impact due to the development. Negative impacts include increased littering, potential health and safety problems and the loss of economic activity and employment.

The following section highlights extracts from the guideline and how the proposal will be in line with these sections:

The strategic context for considering the need and desirability references the New Growth Path (NGP) (2010) which formulate the following principles:

- J “Just, ethical and sustainable. Recognise the aspirations of South Africa as a developing country and remain mindful of its unique history”  
**The proposal allows development in accordance with the land use rights, it will form part of the sense of place and the property is surrounded by compatible land uses.**
- J Global solidarity. Justly balance national interests with collective action in relation to environmental risks and existential threats.  
**The proposal is in line with the Spatial Planning for the area which has taken these interested into account through their IDP process.**
- J Ecosystems protection. Acknowledge that human wellbeing is dependent on the health of the planet.  
**The proposal has been assessed by specialists and human wellbeing as well as ecosystem protection has been confirmed by the various specialists. All potential negative impacts will be mitigated through the implementation of the EMPr.**
- J Full cost accounting. Internalise both environmental and social costs in planning and investment decisions, recognising that the need to secure environmental assets may be weighed against the social benefits accrued from their use.  
**As stated above, the proposal is in line with the land use rights and will have numerous positive socio-economic impacts. The impacts have been assessed by various specialists as such the proposal will result in a good balance between the social need and desirability and environmental impacts.**
- J Managed transition. Build on existing processes and capacities to enable society to change in a structured and phased manner.

**The property is surrounded by compatible land uses, is included in the IDP and services have been confirmed by the Municipality.**

The National Framework for Sustainable development (NFSD) (2008) that has been described in the guideline, highlights the need for the sustainable development. "Sustainability...implies ecological sustainability" – **the property and impacts associated with the proposal have been assessed by various specialists who have confirmed the suitability of the property for the proposal. Any potential impacts will be mitigated by the implementation of the EMPr.**

As highlighted by the guideline "in order to properly interpret the EIA Regulations' requirement to consider "need and desirability", it is necessary to turn to the principles contained in NEMA, which serve as a guide for the interpretation, administration and implementation of NEMA and the EIA Regulations". "In this regard the NEMA principles specifically inter alia require that environmental management must:

- J "place people and their needs at the forefront of its concern" and equitably serve their interests;
- J "be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option";
- J pursue environmental justice "so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person";
- J ensure that decisions take "into account the interests, needs and values of all interested and affected parties"; and
  - o ensure that the environment is "held in public trust for the people, the beneficial use of environmental resources must serve the public interest and the environment must be protected as the people's common heritage".

The questions to be considered when addressing the need and desirability of the project have, therefore, been dealt with;

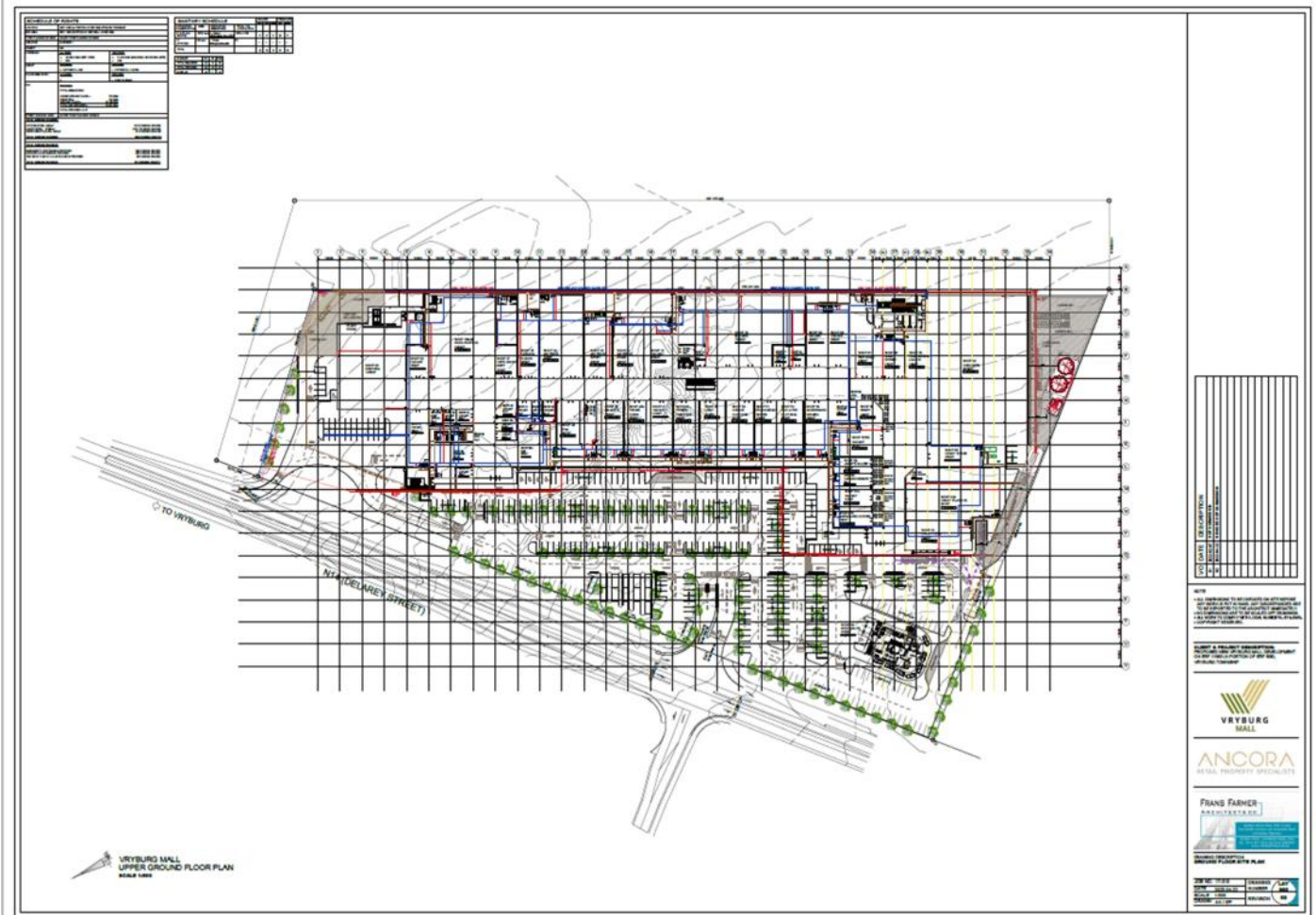
The following question is stipulated in the Guideline on Need and Desirability; "*Would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF as agreed to by the relevant authorities?*" - **the project is as defined in the IDP.**

