



# TSHIKOVHA GREEN & CLIMATE CHANGE ADVOCATES (PTY) LTD

*We Advocate For Environmental Compliance Throughout Business Value Chain*

**BACKGROUND INFORMATION DOCUMENT (BID) FOR THE PROPOSED  
FORMALISATION OF BOITEKONG EXTENSION 2 AND 8 IN RUSTENBURG  
LOCAL MUNICIPALITY NORTH WEST PROVINCE**

**PROPONENT: RUSTENBURG MUNICIPALITY**

**JANUARY 2018**

## TABLE OF CONTENTS

1. INTRODUCTION.....	1
2. LOCATION.....	1
3. PROJECT DESCRIPTION.....	3
4. NEED AND DESIRABILITY.....	3
5. ENVIRONMENTAL IMPACT ASSESSMENT.....	4
5.1 Process Description.....	4
6. ANTICIPATED S SPECIALIST STUDIES.....	7
7. BASIC ASSESSMENT PROCESS FLOW.....	7
8. PUBLIC PARTICIPATION.....	8
8.1 How to Get Involved?.....	9

## TABLE OF FIGURES

Figure 1: Locality map.....	2
-----------------------------	---

## LIST OF TABLES

Table 1: List of activities identified in terms of sections 24 (2) and 24 D.....	6
Table 2: Basic Assessment Process Flow.....	8
Table 3: Tshikovha Green and Climate Change Advocates Public Participation Team.....	9

## 1. INTRODUCTION

South Africa is amongst one of the most advanced as far as environmental legal framework is concerned. The legal framework is also entrenched with the environmental right to “ecologically sustainable development”. Numerous tools, including Environmental Impact Assessment (EIA), are made available within the legal framework as listed in the National Environmental Management Act (NEMA). EIAs have provided useful tools towards achieving sustainable principles as enshrined in Section 2 of the NEMA as well as contributing towards sustainable development. This background information document therefore delves into several sustainability theories with the aim of ensuring a sound understanding of the concept of ‘sustainability’ and ‘sustainable development’ which then poses the question as to what role EIAs have in promoting sustainable development in South Africa.

Environmental Impact Assessment is mainly seen as a challenge towards developments timeline due to its possible nature of delays which may be caused by lack of information. The requirements of the Environmental Impact Assessment are aimed at assisting the proponents with sustainable guidance on how the development may impact the environment to which the development shall be taking place. The process must be undertaken by an Environmental Assessment Practitioner who is independent from the developer or proponent.

Rustenburg Local Municipality has appointed Tshikovha Green and Climate Change Advocates (Pty) Ltd as an independent Environmental Assessment Practitioners (EAP) for the proposed project to conduct an Environmental Impact Assessment Process in terms of the National Environmental Management Act (NEMA) in order to ensure that the activity meets the regulatory requirements.

## 2. LOCATION

The proposed project is located in Boitekong within Rustenburg Local Municipality under the jurisdiction Bojanala District, North West Province. The proposed site is within portion 19765, 19120, 3236, 3264 and 2668 of Boitekong

The coordinates of the site are: **25°36'21.75"S 27°18'47.54"E**



Figure 1: Locality map

### **3. PROJECT DESCRIPTION**

Rustenburg Local Municipality has appointed Tshikovha Green and Climate Change Advocates (Pty) Ltd as an Independent Environmental Assessment Practitioner to undertake an Environmental Impact Assessment on behalf of Rustenburg Local Municipality. The Municipality wants to establish new township through formalisation of the invaded or informal settlement of Boitekong Extension 2 and 8 on portion 19765, 19120, 3236, 3264 and 2668 of Boitekong in Rustenburg Local Municipality under the jurisdiction Bojanala District, North West Province. The proposed development triggered the NEMA Activities; Activity Number 12 of the GNR 324 Listing Notice 3 published (7 April 2017).

The subjected area to be formalized is approximately 24.18 hectares. An estimated 1000 residential stands with a ruling size of 150 square meters is expected in the area.

