

**UNLAWFUL COMMENCEMENT
OF THE CONSTRUCTION OF A
ROAD ON ERVEN 128, 129 AND
A PORTION OF ERF 75 ROSSLYN
EXTENSION 1**

May 2023

DRAFT ENVIRONMENTAL IMPACT REPORT

S24G/03/22-23/0595



Details of Role Players

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EXECUTIVE SUMMARY

BioBlue Environmental Sustainability (Pty) Ltd. was appointed by Metroplan Town Planners and Urban Designers on behalf of The South African Breweries to conduct an Environmental Assessment in terms of Section 24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), to rectify and undertake the listed activities in terms of Government Notice Regulation (GNR) 326 of the Environmental Impact Assessment Regulation, 2017 (as amended).

The South African Breweries (Pty) Ltd., (herein after referred to as SAB) have unlawfully commenced with the construction of a road on Erven 128, 129 and a Portion of Erf 75 within Rosslyn Extension 1. The site was zoned as Public Open Space and an Environmental Authorization should have been obtained for closure of the park.

The Gauteng Department of Agriculture and Rural Development have not issued any Notice of Intention to Issue a Compliance Notice to SAB, however the company has decided to proactively apply for a S24G rectification application.

LEGISLATIVE REQUIREMENTS

The application is done in terms of S24G of the National Environmental Management Act, 1998 (Act No 107 of 1998) (NEMA) and the Environmental Impact Assessment Regulations of December 2014, to rectify and undertake the listed activities in terms of Government Notice Regulation (GNR) 326 of the Environmental Impact Assessment Regulations, 2017 as amended.

Listing Notice No. 3	Activity Description
Activity 4: The development of a road wider than 4 meters with a reserve less than 13,5 metres. (c) Gauteng (xii) Sites zoned for conservation use or public Open space or equivalent zoning.	The road infrastructure is wider than 4 metres and was constructed within an area zoned as Public Open Space.

DFFE Screening Tool

The DFFE Screening Tool was compiled and site verification was conducted by BioBlue Environmental as well as the appointed specialist consultants. The following assessments were conducted as part of the assessment and as guided by the screening tool and specialist inputs:

- Terrestrial Biodiversity Assessment
 - Vegetation and Fauna
- Heritage Impact Assessment

ALTERNATIVES

The road was constructed within the specific erven as it is directly adjacent to the SAB Rosslyn plant and gives the trucks direct access to the plant and avoids any congestion with neighbouring businesses. There were no feasible alternatives available in terms of location or technology.

PUBLIC PARTICIPATION

The Public Participation process was initiated on the 16th of September 2022.

- Two site notices were placed at strategically near the site, to ensure that possible Interested and Affected Parties could be aware if the proposed project process initiated. The one site notice was placed on Dodds Street where access could be gained to the project site and the second site notice was placed on the corner of Gaigher and Kitshof Street.
- An advert was placed in the Rekord Newspaper.
- Background Information Documents were delivered by hand to The Lion Match Company, Bidvest and Nampak. The other companies were reached via emails sent to them as the responsible persons were not available on site.

All documents will be available on the BioBlue Environmental website and via Onedrive link.

SPECIALIST ASSESSMENTS

The following specialist assessments were commissioned to assist in ascertaining the impacts created by the unlawful development.

- Terrestrial Biodiversity Assessment
- Fauna Assessment
- Heritage Impact Assessment

IMPACT STATEMENT

The properties where the project is situated was zoned as Public Open Space and thus required an Environmental Authorization to be issued in this regard. The area was most probably not in pristine condition as indicated by surveys done in remaining natural areas close by the site.

Most of the impacts had occurred during the construction / establishment phase of the development such as:

- Loss of habitat for resident fauna species
- Loss of indigenous fauna during clearance activities
- Spreading of invasive plant species and weeds within the disturbed areas
- Potential socio-economic impacts (both positive and negative)
- Impacts on cultural and historical aspects
- Possible Pollution of water resources

The specialists confirmed that the impacts on the project site areas were minimal and classified as "low" impact as the site did not have the potential to contain any significant plant or fauna species of conservation concern or site of cultural or heritage significance.

CONCLUSION AND RECOMMENDATIONS

The process within this Environmental Impact Report demonstrates the description of the activity and the assessment of the impacts that the development has had on the receiving biophysical and socio-environment.

As this is a rectification application in terms of S24G, the operation is existing and most of the impacts have already occurred. Thus, there is no preferred alternative for this site and the area is characterized by numerous industrial facilities.

Numerous specialist studies were conducted to ascertain the possible impacts that could have occurred on site. These studies show that the existing impacts of the illegal activity are low to moderate and by implementing the proposed mitigation measures moving forward the environmental impacts will remain low.

Due to the site location and recommendations from specialist assessments it is the opinion of the EAP that the site can be authorized in terms of S24G of the National Environmental

Management Act if the site management implements all the required mitigation measures and ensures the site is maintained.

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GLOSSARY OF TERMS

- "Activity" means an activity identified in Government Notice Number R718 of 2009, and GNR. 324, R. 325, and R. 327, of 2017 as a listed activity.
- "Alternatives", in relation to a proposed activity, means different means of meeting the general purpose and requirements of the activity, which may include alternatives to property, activity, design or technology.
- "Applicant" means a person who has submitted or intends to submit an application. "Application" means an application for Environmental Authorization in terms of the EIA regulations, 2014 (as amended).
- "Associated Infrastructure," means any building or infrastructure that is necessary for the functioning of a facility or activity or that is used for an ancillary service or use from the facility.
- "Biodiversity" The variety of life occurring in an area, including the number of different species, the genetic wealth within each species, and the natural habitat where they are found.
- "Cultural significance" This means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance.
- "Cumulative impact" in relation to an activity, means the impact of an activity that in itself may not be significant but may become significant when added to the existing and potential impacts eventuating from similar or diverse activities or undertakings in the area.
- "Environment" The environment has been defined as "The external circumstances, conditions and objects that affect the existence and development of an individual, organism or group". These circumstances include biophysical, social, economic, historical, cultural and political aspects.
- "Environmental Assessment Practitioner" Person or company, independent of the applicant (developer), that manages the environmental assessment process of a proposed project on behalf of the applicant.
- "Environmental Management Programme" means a programme presenting management and mitigation measures in relation to identified or specified activities envisaged in Chapter 5 of the National Environmental Management Act and described in regulation 34.

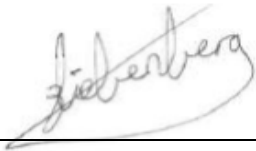
- "Heritage resources" This means any place or object of cultural significance. It also includes archaeological resources.
- "Interested and Affected Party" means an interested and affected party contemplated in section 24(4) (d) of the Act, and which in terms of that section includes - (a) Any person, group of persons or organization interested in or affected by an activity; and (b) Any organ of state that may have jurisdiction over any aspect of the activity.
- "Public Participation Process" means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters;
- "Registered Interested and Affected Party", in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of regulation 42.
- "Species of Conservation Concern" All those species included in the categories of endangered, vulnerable or rare, as defined by the International Union for the Conservation of Nature and Natural Resources.
- "Significant impact" means an impact that by its magnitude, duration, intensity or probability of occurrence may have a notable effect on one or more aspects of the environment.
- "The Act" means the National Environmental Management: Waste Act, 1998 (Act No.59 of 2008).

DECLARATION OF INDEPENDENCE

The independent Practitioner

I, **Zander Liebenberg** declare that I –

- act as the independent Environmental Practitioner for the Environmental Impact Report to be submitted with the Section 24G Rectification Application
- this report covers the Environmental Impact Assessment aspects only and no other scope of work was requested for this study and the information should be interpreted with caution
- do not have and will not have financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010;
- have no and will have any vested interest in the proposed activity proceeding;
- undertake to disclose, to the competent authority any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the Environmental Impact Assessment Regulations, 2010;
- BioBlue accepts no responsibility for the accuracy of any third-party data used in the production of this report.



Signature of Author – Zander Liebenberg Pri.Sci. Nat (*Reg.No. 117291*) *EAPASA Registered*

Date – 2023/05/30

1 INTRODUCTION

BioBlue Environmental Sustainability (Pty) Ltd. was appointed by Metroplan Town Planners and Urban Designers on behalf of The South African Breweries to conduct an Environmental Assessment in terms of Section 24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), to rectify and undertake the listed activities in terms of Government Notice Regulation (GNR) 326 of the Environmental Impact Assessment Regulation, 2017 (as amended).

The South African Breweries (Pty) Ltd., (herein after referred to as SAB) have unlawfully commenced with the construction of a road on Erven 128, 129 and a Portion of Erf 75 within Rosslyn Extension 1. The site was zoned as Public Open Space and an Environmental Authorization should have been obtained for closure of the park.

The Gauteng Department of Agriculture and Rural Development have not issued any Notice of Intention to Issue a Compliance Notice to SAB, however the company has decided to proactively apply for a S24G rectification application.

The unlawful commencement of the project triggered the following listed activities:

GN R.324 Listing Notice 3: Activity 4

- The development of a road wider than 4 metres with a reserve less than 13,5 metres.
 - (c) Gauteng
 - (x) Sites zoned for conservation use or public open space or equivalent zoning.

