

08 October 2015
Our Reference: 1278/15 EQDepartment of Environmental Affairs
Environment House
473 Steve Biko Road
ARCADIA
PRETORIA
0001

[BY HAND]

Attention: Integrated Environmental Authorisations

Dear Madam/Sir,

QUERY AS TO WHETHER ENVIRONMENTAL AUTHORISATION IS REQUIRED FOR THE PROPOSED CONSTRUCTION OF THREE (3) RESIDENTIAL HOUSES ON HOLDING 70 OF PROTEA RIDGE AGRICULTURAL HOLDINGS (MOGALE)

Eco Assessments has been approached by Urban Context to ascertain whether environmental authorisation would be required for the proposed construction of three (3) residential houses on Holding 70 of Protea Ridge (Mogale).

Background

A site visit was undertaken on the 04th September 2015 in order to ascertain the nature and extent of the proposed activities on the property.

Location

The site is located at Holding 70 Protea Ridge and is accessible from the Hekpoort / Krugersdorp Road. Portion 70 totals 2.021 hectare of which 0.90ha comprises the area under investigation.

The site falls under the jurisdiction of the Mogale Local Municipality and is located within the Cradle of Humankind World Heritage Site.

Holding 70 lies within the Secondary Zone 2 of the COHWHS according the COHWHS EMF (July 2011).

Nature of Activities & Description of the Site

Current activities on site include a residential house with drive way & parking garage, servant quarters and landscaped areas as part of a rural residential land use.

The site includes a steep slope (>5°) as part of the Protea Ridge. This area has largely been developed for rural residential land use. Holding 70 is totally enclosed with a boundary wall for security reasons and is thus isolated from the surrounding area.

Holding 69 immediately south of the site is used a guest house, whilst Holding 71 (immediately north of the site) is used a rural residential/home business land use. Holding 72 north of Holding 71 is developed as the Monte Vista Wedding Venue. A nursery is located west (an across the road) of the site as are

various small businesses that include an electrical wholesaler and canvas product manufacturer (Figure 5).

The top area where the three (3) houses are proposed to be constructed has previously been transformed and partly used to stockpile building rubble during the restoration of the previous residential unit that occurs on the lower portion of the property. In addition there is evidence that crops (maize) were historically planted and grown (unsuccessfully) on part of the site.

The vegetation found growing on the top portion of the property is largely exotic and no longer natural in form or species composition. Few if any species indigenous to the area occur on site. This area totals less than 0.9ha in extent of which 65% had been modified in the past (Mid 2013). At the time, the NEMA 2010 EIA regulations would have been in place and the stockpiling of soil and building material / clearance of part of the site is not likely to have triggered the need for environmental authorisation.

The existing services on site include a municipal water connection, electrical supply via Eskom and containment of waste (sewage) in a conservancy tank. The conservancy tank is emptied every 2 or 3 months or as required. The total throughput of sewage waste is estimated to be less than 2000m³ per annum.

Removal of waste (domestic solid) is carried out weekly by the Mogale Local Municipality.

Proposed Development

Urban Context Town Planners seek to rezone Holding 70 Protea Ride from Agriculture to Agriculture with an annexure to allow for four (4) dwelling units on the property. The application includes consent to construct an additional three (3) residential dwelling units. One residential unit (with related outbuildings & a garage) currently occurs on the site.

Figure 3 provides the general position for each of the three (3) additional units. The construction activities for each house will need to include the creation of a cut to fill platform (approximately 1000m²) for the house, landscaped garden and garage. This footprint will occur on previously cleared / transformed areas that have been affected by cultivation / stockpiling of building rubble.

The construction of the three (3) additional dwelling units will not impact on the ecology of the site nor result in the loss of sensitive (Red Data) fauna or flora species. The site is not likely to include any features of cultural historic value as the area has been historically cleared. No structures, graves or significant cultural historic features (buildings, houses) occur, or are likely to occur, on the site.

