

**NOTIFICATION OF APPLICATION FOR AN ENVIRONMENTAL  
AUTHORISATION AND A WATER USE LICENCE FOR THE  
PROPOSED MIXED USE DEVELOPMENT (JUPITER EXTENSION 9)  
ON FARMS ELANDSFONTEIN 90-IR AND 108-IR, EKURHULENI  
METROPOLITAN MUNICIPALITY, GAUTENG PROVINCE**



**S · E · F**

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**BACKGROUND INFORMATION DOCUMENT AND INVITATION TO COMMENT**

**Date of Publication: 13 August 2014**

**Project Proponent: Abland (Pty) Ltd**

**SEF Project Number: 505153 / GDARD Gaut: 002/14-15/0089**

**What is an  
Environmental  
Impact  
Assessment  
(EIA)?**



An EIA is an assessment of the possible positive and negative impacts that a proposed project may have on the environment, consisting of the biophysical, social and economic aspects.

**What is an Environmental Authorisation (EA) Process and what does it entail?**

The National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) prescribes the processes to be followed when applying for EA in respect of listed activities. The process aims to ensure that all relevant factors are considered when evaluating the potential environmental impacts of a proposed project, as well as developing appropriate environmental management measures to mitigate these impacts.

The purpose of the EA Process is to assess the current environment in which a proposed activity will take place and assess all potential impacts in terms of its extent, duration, intensity and significance relating to the specific activity. The process should also provide goals and objectives for environmental management to minimise or eliminate the potential environmental impacts, the procedures to be implemented to ensure integration of environmental management into the daily operations, as well as a plan to raise awareness of employees and the surrounding community with regards to environmental management.

**Introduction and Background**

Abland (Pty) Ltd (hereafter referred to as Abland) proposes to establish a mixed use/ industrial 1 development to be known as Jupiter Extension 9.

The proposed site is undermined and has been used by Ergo Gold Mining (Pty) Ltd. for re-processing of surface gold tailing retreatment by way of new technology

**Motivation for the project**

Ergo Gold Mining (Pty) Ltd is in the process of obtaining a mining Closure Certificate from the Department of Mineral Resources (DMR). On discussion with the project proponent, the DMR has agreed that the end-land use will be mixed use/ industrial 1 development. The proposed development is in accordance with the Germiston Town Planning Scheme, 1985. According to the Spatial Development Framework (SDF) for the area, the area is earmarked for a mixed use/ industrial zoning. The current zoning of the proposed site is "Undetermined". The surrounding land use is mainly built-up industrial areas and major national roads (including the N3). A Railway line borders the northern section of the site.

Subsequent to the completion of mining activities, Ergo Gold Mining (Pty) Ltd was required to undertake the rehabilitation of the site and acquire the approval from the DMR. The proposed development is perceived to be a suitable alternative to the rehabilitation that was to be undertaken by the Ergo Gold Mining (Pty) Ltd for the following reasons:

- Compatibility with the surrounding land-use and the SDF of the area.
- It will provide a long term and continuous environmental management.
- It will prevent possible illegal mining activities.
- Positive contribution to the economy