GN.R.324 Listing Notice 3: Activity 12

- The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purpose undertaken in accordance with a maintenance management plan.
 - (c) Gauteng
 - (iii) on land where, at the time of the coming into effect of this notice or thereafter such land was zoned open space, conservation or equivalent zoning.

1.1 DETAILS OF APPLICANT

Please refer to page (ii)

1.2 DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER AND EXPERTISE

The EAP is Zander Liebenberg on behalf of BioBlue Environmental Sustainability (Pty) Ltd. Mr. Liebenberg has a Hons. BSc in Environmental and Biological Sciences from the North-West University, Potchefstroom Campus and has over 7 years' experience in the Environmental Management sector. Mr. Liebenberg is also a registered EAP with EAPASA and is also registered with SACNASP (refer to Appendix H3 for the EAP CV). The EAP has experience in conducting the following processes:

- Basic Assessment, Scoping and Environmental Impact Assessments
- Water-use License Applications
- Environmental Auditing and Monitoring
- Public Consultation and Stakeholder Engagement

Details of the EAP are stipulated on page (ii).

1.3 ENVIRONMENTAL AUTHORITY

The Competent Authority is the Gauteng Department of Agriculture and Rural Development (GDARD).

1.4 PURPOSE OF THE REPORT

The main purpose of this report is to:

- Conduct required Environmental Assessment process on behalf of the applicant and to rectify the listed activities in terms of Government Notice Regulation (GNR) 326 of the Environmental Impact Assessment Regulation, 2017 (as amended).
- Conduct site investigations and analysis of the receiving environment.
- Conduct the Public Participation Process and keep a register of all Interested and Affected Parties.
- Analysis and description of the possible impacts of the project based on available information, site survey and specialist inputs.
- Make recommendation for decision-making.

2 BACKGROUND

The South African Breweries have been operating a successful business for over a century and has grown into a company that is today the world's largest brewer. SAB also focuses on community development and investment into the community in which it operates.

SAB unlawfully commenced with the construction of a road on the Erven 128, 129 and a portion of Erf 75 that was zoned Public Open Space. The road was constructed as a truck staging area and for driveway purposes. The road was developed with three lanes, with the two side lines used for truck staging purposes and the one lane will act as a driveway. An ablution facility for the truck drivers will be developed but this will fall within the applicant's property and not the park area. Access to these ablution facilities will be gained from the leased properties.

2.1 REGIONAL SETTINGS

The site is situated in Rosslyn, an industrial suburb of Akasia. It is 29km north-west of the city of Pretoria and forms part of the City of Tshwane Metropolitan Municipality, Gauteng Province.

The industrial area is best known for its automotive industry, in particular BMW South Africa factory and the Nissan Factory, but also other major role players such as Bevcen and SAB. The project site is situated within Erven 128, 129 and a portion of Erf 75 Rosslyn Extension 1 that is located between the Nissan factory and SAB with access being gained from Gaigher and Dodds Street respectively.

The centre coordinates of the site area: 25°37'18.99"S, 28° 5'5.62"E

Table 1: Erven and S21G Codes

Erf	21SG Code
Portion 0 of Erf 128 Rosslyn Extension 1 JR	T0JR02220000012800000
Portion 0 of Erf 129 Rosslyn Extension 1 JR	T0JR02220000012900000
A Portion of Portion 0 of Erf 75 Rosslyn Extension 1 JR	T0JR02220000007500000



Figure 1: Locality map of project site

2.2 APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

2.2.1 South African Constitution 108 of 1996

The Constitution is the supreme law of the land and includes the Bill of rights which is the cornerstone of democracy in South Africa and enshrines the rights of people in the country. It includes the right to an environment which is not harmful to human health or well-being and to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures.

2.2.2 National Environmental Management Act (NEMA), 107 of 1998

NEMA requires that:

- "Development must be socially, environmentally, and economically sustainable,"
- "Disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied," and
- "a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions."

NEMA states that "the environment is held in public trust for the people, the beneficial use of environmental resources must serve the public interest and the environment must be protected as the people's common heritage."

2.2.3 National Environmental Management: Biodiversity Act (NEMBA), 10 of 2004

In terms of NEMBA, the developer has a responsibility for:

- The conservation of endangered ecosystems and restriction of activities according to the categorisation of the area (not just by listed activity as specified in the EIA regulations).
- Promotion of the application of appropriate environmental management tools to ensure integrated environmental management of activities thereby ensuring that all development within the area is in line with ecological sustainable development and protection of biodiversity, and
- Limiting further loss of biodiversity and conserving endangered ecosystems.
- Adhering to all regulations and legislation promulgated because of the National Environmental Management: Biodiversity Act (NEMBA), 10 of 2004.

- Furthermore, a person may not conduct a restricted activity involving a specimen of a listed threatened or protected species without a permit issued as per Chapter 7 of NEMBA.

2.2.4 National Heritage Resources Act, 1999 (Act No. 25 of 1999)

The National Heritage Resources Act, 1999 (Act no. 25 of 1999) identifies the following categories of value under section 3(1) and (2) of the Act under the heading "National Estate":

- "3 (1) For the purpose of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.
- (2) Without limiting the generality of subsection (1), the national estate may include-
- (a) places, buildings, structures and equipment of cultural significance;
 - (b) places which oral traditions are attached or which are associated with living heritage;
 - (c) historical settlements and townscapes;
 - (d) landscapes and natural features of cultural significance;
 - (e) geological sites of scientific or cultural importance;
 - (f) archaeological and palaeontological sites;
 - (g) graves and burial grounds, including-
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the Gazette
 - (v) historical graves and cemeteries; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
 - (h) sites of significance relating to the history in South Africa;
 - (i) movable objects, including-
 - (i) objects recovered from the soil or waters of South Africa including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;

- (v) objects of decorative or fine art;
- (vi) objects of scientific or technological interests; and
- (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1 (xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

2.3 FEASIBLE AND REASONABLE ALTERNATIVE

The road was constructed within the specific erven as it is directly adjacent to the SAB Rosslyn plant and gives the trucks direct access to the plant and avoids any congestion with neighbouring businesses. There were no feasible alternatives available in terms of location or technology.

2.4 NEED AND DESIRABILITY

The South African Breweries have a large, well-established plant in Rosslyn, Gauteng province. The trucks coming to the Breweries site had to wait on the side of the road, in this case Gaigher street. This then started to cause problems for companies such as The Lion Match Company (Pty) Ltd. whose site is situated to the east of the SAB plant. Gaigher and Dodds streets are two lane roads that cannot cater for large amount of truck traffic within the Rosslyn industrial area.

Thus, the current challenges faced by SAB created problems for adjacent businesses and the need for an alternative arose and thus, the decision was taken to develop Erf 128, 129 and a portion of 75 into a three-lane road that will operate as a truck staging area and driveway. This alleviated the pressure on Gaigher street and provided a solution for the challenges faced by the adjacent companies who could not utilize the public road conveniently.



Figure 2: Trucks waiting to be loaded on Gaigher street indicating previous problems with staging areas



Figure 3: Project site of unlawful road construction – indicates where trucks are now staged

3 BASELINE ENVIRONMENTAL DESCRIPTION

3.1 PHYSICAL SIZE OF THE PROPERTY AND ACTIVITY

The Erf portions are 13 394m² in extent and most of the site had been cleared of vegetation during the construction phase of the project. The road and walkway comprise 6 972m² within the Erf portions.

3.2 SITE ACCESS

Access to the development site can be gained via Dodds and Gaigher streets in between the SAB site and the Nissan plant.