NEMA also links the desirability of development to the concept of 'best practicable environmental option' which refers to the option that provides the most benefit and causes the least damage to the environment, at a cost acceptable to society in the long term as well as the short term. - **The proposal is in line with these requirements.**

## **8.1. PREFERRED ALTERNATIVE**

The development was aimed at providing a centralised commercial centre that will benefit the entire community and also provide easy access to the property. The proposed property not only provides the space required but also easy access from the N14 as well as Huhudi and Vryburg. The proposed site will also reduce possible congestion in the central town area. The property has also been severely disturbed and does not constitute a pristine environment. It is in line with the IDP and SDF of the local authority.

Various internal layout alternatives have been considered in the various planning iterations over time. These have been commented on by the Local Authority in order to comply with their regulatory planning framework and the final SDP included in this report includes all the aspects that the local authority requested for approval purposes. Final approval is imminent.



**8.2. NO-GO ALTERNATIVE**

The non-development of the site will maintain the status quo of the site. The site is currently severely disturbed with exotic vegetation and large areas of earthworks disturbance through ad hoc gravel mining borrow pits. The area is used for illegal dumping. The area will need to be rehabilitated to provide a functioning ecosystem. If left as is the amount of litter will increase which may lead to potential health and safety problems.

Positive Impacts:

- ) No potential noise, traffic and visual impact due to the development.

Negative Impact

- ) Increased littering
- ) Potential Health and Safety problems
- ) Loss of economic activity and employment.

**8.3. TECHNOLOGY ALTERNATIVES**

The potential for the use of alternative technologies during the construction of a mall is relatively limited due to current construction methods and safety regulations. The outfitting of the mall will incorporate energy saving technology such as Solar Panels for additional electricity generation, Energy Efficient Lighting, Energy Efficient Technology and Water Saving Measures.

Positive Impacts

- ) Energy & Water saving



Negative Impact

None

**8.4. DESIGN AND LAYOUT ALTERNATIVES**

The layout of the mall considered various alternatives to maximise ease of entrance and exit. Due to the site bordering the Golf Course alternative entrances were limited. The proposed layout maximises retail space and parking as well as facilitating traffic flow and complies with the requirements that the Local authority have specified in their planning approval process.

Positive Impacts

- Easy traffic flow
- Maximise retail and parking space

Negative Impact

None

**8.5. LOCATION ALTERNATIVES**

**There are no site alternatives** considered for this proposed project since the developers own the land and it has planning approval in place, is consistent with the SDF and IDP and was previously environmentally authorised in terms of NEMA for this purpose. The development was aimed at providing a centralised commercial centre that will benefit the entire community and also provide easy access to the property. The proposed property not only provided the space required but also easy access from the N14 as well as Huhudi and Vryburg. The proposed site will also reduce possible congestion in the central town area. The property has also been severely disturbed and does not constitute a pristine environment.

Positive Impacts

- Easy Access
- Disturbed Site
- Available Land
- As indicated in the SDF and IDP

Negative Impact

Far from Colridge

**8.6. ACTIVITY ALTERNATIVE**

During the initial feasibility investigations, the possibility of either residential or commercial were considered. A residential development would provide additional housing for Vryburg. The site location is however located adjacent to an existing residential development and is specifically indicated in the IDP and SDF for a regional retail node. The shortage of centralised commercial areas prompted the decision to develop such a centre. The NEMA listed activity entails the clearance of indigenous vegetation which will be the same irrespective of if the property is developed.