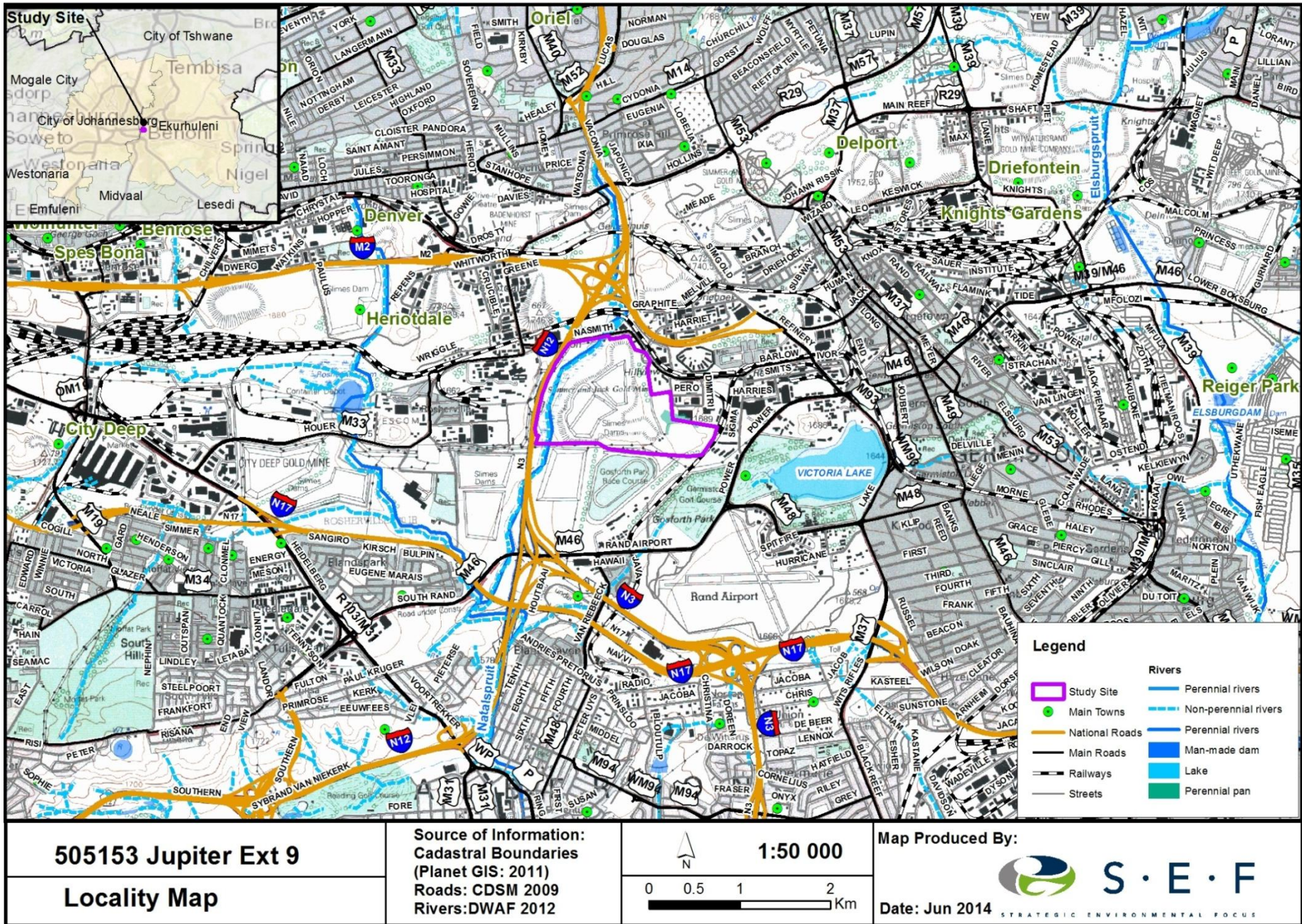


Figure 1: Locality Map

**Project Description**

▪ **Location**

The proposed site is located on the Remainder of Portion 2 of Farm Elandsfontein 90-IR and Portion 531 of Farm Elandsfontein 108-IR, Germiston, Ekurhuleni Metropolitan Municipality, Gauteng Province (Figure 1).

▪ **Project Details**

The proposed project entails the construction of the buildings, internal roads and bridges/culverts as well as necessary infrastructure (stormwater and sewerage). The proposed Jupiter Extension 9 will comprise of the following use zones:

- Industrial No. 1
- Commercial (including shops and offices)
- Conference facilities and restaurant
- “Special” for access
- Public open space
- Roads

The project will also include the upgrade of the adjacent N3 Road to enable access to the road from Jupiter Extension 9. The proposed site is approximately 158ha in extent. Due to the road construction that will be undertaken on the wetland located on the western part of the site, it has been determined that a Water Use License Application (WULA) will be required.

▪ **Infrastructure & Services**

- The construction of the access road from Jupiter Extension 9 to the N12 located to the east of the proposed site.
- Construction of internal roads at the Jupiter Extension 9.
- Construction and installation of stormwater infrastructure.
- Upgrade of the infrastructure for the municipal sewerage and water services.

**Legal requirements for this Scoping and Environmental Impact Assessment**

In terms of Regulations published in Government Notice (GN) No. R.543 in Government Gazette No. 33306 18 June 2010, under Section 54 of the National Environmental Management Act, 1998 (Act No.107 of 1998), as amended (NEMA), the development requires approval from the Competent Authority; in this case the Gauteng Department of Agriculture and Rural Development (GDARD). For the purpose of this development the below listed activities in GNR 544 (Listing Notice 1) and 545 (Listing Notice 2) of the Environmental Impact Assessment (EIA) Regulations of 2010 are anticipated to be applicable to the proposed development.