The proposed activity includes the installation of the following services :

- Electricity
- Sewage
- Roads
- Stormwater
- Bulk Water services
- Solid waste collection

### **4. NEED AND DESIRABILITY**

- Formalization of existing stands will improve the service delivery to the residents as the municipality will be aware of the number of people and households it have to service.
- The formalization will identify where the existing and proposed stands are located on sensitive areas if there are any.
- There is a Non perennial stream on the eastern side of the site which require proper management and maintenance and delineation of buffer zone.
- The project will prevent illegal occupation of land which results in environmental concerns as there is a growing concern for utilization of natural resources in a sustainable manner.

## 5. ENVIRONMENTAL IMPACT ASSESSMENT

Environmental impact assessment is the process to assess possible environmental impact as result of a proposed project or development or activity on a specific natural environment, social environment, political environment or economic environment to identify possible impacts, assess impacts, providing mitigation measures and management measures. The process requires the Environmental Assessment Practitioner to consider the proposed project scope, assess the environmental parameters on the project location, assess possible impacts, compile reports and engage with stakeholders and interested & affected parties in order to satisfy information and submit to authorities for review and approval. The proposed project requires a Basic Assessment (BA) which Tshikovha Green and Climate Change Advocates (Pty) Ltd is undertaking and this document outlines the proposed process.

Sections 24 and 44 of NEMA make provision for the promulgation of regulations that identify activities which may not commence without an Environmental Authorization (EA) issued by the competent authority, in this case, Rural, Environment and Agriculture Development (READ). The EIA Regulations, 2017 (Government Notice (GN) R324), promulgated in terms of NEMA, govern the process, methodologies and requirements for the undertaking of EIAs in support of EA applications. The EIA Regulations are accompanied by Listing Notices (LN) 1-3 that list activities that require EA. The EIA Regulations, 2017, lays out two alternative authorization processes. Depending on the type of activity that is proposed, either a Basic Assessment (BA) process or a S&EIR process is required to obtain EA. LN 1 lists activities that require a BA process, while LN 2 lists activities that require S&EIR. LN 3 lists activities in certain sensitive geographic areas that require a BA and S&EIR.

### 5.1 Process Description

The objectives of the EIA Process are to:

- Determine the policy and legislative context within which the activity is located and note how the proposed activity complies with and responds to the policy and legislative context;
- Describe the need and desirability of the proposed activity, including the need and desirability of the activity in the context of the preferred location;
- Identify the location of the development footprint within the preferred site based on an impact and risk assessment process inclusive of cumulative impacts and a ranking process of all the identified development footprint alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects of the environment;
- Determine the nature, significance, consequence, extent, duration and probability of the impacts occurring to inform identified preferred alternatives; and 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;
- Identify the most ideal location for the activity within the preferred site based on the lowest level of environmental sensitivity identified during the assessment

- Identify, assess, and rank the impacts the activity will impose on the preferred location through the life of the activity;
- Identify suitable measures to avoid, manage or mitigate identified impacts; and
- Identify residual risks that need to be managed and monitored.
- Potential impacts were scored on the following basis:

**Extent:** The area over which the impact will be expressed.

- Local – the impact is to be felt on the site and in its immediate surroundings, up to a radius of 50km from the site;
- Sub-regional – the impact is to be felt at a distance of up to 100km from the site;
- Regional – the impact is to be felt in the North West Province; -
- National – the impact is to be felt across provincial boundaries.

**Duration:** Refers to the period of time over which impacts can be expected to be experienced.

- Short term – 0 to 5 years;
- Medium term – more than 5 years, up to 15 years;
- Long term – more than 15 years;
- Permanent – the impact is irreversible.

**Magnitude:** Refers to the intensity of the potential impact, if it is experienced.

- Negligible – the impact will barely be felt, if at all. No mitigation required;
- Low – the parameter will only be affected to a small extent by the proposed project. No mitigation required, but monitoring is recommended;
- Medium – the parameter will be affected by the proposed project but functions in terms of the parameter can still continue. Mitigation and monitoring required;
- High – functioning in terms of the parameter will be significantly affected by the impact. Extensive mitigation and long-term monitoring required.

