

PROPOSED MARITIME SCHOOL OF EXCELLENCE

ENVIRONMENTAL SCREENING REPORT

MARCH 2021

FINAL

PREPARED FOR: DEVELOPMENT BANK OF SOUTH AFRICA (DBSA)










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Amendments Page

Date:	Nature of Amendment	Amendment Number:
2020/11/12	First Draft for Client Review	00
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1 INTRODUCTION

Nemai Consulting was appointed under MPAMOT (Pty) Ltd, by the Development Bank of South Africa (DBSA) as an independent Environmental Assessment Practitioner (EAP) to undertake a desktop Environmental Screening exercise for the proposed construction of the Maritime School of Excellence (the Project).

The purpose of screening is to provide clarity on the current site sensitivities, as well as environmental legal requirements. This determines if a development proposal requires environmental assessment and if so, what level of assessment is appropriate (DEAT, 2002). Screening is thus a decision-making process that is initiated during the early stages of a development proposal.

Two main types of Environmental Screening occur: 1) Pre-Application Screening and 2) Mandatory Screening (DEAT, 2002). Pre-Application Screening is usually undertaken as a formal process, typically at the discretion of the development proponent and aims to provide an opportunity for key environmental issues to be anticipated at the earliest opportunity (DEAT, 2002) (**Figure 1**).

