

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)  
FOR THE PROPOSED SUNSHINE VIEW TOWNSHIP

**BACKGROUND INFORMATION DOCUMENT (BID)**  
JUNE 2022

## BACKGROUND

Mr Lesiba Peter Sebothoma (the applicant) appointed Setala Environmental as the independent Environmental Assessment Practitioner (EAP) to undertake the Environmental Impact Assessment (EIA) for the proposed township development, Sunshine View.

The proposed development is a listed activity in terms of Sections 24(2) and 24(d) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) (as amended). The Environmental Impact Assessment (EIA) Regulations, 2017 promulgated in terms of Chapter 5 of the NEMA provide for the control of certain activities that are listed in Government Notice Regulation (GN R.) No. 327, 325 and 324. Activities listed in these notices must comply with the regulatory requirements listed in GN R. 326, which prohibits such activities until written authorisation is obtained from the Competent Authority. Such Environmental Authorisation (EA), which may be granted subject to conditions, will only be considered once there has been compliance with the EIA Regulations of 2017. GN R. No. 326 sets out the procedure and documentation that need to be compiled when undertaking an Application for Environmental Authorisation.

## WHERE IS THE PROJECT LOCATED?

The proposed project is located on Portions 42, 43 and 47 of the farm Valschfontein 33 JS, Dr JS Moroka Local Municipality in Nkangala District Municipality, Mpumalanga Province. The Property Co-ordinates are 25.107074 South, 29.098872 East. The Surveyor-general 21-digit site (erf/farm/portion) reference numbers of the three portions are TOJS0000000003300042, TOJS0000000003300043, TOJS0000000003300047.

The Dr JS Moroka LM shares boundaries with Limpopo Province in the north and Gauteng Province in the west. The application property is situated on the eastern boundary of the Dr JS Moroka LM next to the Siyabuswa and Kgobokwane settlements along the R573 Moloto Road. It is located approximately 115 km northeast of the City of Tshwane CBD, 25 kilometres southwest of Marble Hall and 30 kilometres west of Groblersdal. The proposed development is indicated in red on the Locality Maps below.



Figures 1 & 2: Site Location

**WHAT IS THE SCOPE OF THIS PROJECT?**

The proposed development is a mixed use development, consisting of the land uses of Residential 1 (1034 erven); Business 1 (2 erven); Institutional (3 erven) and Public Open Space (4 erven) on 68.76 Hectares. Access to the site will be obtained from the R573 situated south of the site.

Viable alternatives (i.e. layout alternatives, design alternatives) will be investigated and the best options will be determined through the environmental and specialist studies, as well as public opinion.