Positive Impacts

- Employment opportunity during construction and operation
- Increase in commercial opportunities
- In line with the IDP and SDF

Negative Impact

- ) Increase in Competition for local business

**9. IMPACT AND RISK FOR EACH ALTERNATIVE****9.1. METHODOLOGY TO DETERMINE THE SIGNIFICANCE RATINGS OF THE POTENTIAL ENVIRONMENTAL IMPACTS AND RISKS ASSOCIATED WITH THE ALTERNATIVES**

Seven rating scales will be considered when assessing potential impacts. These include:

- ) extent;
- ) duration;
- ) intensity;
- ) status of impact;
- ) probability;
- ) degree of confidence; and
- ) significance.

In assigning significance ratings to potential impacts before and after mitigation the following approach presented below is to be adhered to:

1. The core criteria for determining significance ratings are "extent", "duration" and "intensity". The preliminary significance ratings for combinations of these three criteria are given.
2. The status of an impact is used to describe whether the impact will have a negative, positive or neutral effect on the surrounding environment. An impact may therefore be negative, positive (or referred to as a benefit) or neutral.
3. Describe the impact in terms of the probability of the impact occurring and the degree of confidence in the impact predictions, based on the availability of information and knowledge.
4. Additional criteria to be considered, which could "increase" the significance rating if deemed justified, with motivation, are the following:
  - ) Permanent / irreversible impacts (as distinct from long-term, reversible impacts);
  - ) Potentially substantial cumulative effects; and
  - ) High level of risk or uncertainty, with potentially substantial negative consequences.
5. Additional criteria to be considered, which could "decrease" the significance rating if justified, with motivation, is the following:
  - ) Improbable impact, where confidence level in prediction is high.
6. When assigning significance ratings to impacts after mitigation:
  - ) First, consider probable changes in intensity, extent and duration of the impact after mitigation, assuming effective implementation of mitigation measures, leading to a revised significance rating; and
  - ) Then moderate the significance rating after taking into account the likelihood of proposed mitigation measures being effectively implemented. Consider:
    - o Any potentially significant risks or uncertainties associated with the effectiveness of mitigation measures;
    - o The technical and financial ability of the proponent to implement the measure; and

- o The commitment of the proponent to implementing the measure, or guarantee over time that the measures would be implemented.
7. The cumulative impacts of a project should also be considered. "Cumulative impacts" refer to the impact of an activity that may become significant when added to the existing activities currently taking place within the surrounding environment.
  8. Where applicable, assess the degree to which an impact may cause irreplaceable loss of a resource. A resource assists in the functioning of human or natural systems, i.e. specific vegetation, minerals, water, agricultural land, etc.

**A. Significance**

The significance ratings are based on largely objective criteria and inform decision-making at a project level as opposed to a local community level. In some instances, therefore, whilst the significance rating of potential impacts might be "low" or "very low", the importance of these impacts to local communities or individuals might be extremely high. The importance which I&APs attach to impacts must be taken into consideration, and recommendations should be made as to ways of avoiding or minimising these negative impacts through project design, selection of appropriate alternatives and / or management.

The relationship between the significance ratings after mitigation and decision-making can be broadly defined as follows (see overleaf): substance

Significance rating	Effect on decision-making
VERY LOW; LOW	Will not have an influence on the decision to proceed with the proposed project, provided that recommended measures to mitigate negative impacts are implemented.
MEDIUM	Should influence the decision to proceed with the proposed project, provided that recommended measures to mitigate negative impacts are implemented.
HIGH; VERY HIGH	Would strongly influence the decision to proceed with the proposed project.

**B. Extent**

"Extent" defines the physical extent or spatial scale of the impact.

Rating	Description
LOCAL	Extending only as far as the activity, limited to the site and its immediate surroundings. Specialist studies to specify extent.
REGIONAL	Vryburg Area. Specialist studies to specify extent.
NATIONAL	South Africa
INTERNATIONAL	

**C. Duration**

"Duration" gives an indication of how long the impact would occur.

Rating	Description
SHORT TERM	0 - 5 years
MEDIUM TERM	5 - 15 years
LONG TERM	Where the impact will cease after the operational life of the activity, either because of natural processes or by human intervention.
PERMANENT	Where mitigation either by natural processes or by human intervention will not occur in such a way or in such time span that the impact can be considered transient.

### D. Intensity

“Intensity” establishes whether the impact would be destructive or benign.

Rating	Description
ZERO TO VERY LOW	Where the impact affects the environment in such a way that natural, cultural and social functions and processes are not affected.
LOW	Where the impact affects the environment in such a way that natural, cultural and social functions and processes continue, albeit in a slightly modified way.
MEDIUM	Where the affected environment is altered, but natural, cultural and social functions and processes continue, albeit in a modified way.
HIGH	Where natural, cultural and social functions or processes are altered to the extent that it will temporarily or permanently cease.

### E. Loss of resources

“Loss of resource” refers to the degree to which a resource is permanently affected by the activity, i.e. the degree to which a resource is irreplaceable.

Rating	Description
LOW	Where the activity results in a loss of a particular resource but where the natural, cultural and social functions and processes are not affected.
MEDIUM	Where the loss of a resource occurs, but natural, cultural and social functions and processes continue, albeit in a modified way.
HIGH	Where the activity results in an irreplaceable loss of a resource.

### F. Status of impact

The status of an impact is used to describe whether the impact would have a negative, positive or zero effect on the affected environment. An impact may therefore be negative, positive (or referred to as a benefit) or neutral.