**Likelihood:** Refers to the probability of an activity to have impact.

- ✓ Improbable – it is unlikely that the impact will be experienced;
- ✓ Possible – the impact may be experienced. Monitoring required; mitigation may also be required based on the type of impact and its significance;
- ✓ Highly probable – the impact will most likely be experienced. Monitoring and mitigation required based on the type of impact and its significance in order to reduce the probability of the impact occurring and/or to reduce the magnitude of the impact;

- ✓ Definite – the impact will be experienced. Monitoring and mitigation required based on the type of impact and its significance in order to reduce the probability of the impact occurring and/or to reduce the magnitude of the impact.

**Significance:** is based on a consolidation of the anticipated extent, duration, magnitude and likelihood of the potential impact.

- Negligible – The impact will barely be felt, if at all. No mitigation required;
- Low – The parameter will only be affected to a small extent by the proposed project. No mitigation required, but monitoring is recommended;
- Medium – The parameter will be affected by the proposed project, but functions in terms of the parameter can still continue. Mitigation and monitoring required;
- High – Functioning in terms of the parameter will be significantly affected by the impact. Extensive mitigation and long-term monitoring required.

The proposed project is likely to trigger listed activities (detailed in the table below) in terms of the Environmental Impact Assessment (EIA) Regulations as promulgated under the National Environmental Management Act (No. 107 of 1998) (NEMA). Therefore, the proposed development requires Environmental Authorisation in terms of the EIA Regulations prior to commencement of construction and operation.

**Table 1: List of activities identified in terms of sections 24 (2) and 24 D**

APPLICABLE LISTING NOTICE	ACTIVITY NUMBER	DESCRIPTION OF ACTIVITY
GNR 324	15	The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.  <b>e. North West</b> i. Inside urban areas; or ii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.
GNR 327	9	The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water— (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more;



		<p>excluding where—</p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>
<b>GNR 327</b>	<b>10</b>	<p>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more;</p> <p>excluding where—</p> <p>(a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>
<b>GNR 327</b>	<b>19</b>	<p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p><b>a.</b> will occur behind a development setback;</p> <p><b>b.</b> is for maintenance purposes undertaken in accordance with a maintenance management plan;</p>

## 6. ANTICIPATED S SPECIALIST STUDIES

- Geotechnical Studies
- Flood line delineation
- Wetland studies

## 7. BASIC ASSESSMENT PROCESS FLOW

Basic Assessment Report (BAR) process refers to the early, open and interactive process of determining the major issues and impacts that will be important in decision-making on the proposal and need to be addressed in an Environmental Impact Assessment.

**Table 2: Basic Assessment Process Flow**

<b>PHASE</b>	<b>TASK</b>	<b>TIMEFRAME</b>
<b>Application</b>	Submit application and supporting documents (with application fee)	<b>10 DAYS</b>
	Receive acknowledgment of receipt of application (within 10 days)	
<b>Basic Assessment</b>	Submit Basic Assessment Report for Public Review (at least 30 days)	<b>90 DAYS</b>
	Submit Basic Assessment Report to Authorities that reflects incorporation of comments received (within 90 days after submitting application).	
<b>Environmental Authorization</b>	Authorities to grant or refuse environmental authorization (within 107 days of receiving the Basic Assessment Report)	<b>107 DAYS</b>
	Applicant to notify IAPs of EA (within 14 days)	<b>14 DAYS</b>

## **8. PUBLIC PARTICIPATION**

The process of public participation seeks to ensure inclusion of stakeholders and interested and affected parties during the process of Environmental Impact Assessment.

Chapter 6, Regulations 40 – 44 of the EIA Regulations, 2014 (amended April 2017), the applicant is required to consult with interested and Affected Parties (IAPs). Comments received from the IAPs will be recorded and included in the Public Consultation and which will be submitted to (READ) North West Province. The public participation aims to ensure that:

The following steps will be undertaken as part of the public participation process in order to notify interested and affected parties:

- An advertisement will be placed on a local newspaper
- Stakeholders, including adjacent land owners and neighbors within a 100 m radius, and the relevant authorities will be notified through written notification letter of the proposed development.
- Notice boards advertising the applications will be placed at site and communities around.
- A Public meeting will be held, conformation of time and date will be given at a later stage.