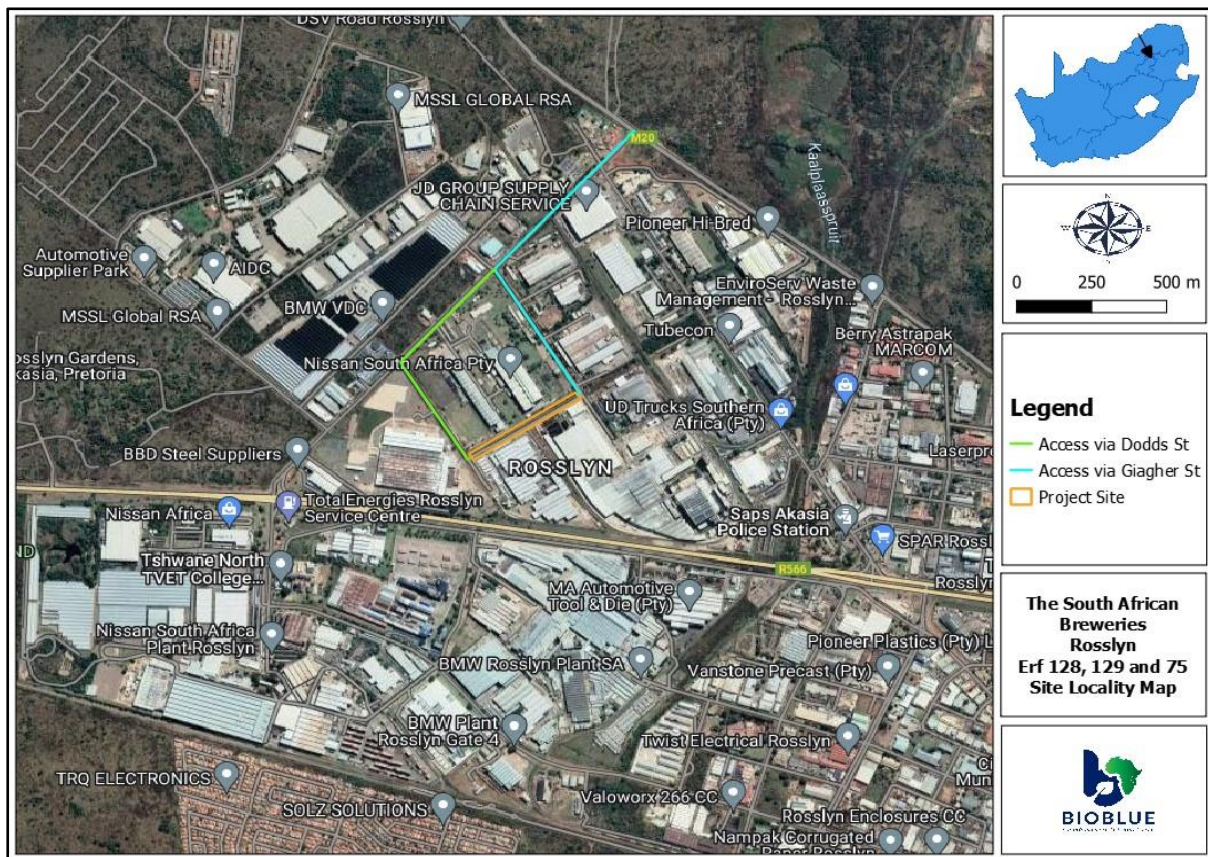


Figure 4: Map indicating access points to the site

3.3 EXISTING SITUATION

Rosslyn was established as an Industrial suburb with companies such as Nissan, BMW, Nampak and Total Energies all forming part of the area. The Kaalplaasspruit flows through the Rosslyn

area to the east of the project site and is the main environmental sensitive feature in the area. There are park areas that have been zoned as Public Open Space that form part of the “green” sections of Rosslyn Industrial.

Regional GIS maps indicated the site to be located within the Norite Koppies Bushveld vegetation that has a conservation status of “Least Concerned” and the study site does not fall into any important or irreplaceable areas in terms of Gauteng Conservation Plan 3.3.

3.4 CLIMATE AND RAINFALL

The project site falls within the summer rainfall area with MAP of 600-700mm per annum. The summer months are characterised by average temperatures in the high twenties and frequent frosts occur around the base of the hills in winter but less so on the hills.

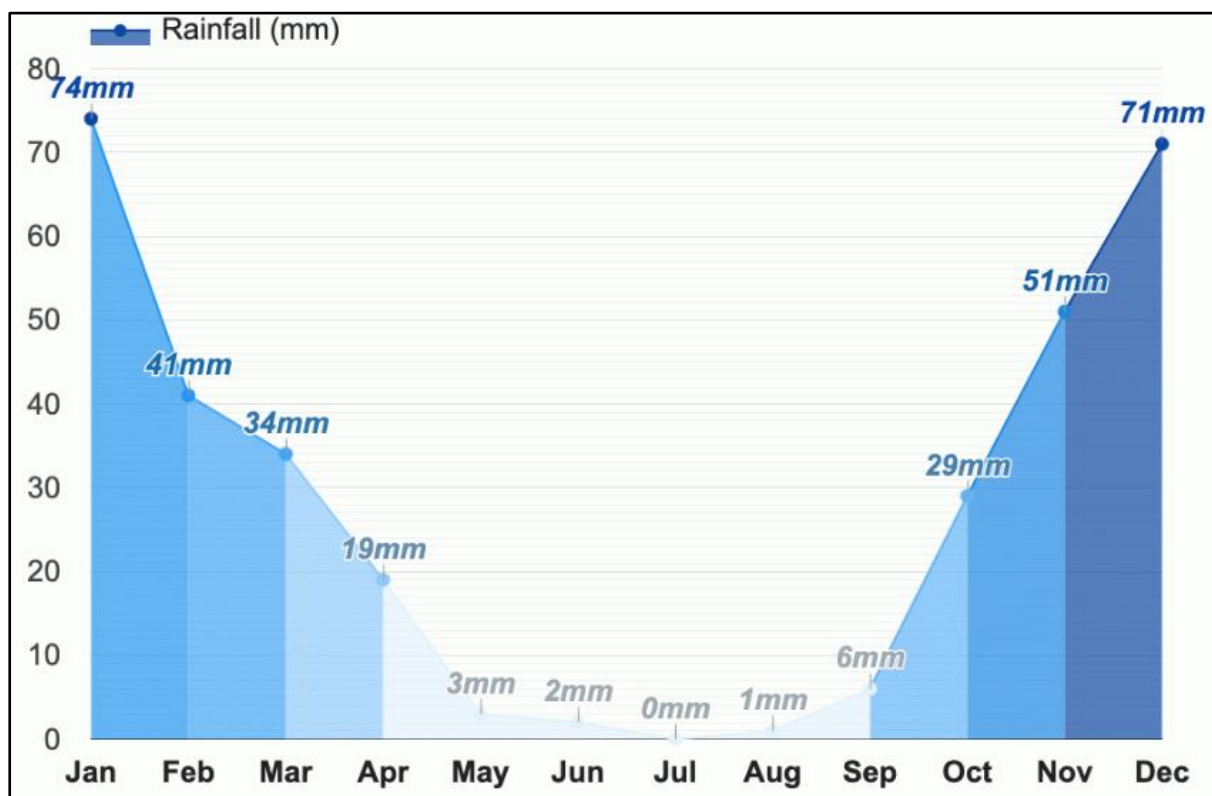


Figure 5: Average annual rainfall – Rosslyn

3.5 VEGETATION AND BIODIVERSITY

The proposed development does not fall within any important areas in terms of the Gauteng Conservation Plan (C-Plan) area. The biodiversity assessment identifies Critical Biodiversity Areas (CBAs) which represent priority areas requiring safeguarding to maintain ecosystem functioning.

Regional GIS maps indicate the site to be located within the Norite Koppies Bushveld vegetation that has a conservation status of "Least Concerned". The vegetation type was not adopted into the List of Threatened Ecosystems in need of protection (GN 1002).

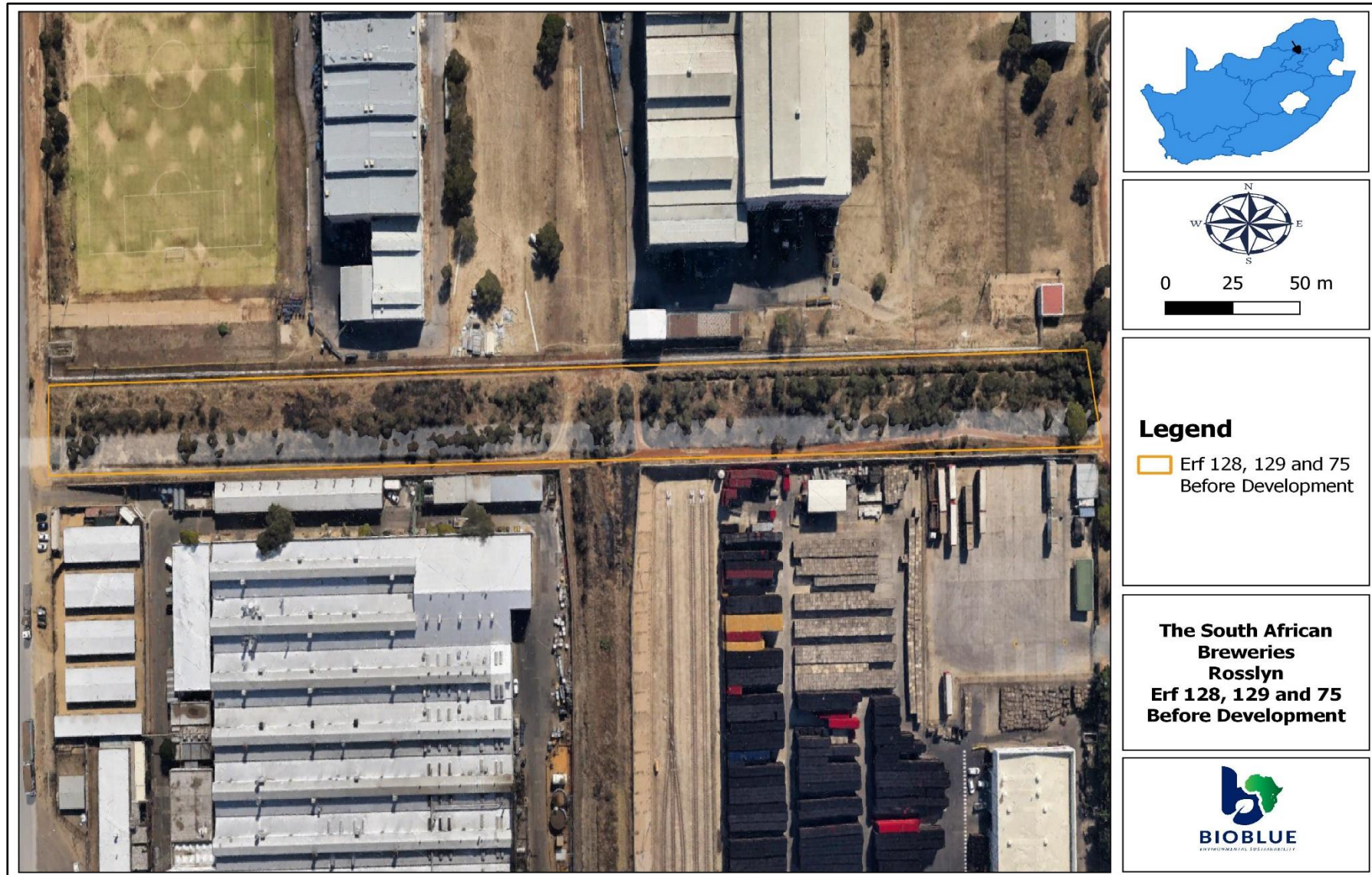


Figure 6: The project site before development occurred



Figure 7: The project site after development

3.6 SOCIO-ECONOMIC ENVIRONMENT

Rosslyn is situated within the City of Tshwane Metropolitan Municipality and the municipality has an approximate population of 2,9 million people. 37% of the population is classified as youth, making Tshwane one of the youngest cities in South Africa.

