

BACKGROUND INFORMATION DOCUMENT

24 AUGUST 2016

NOTICE OF A BASIC ENVIRONMENTAL ASSESSMENT PROCESS FOR THE PROPOSED MIXED USE DEVELOPMENT ON ERVEN 1 AND 2, SITUATED ON A PORTION OF THE REMAINING EXTENT OF THE FARM WATERKLOOF 378-JR, AND ASSOCIATED UPGRADE OF SOLOMON MAHLANGU DRIVE, CITY OF TSHWANE, GAUTENG PROVINCE

1. INTRODUCTION

Atterbury Property Fund Managers (Pty) Ltd propose to develop a mixed use commercial development on Erven 1 and 2 situated on a Portion of the Remaining Extent of the Farm Waterkloof 378-JR, south east of Pretoria between the R21 and N1 highway. A portion of the Remaining Extent of the Farm Waterkloof 378 JR measures approximately 70.8711 Hectares in total extent, while Erven 1 and 2 occupy approximately a third of the total extent (± 22 Hectares). The main future access to the development site will be from Solomon Mahlangu Drive, proposed for upgrade into a dual carriage-way within the existing road reserve. (Refer to **Figure 1**) below for the locality map.

The proposed development requires an environmental authorisation in terms of Section 24 of the National Environmental Management Act, 1998 (Act No.107 of 1998) (NEMA), as amended. **Interdesign Landscape Architects (Pty) Ltd (ILA)**, as independent environmental assessment practitioners, were appointed by Atterbury Property (Pty) Ltd, to apply on their behalf, for the environmental authorisation as regulated in the EIA Regulations, 2014.

Applicant: Atterbury Property Fund Managers (Pty) Ltd

**Environmental Assessment Practitioner (EAP):
Interdesign Landscape Architects (Pty) Ltd**
Contact: *Shalini Chetty / Mazolo Dube*
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Email: shalini@ilaweb.co.za / mazolo@ilaweb.co.za

2. PURPOSE OF DOCUMENT

Public participation is an important aspect of the environmental authorisation process, and provides Interested and Affected Parties (I&AP's) with the opportunity to contribute in the environmental decision making process from the onset. The input received from I&APs facilitates informed decision-making by the competent authority, **Gauteng Department of Agriculture and Rural Development (GDARD)**, resulting in better decisions as the views of all parties are considered.

The purpose of this Background Information Document (BID) is to provide the surrounding landowners or community and public in general, information about the proposed development, and how those wishing to be registered as I&APs can effectively participate in the environmental assessment and decision making process. This BID further provides I&APs with the following information:

- An overview of the environmental legislative context and a description of the environmental application process being followed;
- Details on how I&APs can get involved in the Public Participation Process; and
- Contact details of the Environmental Assessment Practitioner (EAP) whom I&APs should contact regarding their issues and concerns associated with the proposed project.

3. ENVIRONMENTAL AUTHORISATION PROCESS

As required under Section 24 of the National Environmental Management Act, 1998 (Act No.107 of 1998) (NEMA), as amended, the proposed mixed use commercial development is a listed activity requiring environmental authorisation in terms of the EIA Regulations, 2014 (**refer to Section 5 below**). The identified application process for environmental authorisation is a Basic Assessment (BA), as provided in Regulation 15(2)(a) of the EIA Regulations, 2014.

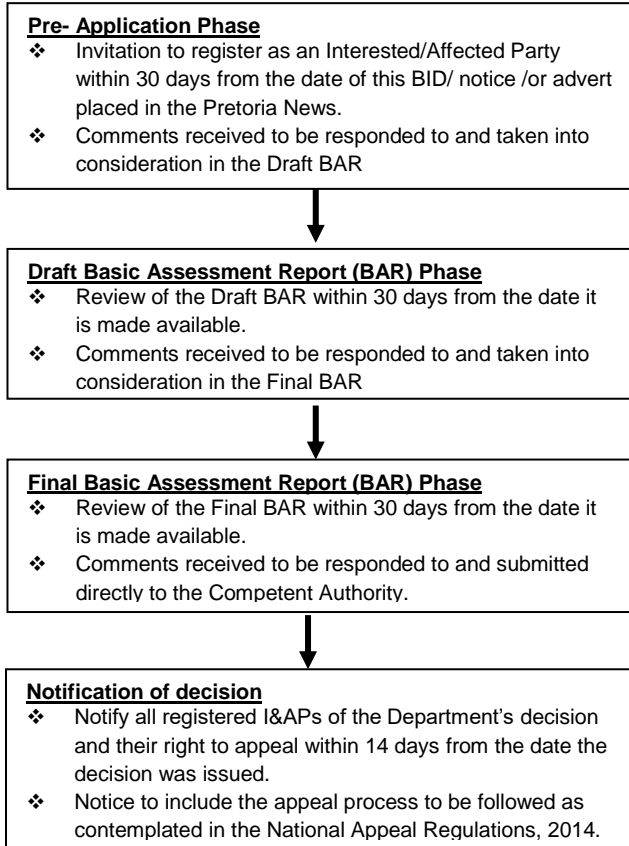
The Basic Assessment process to be followed including the objective, scope, and content of the report, is in terms of Regulation 19 and Appendix 1 of the EIA Regulations, 2014. The BA Report will include an Environmental Management Programme compiled as set out in Appendix 4 of the EIA Regulations, 2014.