In terms of Section 21 (c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998) (NWA) the proposed project will also require a Water Use License which will be administered by the Department of Water Affairs (DWA).

Provided in Table 1 below is the description of the activities applicable (in terms of the NEMA and NWA) to the proposed development.

**Table 1: Applicable Legislation**

Number and date of the relevant notice:	Activity No (s) (of the relevant legislation or notice):	Listed activity:
<b>National Environmental Management Act, 1998 (Act No.107 of 1998) / Environmental Impact Assessment Regulations Listing Notice 1 of 2012</b>		
GN NO. R.544 Listing Notice 1 (BA Process))	11	The construction of: (ii) channels; (iii) bridges; (vi) bulk storm water outlet structures; (x) buildings exceeding 50 square metres in size; or (xi) infrastructure or structures covering 50 square metres or more Where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

	18	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from: (i) a watercourse; (ii) the sea; (iii) the seashore; (iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high- water mark of the sea or an estuary, whichever distance is the greater-  but excluding where such infilling, depositing , dredging, excavation, removal or moving; (a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or (b) occurs behind the development setback line.
GN R 545, 18 June 2010 (S&EIR Process)	15	Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more;  except where such physical alteration takes place for:  (i) Linear Activities; or (ii) Agriculture or afforestation where activity 16 in this Schedule will apply.
	18	The route determination of roads and design of associated physical infrastructure, including roads that have not yet been built for which routes have been determined before 03 July 2006 and which have not been authorised by a competent authority in terms of the Environmental Impact Assessment Regulations, 2006 or 2009, made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006,— (i) it is a national road as defined in section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998); (ii) it is a road administered by a provincial authority; (iii) the road reserve is wider than 30 metres; or (iv) the road will cater for more than one lane of traffic in both directions.
<b>National Water Act, 1998 (Act No 36 of 1998)</b>		
Section 21	(c)	Impeding or diverting the flow of water in a watercourse;
	(i)	Altering the bed, banks, course or characteristics of a watercourse.

## S&EIR Process

A S&EIR process typically has four phases as illustrated by the below figure.



### Specialist Investigations

Three specialist studies have been undertaken to assess the feasibility and potential impacts that the proposed development would have on the environment. The studies were undertaken by various independent specialists as listed in **Table 2** below:

**Table 2: Specialist studies and companies**

Specialist Study	Appointed Company
Wetland Delineation Assessment	Enviroguard Ecological Services cc
Geotechnical Investigation	Crossman, Pape and Associates
Radiation Survey	Radiation Protection Consultant EZ Reade 441 cc

▪ **Public participation process and scheduling**

The key objective of public participation during an EIA is to assist stakeholders to identify issues of concern and suggestions for enhanced benefits, and to comment on the project. The following preliminary process will be followed:

**Step 1: Notify I&APs and Review the Draft Scoping Report**

- Provide I&APs with a Background Information Document (BID) on the project, including a locality map and a Registration and Comment Sheet
- I&APs are required to register their interest in the project to receive further project information.
- Comments and concerns raised by I&APs are included in the Draft Scoping Report;
- The report is released for a 40 day comment period
- All registered I&APs on the project database are notified in writing of the opportunity to comment

**Step 2: Final Scoping Report**

Comments received from I&APs during the review process are considered in the compilation of the Final Scoping Report before it is submitted to the Competent Authority for their decision making.

- I&APs have an opportunity to comment on the Final Scoping Report for a period of 21 days.

**Step 3: Draft EIR for I&AP review**

- Compilation and release of a Draft EIR for a 40 day review period

**Step 4: Final EIR**

- Comments received from I&APs during the review process are considered in the compilation of the Final EIR before it is submitted to the Competent Authority for their decision making
- I&APs have an opportunity to comment on the Final Scoping Report for a period of 21 days.

**Step 5: Notify I&APs of Environmental Authorisation and Appeal Period**

- All registered I&APs will be notified in writing of the environmental authorisation for the project and the appeal period, as well as the manner of appeal.