Rating	Description
Positive	A benefit to the receiving environment
Neutral	No cost or benefit to the receiving environment
Negative	A cost to the receiving environment

### G. Probability

“Probability” describes the likelihood of the impact occurring.

Rating	Description
None	No impact
IMPROBABLE	Possibility of the impact materialising is negligible; Chance of occurrence <10%.
PROBABLE	Possibility that the impact will materialise is likely; Chance of occurrence 10 – 49.9%.
HIGHLY PROBABLE	It is expected that the impact will occur; Chance of occurrence 50 – 90%.
DEFINITE	Impact will occur regardless of any prevention measures; Chance of occurrence >90%.

### H. Degree of confidence

This indicates the degree of confidence in the impact predictions, based on the availability of information and knowledge.

Rating	Description
HIGH	Greater than 70% sure of impact prediction.
MEDIUM	Between 35% and 70% sure of impact prediction.
LOW	Less than 35% sure of impact prediction.

### I. Significance

“Significance” attempts to evaluate the importance of a particular impact, and in doing so incorporates the above three scales (i.e. extent, duration and intensity).

Impact	Rating	Description
Positive	HIGH	Of the highest positive order possible within the bounds of impacts that could occur.
	MEDIUM	Impact is real, but not substantial in relation to other impacts that might take effect within the bounds of those that could occur. Other means of achieving this benefit are approximately equal in time, cost and effort.
	LOW	Impacts is of a low order and therefore likely to have a limited effect. Alternative means of achieving this benefit are likely to be easier, cheaper, more effective and less time-consuming.
No Impact	NO IMPACT	Zero impact
Negative	LOW	Impact is of a low order and therefore likely to have little real effect. In the case of adverse impacts, mitigation is either easily achieved or little will be required, or both. Social, cultural, and economic activities of communities can continue unchanged.
	MEDIUM	Impact is real, but not substantial in relation to other impacts that might take effect within the bounds of those that could occur. In the case of adverse impacts, mitigation is both feasible and fairly possible. Social cultural and economic activities of communities are changed but can be continued (albeit in a different form). Modification of the project design or alternative action may be required.
	HIGH	Of the highest order possible within the bounds of impacts that could occur. In the case of adverse impacts, there is no possible mitigation that could offset the impact, or mitigation is difficult, expensive, time-consuming or a combination of these. Social, cultural and economic activities of communities are disrupted to such an extent that these come to a halt.

### J. Degree to which impact can be mitigated

This indicates the degree to which an impact can be reduced / enhanced.

Rating	Description
NONE	No change in impact after mitigation.
VERY LOW	Where the significance rating stays the same, but where mitigation will reduce the intensity of the impact.
LOW	Where the significance rating drops by one level, after mitigation.
MEDIUM	Where the significance rating drops by two to three levels, after mitigation.
HIGH	Where the significance rating drops by more than three levels, after mitigation.

### K. Reversibility of an impact

This refers to the degree to which an impact can be reversed.

Rating	Description
IRREVERSIBLE	Where the impact is permanent.
PARTIALLY REVERSIBLE	Where the impact can be partially reversed.
FULLY REVERSIBLE	Where the impact can be completely reversed.

Determination and ranking of potential impacts is based on years of experience working on similar developments across the same area as well as applying sound environmental knowledge informed by available information on site, vegetation, development type, current condition and other relevant factors that could/ will influence such a development.

### L. Spatial scale of impacts

Rating	Description
None	No impact
Low	Site Specific; Occurs within the site boundary.
Medium	Local; Extends beyond the site boundary; Affects the immediate surrounding environment (i.e. up to 5 km from Project Site boundary).
High	Regional; Extends far beyond the site boundary; Widespread effect (i.e. 5 km and more from Project Site boundary).
Very High	National and/or international; Extends far beyond the site boundary; Widespread effect.

### M. Temporal scale of impacts

Rating	Description
None	No impact
Low	Short term; Quickly reversible; 0 – 5 years.
Medium	Medium term; Reversible over time; 5 – 15 years.
High	Long term; Approximate lifespan of the project: 16 -30 years.
Very High	Permanent; over 30 years and resulting in a permanent and lasting change that will remain.

### N. Severity of impacts

Rating	Description
None	No impact
Negligible / Minor	The system(s) or party (ies) is marginally affected by the proposed development
Average	Medium or short term impacts on the affected system(s) or party (ies). Mitigation is very easy, cheap, less time consuming or not necessary. For example, a temporary fluctuation in the water table due to water abstraction.
Severe	Medium to long term impacts on the affected system(s) or party (ies) that could be mitigated. For example constructing a narrow road through vegetation with a high conservation value.
Very Severe	An irreversible and permanent change to the affected system(s) or party (ies) which cannot be mitigated. For example, the permanent change to topography resulting from a quarry.

## 9.2. IMPACTS IDENTIFIED

This section deals with the environmental impacts that were identified and assessed:

### 9.2.1. DIRECT IMPACTS

#### Planning Phase

- o It is not foreseen that any environmental impacts will be generated during this phase of the proposed project as the development has previously been considered and approved.