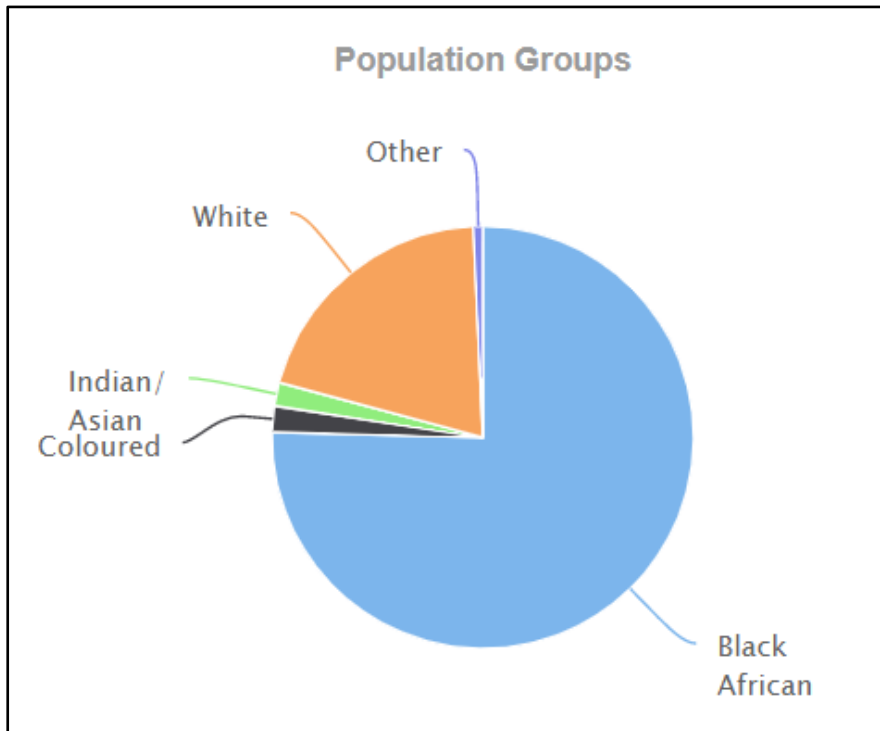


Figure 8: Population groups of City of Tshwane Metropolitan Municipality

Living Conditions

99% of the households within Tshwane have access to sanitation facilities and 72% have electricity connections. Approximately 24% of the population is classified as living in poverty while the City has experienced an urbanisation rate of 1,6% over the past 3 years with 89,3% of the population living in urban areas and 75% of the population residing in formal housing.

Economic analysis

The economy is highly service based with community services and government, financial and manufacturing services as the most significant sectors. The Rosslyn Industrial area is a highly industrial economy with companies such as The South African Breweries plant, Nissan and BMW automotive plants making up some of the large companies forming an integral part of the local economy.

3.7 WASTE, EFFLUENT, EMISSION AND NOISE MANAGEMENT

Solid waste on the site area must be managed as there was some littering and rubble visible during the site visit.

- Place waste disposal bins strategically that have to be emptied on a weekly basis or when required.

Effluent: Ablution facilities are available for the truck drivers and the small amount of effluent produced will be released into the available Municipal system.

Noise Management: As the site is located within an industrial area, the possible noise impacts are minimal, and the use of the site will coincide with the operational times of the factories.

4 FINDINGS OF SPECIALISTS

4.1 BIODIVERSITY SENSITIVITY ANALYSIS

KEMS (Pty) Ltd. was commissioned to undertake a Compliance statement for terrestrial biodiversity and plant species for the developed road on Erven 128 and 129 of the Rosslyn Industrial area.



Figure 9: Conservation value of the study area (GDARD C-Plan 3.3)

4.1.1 Results and Evaluation

Broad Vegetation Types

A low, semi-open to closed woodland up to 5m tall, consisting of dense deciduous shrubs and trees with very sparse undergrowth on shallow soils, with large areas not covered by vegetation. A list of expected common and dominant species in undisturbed Norite Koppies Bushveld, includes the following:

Small trees: *Combretum mole* (d), *Croton gratissimus* (d), *Ficus abutilifolia* (d), *Pappea capensis* (d).

Succulent Tree: *Euphorbia cooperi*. **Tall Shrubs:** *Triaspis glaucophylla* (d), *Canthium gilfillanii*, *Clerodendrum glabrum*.

(Refer to KEMS report for full list).

Terrestrial biodiversity of the site

The current land use for the site is transformed and a road has been built. The site did contain savanna vegetation before development (Refer to Figure 6 and 7).



Figure 10: Photographs of the current plant growth still on site.

Plants of the Study site:

The plants of the study site were evaluated to determine if the plant populations on site prior to the development would still have resembles the plant species occurring within the Norite Koppies Bushveld vegetation type. To determine this, a section of remaining vegetation was chosen 450m south-west of the site (Figure 11 below). This piece of vegetation was assessed to determine the characteristics of the pre-development.

No protected trees occur on the site and therefore it is considered that no protected trees are likely to have occurred on the project site.



Figure 11: Evaluated piece of remaining vegetation

Refer to the KEMS plant species report for full list of vegetation on site.

Out of 26 species observed on the site, 5 of the plants were NEMBA listed plants and are subject to actions as stipulated under the NEMBA Act.

- 1 NEMBA Category 1a plant was recorded and must be controlled.
- 4 NEMBA Category 1b plants were identified and must be controlled.

The species count is deemed low and is a result of the study site being transformed due to the construction of the road and secondly due to the isolation of the piece of savanna assessed 450m from the site.

4.1.2 Assessment of Impacts

The following was considered:

- Impacts of erosion on the vegetation
- Impacts of construction of stormwater outlets on vegetation
- Impact of the construction of tar roads will have on vegetation

Table 2: Impact Assessment before mitigation

Impact	Description	Severity	Duration	Extent	Consequence (S + D + E / 3)	Frequency	Probability	Likelihood (F + P / 2)	Significance (C * L)
Impact on Indigenous Natural Vegetation due to the planned filling station	The site vegetation and terrestrial biodiversity was isolated and is classified as Least Concerned.	4	4	2	3	4	1	2.5	7.5 Low
Loss of individual or threatened plants	Vegetation clearance of the site had a low potential to impact on any plant species of special concern. None of these species were listed in the DEFF screening tool.	4	4	2	3	4	1	2.5	7.5 Low
Establishment and spread of declared weeds and alien invader plants	Transformed sites are vulnerable to alien invasive plant establishment.	5	5	2	4	5	5	5	20 High

Table 3: Impact Assessment after mitigation

Impact	Severity	Duration	Extent	Consequence (S + D + E / 3)	Frequency	Probability	Likelihood (F + P / 2)	Significance (C*L)
Impact on Indigenous Natural Vegetation due to the planned filling station	4	4	2	3	4	1	2.5	7.5 Low
Loss of individual or threatened plants No red or orange data plants were recorded on site.	4	4	2	3	4	1	2.5	7.5 Low
Establishment and spread of declared weeds and alien invader plants	4	4	2	3	4	1	2.5	7.5 Low

4.1.3 Conclusions

An assessment was undertaken to determine if the construction of the road would have potentially influenced and plants Species of Conservation Concern (SCC). It was found that there was no potential of any SCC plant species to have occurred within the footprint of the road. An impact Assessment was undertaken for the site and only one impact was identified that needed attention. The establishment of Alien and Invasive Plant species must be monitored and controlled. A total of 5 plants were identified on and around the site that is listed in the Alien and Invasive Species Regulations of 2014 (NEMBA) which needs management.

The sensitivity assessment was undertaken as per Section 2.6 of the KEMS report. There is no more habitat remaining and a Low sensitivity rating was awarded to the site. It is the reasoned opinion that the development of the road had a minimal and low impact on terrestrial biodiversity of the area.

4.2 TERRESTRIAL ANIMAL SPECIES COMPLIANCE STATEMENT

KEMS was appointed to undertake an Animal Species Assessment for the unlawful commencement of activities associated with the establishment of new road across Erven 128 and 129 in Rosslyn.