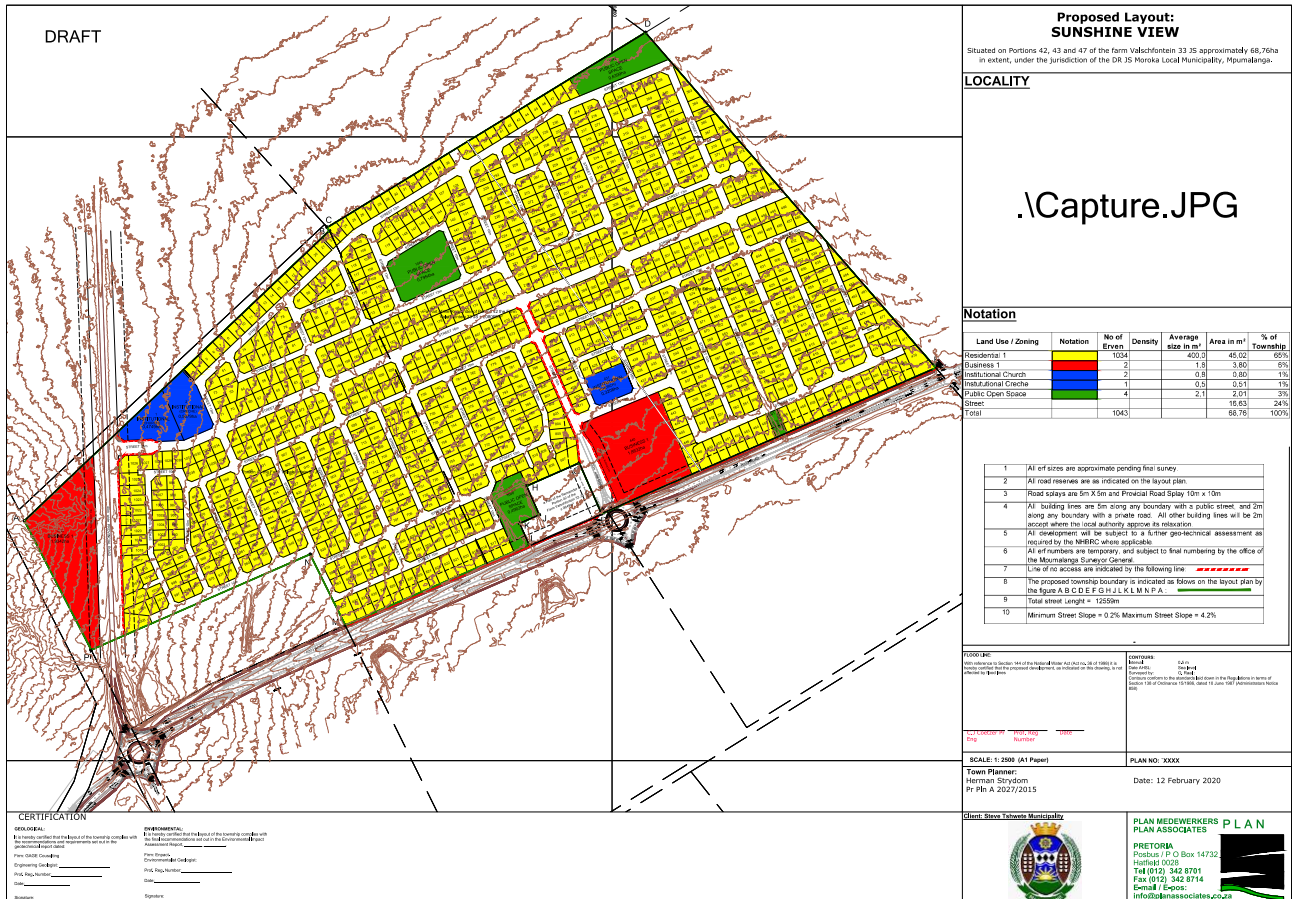


Figure 3: Draft layout

**WHAT IS THE PURPOSE OF THIS BACKGROUND INFORMATION DOCUMENT (BID)?**

This Background Information Document (BID) provides Interested and Affected Parties (I&APs) with background information about the proposed project and the Environmental Impact Assessment (EIA) process to be undertaken in order to enable them to:

- Determine if they are interested in and/or affected by the proposed project;
- Better understand the project in order to enable them to provide comment; and
- Understand the environmental authorisation process so that they are able to participate effectively.

You are therefore invited to register as an I&AP using the attached Comments and Registration form if you deem yourself an I&AP and wish to partake in the process.

## WHY AN EIA?

In the South African legislative framework, the National Environmental Management Act No. 107 of 1998, as amended (NEMA) regulates development activities, which may pose a risk to the integrity of the ecological and human environment. Coupled with NEMA, listed activities are provided, which describe the types, limits, expanse and nature of developments that require an Environmental Impact Assessment Process, in application for Environmental Authorisation prior to commencement.

The following construction activities will require Environmental Authorisation:

Table : Listed Activities (to be confirmed)

<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 9</u> 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; excluding where— (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 (b) where such development will occur within an urban area.</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 10</u> 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 – (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where— (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 (b) where such development will occur within an urban area.</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 12</u> The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) <u>infrastructure or structures with a physical footprint of 100 square metres</u> or more; where such development occurs— (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, <u>within 32 metres of a watercourse</u>, measured from the edge of a watercourse</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 19</u> The infilling or depositing of any material of <u>more than 10 cubic metres into</u>, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than <u>10 cubic metres from a watercourse</u>;</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 24</u> The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 27</u> The development of a road (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres but excluding a road— (a) which is identified and included in activity 27 in Listing Notice 2 of 2014; (b) where the entire road falls within an urban area; or (c) which is 1 kilometre or shorter.</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 28</u> 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; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare</p>
<p><u>GN R. 327/2017</u> <u>Listing Notice 1 Activity 67</u> Phased activities for all activities— (i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices; where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</p>
<p><u>GN R. 325/2017</u> <u>Listing Notice 2 Activity 15</u> The clearance of an area of 20 hectares or more of indigenous vegetation</p>
<p><u>GN R. 324/2017</u> <u>Listing Notice 3 Activity 1</u> The development of billboards exceeding 18 square metres in size outside urban areas, mining areas or industrial complexes. In Mpumalanga vi. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>
<p><u>GN R. 324/2017</u> <u>Listing Notice 3 Activity 4</u> The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p>