#### Construction Phase

#### Water Related Impacts

- o Possible water pollution due to machinery/heavy vehicles – hydrocarbons may enter the water system of the area if they are not maintained to standard.

#### **Significance Rating: Low**

#### Mitigation:

- o All machinery to be kept in a good working order
- o All hydrocarbons to be stored in bunded areas
- o No washing of vehicles to occur on site

- *Temporary ablation facilities to be provided on site*
- *EMPr to include all required containment measures*
- *Implementation of specialist recommendations.*

### **Faunal Related Impacts**

- The natural migration patterns of fauna may be affected by the construction activities. The site is located next to the main road towards Kuruman which has already lead to the disturbance of migration patterns. Movement within the golf course and riparian corridor on the properties surrounding the site will continue unaffected.

### **Significance Rating: Low**

#### *Mitigation:*

- *NO Specific Mitigation Possible*
- *Species on site will be disturbed. The site has been previously disturbed. Due to the location of the road and surrounding development few species are expected on the site.*
- *EMPr will ensure that no impact to surrounding properties takes place.*
- *No animals to be killed on site. Animals located on site to be moved to either adjacent golf course or nature reserve*

### **Floristic Related Impacts**

- The footprint of the mall will lead to habitat loss and degradation of the natural vegetation populations/ecosystems. The site is a mixture of natural veld and pioneer and invader species due to previous disturbance. Permit will be required to rescue and transplant protected species (see specialist report).

### **Significance Rating: Low**

#### *Mitigation:*

- *EMPR to include plant rescue and prevent any disturbance outside the site*
- *EMPR to include the permit requirements for species*
- *Inclusion of specialist recommendations*

### **Avifaunal related impacts**

- The construction of the mall may generate the following impacts on the avifauna:
  - *Habitat degradation/destruction: as construction activities commence the natural breeding grounds for these bird species are lost, as vegetation is cleared and ground levelled.*
  - *Surrounding areas of open space will become increasingly important in terms of habitat availability.*

### **Significance Rating: Low**

#### *Mitigation:*

- *NO Specific Mitigation Possible*
- *Disturbances: the construction activities will cause a disturbance in the breeding patterns of birds that will be forced to move to alternative adjacent habitats (golf course and surrounding open space)*

### **Soil related impacts**

- *Potential soil compaction and disturbance may lead to soil erosion.*
- *Earthworks to lead to loss of topsoil*
- *Potential contamination of soil*

### **Significance Rating: Low**

**Mitigation:**

- o EMPr to include erosion control measures during construction.
- o The whole site is going to be subject to a cut and fill operation and earthworks.
- o Topsoil should be stockpiled for use in the landscaping
- o Construction vehicles only allowed in designated construction areas
- o Soil contamination due to poor hydrocarbon management – EMPr to include suitable prevention and clean-up measures.
- o All machinery to be kept in a good working order
- o All hydrocarbons to be stored in bunded areas
- o No washing of vehicles to occur on site
- o Temporary ablution facilities to be provided on site

**Potential Visual Impacts**

- o Aesthetics of the area will change to accommodate the new development.

**Significance Rating: Low****Mitigation:**

- o The area surrounding the mall will be appropriately landscaped
- o No trees on areas surrounding the mall will be removed.
- o The Local Authority to approve the architectural designs

**Heritage related impacts**

- o Chance find procedure to be put in place.

**Significance Rating: Low****Mitigation:**

- o EMPr to include general heritage resource measures in the event of any heritage resources discovered during the bulk earthworks.
- o HMP to be implemented

**Potential Social and Nuisance Related Impacts**

- o During the construction phase it is projected that the following impacts may be generated by the proposed project:
  - o Criminal activities may change during the construction phase.
  - o Traffic congestion during construction on the access road.
  - o Construction phase noise
  - o Dust during construction

**Significance Rating: Low****Mitigation:**

- o 24 hour security will be on site during construction
- o Access control will be monitored on site
- o Road access design and will minimise traffic congestion
- o Standard SANRAL requirements for road safety during construction to be adhered to
- o Water and energy saving measure will reduce resource usage.
- o It is projected that the both noise & vibration will be generated during the construction of the proposed substation. During the construction phase of this project heavy machinery will be introduced onto site – it is expected that these will raise the ambient noise levels (but not by an extensive amount).
- o Construction activities to be limited to working hours.
- o All vehicles to be kept in a good working order.
- o During the construction phase, heavy vehicles will be accessing the site frequently – this will raise the safety hazards for pedestrians & existing traffic.
- o Clear Signage to be posted around the construction area



- Traffic controllers to be on duty during peak construction periods as required
- Traffic disruptions are also expected to occur during this phase as several heavy vehicles will be introduced into the main traffic stream.
- Clear Signage to be posted around the construction area
- Regular wetting of open surfaces will occur to prevent dust
- Construction vehicles transporting materials to and from the site will potentially cause an additional noise burden to adjacent residents. This is not foreseen to impact largely on the surrounding community as work will take place during the day and the area is already characterised by busy road networks.

### **9.2.2. POSITIVE IMPACTS**

- Significant construction employment opportunities will be generated during the construction phase
- Significant long term employment opportunities will be generated within the Mall.
- All Local noise bylaws to be adhered to.

