

BACKGROUND INFORMATION DOCUMENT

PROPOSED COMMERCIAL DEVELOPMENT ON A PORTION OF PORTION 55
OF THE FARM BLESBOKLAAGTE 296 JS, EMALAHLENI

Reference number assigned by AdiEnvironmental: BA2016/01

Purpose of this document

- Overview of the proposed project;
- Overview of the Environmental Impact Assessment Process (EIA) to ensure that Interested and Affected Parties (I&APs) understand the process;
- Invitation to I&APs to participate in the EIA process by:
 - ⇒ Indicating their view points, issues and concerns regarding the activity;
 - ⇒ Suggesting alternatives or ways of mitigating negative impacts and enhancing positive impacts.



Introduction and Legal Requirements

The project applicant, Jumbo van der Merwe Trust, plans to utilise a portion of Portion 55 of the farm Blesboklaagte 296 JS (eMalahleni) for commercial purposes i.e. for the development of a shopping centre and associated infrastructure.

The site is approximately 10 ha in extent and located between Voortrekker Road and the Transnet railway line in close proximity of the eMalahleni CBD (Figure 1).

The Minister of Environmental and Water Affairs listed in terms of Sections 24(2) and 24D of the National Environmental Management Act, 1998 (Act No. 107 of 1998), a number of activities that require an environmental impact assessment (either a Basic Assessment or a full Environmental Impact Assessment) before undertaking these activities.

The proposed project would involve the following listed activity

(Government Notice R983 of 4 December 2014) as identified in terms of Section 24(2), 24(5), 24D and 44, read with section 47A(1)(b) of the National Environmental Management Act, 1998:

- **GN R983 – Listing Notice 1, Listed Activity 27:** *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 (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.*

In order to obtain approval (authorization) for this activity, a **Basic Assessment** must be conducted since the proposed project triggers a listed activity identified in GN R983 – Listing Notice 1 (see above).

In addition, a specific procedure must be followed as stipulated in the

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Environmental Impact Assessment Regulations, 2014, which also requires specific documentation to be submitted.

Once all the required documentation has been submitted and the environmental process completed, the responsible authority must make a decision on the application.

The environmental decision making authority for this application is the Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA).

Part of the above-mentioned process is to inform interested and affected parties (I&APs) of the proposed project and to obtain any issues of concern.

You are hereby invited to register as an I&AP and provide input with regards to the proposed activity.

Environmental Consultant

AdiEnvironmental cc. was appointed as independent environmental consultant to conduct the required environmental impact assessment and compile the necessary documentation.

AdiEnvironmental cc.

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www.adienvironmental.co.za

Ad 
Environmental

Public Participation

Aim of Public Participation

- To inform Interested and Affected Parties (I&APs) and Stakeholders of the proposed project.
- To allow for the registration of I&APs and thereby present I&APs with the opportunity to comment on the project, contribute ideas, raise concerns and review reports.

*In order to ensure that you are identified as an interested and/or affected party; please submit your name, contact information and interest in the matter to the contact person within 30 days of receipt of this document (i.e. no later than **11 July 2016**).*

If you know of any other interested and affected party who should be registered as an I&AP, it would be appreciated if you could forward the relevant contact details to AdiEnvironmental cc.

Public meeting

At this stage, it is not anticipated that a public meeting will be held. Should this change, the public meeting will be announced and all I&APs will be invited to attend the meeting.

Who are interested and affected parties?

An interested and affected party (I&AP) can be defined as any person, group of persons or organisation interested in or affected by a proposed activity or any organ of state that may have jurisdiction over any aspect of the activity.

The public participation process allows I&APs the opportunity to:

- Obtain clear and accurate information about the proposed activity;
- Indicate their viewpoints, issues and concerns regarding the activity;
- Suggest alternatives or ways of mitigating negative impacts and enhancing positive impacts.

What are the responsibilities of an interested and affected party?

In order to participate effectively, I&APs should:

- Become involved in the process as early as possible;
- Register as I&APs;
- Advise the consultant of other I&APs who should be consulted;
- Contribute towards the design of the public participation process to ensure that it is acceptable to all I&APs;
- Follow the process once it has been accepted;
- Read the material provided and actively seek to understand the issues involved;
- Give timeous responses to correspondence;
- Be respectful and courteous towards other I&APs and the environmental consultant;
- Refrain from making subjective, unfounded or ill-informed statements;
- Recognize that the process is confined to issues that are directly relevant to the application.