<p>In Mpumalanga</p> <p>i) Outside urban areas</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>
<p><u>GN R. 324/2017</u>  <u>Listing Notice 3 Activity 12</u>  The clearance of an area of <b>300 square metres or more</b> of indigenous vegetation</p> <p><u>Mpumalanga</u></p> <p>i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii) Within critical biodiversity areas identified in bioregional plans</p>
<p><u>GN R. 324/2017</u>  <u>Listing Notice 3 Activity 14</u>  The development of—</p> <p>(ii) <b>infrastructure or structures with a physical footprint of 10 square metres or more;</b>  where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, <b>within 32 metres of a watercourse</b>, measured from the edge of a watercourse.</p> <p><u>Mpumalanga</u></p> <p>i. Outside urban areas:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas identified in terms of an international convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</p>
<p><u>GN R. 324/2017</u>  <u>Listing Notice 3 Activity 26</u>  Phased activities for all activities—</p> <p>i. listed in this Notice and as it applies to a specific geographical area, which commenced on or after the effective date of this Notice; or</p> <p>ii. similarly listed in any of the previous NEMA notices, and as it applies to a specific geographical area, which commenced on or after the effective date of such previous NEMA Notices—</p> <p>where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold;</p>

## WHAT DOES THE SCOPING & EIA PROCESS ENTAIL?

### Application and initial notification

During this phase application for environmental authorisation for the commencement of the activity is made to the environmental authority. An initial notification process takes place whereby the public is informed of the proposed development through inter alia, newspaper adverts, notification letters and on site advertisements.

### Public Participation Process (PPP) Phase

The purpose of this phase is:

- To identify interested and affected parties (I&APs) and relevant authorities
- The opening and maintaining of a register of all I&APs and key stakeholders on the database (on-going)
- To identify potential environmental impacts through investigation and PPP; and
- To describe and investigate the alternatives that may be considered.

### Scoping Phase

This phase inter alia includes:

- Advertising the Scoping process and availability of the BID
- Consultation with and dissemination of information to I&APs through the BID, one-on-one consultation, public open days/focus group meetings/key stakeholder workshops
- Inviting I&AP comment and input on the draft SR (30-day comment period)
- Recording all comments, issues and concerns raised by I&APs in a Comments and Response Report for inclusion in the final SR.
- Submission of final SR to DARDLEA
- DARDLEA to accept SR and Plan of Study for EIA

### EIA Phase

This phase inter alia includes:

- Compilation of draft EIA Report and advertise availability of draft EIAR
- Consultation with and dissemination of information to I&APs through one-on-one consultation, public open days/focus group meetings/key stakeholder workshops
- Inviting I&AP comment and input on the draft EIAR (30-day comment period)
- Recording all comments, issues and concerns raised by I&APs in a Comments and Response Report for inclusion in the final EIAR.
- Submission of final EIAR to DARDLEA

Where necessary, mitigation measures are recommended to reduce the significance of potential impacts. Once the Final EIAR has been submitted to the environmental authority, they will consider the Application.

## ENVIRONMENTAL AUTHORISATION

An Environmental Authorisation (EA) (in terms of section 26 of the Act) will be issued to the applicant once the environmental authority, Mpumalanga Department Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA), has made a decision regarding the proposed development. This decision is based on inter alia, information received in the PPP phase.

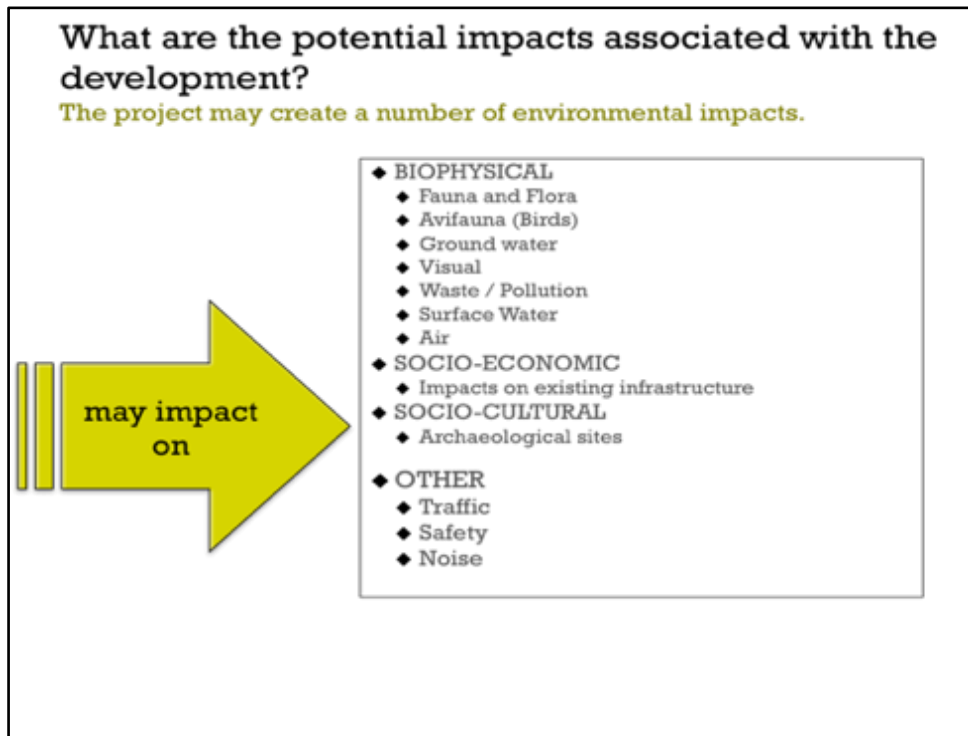
## WHAT IS THE PROGRAMME FOR THE SCOPING & EIA PROCESS?