### **9.2.3. INDIRECT IMPACTS**

#### **Economic Impact**

- The proposed development may impact on other shops in town but has been taken into account in the growth and planning and approval conditions from the local authority.

#### **Significance Rating: Low**

#### *Mitigation:*

- NO Specific Mitigation

### **9.2.4. CUMULATIVE IMPACTS**

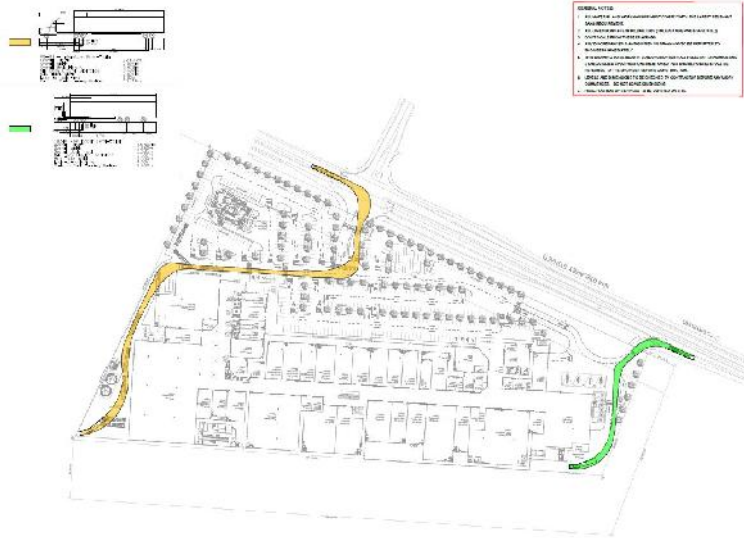
#### **Traffic Impact**

- The proposed development may add to general traffic congestion, but this has been considered in the planning approval and engineering requirements.

#### **Significance Rating: Low**

#### *Mitigation:*

- Entrance and exit design will facilitate traffic flow.
- Traffic flow for deliveries during operation are included in the design.



## 10 MANAGEMENT OUTCOMES AND OBJECTIVES

**The following objectives were identified:**

### **Objective 1: Prevention of soil erosion**

#### **Impacts to avoid:**

- J Unnecessary loss of topsoil – the whole site is to be disturbed and as such all topsoil is a valuable resource
- J Prevent any movement of silt towards the riparian areas and wetlands – retain movement of soil and erosion to the site
- J Disturbance of vegetation – the whole site is to be disturbed and as such plant rescue is to take place prior to earthworks commencing
- J Loss of soil on disturbed areas – erosion during construction and earthworks

#### **Management actions:**

- J Plant rescue to an on or off-site nursery prior to earthworks commencing (all bulbs and any other material that the landscaper / horticulturalist deems is suitable for reuse).
- J Vegetation clearance must be limited to the areas where bulk earthworks is taking place to avoid unnecessary exposure of areas to erosion (restricted to development footprint)
- J Topsoil recovered and stockpiled for use in the landscaping phase.
- J Areas susceptible to erosion must be protected and erosion mitigation measures must be implemented
- J Silt screens are to be installed around the entire working area and specifically at the low points where water will move during rain events.
- J Detention and retention facilities are to be monitored for silt movement and if necessary emptied to ensure that they continue to operate efficiently during the construction phase.
- J Infiltration is to be encouraged wherever possible to avoid concentrated runoff.
- J Rehabilitation / landscaping must be done following construction and to the satisfaction of the ECO to ensure that all areas are stable and vegetated.
- J Monitoring by contractor and ECO and DEO

#### **Management Outcome:**

- J Topsoil retained for reuse
- J Vegetation rescued for reuse

- ) Soil erosion will be kept to a minimum
- ) Silt trapping to prevent the movement of any silt off site
- ) Maintenance during the construction and operational phase will ensure that erosion does not become a problem and that no sediment is transported into the surrounding riparian and wetland systems.

## **Objective 2: Prevention of pollution**

### **Impacts to avoid:**

- ) Potential leaks from vehicles/construction machinery
- ) Spillages of hazardous substances
- ) Leakage of chemical ablution facilities
- ) Contamination run-off from the construction site
- ) Waste, such as construction materials etc., which may be blown / washed away into the surrounding environment

### **Management actions:**

- ) Vehicles and machinery must be well-maintained
- ) Drip-trays must be used for vehicles / machinery
- ) Ablution facilities must be well-maintained and regularly emptied
- ) Any spill to be treated immediately through "Spill Tech " or similar application
- ) Litter control essential throughout construction and operational phases
- ) Cement / concrete must be mixed on an impermeable surface or concrete batching areas must have surrounding bunding to prevent the movement out of the area of spillage.
- ) All cementitious waste is to be collected in a bunded area and removed to an appropriate approved disposal site on completion
- ) Management must be sound
- ) Monitoring by contractor and ECO and DEO

### **Management Outcome:**

- ) No contamination of the environment

## **Objective 3: Management of Construction phase disturbances such as noise, minor traffic congestion and dust**

### **Impacts to avoid:**

- ) Unnecessary elevated noise including control during any blasting and crushing
- ) Unnecessary disruption to the traffic
- ) Increase in dust generated from the construction activities