A major part of the Public Participation Process is to notify members of the public of the proposed activities, particularly those who may be directly or indirectly affected by the proposed project. This will be achieved via the following means:

- The placement of an advertisement in a local newspaper, i.e. the Germiston City News on Wednesday, 13 August 2014;
- Notices, in English will be placed at the site;
- Distribution of BIDs to landowners and occupiers of land adjacent to the proposed site and to I&APs on request; and
- Local authorities will be notified in writing and automatically registered as I&APs.

▪ **Documents for Public Review**

The Scoping Report will be made available for public review and comment, from **Wednesday, 13 August 2014 to Monday, 22 September 2014** at the following public venue:

**Table 3: Specialist studies and companies**

Venue	Address	Contact Person / details	Office Hours
Germiston Public Library. Cnr Queen and Cross Street	Ms Edith Kruger	Tel: 011 999 0522	Mon. Wed, Fri: 10:00-17:50 Tue & Thurs: 12:00-17:50 Sat: 08:30-12:50

You may also access the draft Scoping Report on our website at [www.sefsa.co.za](http://www.sefsa.co.za). Please refer to the section below for more information.

Please note that comments on the draft Scoping Report are due **on or before Monday, 22 September 2014**.

▪ **How can I get involved?**

I&APs include any person who will be directly or indirectly involved and/or affected by the proposed project. To be recognized as an I&AP one must register with SEF to be added to the stakeholder database for the project and may communicate via post, fax, email or telephone to obtain further information or comment on the proposed project. If you have any queries or if you would like to acquire more information on the project please contact the following person:

**Mr Mandla Zuma**



**Strategic Environmental Focus (Pty) Ltd**  
**PO Box 74785, Lynnwood Ridge, 0040**  
**Tel (012) 349 1307, Fax (012) 349 1229 or**  
**e-mail [mandla@sefsa.co.za](mailto:mandla@sefsa.co.za)**



Should you wish to participate in the S&EIR by contributing issues of concerns/comments, please register as an I&AP by completing the enclosed Registration and Comment Sheet or you can visit SEF's website at <http://www.sefsa.co.za>. To register as an I&AP or comment on the project, click on "Stakeholder Engagement". Click on the "register" button and complete the compulsory fields to register as an I&AP. You may then use your chosen login and password to view the draft Scoping Report for the proposed **Jupiter Extension 9** and associated appendices. Should you have any problems in obtaining the information from the Internet, please feel free to contact SEF for assistance.

Please send us your comments/views so that we can address them during the Scoping and EIA process. Once you register, SEF will keep you informed of the availability of the final Scoping Report and draft and final EIA Report and invite you to any public consultation meetings. Please note that should you require any one else to be contacted, please provide their contact details as well.

**Your comment is important to us!!**



**NOTIFICATION OF APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION AND A WATER USE LICENCE FOR THE PROPOSED MIXED USE DEVELOPMENT (JUPITER EXTENSION 9) ON THE REMAINDER OF PORTION 2 OF FARM ELANDSFONTEIN 90-IR, EKURHULENI METROPOLITAN MUNICIPALITY, GAUTENG PROVINCE**

**REGISTRATION AND COMMENT SHEET**

SEF REF NO.: 505153 / GDARD REF NO.:Gaut: 002/14-15/0089

Name:		Surname:	
Organisation / Interest:			
Postal / Residential address			
Area:			Code:
Contact details	Tel:	(    )	Fax:
	Mobile:	(    )	
	Email:		

**Please mark with an X if you would like to participate in the Environmental Assessment and Public Participation Process:**

<b>Yes</b> , I would like to participate in this process and receive periodical updates							
<b>No</b> , I am not interested in participating and do not wish to receive further information							
Preferred method of communication	<table border="1"> <tr> <td>Email</td> <td></td> <td>Fax</td> <td></td> <td>Post</td> <td></td> </tr> </table>	Email		Fax		Post	
Email		Fax		Post			
Date commented	( DD / MM / YYYY )						

**Please indicate any issues, comments and concerns with regards to the proposed project:**


**Please indicate in which aspects you would require more information:**


**Please indicate the contact details of any I&APs whom you think should be contacted:**

Name:		Surname:	
Tel:	(    )	Fax:	(    )
Mobile:	(    )		
Email:			

In order to register as an I&AP for this project, kindly fax, mail, or e-mail the completed registration form before **Monday, 22 September 2014** to Mr Mandla Zuma at:



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**EMAIL: mandla@sefsa.co.za**