A desktop assessment was conducted to establish the pre- and post-construction site conditions and to predict site sensitivity prior to conducting the field investigation. Since the study site has already been developed, Google Earth™ imagery played a large role in determining historical anthropogenic impacts to the study site.

A one-day site investigation was undertaken on 17 September 2022 (Summer Season) as a groundtruthing exercise to determine whether the sensitivities identified in the Screening Tool Report was accurate/correct in relation to the actual physical and ecological characteristics of the sites. Since the study site falls within the Summer Rainfall Region, it was imperative to conduct the study during the summer months.

Following the desktop evaluation and the site investigation, it was determined that the potential for Species of Conservation Concern to have been present on site prior to commencement with unlawful activities, was unlikely. Therefore, in accordance with the protocol for Terrestrial Animal Species, this Compliance Statement was compiled. The information gathered throughout the assessment differs from the National Screening Tool Medium Sensitivity Rating for the study site in that the study area is rather considered to have a Low Sensitivity Rating.

The unlawfully constructed road infrastructure is not considered to have had a significant impact on the study site. The area surrounding the study site is industrial in nature and forms part of the Rosslyn built-up area. As is evident from the desktop assessment, the study site, at the time of commencement with unlawful construction activities, had been significantly altered throughout the years and preconstruction conditions cannot be regarded as pristine natural environment. The study site has historically been impacted on by land clearing, landscaping, and burning, going back as far as 2004 (and most likely even further).

4.2.1 Results and Evaluation

The National Screening Tool revealed that an Animal Species theme of Medium Sensitivity. A medium sensitivity rating is applied to areas with suspected habitat for SCC or is based on habitat suitability modelling.



Figure 12: Historical imagery of the study site (Google Earth)

A control site was investigated to determine the potential status of pre-construction conditions for the study site. The control showed signs of anthropogenic impacts through littering, human movement, alien invasive plant establishment.

4.2.2 Conclusions

No significant potential habitat is left within the study site. The area has been completely altered by vegetation clearance and the establishment of road and storm water infrastructure together with alien invasive plant establishment and human movement and littering. A control site was investigated to determine the potential status of pre-construction conditions for the study site. The control site showed signs of anthropogenic impacts through littering, human movement, alien invasive plant establishment. Based on the impacted condition of the control

site and also on the historical imagery of the study site, it can be concluded that the study site pre-construction conditions were very likely highly impacted on already. It is not anticipated that any identified SCC would permanently reside in the remaining vegetated areas of the industrial built-up zone. Elevated noise levels, high traffic volumes, the deteriorate state of vegetation within the area, littering/dumping and constant human movement through the area would no doubt deter SCC from permanently establishing.

4.3 ARCHEOLOGY

Leonie Marais was appointed by KEMS to carry out a Phase 1 Heritage Impact Assessment (HIA) for the construction of a road on Portions 128 and 129 Rosslyn, with the site visit taking place on the 17th of September 2022.

This project may potentially impact on any types and ranges of heritage resources that are outlined in Section 3 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). The objective of this Phase 1 HIA was to gain an overall understanding of the heritage sensitivities of the area and indicate how they may be impacted on through development activities.

Findings:

The greater study area was taken into account.

4.3.1 Pre-Colonial Heritage Sites:

- Stone Age
- Iron Age

There are no pre-colonial heritage sites evident in the study area. This can be attributed to previous infrastructure development and agricultural activities in the study area.

4.3.2 Historical Period Heritage Sites

- Pioneer sites
- Sites associated with early mining
- Structures older than 60 years
- Graves (Graves younger than 60 years, graves older than 60 years, but younger than 100 years, graves older than 100 years, graves of victim's conflict or of individuals of royal descent.

There are no historical period sites evident on the site earmarked for development.

4.3.3 Intangible Heritage

The intangible heritage of the greater study area can be found in the stories of past and present inhabitants.

4.3.4 Does the site/s contain any marked graves and burial grounds

The site does not contain marked graves or burial grounds.

The possibility of graves not visible to the human eye always exists and this should be taken into consideration in the Environmental Management Plan.

It is important to note that all graves and cemeteries are of high significance and are protected by various laws. Legislation with regard to graves includes the National Heritage Resources Act (Act 25 of 1999) whenever graves are 60 years and older. Other legislation with regard to graves includes those when graves are exhumed and relocated, namely the Ordinance on Exhumations (no 12 of 1980) and the Human Tissues Act (Act 65 of 1983 as amended).

If sub-surface graves are discovered work should stop and a professional preferably an archaeologist contacted to assess the age of the grave/graves and to advice on the way forward.

4.3.5 Recommendations

1. There are not visible restrictions or negative impacts in terms of heritage associated with the site
2. In terms of heritage the proposed project may continue; and
3. The discovery of suburbs archaeological and/or historical material as well as graves must be taken into account in the Environmental Management Programme (Refer to Section 3.2.6 and 3.2.7)

5 PUBLIC PARTICIPATION PROCESS

It is stated in the Environmental Impact Assessment Regulations (2017) as amended, under the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended; that a public participation process must be conducted as part of the Environmental Impact Assessment process. Public participation is currently being carried out in accordance with Section 24J of the National Environmental Management Act as amended in the EIA regulations, 2017.

The primary objectives of the public participation process are to:

- Inform and notify potentially Interested and Affected Parties (I&APs) of the proposed application (explain steps that were taken to achieve this);
- Initiated or promote meaningful and timeous participation of I&APs by providing proof that notice boards, advertisement and notices notifying potentially interested and affected parties of the proposed application have been displayed, placed or given;
- Maintain a list of all persons, organisations and organs of state that were registered as interested and affected parties in relation to the application
- Identify issues and concerns of key stakeholders and I&APs with regards to the application for the proposed project;
- Provide a summary of the issues raised by interested and affected parties, the date of receipt of and the response of the EAP to those issues; and
- Provide response to I&AP's queries.

5.1 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES

The following Interested and Affected Parties (I&APs) were identified, got a Background Information Document (BID) and consulted during this process:

Table 4: Interested and Affected Parties (Stakeholders and Government Entities)

GDARD	Bearing House
DWS	Italpac
PHRAG	Plastofilm
NJW Engineering	City of Tshwane Metropolitan Municipality
Kagabo Cars	Nissan
The Lion Match Company	Bidvest
NAMPAK	

2 | PRETORIA NORTH REKORD SEPTEMBER 16, 2022
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NEWS

Two caught at Sinoville dealership

Terry-Ann Diergaardt

Two people were arrested for trying to sell an suspected stolen vehicle to a Sinoville dealership at the weekend.

Sinoville police arrested the man and woman for possession of a Toyota Hilux bakkie reported stolen in Lynelton last month.

Spokesperson Western Officer Johan van Dyk said the two suspects tried to sell the vehicle and when the dealership owner and CPF became suspicious, he called the police.

The two were looking to sell the car, however, on closer inspection it was noted that the seatbelt had been cut. That was when the persons and vehicle were taken to the police station.

Further investigation revealed that the man was a wanted suspect from Bela-Bela and the woman had been arrested previously for the possession of a stolen vehicle.

Sinoville station commander Lieutenant-Colonel Alan Pratt congratulated the member of the Sinoville CPF for noticing the irregularities on the vehicle and then contacting SAPS. Pratt also thanked the officers for their commitment to serving their community within the policing area of Sinoville.

Pratt put out a reminder to second-hand dealers in the area that if they are found with stolen property, they would be held accountable and charged accordingly.



Mitesh Hurmanthan preparing the meal that he serves to over 800 people.

Wolmer resident wants to feed a thousand people

Terry-Ann Diergaardt

A resident in Wolmer, north of Pretoria is honouring his late mother by feeding over 800 people every Saturday morning.

Vinod Hurmanthan and his team started the feeding initiative earlier this year and it has grown as more people come to collect food.

Hurmanthan has seen the plight that residents are faced with and wanted to do something that would not only honour his mother but to also show kindness to people that life hasn't been kind to.

"I grew up watching my mother feed people on a small scale and I wanted to do the same.

Vegetable biryani, chicken biryani and utup and beans are a few of the items on the menu served to those who come to collect food on the Saturday.

"We put out chairs and set up a gazebo for the people who stand in line waiting to be served, while the music is playing we take the containers that they bring and fill it with a freshly cooked meal.

"All people are welcome to come get a meal – even those who are working, because we understand that people are struggling.

Hurmanthan said he noticed that people come from central and neighbouring areas for a meal.

Keeping over 500 people in line is a big task and Cobra security in Pretoria North have taken it upon themselves to not only keep the order but they are also around to assist those who need assistance in getting their meals.

"When we started, I had to send people away because we did not have enough food but now I have started cooking more food to ensure that all who come will leave with something," he said.

Hurmanthan said he plans to start feeding people in Centurion, Doornpoort and Altona. My aim is to feed a thousand people every Saturday.

His feeding initiative has attracted the likes of ANC-SA president Herman Mashaba and MMC officials who have joined him and offered sponsorship for a few of the meals.

"I resigned from my job on my 40th birthday as I wanted to pursue my passion which is cooking and that is when I opened my home-based catering company that also assists in feeding the people," he said.