### **Management actions:**

- ) Construction activities should be restricted to normal working hours
- ) Installation of adequate signage
- ) Use of noise attenuation where possible for blasting and crushing of material on site
- ) Implementation of dust mitigation measures which can include spraying of bare areas with water or other similar practices to reduce dust
- ) Use of traffic flagmen and necessary traffic accommodation while working on the access roads to reduce obstructions and delays and ensure safety
- ) Monitoring by contractor and ECO and DEO

**Management Outcome:**

- J Limited noise, dust and traffic impacts during the construction phase

**Objective 4: Prevention of impact offsite on fauna and flora****Impacts to avoid:**

- J Disturbance to vegetation outside the working area.
- J Loss or harm to fauna inside or outside the working area

**Management actions:**

- J Clear demarcation of working areas and site boundary and STRICT NO-GO policy in all surrounding areas;
- J Transplanting of any trees and/or vegetation to be done by a specialist (in the rescue phase on site indicated above);
- J Inspection of the site, excavations, trenches etc for any incidental animals that may become trapped and careful removal and release of such into the surrounding natural areas.
- J Monitoring by contractor and ECO and DEO

**Management Outcome:**

- J No unnecessary damage / loss of indigenous vegetation or fauna around or on the site

**Objective 5: Prevention of loss of cultural or heritage resources****Impacts to avoid:**

- J Loss of or damage to Palaeontological resources
- J Loss of or damage to archaeological /heritage resources

**Management actions:**

- J General heritage resource measures in the event of any heritage resources discovered during the bulk earthworks.
- J Implement the Chance Find Procedure where necessary
- J Implementation of the HMP as specified by SAHRA
- J Monitoring by contractor and ECO and DEO

**Management Outcome:**

- J No loss of heritage or cultural resources

**11. SUMMARY OF THE KEY FINDINGS OF THIS REPORT**

The key findings of this report are as follows:

- J The Fresh Water Risk assessment found that there were no wetlands on the site, the risk to the adjacent wetland areas to be low and that the activity can be Generally Authorised. A GA application has been submitted.

- J The terrestrial biodiversity assessment found the site to not have any specific significance and concluded that the change in land use and loss of vegetation and habitat would not be a significant loss.
- J The Palaeontological assessment found that there are no significant anticipated heritage resources at the site and recommended mitigation measures for during construction.
- J The Heritage Impact Assessment (HIA) confirmed that the proposal will not impact on any heritage and archaeological resources.
- J The activity was previously authorised and there are no significant changes to the site or the considerations on site that should change the outcome of a new Environmental Authorisation in terms of NEMA.
- J The activity should be Environmentally Authorised as proposed with an Environmental Management Programme to control activities and limit impacts during the construction phase.

## 12. OUTCOME OF SITE SELECTION MATRIX

The selection of the site was not considered as this activity has previously been authorised at this site, there have been no significant changes to the site or the surrounding circumstances that could impact the outcome of an Environmental Authorisation and the Local Authority are supportive of the application for this use at this site.

## 12. PERIOD FOR WHICH ENVIRONMENTAL AUTHORISATION IS REQUIRED

Commencement of the listed activities must occur within 3 years from the date of authorisation and construction of infrastructure is to be concluded within 5 years of issuing (period of EA, 2027).

- J Period for which the EA is required - 5 years
- J When post-construction monitoring requirements should be finalised - 5 years

## 13. CONCLUDING ENVIRONMENTAL STATEMENT

The proposed Vryburg Mall can be environmentally authorised in terms of NEMA subject to an Environmental Management Programme which covers all of the potential construction phase impacts associated with the site.

That the recommendations of all the specialists will be complied with and included in the EMPr and EA.

That the EA conditions will be incorporated into the EMPr.

## 14. PUBLIC PARTICIPATION PROCESS (PPP)

An Advertisement appeared in the Stellalander on the **12<sup>th</sup> January 2022** and site notices were placed on site and at the public notice board in town at the Pick 'n Pay (see Appendix J, date: **8 January 2022**). Public Participation complied with the requirements of Section 41 of NEMA.

Section 41 of NEMA specifies that a person conducting a public participation process must comply with the following minimum requirements as stipulated in the Regulations:—

- (a) fixing a notice board at a place conspicuous to the public at the boundary or on the fence of (i) the site where the activity to which the application relates is or is to be undertaken; and (ii) any alternative site; - **Notice is on site and at the local Pick 'n Pay;**
- (b) giving written notice, in any of the manners provided for in section 47D of the Act, to:

- (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; **applicant is the owner**
- (ii) owners, person 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; **neighbours have been notified**
- (iii) the municipal councilor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area; **municipal councilor was notified**
- (iv) the municipality which has jurisdiction in the area; **local municipality was notified**
- (v) any organ of state having jurisdiction in respect of any aspect of the activity; **all organs of state were notified**
- (vi) any other party as required by the competent authority;
- (c) placing an advertisement in (i) one local newspaper; **advert in the Stellalander 12 January 2022.** or (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; **N/A**
- (e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to (i) illiteracy; (ii) disability; or (iii) any other disadvantage.- **noted none specifically requested to date**

