



edtea

**Department :**  
Economic Development, Tourism and  
Environmental Affairs

**PROVINCE OF KWAZULU-NATAL**

Enquiries : Mr. Ntuthuko Mbewana Telephone : 031 350 3042 Private Bag : X54321  
Imibuzo : Ucingo : Isikhwama Seposi: Durban  
Navrae : Telefoon : Privaat Sak : 4001

Reference : 0032/Jun/2019 Fax : - Date :  
Inkomba : iFeksi : Usuku : 13 / 03 / 2020  
Verwysing : Faks : Datum :

**Directorate: Environmental Services**

**Attention:** Ms. Sphelele Cele  
**Tel** : 031 877 2438\ 081 877 2438  
**E-mail** : [lam.SpheleleCele65@gmail.com](mailto:lam.SpheleleCele65@gmail.com)

**RE: PROPOSED CONSTRUCTION OF 400 LOW COST HOUSE UNITS (PILGRIM X HOUSING PROJECT), IN ISIPINGO LOCATED WITHIN THE ETHEKWINI MUNICIPALITY.**

Dear Sir

1. The following has reference:
  - 1.1 The environmental impact assessment (EIA) enquiry received from yourself by the Department of Economic Development, Tourism and Environmental Affairs (EDTEA) (hereafter referred to as "the Department") on the 21 June 2019 regarding the above-mentioned query;
  - 1.2 Additional information received from Indaloenhle Environmental consultants, Environmental Planning on 02 August 2019;
  - 1.3 The email correspondence regarding Listing Notice 3 Activities in accordance with the Geographical Information System (GIS) Mapping software developed by Ezemvelo KwaZulu-Natal Wildlife confirmed on 05 July 2019;
  - 1.4 The meeting between Ntuthuko Mbewana, Yugesni Naicker of the Department and Sphelele Cele and Mbali Mtshali of Indaloenhle Environmental Consulting on the 12 August 2019;
  - 1.5 The additional information on available sewage facilities received on the 23 August 2019;
  - 1.6 The additional information of the alternative site (Lotus Park) for transit camps including the feasibility draft report for the Lotus Park Site on 13 January 2020;
  - 1.7 The additional information received from the EAP on the 07 February 2020;
  - 1.8 The follow up meeting between Ntuthuko Mbewana, Yugesni Naicker of the Department, Nosihle Manyoni, Shoni Makhwedza and Preetha Singh of the eThekwini Metropolitan Municipality and Sphelele Cele and Mbali Mtshali of Indaloenhle Environmental Consulting on the 24 February 2020; and
  - 1.9 The additional information received from the EAP on the 26 February 2020.

2. The following information was considered:

- 2.1 The applicant proposes to construct low cost housing in Isipingo which is located within the eThekweni Municipality;
- 2.2 The proposed site is known as Pilgrim X and comprises of approximately 365 informal dwellings;
- 2.3 The eThekweni Municipality Human Settlements Department proposes to construct 400 housing units in the existing area;
- 2.4 The proposed structure will be double story;
- 2.5 The development will require the clearing of vegetation for the construction of the houses;
- 2.6 The vegetation clearance will be less than one hectare;
- 2.7 The proposed development site is approximately 4000m<sup>2</sup>;
- 2.8 The proposed development will not encroach into any wetlands or watercourse or sensitive areas onsite; and
- 2.9 The proposed housing development is located within an urban area.


3. The following information has been gathered regarding the infrastructure for the development:

- 3.1. The proposed development will generate 201 KL/ day of sewage. The North and South east portion of the site will drain towards the east direction within the 160 mm PVC sewer networks and discharge to the sewer manhole located at the east boundary of the site where it will gravitate to the Rana Road Sewer pump station. From Rana Road sewer pump station, the sewer will be pumped to a sewer terminal manhole where it will gravitate to the East Avenue sewer pump station;
- 3.2. Water will be sourced via the existing 160mm water lines feeding the site from Isipingo Rail Reservoir operating with 2.7 ml at 71.9 TWL. It is indicated that the capacity is available in Isipingo Rail Reservoir to accommodate the proposed development;
- 3.3. Families living in the existing informal dwellings will be accommodated in temporary accommodation while the formal dwelling is being built; and,
- 3.4. Approximately 07 sites that have been identified for the temporary accommodation. These sites will be screened to determine if environmental authorisation is required.