"It has not always been easy as sometimes I would have to take food out of my house to serve others, but I believe that I can make a plan.

"We also give sweets and cupcakes sponsored to us to the children and the look in those children's eyes and how grateful they are makes this worthwhile."

Hurmanthan thanked his team members Kristine Govender, Renard Moody, Leclanche Smith, Dominique O'Connor, Shivan Chima, Brendon Govender and all the sponsors that provide the ingredients needed to prepare these meals.

"We make a living by what we get, we make a life by what we give. That is why we are up every Saturday.

For more info, contact Vinod on 065 099 4073.

NOTICE IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO 107 OF 1998) OF AN UNLAWFUL COMMENCEMENT OF THE CONSTRUCTION OF A ROAD ON ERVEN 128, 129 AND A PORTION OF ERV 75 ROSSLYN EXTENSION 1

Application in terms of Section 24G (1) of the National Environmental Management Act 107 of 1998 ("NEMA") as amended: Unauthorised commencement of construction of a road within an area reserved as Public Open Space, Rosslyn Industrial area, City of Tshwane Metropolitan Municipality.

GN R. 3271 Listing Notice 1: Activity 24 and 27
GN R. 3284 Listing Notice 2: Activity 4 and 12

This advertisement also serves as notice that the Draft Environmental Impact Report will be made available for review and comments on the Draft Environmental website and also sent via e-mail to all SAPS. To obtain the draft EIR, please register as an interested and affected party. A hard copy of the report will also be left at Rosslyn SAPS.

Project Description: The South African Breweries (Pty) Ltd. have commenced with the construction of a road on Erven 128, 129 and a portion of Erv 75 Rosslyn Extension 1. The road will serve as an access route to the Sidi Rosslyn Plant. A subdivision of Erv 75 will be submitted with the rezoning of Erv 128 and 129.

Location: The Erven are located in Rosslyn Industrial Area, situated in the northern part of Pretoria. Access to the site can be gained from both Deale Street and Gough Street and is situated between Hassen South Africa and SPS Rosslyn Plant.

Preparer: The South African Breweries (Pty) Ltd.

Any comments in this report can be forwarded to the details below.

Environmental Consultant: Mr. Zander Lelienting
829 Cresswell Street, Hendlova Park, Pretoria, 0181. Tel: 061 1424 / 065 947 2686.
E-mail: info@zandere.com / www.zandere.com

In order to register as an interested and/or affected party, please submit details within 30 days to the address given above.

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Audit

The circulation of this ABC newspaper is independently audited to the professional standards administered by the Audit Bureau of Circulations of South Africa.

Figure 13: Advert placed in the Pretoria Rekord on the 16th of September 2022.

NOTICE IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO 107 OF 1998) OF AN UNLAWFUL COMMENCEMENT OF THE CONSTRUCTION OF A ROAD ON ERVEN 128, 129 AND A PORTION OF ERF 75 ROSSLYN EXTENSION 1

Application in terms of Section 24G (1) of the National Environmental Management Act 107 of 1998 ("NEMA") as Amended: Unauthorised commencement of construction of a road within an area zoned as Public Open Space, Rosslyn Industrial area, City of Tshwane Metropolitan Municipality.

GN R. 327: Listing Notice 1: Activity 24 and 27
GN R. 324: Listing Notice 3: Activity 4 and 12

This advertisement also serves as notice that the Draft Environmental Impact Report will be made available for review and comments on the BioBlue Environmental website and via email link to all I&APs. To obtain the direct link, please register as an Interested and Affected Party. A hard copy of the reports will also be left at Rosslyn SAPS.

Project Description: The South African Breweries (Pty) Ltd. have commenced with the construction of a road on Erven 128, 129 and a Portion of Erf 75 Rosslyn Extension 1. The road will serve as an access route to the SAB Rosslyn Plant. A subdivision of Erf 75 will be submitted with the rezoning of Erf 128 and 129.

Location: The Erven are located in Rosslyn Industrial Area, situated in the northern parts of Pretoria. Access to the site can be gained from both Dodds Street and Gaigher Street and is situated between Nissan South Africa and SAB Rosslyn Plant.

Proponent: The South African Breweries (Pty) Ltd.

Any comments in this regard can be forwarded to the details below.

Environmental Consultant: Mr. Zander Liebenberg
829 Cronstedt Street; Moreleta Park, Pretoria, 0181. Tel: 082 562 1404 / 083 662 2606
E-mail: info@bioblueenviro.com / www.bioblueenviro.com

In order to register as an interested and/or affected party, please submit details within 30 days to the address given above.

Figure 14: Advert that was placed in the Pretoria Rekord News Paper

Site Notices:

Two site notices were placed at strategically near the site, to ensure that possible Interested and Affected Parties could be aware if the proposed project process initiated.

The one site notice was placed on Dodds Street where access could be gained to the project site and the second site notice was placed on the corner of Gaigher and Kitshof Street.

Background Information Documents:

Background Information Documents were delivered by hand to The Lion Match Company, Bidvest and Nampack. The other companies were reached via emails sent to them as the responsible persons were not available on site.



Figure 15: Site Notice placed on the corner of Gaigher and Kitshof Street



Table 5: Site Notice placed at the entrance to the site from Dodds Street.

6 IMPACT ASSESSMENT AND MITIGATION

The Impact Assessment is undertaken in line with the requirements of Appendix 3 of the EIA Regulations (2014) as amended.

6.1 ENVIRONMENTAL IMPACT

The following assessment methodology has been used for the purpose of assessing impacts because of the construction / establishment of the unlawful road infrastructure project.

The impacts arising from the activities are included in the impact assessment tables. This is to identify activities that require certain environmental management actions to mitigate the impacts arising from them. The assessment of the impacts will be conducted according to a synthesis of criteria required by the integrated environmental management procedure (Table 7).

Table 6: Impact Assessment Table

Extent The physical and spatial scale of the impact.	Footprint	The impacted area extends only as far as the activity, such as footprint occurring within the total site area.
	Site	The impact could affect the whole, or a significant portion of the site.
	Regional	The impact could affect the area including the neighbouring farms, the transport routes and the adjoining towns.
	National	The impact could have an effect that expands throughout the country (South Africa).
	International	Where the impact has international ramifications that extend beyond the boundaries of South Africa.
Duration The lifetime of the impact, that is measured in relation to the lifetime of the	Short Term	The impact will either disappear with mitigation or will be mitigated through a natural process in a period shorter than that of the construction phase. Usually 1 to 5 years
	Medium Term	The impact will last up to the end of the development phases, where after it will be entirely negated. Usually 5 – 15 years .

proposed development.	Long Term	The impact will continue or last for the entire operational lifetime of the development, but will be mitigated by direct human action or by natural processes thereafter.
	Permanent	This is the only class of impact, which will be non-transitory. Mitigation either by man or natural process will not occur in such a way or in such a time span that the impact can be considered transient.
Intensity Is the impact destructive or benign, does it destroy the impacted environment, alters its functioning, or slightly alter the environment itself?	Low	The impact alters the affected environment in such a way that the natural processes or functions are not affected.
	Moderate	The affected environment is altered, but functions and processes continue, albeit in a modified way.
	High	Function or process of the affected environment is disturbed to the extent where it temporarily or permanently ceases.
Probability The likelihood of the impacts actually occurring. The impact may occur for any length of time during the life cycle of the activity, and not at any given time.		
	Improbable	The possibility of the impact occurring is very low, due either to the circumstances, design or experience. The chances of this impact occurring is defined as 25%.
	Probable	There is a possibility that the impact will occur to the extent that provisions must therefore be made. The chances of this impact occurring is defined as 50%.
	Highly Probable	It is most likely that the impacts will occur at some stage of the development. Plans must be drawn up before carrying out the activity. The chances of this impact occurring is defined as 75%.
	Definite	The impact will take place regardless of any prevention plans, and only mitigation actions or contingency plans to contain the effect can be relied on. The chance of this impact occurring is defined as 100%.

Table 7: Impact Significance Methodology

The Significance of Environmental Impacts is to be assessed by means of the following method: **Significance = Probability x Severity**. Probability describes the likelihood of the impact actually occurring, and is rated below:

Improbable	Rating = 2
Probable	Rating = 3
Highly Probable	Rating = 4
Definite	Rating = 5

The Severity rating is calculated by multiplying Intensity with Duration.

The Intensity factor is described below:

Low Intensity	Factor 1
Moderate Intensity	Factor 2
High Intensity	Factor 3

The Duration factor is described below:

Short term	Factor 2
Moderate term	Factor 3
Long term	Factor 4
Permanent	Factor 5

The Severity rating obtained from the above calculations are discussed below:

Low severity (Rating 2)	Calculated values 2 to 4
Moderate severity (Rating 3)	Calculated values 5 to 8
High severity (Rating 4)	Calculated values 9 to 12
Very High severity (Rating 5)	Calculated values 13 to 16 or more
Severity factors below 3 indicate no impact	

A Significance Rating = Severity Rating x Probability Rating. The significance rating should influence the development project as described below:

Low Significance (Rating 4 – 6)	Positive Impact and negative impacts of Low significance should have no influence on the proposed development project.
Moderate Significance (Rating 7 to 12)	Positive Impact – Should indicate that the proposed project should be approved. Negative impact – Should be mitigated or mitigation measures should be stipulated

	before the proposed project can be approved.
High Significance (Rating 13 – 18)	Negative Impact – Should weigh towards decision to terminate the proposed project if not mitigation measures can be implemented. Mitigation measures should be stipulated and performed to reduce the significance to at least low significance.
Very High Significance (Rating 19 – 25 and more)	

Mitigation – The impacts that are generated by the development can be minimised if measures are implemented to reduce the impacts. The mitigation measures ensure that the development considers the environment and the predicted impacts to minimise impacts and achieve sustainable development.