### 8.1 How to Get Involved?

Interested and Affected Parties I&APs are invited to comment, and/or to register on the project database. I&APs must provide their comments together with their name, contact details (preferred method of notification, e.g. email), and an indication of any direct business, financial, personal or other interest which they have in the application, to Tshikovha Green and Climate Change Advocates (Pty) Ltd Public Participation team.

Organs of state applicable to the project will be contacted directly however any individual stakeholders even if working for an organ of state can register as a stakeholder. According to the EIA Regulations, 2017 all other persons must request in writing to be placed on the register, submit written comments or attend meetings in order to be registered as stakeholders and be included in future communication for the project.

Stakeholders who are registered will receive communication about the project and those who wish to access reports should liaise with the Public Participation team as follows:

**Table 3: Tshikovha Green and Climate Change Advocates Public Participation Team**

CONTACT PERSON	CONTACT DETAILS	EMAIL
Ndivhuwo Maponya	076 218 7560	<a href="mailto:Ndivhuwo.maponya@tshikovha.co.za">Ndivhuwo.maponya@tshikovha.co.za</a>
Mulalo Tshilimandila	012 111 1912	<a href="mailto:mulalo.tshilimandila@climateadvocates.co.za">mulalo.tshilimandila@climateadvocates.co.za</a>
Moudy Mudzielwana	076 431 1016	<a href="mailto:Moudy@tshikovhacom.co.za">Moudy@tshikovhacom.co.za</a>

#### **Tshikovha Green and Climate Change Advocates (Pty) Ltd**

The company exists to assist companies, organ of state and individuals whose activities may impact onto the environment to comply with the required environmental authorizations through applicable studies within regulations. We advocate for compliance throughout the project and we believe in sharing information within context of the legal framework and the objective of the environmental studies. We are guided by science and we drive technology into our work. We always act independent from the client at every opportunity and we adhere to code of ethics of Natural Scientist

[www.climateadvocates.co.za](http://www.climateadvocates.co.za)

**Moudy Mudzielwana: 076 431 1016**

BACKGROUND INFORMATION DOCUMENT (BID) FOR THE PROPOSED FORMALISATION OF  
BOITEKONG EXTENSION 2 AND 8 IN RUSTENBURG LOCAL MUNICIPALITY NORTH WEST PROVINCE

STAKEHOLDER REGISTRATION AND COMMENT FORM

Please provide your complete contact details:

Name and Surname:	
Organization and Designation:	
Physical Address:	
Postal Address (if differ to the Physical Address):	
Contact Number (Landline and/or Mobile/Cell):	
E-mail Address:	

Would you like to register as an interested and affected party (I&AP)?

Yes

(Please tick relevant box)

No

**Note:** Please register as an I&AP to receive further correspondence regarding the project, including the notification of the availability of the draft Basic Assessment Report (BAR) including the Environmental Management Programme (EMPr) which will be made available for commenting for a period of 30 days. Once registered on the project database, your details may be included in public documentation

Please state your interest in the Proposed Project (insert additional pages if necessary):

--

Please list your questions, views or concerns regarding the Proposed Project (insert additional pages if necessary):

Please provide contact details of other persons who you may regard as a potential I&AP:

Name and Surname:

Organisation and Designation:

Physical Address:

Postal Address (if differ to the Physical Address):

Contact Number (Landline and/or Mobile/Cell):

E-mail Address:

PLEASE DIRECT/ SEND YOUR COMPLETED STAKEHOLDER REGISTRATION AND COMMENT FORM TO:

Contact person	Contact Number	Email address	Fax Number
Ndivhuwo Maponya	076 218 7560	<a href="mailto:Ndivhuwo.Maponya@Tshikovha.co.za">Ndivhuwo.Maponya@Tshikovha.co.za</a>	086 600 1016
Mulalo Tshilimandila	012 111 1912	<a href="mailto:mulalo.tshilimandila@climateadvocates.co.za">mulalo.tshilimandila@climateadvocates.co.za</a>	
Moudy Mudzielwana	076 431 1016	<a href="mailto:moudy@tshikovhacom.co.za">moudy@tshikovhacom.co.za</a>	