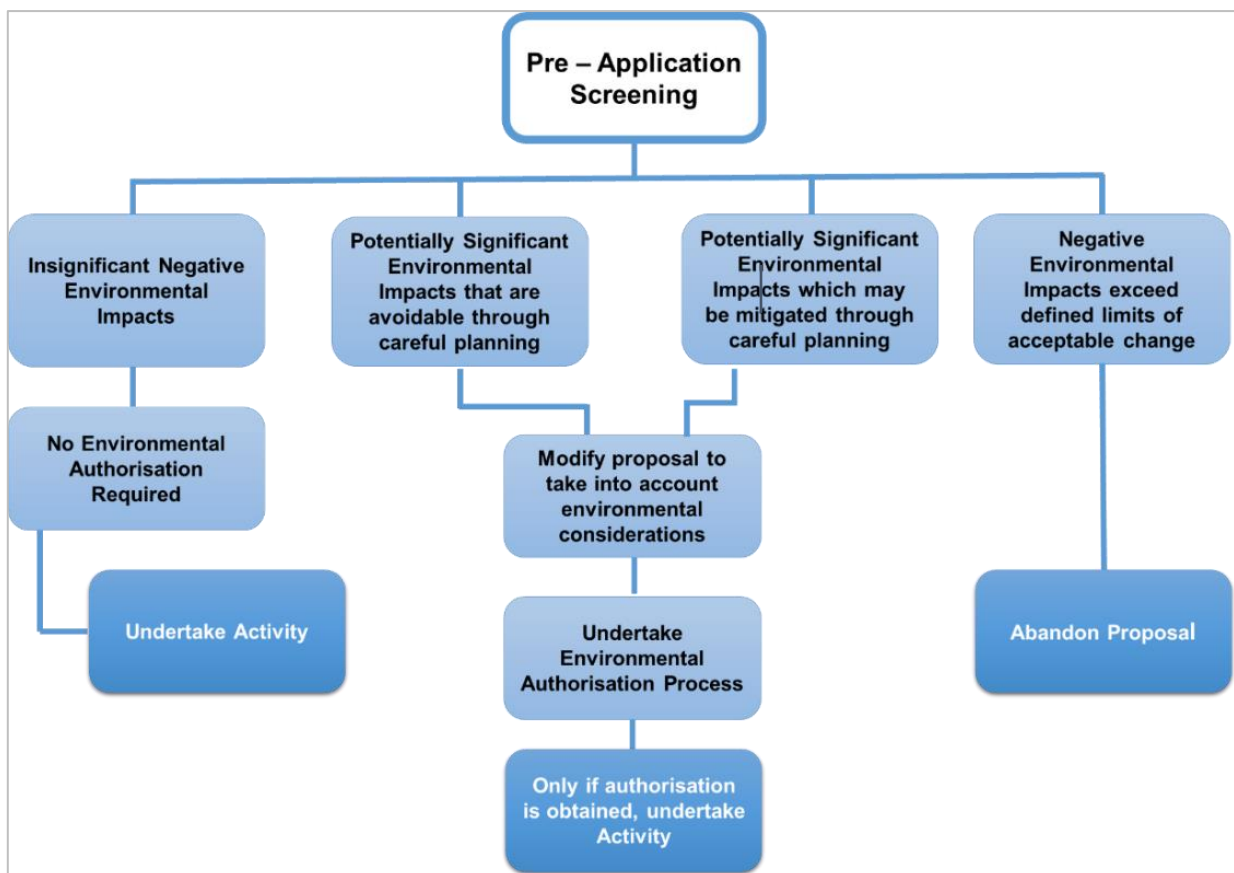


Figure 1: Pre-application Screening Process (Adapted from DEAT, 2002)

General guidance regarding the approvals required in terms of environmental legislation will also be provided, based on the proposed Project. It should be noted that should this information change, the legal triggers may also change.

2 PURPOSE OF THE REPORT

Desktop Environmental Screening has been undertaken for the proposed Project. The purpose of this Environmental Screening was to achieve the following objectives:

- Advise on any legal environmental requirements;
- Identify potential environmental impacts and potential fatal flaws;
- Provide recommendations on any further studies to be undertaken.

The proposed Project was screened against relevant environmental legislation for the purpose of identifying approvals required. The following legislation was considered (amongst others):

- National Environmental Management Act (Act 107 of 1998) (NEMA) and Environmental Impact Assessment (EIA) Regulations of 2014 (as amended);
- National Water Act (Act No. 36 of 1998);
- National Environmental Management: Biodiversity Act (Act No. 10 of 2004);
- National Environmental Management: Waste Act (Act No. 59 of 2008);
- National Environmental Management: Air Quality Act (Act No. 39 of 2004);
- National Heritage Resources Act (Act No. 25 of 1999); and
- Other pertinent environmental legislation.

The screening exercise included a desktop environmental appraisal of the route to identify sensitive environmental features and attributes using the following (amongst others):

- Geographical Information System (GIS);
- National Biodiversity Assessment;
- Provincial Biodiversity Plan;
- National Freshwater Ecosystem Priority Areas;
- Rivers and wetlands;
- Protected Areas;
- Threatened ecosystems; and
- Topographical maps.

A sensitivity map of the site was compiled, based on the outcome of the Environmental Screening exercise.

3 ASSUMPTIONS AND LIMITATION

The following assumptions and limitations accompany this Environmental Screening Report:

1. The screening is only based on the information received. The screening outcomes will be reconsidered following feedback received from the project team.
2. The screening exercise does not consider any by-laws that may be relevant to the Project.
3. It should be noted that any potential service upgrades associated with the proposed development have not been included or considered in this screening report.
4. The Department of Environment, Forestry, and Fisheries (DEFF) (previously Department Environmental Affairs – DEA) gazetted in Government Notice GN 960 (05 July 2019) that the submission of a report generated from the national web based environmental screening tool, as contemplated in Regulation 16(1)(b)(v) of the 2014 EIA Regulations, as amended, published in GN No. R.982, will be compulsory from 90 days from the date of the Notice (05 October 2019) when submitting an application for Environmental Authorisation in terms of regulation 19 and 21 of the 2014 EIA Regulations, as amended. This Desktop Environmental Screening report does not constitute a DEA Screening Tool Report. It is recommended, that should Environmental Authorisation be required, that the DEA Screening Tool be taken into consideration and a DEA Screening Report generated, with the results being included and addressed in the EIA Report.

4 RECEIVING ENVIRONMENT

The following aspects were assessed during the desktop Environmental Screening exercise in order to determine the environmental legal triggers for this Project:

1. Biophysical features:
 - a. Surface Water;
 - b. Terrestrial Environment:
 - i. Threatened Terrestrial Ecosystems;
 - ii. Protected Areas;
 - iii. KZN Biodiversity Plan;
 - iv. Important Bird and Biodiversity Areas and;
 - v. Flora and fauna
2. Social Environment:
 - a. Heritage Resources;
3. Potential Environmental Impacts; and
4. Environmental governance framework.