The character of the area / sense of place is not likely to be affected by the proposed development owing to existing uses and development trend in this area. Figure 5 indicates a trend of mixed land uses typically found along this main access road into Krugersdorp. This area is largely shielded from the primary zone of the CoH by the Protea Ridge and does not generally detract from the character or ambience of the CoH. The envisaged land use for the three (3) houses will be rural residential which is a land use common to the area. The intention is to enhance the existing physical, social and economic residential characteristics of the site and surrounding area by optimising available land, infrastructure, roads and services to create scope for residential land use.

It will however be necessary to ensure an adequate storm water management plan in order to address run off from hard surfaces created upslope of the existing house. This run off impact is likely to be low with mitigation owing to the small area that will be transformed by each house and the area of land that surrounds each unit that can be used to absorb the run-off impact. The construction of appropriate berms to slow the velocity of run-off water is likely to eliminate potential impacts on the site and in the surrounding area.

The intensity of impact is limited and localised and is unlikely to impact negatively on the environment nor Cradle of Humankind World Heritage Site. The significance of the development is likely to be low to none.

Requirements of NEMA (2014)

In terms of the National Environmental Management Act (107 of 1998) and the Amended Environmental Impact Assessment Regulations (2014), it does not appear that the proposed construction of three (3) residential units on the site requires environmental authorisation owing to the following –

1. The rezoning of land is no longer listed as an activity as per the Amended EIA Regulations (2014);
2. No sensitive ecological features (pans, river courses or wetlands) occur on the site or will be affected by the proposed development. The property is however located on a Class 3 Ridge (Protea Ridge/Roodepoort Ridge) and is partly affected by the GDARD Ridges Policy;
3. The site historically had a classification as an Ecological Support Area under GIDS (2011 version 3.3) although this was not listed under the NEMA 2010 EIA listed activities. The vegetation and ecological value of the site is low owing to the stockpiling of building rubble in the past (Mid 2013);
4. The construction of the units will not lead to the transformation/clearing of more than 300m² of indigenous vegetation (consisting of plant species occurring naturally in an area) as the majority of the site has been historically transformed in the past. Few if any indigenous species natural to the area occur on the area under investigation;
5. Relevant services (municipal water, sewage and Eskom electrical supply) are available on site. The discharge of sewage is into a conservancy tank that is regularly emptied. The expected annual throughput of sewage will be less than 2000m³ per year;
6. The internal roads to access the site from the Hekpoort Road will be less than 4.0m in width;
7. The dwelling units are to cater for family members of the land owner and will not be used as hospitality facilities. No hazardous substances will be stored on site and the site will not require the construction of reservoirs, canals, tracks, bill boards, masts or any other activity listed under NEMA 2014.

Please could you consider the above and then provide me with a formal indication of the requirements from DEA, if any, in respect of the proposed rezoning of Holding 70 Protea Ridge and the envisaged construction of the additional dwelling units.

I look forward to your soonest response.

Please do not hesitate to contact me with any queries on the above.

Regards

Mark Custers (Pr. Sci. Nat.)
082 857 8480

CC. Hein Pienaar Deputy Director: NEMPAA
Cradle of Humankind World Heritage Site: Management Authority
Thabo Kgomommu Deputy Director World Heritage Sites