Determination of Significance – Without Mitigation – Significance is determined through a synthesis of impact characteristics as described in the above paragraphs. It provides an indication of the importance of the impact in terms of both tangible and intangible characteristics. The significance of the impact “without mitigation” is the prime determinant of the nature and degree of mitigation required. Where the impact is positive, significance is noted as “positive”. Significance will be rated on the following scale:

No significance: The impact is not substantial and does not require any mitigation action;

Low: The impact is of little importance, but may require limited mitigation;

Medium: The impact is of importance and is therefore considered to have a negative impact. Mitigation is required to reduce the negative impacts to acceptable levels; and

High: The impact is of major importance. Failure to mitigate, with the objective of reducing the impact to acceptable levels, could render the entire development option or entire project proposal unacceptable. Mitigation is therefore essential.

Determination of Significance – With Mitigation – Determination of significance refers to the foreseeable significance of the impact after the successful implementation of the necessary mitigation measures. Significance with mitigation will be rated on the following scale:

No significance: The impact will be mitigated to the point where it is regarded as insubstantial;

Low: The impact will be mitigated to the point where it is of limited importance;

Low to medium: The impact is of importance, however, through the implementation of the correct mitigation measures such potential impacts can be reduced to acceptable levels;

Medium: Notwithstanding the successful implementation of the mitigation measures, to reduce the negative impacts to acceptable levels, the negative impact will remain of significance. However, taken within the overall context of the project, the persistent impact does not constitute a fatal flaw;

Medium to high: The impact is of major importance but through the implementation of the correct mitigation measures, the negative impacts will be reduced to acceptable levels; and

High: The impact is of major importance. Mitigation of the impact is not possible on a cost-effective basis. The impact is regarded as high importance and taken within the overall context of the project, is regarded as a fatal flaw. An impact regarded as high significance, after mitigation could render the entire development option or entire project proposal unacceptable.

Assessment Weighting – Each aspect within an impact description was assigned a series of quantitative criteria. Such criteria are likely to differ during the different stages of the project's life cycle. To establish a defined base upon which it becomes feasible to make an informed decision, it will be necessary to weigh and rank all the identified criteria.

Identifying the Potential Impacts Without Mitigation Measures (WOM) – Following the assignment of the necessary weights to the respective aspects, criteria are summed and multiplied by their assigned weightings, resulting in a value for each impact (prior to the implementation of mitigation measures).

Calculation 1:
$$\text{Significance Rating (WOM)} = (\text{Extent} + \text{Intensity} + \text{Duration} + \text{Probability}) \times \text{Weighting Factor}$$

Identifying the Potential Impacts with Mitigation Measures (WM) – In order to gain a comprehensive understanding of the overall significance of the impact, after implementation of the mitigation measures, it will be necessary to re-evaluate the impact.

Mitigation Efficiency (ME) – The most effective means of deriving a quantitative value of mitigated impacts is to assign each significance rating value (WOM) a mitigation effectiveness (ME) rating. The allocation of such a rating is a measure of the efficiency and effectiveness, as identified through professional experience and empirical evidence of how effectively the proposed mitigation measures will manage the impact.

Thus, the lower the assigned value the greater the effectiveness of the proposed mitigation measures and subsequently, the lower the impacts with mitigation.

Calculation 2: Significance Rating (WM) = Significance Rating (WM) x Mitigation Efficiency

Or **WM = WM x ME**

Significance Following Mitigation (SFM) – The significance of the impact after the mitigation measures are taken into consideration. The efficiency of the mitigation measure determines the significance of the impact. The level of impact will, therefore, be seen in its entirety with all considerations considered.

Consideration will also be given to potential cumulative impacts as illustrated below, occur as a result from the combined effect of incremental changes caused by other activities together with the proposed project. In other words, several developments with insignificant impacts individually may, when viewed together, have a significant cumulative adverse impact on the environment.

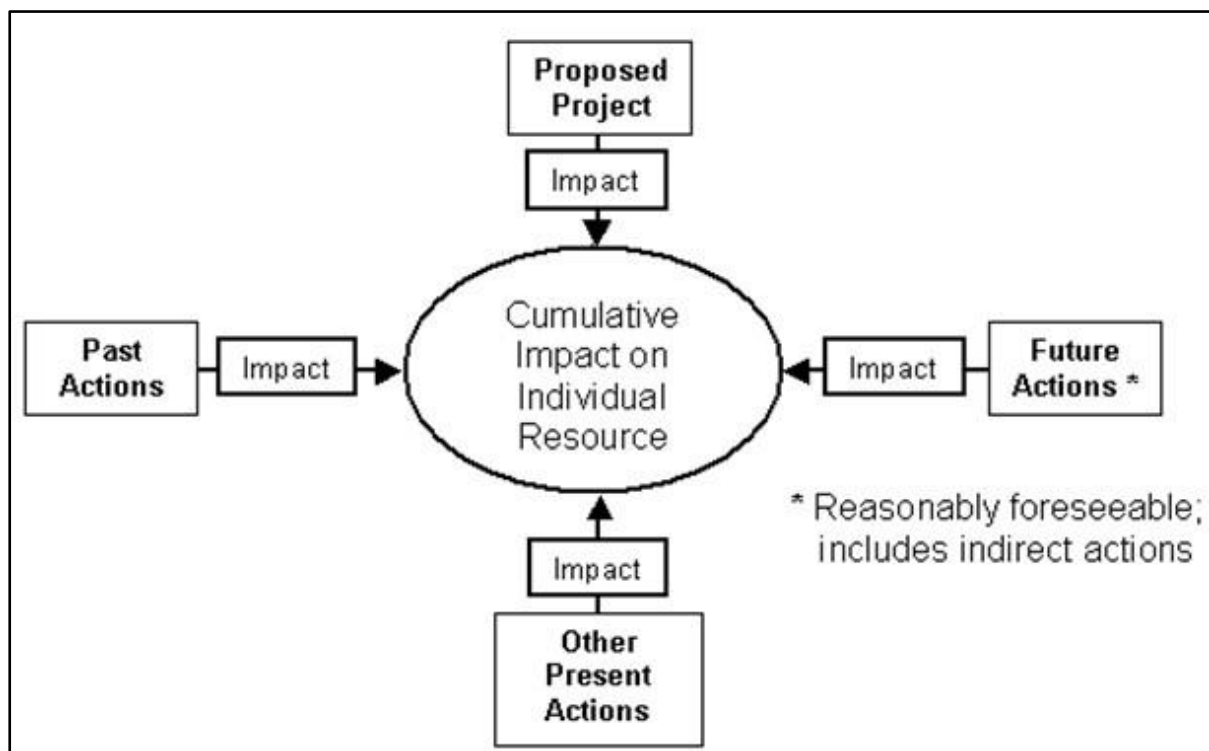


Figure 16: Cumulative impacts illustration

(<https://www.environment.fhwa.dot.gov/nepa/QAimpact.aspx>)

An indication of the degree of confidence (low, medium or high) that there is, in the predictions made for each impact, based on the available information and the specialist / EAP's level of knowledge and expertise will also be reported. The Degree of confidence will however not be taken into account in the determination of consequence or probability.

This assessment is initially done for the scenario where no mitigation measures are implemented. Mitigation measures will then be identified and considered for each impact and the assessment repeated in order to determine the significance of the residual impacts (the impact remaining after the mitigation measure has been implemented) The results of the assessment of the significance of the residual impacts will then be linked to decision-making by Authorities.

6.2 IDENTIFIED EXISTING AND POTENTIAL IMPACTS

As the site was constructed before obtaining and authorization from GDARD, there are certain impacts which have already occurred on site. The impacts were identified during assessment of the site and through inputs from various specialist assessments. These impacts were then categorized in terms of biophysical and socio-economic parameters. The identified potential impacts have been investigated in detail within the Impact Assessment phase of this process.

The identification of key issues and the assessments of the significance of impacts within the process are usually aimed at giving inputs in the planning phases of the proposed development, in this case however, the impacts were identified in order to assess the impact that the activity has had on the receiving environment and if any mitigation measures can be implemented.