Availability of Reports

The following reports will be made available to interested and affected parties for evaluation purposes-

- Background Information Document (BID);
- Basic Assessment Report;
- Environmental Authorisation and Reasons for Decision.

A copy of the above-mentioned documents will also be provided on our website: www.adienvironmental.co.za

How to comment

Comments, questions, issues of concern or objections can be made in writing (by fax, e-mail or post). For your convenience, a comment sheet is attached to this document. Should you not be able to provide us with written comment, please give us a call.

If you do not wish to submit comments, please still provide us with your contact details and indicate whether you would like to remain on the mailing list.

Project Description

The applicant, Jumbo van der Merwe Trust, plans to utilise a portion of Portion 55 of the farm Blesboklaagte 296 JS for commercial purposes. The site is located between Voortrekker Road and the Transnet railway line in close proximity of the eMalahleni CBD. Figure 1 indicates the location of the site.

The entire property is 42.1920 ha in extent. The intention is to subdivide the property into five (5) portions, which can then be rezoned for development as the need arises.

The subdivision plan makes provision of the following (Figure 2):

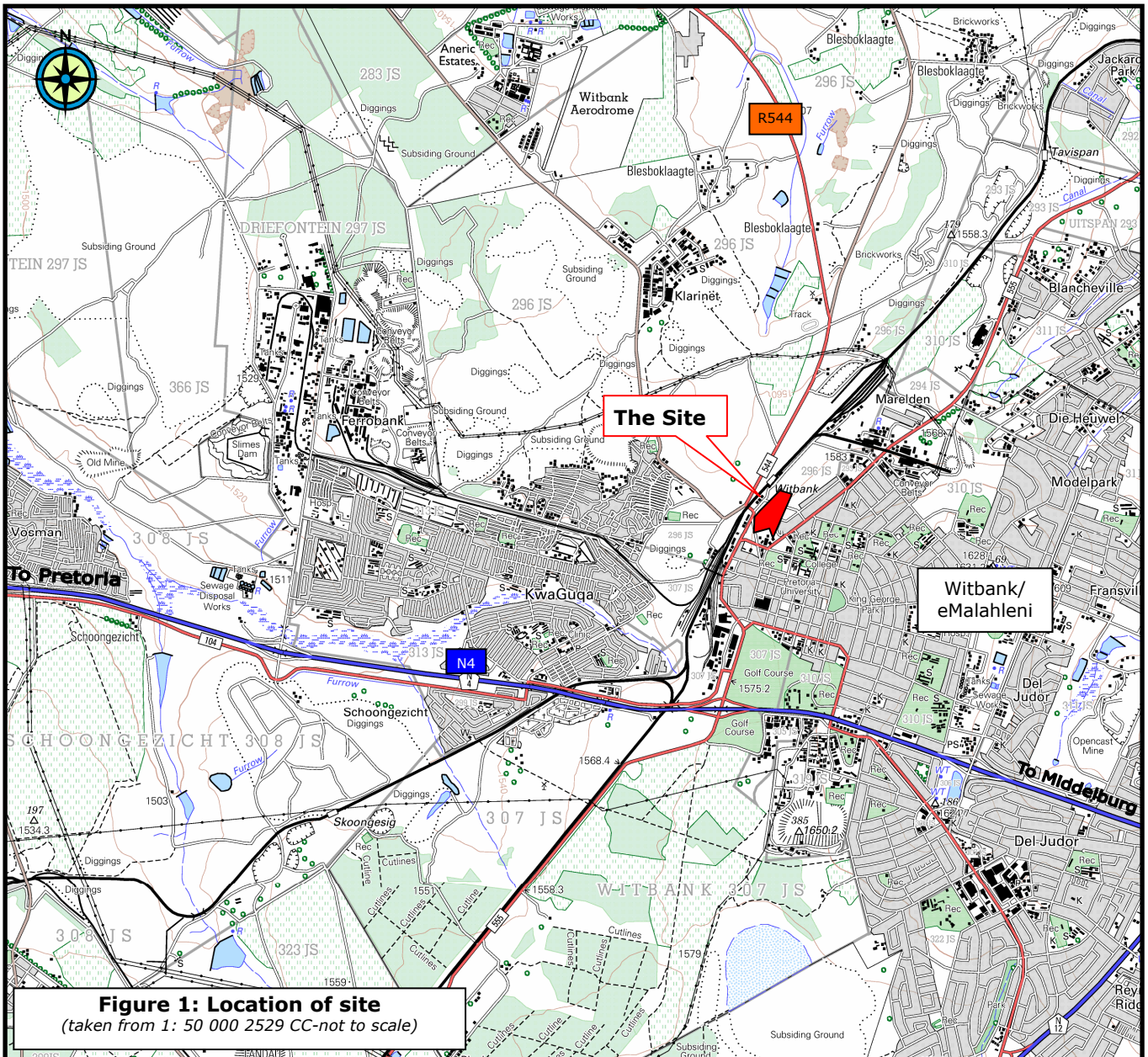
- Portion 271: 3.6815 ha - proposed shopping centre;
- Portion 270: 5.8968 ha - proposed shopping centre;
- Portion 269: 0.3878 ha - to accommodate existing