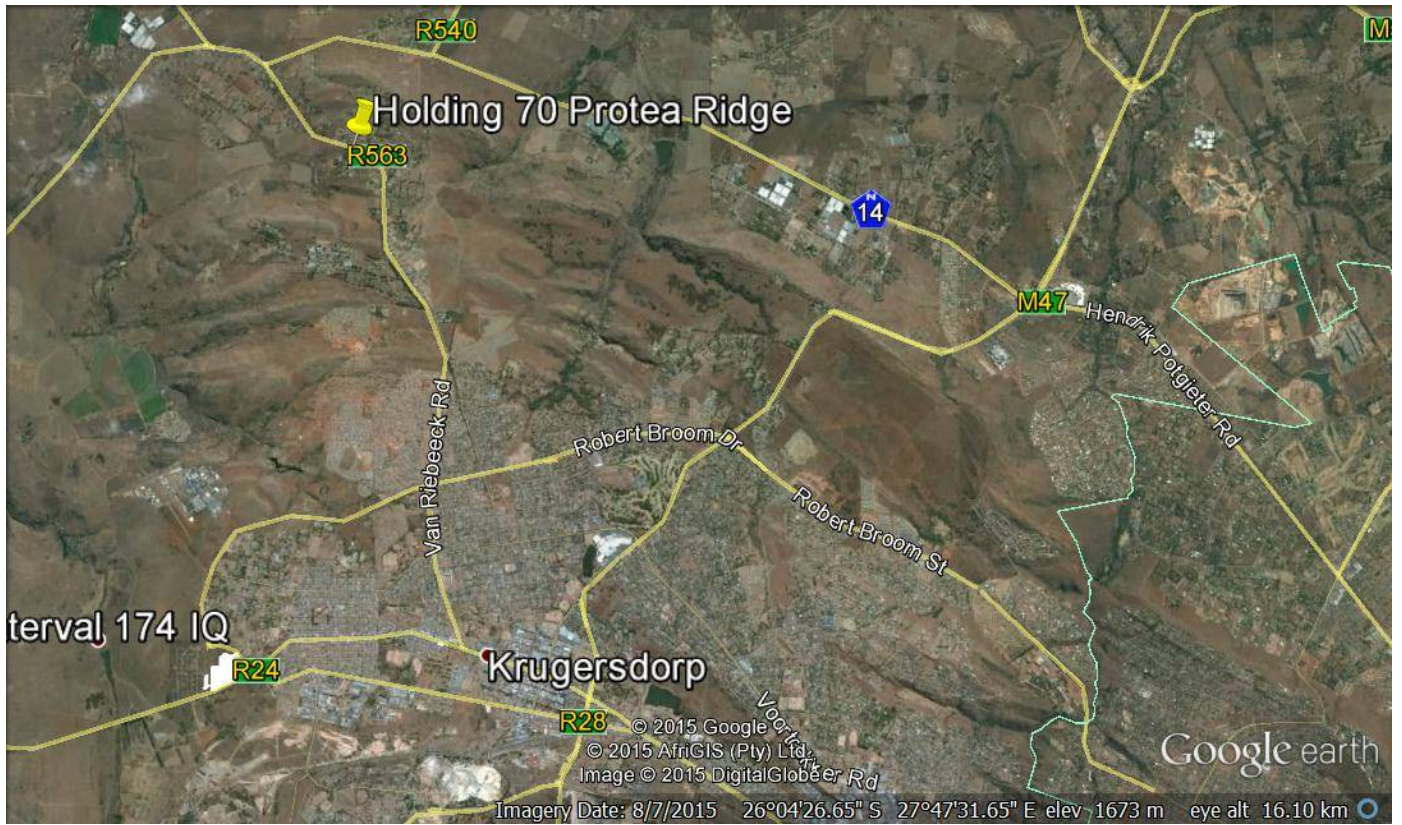


Figure 1. Regional Locality Map

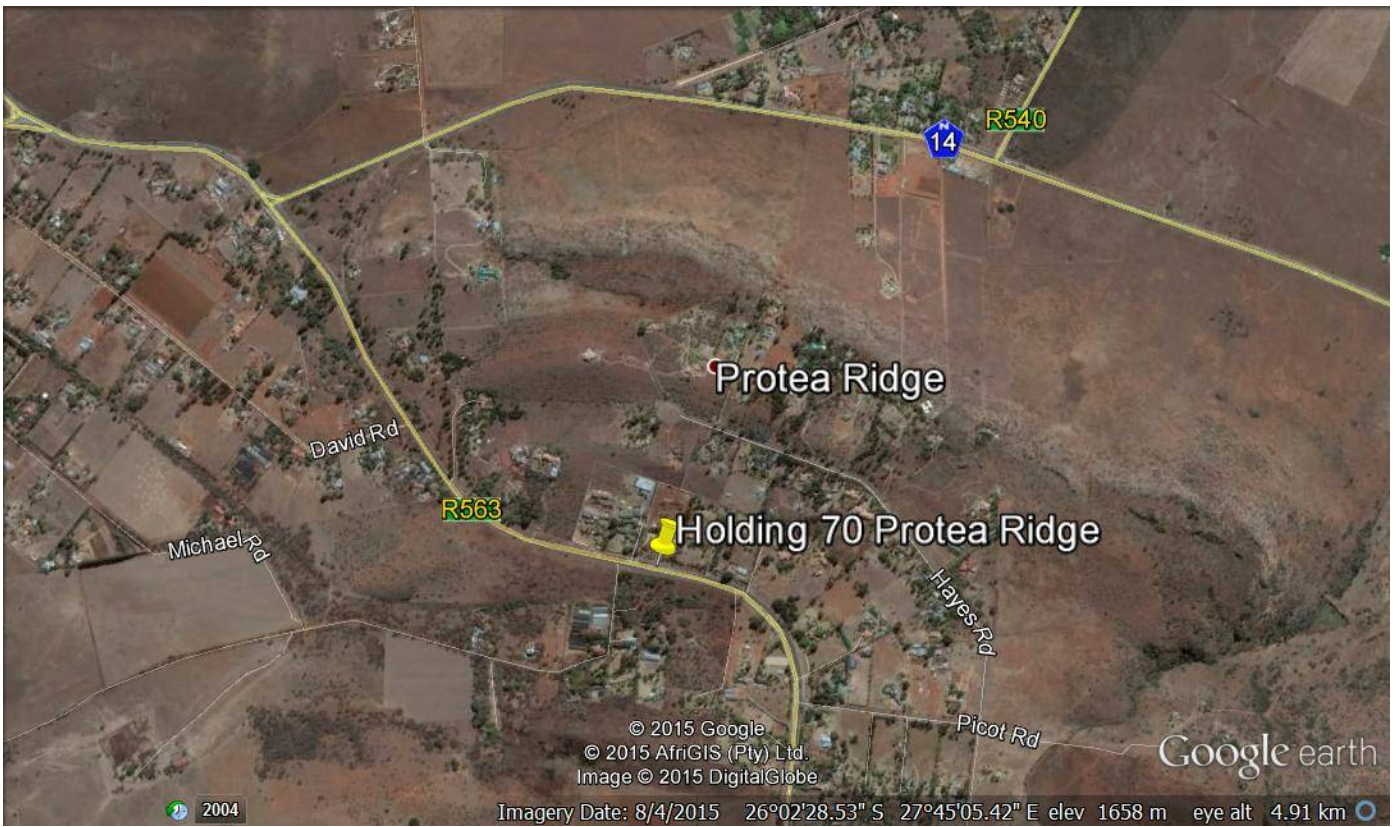


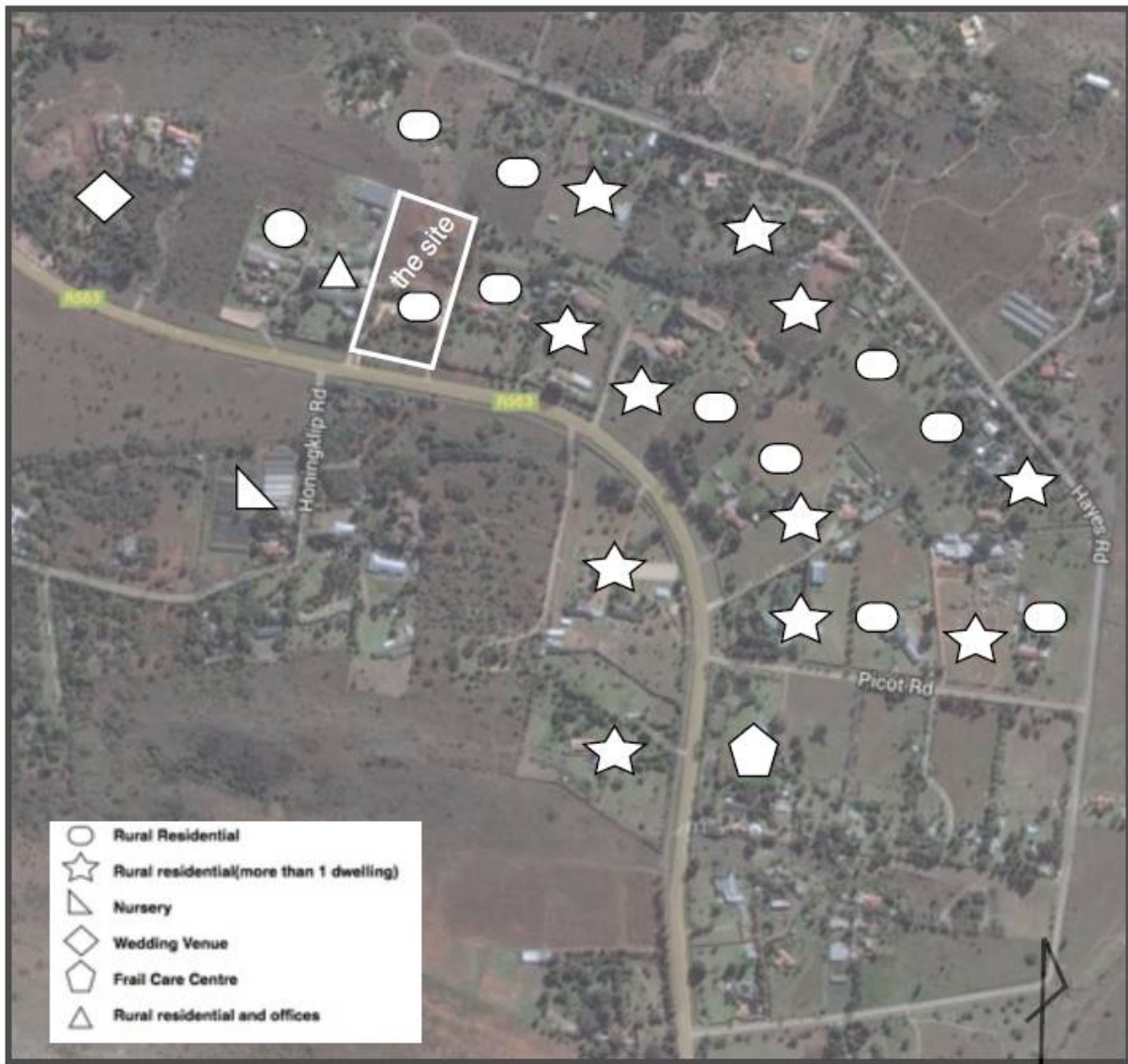
Figure 2. Site Locality Map



Figure 3. Aerial Photo



Figure 4. Preliminary Layout Plan (showing existing house and three new platform areas for new residential dwellings)



LAND USE PLAN

Holding 70 Protea Ridge AH

- | | |
|---|---|
| ○ | Rural Residential |
| ☆ | Rural residential(more than 1 dwelling) |
| △ | Nursery |
| ◇ | Wedding Venue |
| ⬠ | Frail Care Centre |
| ▲ | Rural residential and offices |



FEBRUARY 2015

Figure 5. Land Use Plan for site and surrounding area showing trend of development and land use

Photo Plate



Western Boundary Wall of subject area



Central area of subject area



Northern boundary wall of subject area



Central area of subject area



Southern portion of subject area that links to existing landscaping



North eastern boundary wall of subject area



Existing conservancy tank



Eastern Boundary wall of subject area



Landscaped garden of existing house



Access to site of R563 (Hekpoort / Krugersdorp Road)