5 PROJECT AREA OVERVIEW

The proposed Project falls within the eThekweni Metropolitan Municipality, within the KwaZulu-Natal Province. The proposed Maritime School of Excellence is situated on an existing sports field of the George Campbell School of Technology, corner of Somtseu Road and Sylvester Ntuli Road, Durban. Refer to **Figure 2** and **3** for Regional Locality and Topographical Locality Map of the study area.

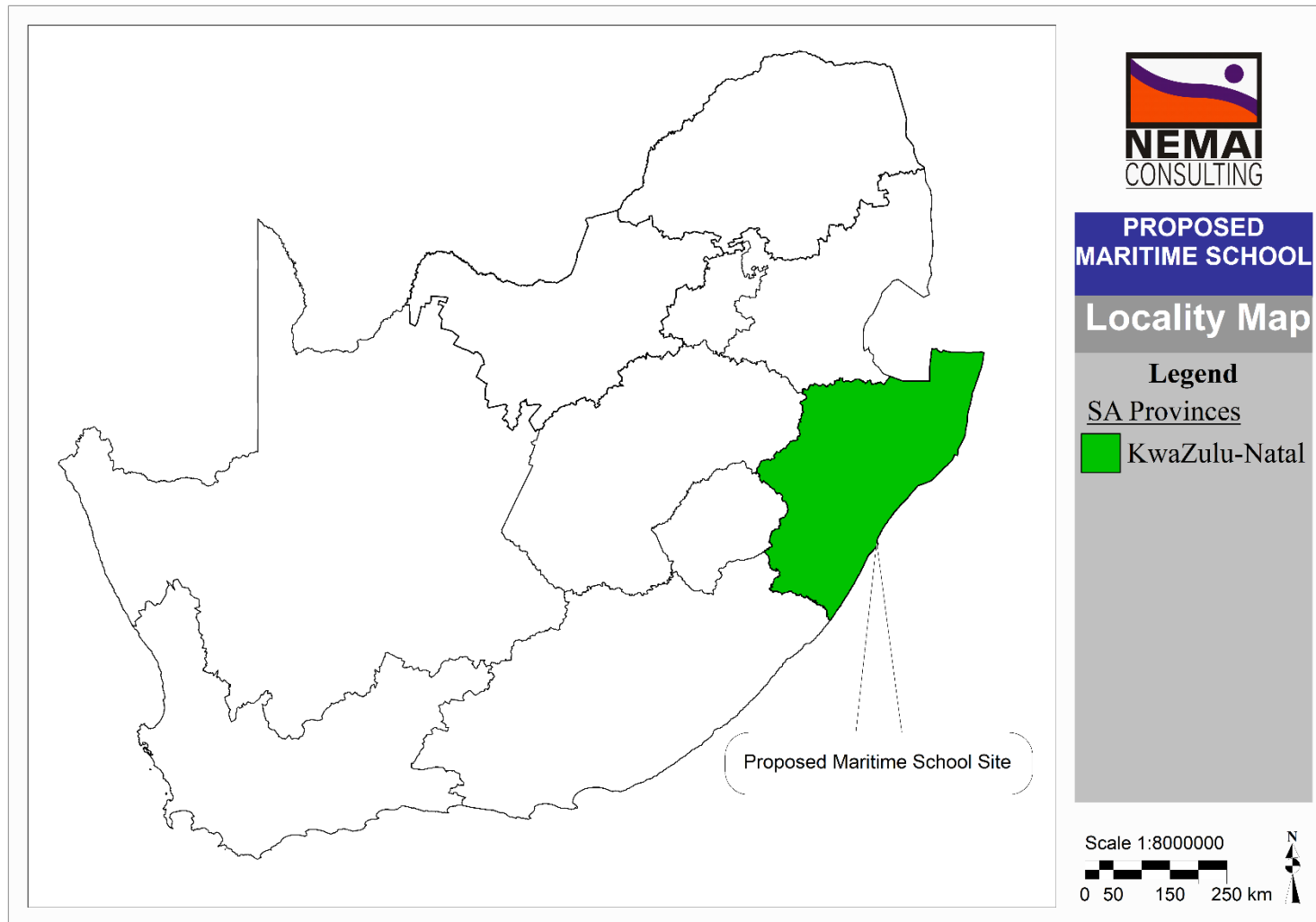


Figure 2: Regional Locality Map

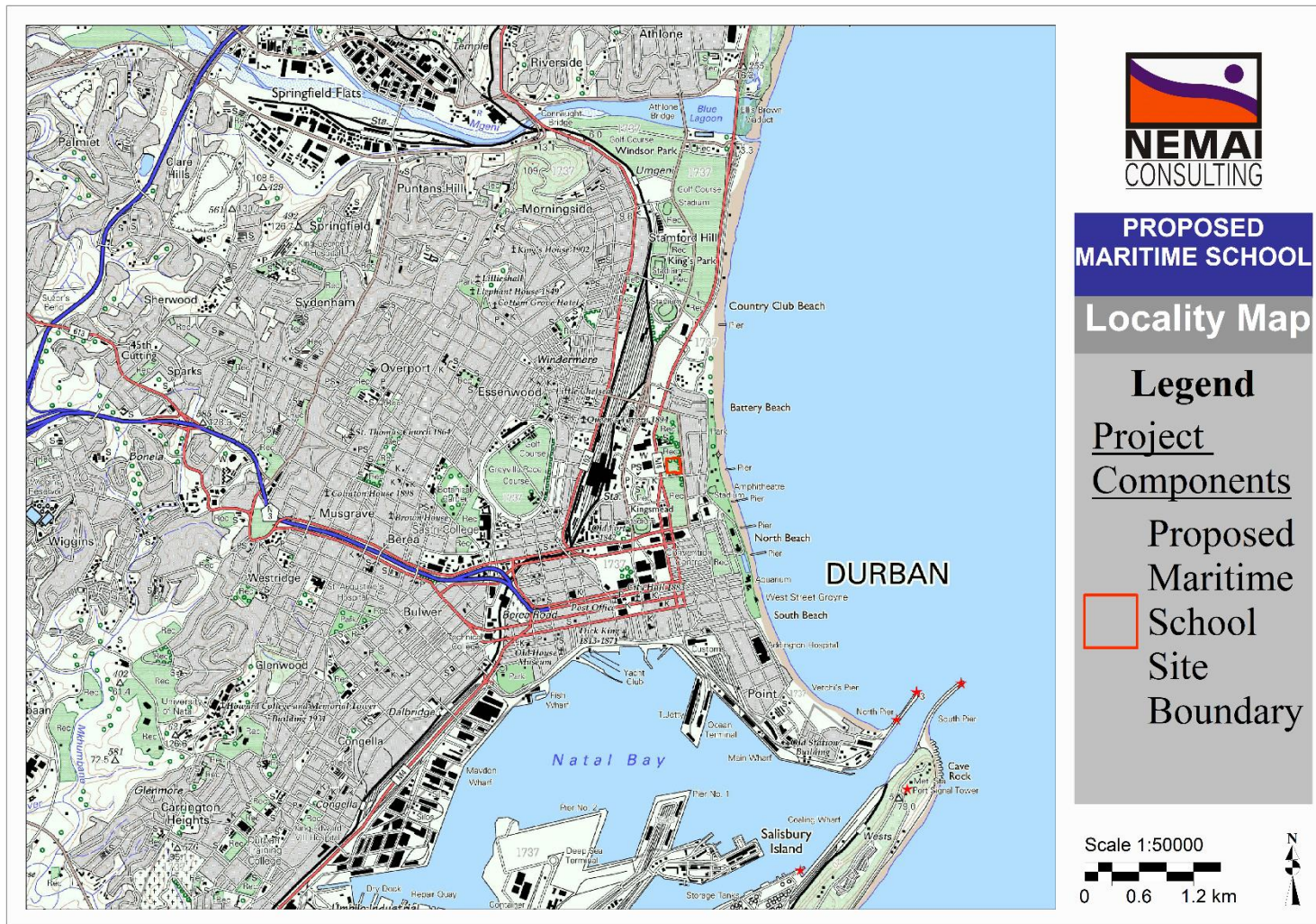


Figure 3: Topographical Map

6 ENVIRONMENTAL LEGAL FRAMEWORK

Environmental law provides mechanisms for the management and conservation of environmental features and the sustainability of new development.