church;

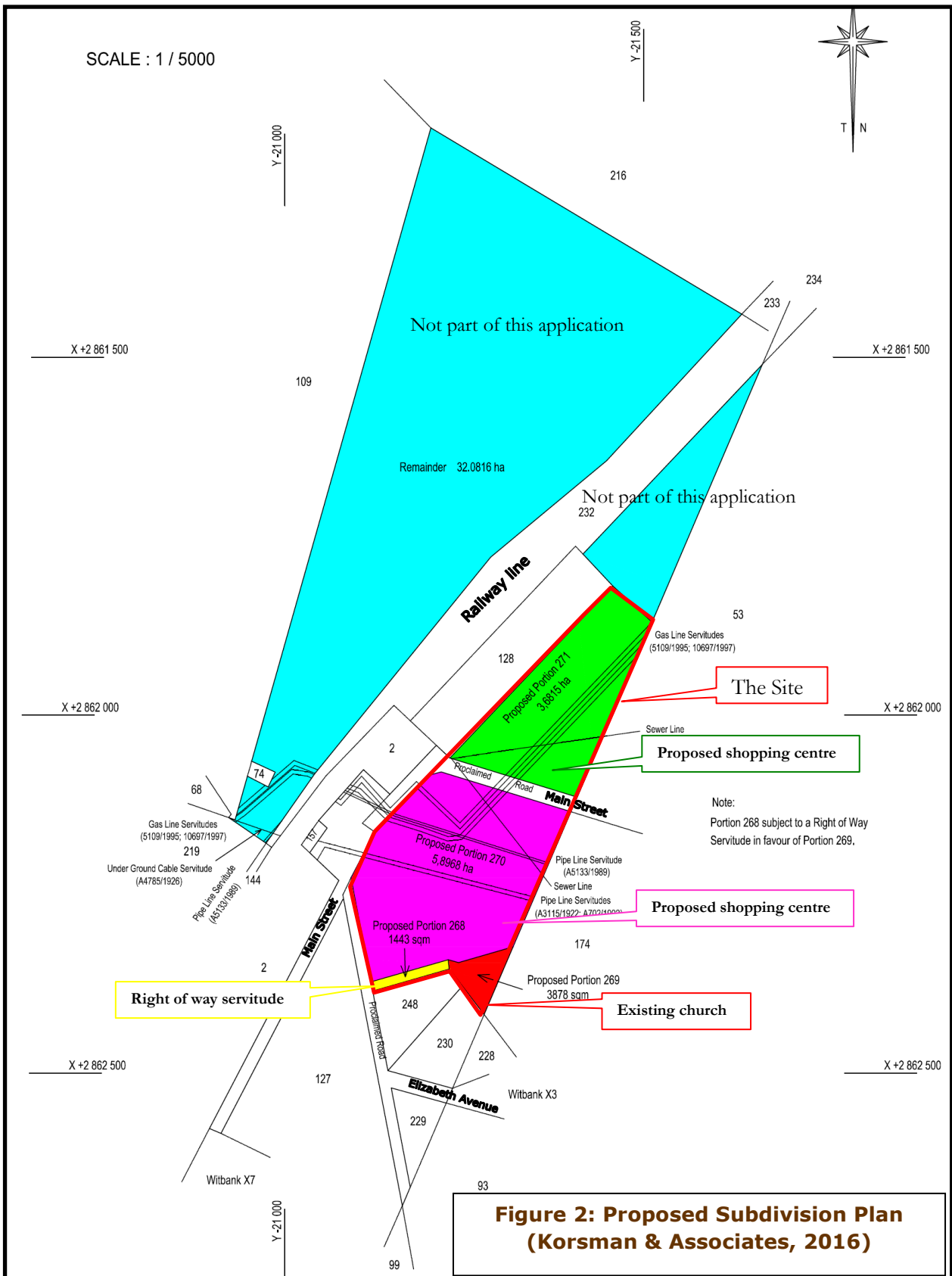
- Portion 268: 0.1443 ha - right of way servitude;
- Remainder: 32.0816 ha - not part of this application (located to north of the Transnet railway line). Will not be developed.

