



edtea

Department :
Economic Development, Tourism and
Environmental Affairs

PROVINCE OF KWAZULU-NATAL



MONDLI
CONSULTING

PRE-APPLICATION MEETING MINUTES - MEETING HELD BETWEEN THE DEPARTMENT OF ECONOMIC DEVELOPMENT, TOURISM AND ENVIRONMENTAL AFFAIRS (EDTEA), APPLICANT – TK INVESTMENTS / PHALANE COMMUNITY TRUST AND MONDLI CONSULTING SERVICES (MMCS) ON 31 MARCH 2023 AT 10.00AM – ON SITE

Project Title: Proposed Construction of Inkosi Phalane Shopping Centre to include, Retail Centre with anchor shop, line shops, restaurants, and taxi rank on Farm Ruth near Esikhaleni, within uMhlathuze Local Municipality, King Cetshwayo District, KwaZulu – Natal

Meeting Venue - Site

Date: Friday, 31 March 2023 at 10:00am

1. Opening and Introduction

The meeting was formally opened by BM at 10.06am, and all attendees introduced themselves.

BM indicated that MMCS would draft minutes relating to the site meeting proceedings, and the draft would be circulated to all attendees for corrections and confirmation as the case may be. It is a requirement that the proceedings be recorded, and the minutes signed off by EDTEA. This record will form part of the application that will be lodged with the Department.

Attendees:

- Muzi Mdamba: EDTEA (MM)
- Samke Mshengu : EDTEA (SM)
- Siyanda Nzuzo: EDTEA (SN)
- Brian Mthembu: Mondli Consulting (BM)
- Gugu Masinga: Mondli Consulting (GG)
- Thami Kamanga: TK Investments, also representing Phalane Community Trust (TK)
- Frikkie Brooks: TK Investments Support (FB)

2. Apologies

No apology was registered.

3. Purpose of the meeting

The purpose of the meeting was to open the lines of communication amongst the parties involved i.e. the Department, Developer and the Environmental Assessment Practitioner (EAP). To ensure that the parties understand the intentions and objectives of the project from the initial stage. To introduce the project to the Department, and take guidance where appropriate.

4. Project Description / Site Location and Alternatives / Landownership

BM indicated that the project entails a shopping centre with line shops and restaurants. There is a plan to also add a taxi rank.

BM then took the meeting through the site location with the aid of the map. There were two alternatives within the site that were already explored, one of a 14 hectare size, and the other of a 27 hectare size. The development has settled for a 27 hectare size due to the magnitude of the project.

TK explained that the land is owned by Phalane Community Trust as part of the land restitution programme. Mondi is leasing the land from the Trust. TK Investment Holdings is responsible for the packaging of development, and has concluded a long term lease with the Trust. The site is privately owned with a title deed.

BM added that the site is zoned Forestry, as confirmed by uMhlathuze Municipality's Planning Department.

5. Need And Desirability of the proposed development

TK gave a brief history of why the project is necessary, emphasising the need to bring development closer to the people, in particular to revitalise the rural and township economy. He emphasised the strategic location of the site. uMhlathuze Spatial Development framework is pointing to the proposed location in terms of future growth. TK emphasised the need to include recreational facilities for the benefit of the community. The number of sustainable jobs likely to be generated was emphasised.

The proposed development is a Regional Centre, likely to benefit the motorists travelling along the N2, and areas of Esikhaleni, Vulindlela, Port Dunford and surroundings.

6. Identified Listed Activities

The activities below have been identified by the EAP as most likely to be triggered by the proposed development:

- Listing Notice 1, activity 12 which speaks to the clearance of 100 square metres within a distance of 32 metres from a watercourse.
- Listing Notice 1, activity 27 which speaks to the clearance of an area of 1 Ha, but below 20Ha. The size of the site is 27Ha, however it is anticipated that the development footprint will not exceed 20 HA.
- Listing Notice 1, activity 28 which speaks to the commercial activity and retail on the land that was previously used for agriculture.
- Listing Notice 3, activity 26 which speaks to the phasing of activities.

BM indicated that at the present moment it is unlikely that the activities relating to the widening and strengthening of the roads would be triggered. It is also not foreseen that activities relating to engineering piping would be triggered as per the EIA Regulations thresholds. Roads and engineering related activities formed part of what is under investigation by the Project Engineers i.e. Civil and Traffic Engineers.

Listing Notice 3, activity 4 speaks to the widening of the road - wider than 4 metres with a road reserve less than 13.5 metres. While, Listing Notice 3, activity 18 speaks to the widening of the road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.