The following preliminary programme is envisaged for the Scoping & EIA Process:

PPP (Scoping Phase)	Compilation of Final SR and submission to DARDLEA for Review	DARDLEA to accept SR and PoS for EIA	PPP (EIA Phase)	Compilation of Final EIAR and submission to DARDLEA for Review	Environmental Authorisation
07/2022 to 09/2022	09/2022 to 10/2022	11/2022	01/2023 to 02/2023	03/2023	06/2023

## WHAT ARE THE POTENTIAL IMPACTS ASSOCIATED WITH THE PROJECT?

Mixed-use developments and associated infrastructure may create a number of environmental impacts. A number of potential environmental issues have been identified and are listed here to assist I&APs to better understand the investigations to be undertaken as part of the environmental assessment process. The preliminary list of potential environmental impacts includes:



All significant issues identified will be collated into a Comment and Responses Report and will be included in the Final SR and EIAR.

## SPECIALISTS

The project team will identify potential issues and assess these impacts in terms of their significance in accordance with the guidelines for Scoping and EIA in terms of Regulations 21 and 23 and as set out in Appendix 6 to these Regulations. Specialist studies will be conducted to assess the significance of all impacts identified.

## AUTHORISING AUTHORITY

An environmental authorisation will be issued by the DARDLEA based on the information provided in the Final EIA Report.

## WHAT IS THE PURPOSE OF PUBLIC PARTICIPATION?

Public participation (PP) is a joint effort between stakeholders, the Applicant, technical specialists and decision-makers who work together to produce better decisions than they would have done had they acted independently. The Public Participation Process (PPP) aims to inform a wide range of I&APs about the proposed project and the environmental impact assessment process. It is a tool to allow the public to exchange information and to express their views and concerns about the proposed development. All contributions from I&APs will be fully documented, evaluated and responded to in the SR and EIAR.

The public participation process (PPP) provides opportunities for I&APs to be involved right from the outset of the EIA.

The PPP includes the following steps to ensure effective public participation:

Step 1:	Register I&APs and key stakeholders on a database (on-going)
Step 2:	Advertise the Scoping process and availability of the BID (local press, on-site and letters)
Step 3:	Consultation with and dissemination of information to I&APs through the BID, one-on-one consultation, virtual meetings during the Scoping phase
Step 4:	Invite I&AP comment and input on the draft SR (30-day comment period)
Step 5:	Record all comments, issues and concerns raised by I&APs in an Issues and Responses Report for inclusion in the final SR
Step 6:	Consultation with and dissemination of information to I&APs through one-on-one consultation, virtual meetings during the EIA phase
Step 7:	Invite I&AP comment and input on the draft EIAR (30-day comment period)
Step 8:	Record all comments, issues and concerns raised by I&APs in a Comment and Responses Report for inclusion in the final EIAR

## GETTING INVOLVED

You can get involved in the Scoping & EIA Process by:

- Registering as an I&AP using the attached Comment and Registration Form and returning it to the public participation consultant within 30 days by fax or email using the details provided below;
- Connect with the Public Participation Office during the process so that you can obtain further information, interact with the project team members and raise issues and concerns.
- Contacting the public participation consultant by email or fax should you have a query, wish to make a comment or require further information; and
- Reviewing and commenting on the draft reports within the 30-day review periods provided. If you register as an I&AP you will automatically receive any further information that is distributed as part of this application. Should you wish to comment on the draft reports that will be made available for public review it is important that you take note of the 30-day review period and the deadlines for submission of comments. Comments can be submitted in writing via fax, email or post, using either the Comment Form provided or your own format, to *Ria Pretorius: Setala Environmental* using the contact details below. (*Email is recommended*)

### PUBLIC PARTICIPATION OFFICE CONTACT DETAILS:

Ria Pretorius  
**Setala Environmental**  
PO Box 36593, Menlo Park, Pretoria, 0102  
fax 086 675 4026; mobile 082 568 6344  
ria@setalaenvironmental.co.za