As indicated above, the shopping centre and associated infrastructure will be established on the proposed Portions 270 and 271 (Figure 2). A church is located in the south eastern corner of the site on the proposed Portion 269 (Figure 2). This portion will ultimately be transferred to the church. Portion 268 will be utilized as a right of way in order to provide access to Portion 269 (Figure 2).

The proposed shopping centre and associated infrastructure (e.g. parking, roads, etc.) will thus cover an area of 10.1104 ha.



Proposed layout plan



Process to be followed

In order to determine whether approval can be obtained for a proposed activity, a specific procedure must be followed. Government Notice R982 regulates the procedure for the submission, processing and consideration of applications. In short, the Environmental Assessment Practitioner (EAP) must apply the following:

- complete an application form (Regulation 16);
- compile a Basic Assessment Report (Regulation 19 and Appendix 1 to the Regulations);
- follow a public participation process (Regulations 39–44).

The process that will be followed by the EAP as well as the anticipated timeframes are attached for perusal. The aim of the process is to ensure that the environmental impacts are considered, the relevant I&APs are consulted and the decision making authorities are provided with sufficient information to make an informed decision.

Information with regards to the following environmental features of the said site will be provided in the Basic Assessment Report:

- Topography
- Geology
- Soil
- Land use
- Natural vegetation/plant life
- Animal life
- Surface water
- Groundwater
- Air quality
- Noise
- Sites of archaeological or cultural interest
- Sensitive landscapes
- Visual aspects
- Traffic
- Sense of place
- Interested and affected parties

The Basic Assessment Report will thus provide information regarding the planned activity, the environmental features of the said site and the public participation process followed. It will also provide an indication of the potential impacts that could result during the construction and operational phases of this project as well as possible mitigation/management measures to be implemented.

*It would be appreciated if you could complete the attached comment sheet indicating your issues of concern and/or objections and could forward this comment sheet to AdiEnvironmental by **11 July 2016**.*

Advertise project in local newspaper (30 days for registration as I&AP)
10 June 2016 – 11 July 2016

WE ARE HERE

Consultant to conduct basic assessment exercise (60 days) and compile Basic Assessment Report
June-July 2016

Submission of application form with DARDLEA
July 2016

DARDLEA to acknowledge receipt and issue reference number (10 days)
August 2016

Submit Draft Basic Assessment Report to I&APs for evaluation (30 days)
August 2016

Revise Basic Assessment Report (10 days)
September 2016

Submit Final Basic Assessment Report (including comment from I&APs) to DARDLEA for evaluation
September 2016

DARDLEA to grant or refuse authorisation (107 days)
October 2016–January 2017

Inform I&APs of DARDLEA's decision (within 14 days)
January 2017

Appeal process

Public Participation

PLEASE NOTE: TIME TABLE SUBJECT TO CHANGE THROUGH PROCESS FOLLOWED

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Reference number assigned by AdiEnvironmental cc: BA2016/01

It would be appreciated if you could indicate on this form whether you have any comments with regards to the proposed activity.

FIRST NAME:	POSTAL ADDRESS:
SURNAME:	
ORGANIZATION / FARM NAME:	TEL:
	FAX:
PHYSICAL ADDRESS:	CELL:
HOME LANGUAGE:	E-MAIL:

Do you wish to remain on the mailing list?

 Y **N**

COMMENTS:

Please use additional sheet(s) if necessary

In terms of Regulation 43(1) of the EIA Regulations, 2014, please disclose any direct business, financial, personal or other interest that you may have in the approval or refusal of the application:

.....
.....

.....

Signed

.....

Date

NOTE:

Please forward the completed form to AdiEnvironmental cc.



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