**The following Organs of State and State Departments were notified of the availability of the Draft Basic Assessment Report (BAR):**

Contact person	Department/organ of state/ interested and affected party	Confirmation of comments received
Ellis Thebe/Ms. Neo Mokotedi	North West Department Economic Development, Environment, Conservation and Tourism	Comment received <b>(09/02/2022)</b>
Nicole Abrahams/Rene de Kock	South African Roads Agency Limited (SANRAL)	No comments received
O. Keoagile/ Zebo Tshetho/Victor Tlhabanelo	Dr Ruth Segomotsi Mompoti District Municipality	No comments received
Bonolo Mohlakoana	Regional Department of Agriculture, Forestry and Fisheries - North West	No comments received
Abe Abrahams/ Hlengani Alexia/ Cloete Shaun/ Mokhoantle Lerato/ Feni Ntombizanele/ Rasikhanya Tendamudzimu/ Ngidi Ziyanda/ Moalosi Kelebogile	Department of Water and Sanitation - North West	No comments received
Motlhabane Mosiane	Provincial Heritage Resource Agency (PHRA) - North West	No comments received
HOD: Ms Mulangaphuma	Department of Public Works, Roads & Transport - North West	No comments received
Office Municipal Manager	Naledi Local Municipality	Comments received <b>(08/02/2022)</b>
Mr Tsunduka Khosa	National Department of Water and Sanitation	No comments received
Lizell Stroh	South African Civilian Aviation Authority	No comments received
Mr Chris Isherwood	South African Civilian Aviation Authority	No comments received
Dr Howard Hendricks	SANParks	No comments received
Tiaan Pretorius	Fairview Golf Estate	No comments received
Kelebogile Sartjie Wilson	Naledi Local Municipality: Ward Councillor, Ward 4	Correspondence received <b>(12/01/2022)</b>
Adriaan Venter Attorneys on behalf of Twin City	Interested and Affected Party (I&AP)	Comments received <b>(2022/02/11 &amp; 2022/04/20)</b>
Elijah Dumisani Katsetse	South African Recourse Agency (SAHRA)	Comments received <b>(interim comments 16/02/2022, correspondence 22/05/2022)</b>  <b>Final Comments – 21 April 2022</b>
Minnie Zondi	Leads 2 Business	No comments received

Stienie	Vryburg resident	Comments received <b>(3 January &amp; 6 April 2022)</b>
Willem du Toit	Interested and Affected Party (I&AP)	Comments received <b>(28 March 2022)</b>

All comments received are tabulated and responded to in the appendix J public participation report.

In accordance with regulation 19 (1) (b) the additional information on Heritage requested by SAHRA was circulated to all parties for an additional 30-day comment period.

The key issues raised in the PPP were those of general support and one of opposition for the other proposed Mall in Vryburg where they are currently also going through a NEMA, Heritage and WULA application. The objections related to a competitive interest and no material concerns were raised.

## 15. CONCLUSION

Although the proposal will entail the clearance of vegetation, the proposal has been assessed by a specialist. In addition, the proposal has been assessed in terms of freshwater impacts, heritage, archaeological and palaeontological impacts, traffic impacts and geotechnical impacts. All of these assessments have confirmed the suitability of the proposed development on the property.

The proposal will result in numerous positive socio-economic impacts, and it will be in line with the need and desirability of the community and area.

EAP recommendations include the granting of an EA with strict implementation and adherence to the EMPr attached which includes the specialists' recommendations.

### 16. DECLARATIONS

I....., in my personal capacity or duly authorized thereto hereby declare/affirm all the information submitted or to be submitted as part of the application is true and correct, and that I:-

- J am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") as amended, the Environmental Impact Assessment Regulations ("EIA Regulations") in terms of NEMA (Government Notice No. R. 982 refers) and any relevant specific environmental management act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- J appointed the environmental assessment practitioner, where applicable, which meets all the requirements in terms of Regulation 13 of GN No. R. 982 to act as independent environmental assessment practitioner for this application;
- J will provide the environmental assessment practitioner and specialist, where applicable, and the competent authority with access to all information at my disposal that is relevant to the application;
- J will be responsible for the costs incurred in complying with the NEMA EIA Regulations, 2014 and other environmental legislation including but not limited to –
  - o costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
  - o costs incurred in respect of the undertaking of any process required in terms of the regulations;
  - o costs in respect of any fee prescribed by the Minister or MEC in respect of the regulations;
  - o costs in respect of specialist reviews, if the competent authority decides to recover costs; and
  - o the provision of security to ensure compliance with applicable management and mitigation measures;
- J am responsible for complying with conditions that may be attached to any decision(s) issued by the competent authority;
- J will ensure that the environmental assessment practitioner is competent to comply with the requirements of NEMA EIA Regulations, 2014 and other environmental legislation;
- J hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or Environmental Assessment Practitioner is responsible in terms of the NEMA EIA Regulations, 2014 and any Specific Environmental Management Act; and
- J will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to an appeal being decided (if there is an appeal) in terms of the NEMA Regulations, 2014.
- J I realise that a false declaration is an offence and is punishable in terms of Section 49B of the Act

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Signature of the applicant

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Name of company

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Date