Potential impacts that were likely to have occurred during the construction phase:

6.2.1 Construction Phase

- Loss of habitat for resident fauna species
- Loss of indigenous fauna during clearance activities
- Spreading of invasive plant species and weeds within the disturbed areas
- Potential socio-economic impacts (both positive and negative)
- Impacts on cultural and historical aspects

6.2.2 Operational and Maintenance Phase

- Proliferation and Spreading of Alien invasive and weed species.
- Potential socio-economic impacts (both positive and negative)
- Impacts on cultural and historical aspects
- Possible Pollution of water resources

Table 8: Impact Table – Construction Phase

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
Impact on Indigenous Natural Vegetation due to the road construction project	Direct: The natural vegetation on the site was cleared to construct the road infrastructure.	Probability = 4 Intensity = 2 Duration = 4 Severity = $2 \times 4 = 8$ (Moderate Severity Rating) (Rating 3) Significance = $3 \times 4 = 9$ Moderate Negative Significance	- The clearance of vegetation was done, and the impacts can't be mitigated. According to the Vegetation specialist the impact was rated as low. - The construction impacts must be contained within the current footprint and disturbed areas. The remaining areas not constructed should be rehabilitated and revegetated.	Probability = 3 Intensity = 1 Duration = 4 Severity = $1 \times 4 = 4$ (Low Severity) (Rating 2) Significance = $2 \times 3 = 6$ (Low Negative Significance)
Establishment and spread of declared weeds and alien invader plants	Direct: The transformed areas are vulnerable to alien invasive plant establishment	Probability = 4 Intensity = 3 Duration = 4 Severity = $3 \times 4 = 12$ (High Severity Rating) (Rating 4)	The disturbed areas on site that did not form part of the road infrastructure should be rehabilitated and re-vegetated.	Probability = 3 Intensity = 2 Duration = 2 Severity = $2 \times 2 = 4$ (Low Severity) (Rating 2)

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
	Cumulative: If weed and alien invasive plant species are allowed to proliferate it could spread to adjacent sites	Significance = $4 \times 4 = 16$ High Negative Significance	- A responsible person must be appointed to monitor the emergence of alien invader and weed species on site and control these species to ensure that they do not proliferate and spread across the site. - An on-going monitoring programme should be implemented to detect and quantify any aliens that may become established and provide for the management of these species.	Significance = $2 \times 3 = 6$ (Low Negative Significance)
Cultural and Heritage Impacts	According to the Heritage Specialist there were no artifacts, graves or other cultural or historically significant	Probability = 2 Intensity = 1 Duration = 2 Severity = $1 \times 2 = 2$ (Low Severity Rating) (Rating 2)	There are no visible restrictions or negative impacts in terms of heritage associated with the site.	Probability = 2 Intensity = 1 Duration = 2 Severity = $1 \times 2 = 2$ (Low Severity Rating) (Rating 2)

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
	items found on site or near the site.	Significance = $2 \times 2 = 4$ Low Negative Significance	If sub-surface archaeological material is discovered work must stop and a heritage practitioner preferably an archaeologist contacted to assess the find and make recommendations.	Significance = $2 \times 2 = 4$ Low Negative Significance
Employment opportunities and land rental	Direct: The project created direct job opportunities in the form of construction workers and truck drivers working on the construction site. Indirect: Job opportunities where also created for companies supplying	Probability = 4 Intensity = 3 Duration = 2 Severity = $3 \times 2 = 6$ (Moderate Severity Rating) (Rating 3) Significance = $4 \times 3 = 12$ Moderate Positive Significance	As the construction phase was completed before commencement of this impact assessment, no mitigation measures can be implemented.	Probability = 4 Intensity = 3 Duration = 2 Severity = $3 \times 2 = 6$ (Moderate Severity Rating) (Rating 3) Significance = $4 \times 3 = 12$ Moderate Positive Significance

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
	the materials for the site. The land will also be leased from the Municipality, thus creates an additional source of income for the Municipality			

Table 9: Impact Table – Operational and Maintenance phase

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
Potential for Surface Water Pollution	Direct: As the new road infrastructure will also be utilized as a truck staging area the stormwater can be contaminated by	Probability = 4 Intensity = 3 Duration = 4 Severity = $3 \times 4 = 12$ (High Severity Rating) (Rating 4)	Trucks and other vehicles should be serviced on a regular basis and drivers should ensure that the trucks remain in good working order.	Probability = 3 Intensity = 2 Duration = 2 Severity = $2 \times 2 = 4$ (Low Severity) (Rating 2)

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
	possible pollution from oil and fuel spillages	Significance = $4 \times 4 = 16$ High Negative Significance	Drip trays can be made available when the trucks will be waiting for longer periods of time.	Significance = $2 \times 3 = 6$ (Low Negative Significance)
Establishment and spread of declared weeds and alien invader plants	Direct: The transformed areas are vulnerable to alien invasive plant establishment Cumulative: If weed and alien invasive plant species are allowed to proliferate it could spread to adjacent sites	Probability = 4 Intensity = 3 Duration = 4 Severity = $3 \times 4 = 12$ (High Severity Rating) (Rating 4) Significance = $4 \times 4 = 16$ High Negative Significance	- A responsible person must be appointed to monitor the emergence of alien invader and weed species on site and control these species to ensure that they do not proliferate and spread across the site. - An on-going monitoring programme should be implemented to detect and quantify any aliens that may become established and provide for the management of these species.	Probability = 3 Intensity = 2 Duration = 2 Severity = $2 \times 2 = 4$ (Low Severity) (Rating 2) Significance = $2 \times 3 = 6$ (Low Negative Significance)

Potential Impacts	Type of Impact	Significance Rating before mitigation	Proposed Mitigation	Significance Rating after mitigation
Socio-economic impacts on the road infrastructure of the larger area	Direct: As the road infrastructure include a truck staging area, the trucks do not hamper traffic flow for other companies.	Probability = 4 Intensity = 3 Duration = 2 Severity = $3 \times 2 = 6$ (Moderate Severity Rating) (Rating 3) Significance = $4 \times 3 = 12$ Moderate Positive Significance	As the construction phase was completed before commencement of this impact assessment, no mitigation measures can be implemented.	Probability = 4 Intensity = 3 Duration = 2 Severity = $3 \times 2 = 6$ (Moderate Severity Rating) (Rating 3) Significance = $4 \times 3 = 12$ Moderate Positive Significance

7 ENVIRONMENTAL IMPACT STATEMENT

The project entails the unlawful commencement of the construction of a road and associated infrastructure in order to resolve the current challenges that the applicant was facing with adjacent neighbours complaining about their inability to use the public road conveniently as the SAB trucks were occupying the road as they await their turns to be loaded.

The properties where the project is situated was zoned as Public Open Space and thus required an Environmental Authorization to be issued in this regard. The area was most probably not in pristine condition as indicated by surveys done in remaining natural areas close by the site.

Most of the impacts had occurred during the construction / establishment phase of the development such as:

- Loss of habitat for resident fauna species
- Loss of indigenous fauna during clearance activities
- Spreading of invasive plant species and weeds within the disturbed areas
- Potential socio-economic impacts (both positive and negative)
- Impacts on cultural and historical aspects
- Possible Pollution of water resources

The specialists confirmed that the impacts on the project site areas were minimal and classified as "low" impact as the site did not have the potential to contain any significant plant or fauna species of conservation concern or site of cultural or heritage significance.

There is a possibility of proliferation and spreading of alien invasive and weed species on site that could have a high negative impact on the site and surrounding areas. These species should be monitored and removed before they start to flower. A proper control programme must be established, and a responsible person appointed to monitor the site.

The project site is situated within an area characterised by industrial activities and large sites that have been used to establish these companies. The unlawful commencement took place on an area zoned as Public Open Space situated in-between the industrial sites.

The overall negative impacts that could arise during the operational phase can be easily mitigated and the project has led to positive socio-economic impacts within the immediate

site area. By implementing the required mitigation measures, establishing an effective invasive and weed species monitoring and control programme, the project can be operated in a sustainable manner.

8 CONCLUSION AND RECOMMENDATIONS

The process within this Environmental Impact Report demonstrates the description of the activity and the assessment of the impacts that the development has had on the receiving biophysical and socio-environment.

As this is a rectification application in terms of S24G, the operation is existing and most of the impacts have already occurred. Thus, there is not preferred alternative for this site and the area is characterized by numerous industrial facilities.

Numerous specialist studies were conducted to ascertain the possible impacts that could have occurred on site. These studies show that the existing impacts of the illegal activity are low to moderate and by implementing the proposed mitigation measures moving forward the environmental impacts will remain low.

The project was commenced with in order to resolve the current challenges that the applicant was facing with adjacent neighbours complaining about their inability to use the public road conveniently as the SAB trucks were occupying the road as they await their turns to be loaded. This has had a positive effect on the surrounding businesses as the trucks do not hamper their movements in and out of their sites.

Due to the site location and recommendations from specialist assessments it is the opinion of the EAP that the site can be authorized in terms of S24G of the National Environmental Management Act if the site management implements all the required mitigation measures and ensures the site is maintained.

9 REFERENCES

- ✚ National Environmental Management Act 1998 (Act 107 of 1998) Environmental Impact Assessment Regulations, 2014 as amended.
- ✚ Department of Agriculture, Forestry and Fisheries, 2002. National land type inventories data set. Pretoria.
- ✚ Environmental Compliance Statement for the Section 24G Application on Erven 128 and 129 of Rosslyn, KEMS, 11 October 2022.
- ✚ A Terrestrial Animal Species Compliance Statement for the unlawful commencement of an activity listed in the Environmental Impact Assessment Regulations Requiring Environmental Authorization, KEMS, October 2022.
- ✚ Phase 1 Heritage Impact Assessment for the Construction of a Road on Portions 128 and 129 Rosslyn, Leonie Marais, October 2022.