All registered I&APs will be afforded the opportunity to review all the BA reports and provide us with their written comments thereof, within the regulated timeframe of 30 days from the date the report is made available for public review.

4. PUBLIC PARTICIPATION PROCESS

The public participation process to be followed as part of the Basic Assessment comprises of the following phases as indicated in the diagram below.

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Participation Process being followed as part of the Basic Assessment process. Site notices inviting the public to register as I&APs were displayed at locations visible to the public around the property boundary, particularly along the main access roads, Bayside Road, van Ryneveld Avenue, and Solomon Mahlangu Drive (M10).

We encourage you to participate in this Basic Assessment Process. Should you wish to be involved, please register as an Interested & Affected Party (I&AP) by completing the enclosed registration sheet, and return it on or before 26 September 2016.

5. LISTED ACTIVITIES IN TERMS OF THE NEMA AND EIA REGULATIONS

In terms of Sections 24 and 24D of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as amended, as read with the EIA Regulations, 2014, published in Government Notice R.982, and as listed in Listing Notices 1 (GNR.983) and 3 (GNR.985), a Basic Environmental Assessment Process is required for the following activities:

- 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 of more than 5 cubic metres from- (i) a watercourse. **[Listing Notice 1: GNR 983, 2014 (19)]**
- The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for- (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan. **[Listing Notice 1: GNR 983, 2014 (27)]**
- Residential, mixed, retail, commercial, industrial or institutional developments where such land was

used for agriculture or afforestation on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares. **[Listing Notice 1: GNR 983, 2014 (28)]**

- The development of a road wider than 4 metres with a reserve less than 13,5 metres (c) In Gauteng (iv) Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; **[Listing Notice 3: GNR 985, 2014 (4)]**.
- The clearance of an area of 300 square metres or more of indigenous vegetation in (a) Gauteng (ii) within critical biodiversity areas identified in bioregional plans; **[Listing Notice 3: GNR 985, 2014 (12)]**
- The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. (c) In Gauteng: iv. Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; **[Listing Notice 3: GNR 985, 2014 (18)]**
- The development of- (i) canals exceeding 10 square metres in size ; (ii) channels exceeding 10 square metres in size; (iii) bridges exceeding 10 square metres in size; (vi) bulk storm water outlet structures exceeding 10 square metres in size; (xii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (a) within a watercourse; (b) In Gauteng: (iv). Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; **[Listing Notice 3: GNR 985, 2014 (14)]**
- The expansion of- (i) canals where the canal is expanded by 10 square metres or more in size; (ii) channels where the channel is expanded by 10

I&AP's can become involved by:

- Registering with ILA either by telephone, fax or email per the EAP contact details provided above;
- Responding to our invitation for your involvement advertised in the Pretoria-East Rekord & Pretoria News on **23 & 24 August 2016** respectively; and
- Sending us your comment on this BID or any of the Basic Assessment documents which will be made available for public review in due course.

The Ward Councillor for the area has been notified about the proposed development and the Public

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square metres or more in size; (iii) bridges where the bridge is expanded by 10 square metres or more in size; (xii) infrastructure or structures where the physical footprint is expanded by 10 square meters or more. Where such development occurs- (a) within a watercourse; or (d) if no development setback has been adopted, within 32 meters of a watercourse, measured from the edge of a watercourse. (d) In Gauteng: (iv). Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans. [Listing Notice 3: GNR 985, 2014 (23)]

In addition to the application for environmental authorisation, the Applicant is also applying to the Department of Water and Sanitation for Water Use Authorisation in terms of Section 21 (c) and (i) of the National Water Act, 1998 (Act 36 of 1998), for the construction or expansion of bridges and storm water structures through or within a watercourse, as part of the roads and storm water services infrastructure.

N.B. Should you be aware of any person who is affected or interested but unable to participate in the process due to illiteracy, disability or any other disadvantage, please send us his/her contact details.



Figure 1: Locality map of the proposed development site 25°49'11.25"S, 28°14'40.14"E

REGISTRATION AND COMMENT SHEET

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Please complete and return by no later than 26 September 2016

Name:

Surname:

Organisation / Firm / Nature of interest:

Postal address: _____

Preferred means of communication

Email address: _____

(Tick applicable box)

Fax number: _____

Telephone / Cell: _____

Comments (if any):