7. Identified Interested and Affected Parties

BM stated that the following Interested and Affected Parties (I&APs) were already identified:

- uMhlathuze Local Municipality
- King Cetshwayo District Municipality
- Ward 19 Cllr
- Mkhwanazi Traditional Council.
- KwaZulu – Natal Department of Economic Development, Tourism & Environmental Affairs (EDTEA)
- Ezemvelo KZN Wildlife
- KwaZulu – Natal Amafa and Research Institute
- Department of Water and Sanitation (DWS)
- Department of Environment, Forestry and Fisheries (DFFE) (Forestry Regulations & Support)
- KZN Department of Transport (KZNDot)
- SANRAL
- KZN Department of Agriculture and Rural Development (DARD)

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- 100 metres radius of the project site
 - Transnet – Freight Rail
 - Mondi
 - Tronox
 - ESKOM

MM asked if the Service Station forms part of the proposed development. He indicated that the OK Centre across the road had just made an application for the service station. TK indicated that the service station is not included for now, based on the advice he received that the service station at times does delay the project due to its proneness to objections.

SM indicated that the OK Centre and other malls need to be sensitised.

8. Engineering Services (water, electricity, sewerage, access, stormwater and waste management).

The site is well located in terms of the road network and accessibility. There is water and electricity in the vicinity of the site. Based on the discussion held between the project Engineers and uMhlathuze Municipality's Technical Services it would appear there is no sewer pipe near the project site. As a result there is a plan to construct a package plant to deal with sewerage and wastewater.

The stormwater will be compiled to properly dispose water from the site. Solid waste will be collected by the local municipality or alternatively collected by the private contractor.

BM explained that the sewerage daily throughput capacity is likely to be below the threshold of 2000 cubic metres - 15 000 cubic metres. This means that there will be no trigger relating to this activity. However, this will be confirmed by the Project Engineers and AquaPlan, the Company that has been commissioned to handle the issue of a package plant.

FB indicated that the appropriate service level agreements will be entered into between the proposed development and relevant service authorities.

MM asked where the access points will be. BM explained that this is to be determined by the traffic impact assessment that is currently underway, however the current thinking is to cater for two access points to the proposed development. FB indicated that he is working closely with the Traffic Engineer, and they are in discussion with both KZN Department of Transport and SANRAL in this regard.

Engineering report will also cover the issue of all services on site.

MM enquired about the servitude and infrastructural structures that are evident on site. TK indicated that these belong to Tronox. Phalane Community Trust and Tronox are in discussion on several aspects of the site.

9. Screening Tool / Specialists Studies

BM indicated that most of the studies are at an advanced stage. He confirmed that the following studies were at draft stages:

- Terrestrial Biodiversity Assessment.
- Wetland Study.
- Market Feasibility / Socio-Economic Impact Assessment.
- Geotechnical Study.

The site was already surveyed. The screening tool showed high themes with regards to agriculture and aquatic features.

MM enquired whether the provisions of Act 1970 of 1970 was relevant in this instance. FB indicated that Act 70 of 70 is indeed applicable and that the project Planner has already initiated this application. This is a process meant to release land from agricultural land use.

Agricultural impact assessment is also going to be conducted as required.

10. Public Participation Process

The public participation will be conducted in line with the EIA Regulations, Regulation 41, and Chapter 6 of the EIA Regulations, 2014 as amended.

The process will include, site notices, newspaper advert in a local Newspaper like Zululand Observer, and the circulation of the draft report to stakeholders for a 30-day commenting period as stipulated in the EIA Regulations.

The ward 19 Cllr will also be engaged together with all identified interested and affected parties.

11. Way Forward and Closure

BM indicated that the environmental authorisation form is to be lodged when all the studies are at draft stage. This also relates to the package plant designs.

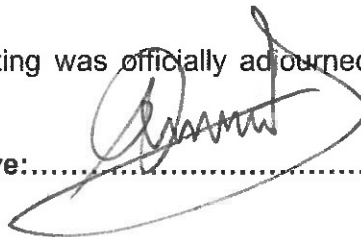
On behalf of the Developer, TK registered his desire to have all authorisations concluded as quickly as possible, so as to pave way for the project to commence.

FB emphasised that the proposed development is fully aligned with the Municipal Spatial Development Framework and the Land Use Management Scheme of the uMhlatuze Municipality.

The site meeting had included the site walk which ended on the N2 side of the site, where TK outlined all the sites that were initially considered before settling for the current one.

In the absence of further inputs, the meeting was officially adjourned at 11:35 am.

Signature of Departmental Representative:.....

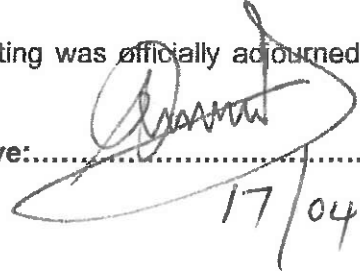
A handwritten signature in black ink, written over a dotted line. The signature is stylized and appears to be a name starting with 'D'.

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17/04/2023