4. Based on the information provided, the Department is of the opinion that the proposed development **does not constitute an activity** which is identified in terms of sections 24(2) and 24D of the National Environmental Management Act (NEMA) (Act 107 of 1998), Environmental Impact Assessment (EIA) Regulations, December 2014, as amended, therefore an Environmental Authorisation **will not** be required.

5. The proposed construction of 365 low cost house units would have triggered the following activity.

Listed Activity	Activity Description	Component of the project
Activity 27 of LN1	The clearance of an area 1 hectares of more, but less than 20 hectares of indigenous vegetation is required for-  (i) the undertaking of a linear activity is required for ; (ii) maintenance purposes undertaken in accordance with a maintenance management plan;	The proposed construction of low cost housing will have clearance of vegetation that is less than a hectare.  Hence, this activity is not applicable.
Activity 12 of LN 3	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 purposes undertaken in accordance with a maintenance management plan.	A desktop vegetation assessment must be undertaken to determine whether this activity will be triggered.

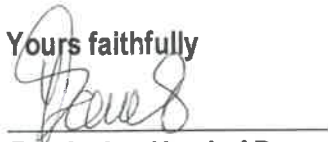
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	<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> <li>i. Trans-frontier protected areas managed under international conventions;</li> <li>ii. Community Conservation Areas;</li> <li>iii. Biodiversity Stewardship Programme Biodiversity Agreement areas.</li> <li>iv. 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 in the National Spatial Biodiversity Assessment 2004;</li> <li>v. Critical biodiversity areas as identified in biodiversity plans adopted by the competent author or in bioregional plans;</li> <li>vi. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whenever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</li> <li>vii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning;</li> <li>viii. A protected area identified in terms of NEMPAA, excluding conservancies;</li> <li>ix. World Heritage Sites;</li> <li>x. Sites or areas identified in terms of an international conservation purpose.</li> <li>xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</li> <li>xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</li> <li>xiii. In an estuarine functional zone.</li> </ul>	
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6. The Department brings to your attention your obligations to ensure that compliance with the provisions for Duty of Care and remediation of environmental damage contained in Section 28 of the National Environmental Management Act, Act 107 of 1998, where the determination of environmental degradation and the need for remediation will be decided by this Department.
  
7. Any form of waste material and rubble generated during the undertaking of the proposed activity must be disposed of at a facility registered in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), if it cannot be responsibly re-used or recycled on site or off-site. No waste material of any kind may be buried (for the sole purpose of final disposal) or burnt on site. The contractor responsible for the removal of waste during the undertaking of the proposed activity must supply the applicant with a certificate indicating safe disposal and be made available to this Department upon request.

8. This correspondence does not exclude you from compliance with any other relevant and applicable legislation and local bylaws.
9. Should there be any other activity associated with the above-mentioned activity, which is identified as a listed activity in terms of the EIA Regulations December 2014, is subject to approval by the Department **prior** to any physical commencement of the activity being undertaken on site.
10. This Department retains the right to inspect the property at any time during the construction and operational phases and reserves its rights in terms of Section 28(4) of the National Environmental Management Act, 1998 to ensure that reasonable measures are taken to prevent, minimise or rectify pollution or degradation to the environment.
11. This Department reserves the right to revise or withdraw comments or request further information based on any new information received.
12. Please quote the reference number 0032/Jun/2019 in any future correspondence.

Yours faithfully




For: Acting Head of Department:

**KwaZulu-Natal Department of Economic Development Tourism and Environmental Affairs**

**Signed by: Ms. Yugeshni Naicker**

**Assistant Manager: eThekweni District - Impact Assessment**

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**Annexure 1: Layout Plan**



Site Layout Plan: (Please attach and indicate scale)