Some of the pertinent environmental legislation that has possible bearing on the proposed Project is captured in **Table 1**.

Table 1: Environmental Legal Framework

Legislation	Description and Authorities
Constitution of the Republic of South Africa (No. 108 of 1996)	<ul style="list-style-type: none"> ▪ Provides for overall environmental protection. ▪ Section 24 – environmental rights.
National Environmental Management Act (No. 107 of 1998) (NEMA)	<ul style="list-style-type: none"> ▪ Key sections: <ul style="list-style-type: none"> ○ Section 24 – Environmental Authorisation (control of activities which may have a detrimental effect on the environment). ○ Section 28 – Duty of care and remediation of environmental damage. ○ Environmental management principles. ▪ Authorisation type – Environmental Authorisation. ▪ Authorities – Department of Environment, Forestry and Fisheries (DEFF) (national) and KZN Department of Economic Development, Tourism and Environmental Affairs (KZN EDTEA) (local).
Environmental Impact Assessment (EIA) Regulations of 2014 (as amended)	<ul style="list-style-type: none"> ▪ Government Notice (GN) No. R. 982 of 4 December 2014 (as amended): <ul style="list-style-type: none"> ○ Purpose - regulate the procedure and criteria as contemplated in Chapter 5 of NEMA relating to the preparation, evaluation, submission, processing and consideration of, and decision on, applications for environmental authorisations for the commencement of activities, subjected to EIA, in order to avoid or mitigate detrimental impacts on the environment, and to optimise positive environmental impacts, and for matters pertaining thereto. ▪ GN No. R. 983 of 4 December 2014 (as amended) (Listing Notice 1): <ul style="list-style-type: none"> ○ Purpose - identify activities that would require environmental authorisations prior to commencement of that activity and to identify competent authorities in terms of sections 24(2) and 24D of NEMA. The investigation, assessment and communication of potential impact of activities must follow a Basic Assessment process. ▪ GN No. R. 984 of 4 December 2014 (Listing Notice 2): <ul style="list-style-type: none"> ○ Purpose - identify activities that would require environmental authorisations prior to commencement of that activity and to identify competent authorities in terms of sections 24(2) and 24D of NEMA. The investigation, assessment and communication of potential impact of activities must follow a Scoping and Environmental Impact Reporting Process (S&EIR). ▪ GN No. R. 985 of 4 December 2014 (Listing Notice 3): <ul style="list-style-type: none"> ○ Purpose - list activities and identify competent authorities under sections 24(2), 24(5) and 24D of NEMA, where environmental authorisation is required prior to commencement of that activity in specific identified geographical areas only. The investigation, assessment and communication of potential impact of activities must follow a Basic Assessment process.
National Water Act (Act No. 36 of 1998) (NWA)	<ul style="list-style-type: none"> ▪ Sustainable and equitable management of water resources. ▪ Key sections: <ul style="list-style-type: none"> ○ Chapter 3 – Protection of water resources.

Legislation	Description and Authorities
	<ul style="list-style-type: none"> ○ Section 19 – Prevention and remedying effects of pollution. ○ Section 20 – Control of emergency incidents. ○ Chapter 4 – Water use. ▪ Authorisation type – General Authorisation / Water Use Licence ▪ Authority – Department of Water and Sanitation (DWS).
National Environmental Management Air Quality Act (Act No. 39 of 2004) (NEM:AQA)	<ul style="list-style-type: none"> ▪ Air quality management. ▪ Key sections: <ul style="list-style-type: none"> ○ Section 32 – Dust control. ○ Section 34 – Noise control. ▪ Authorisation type – Atmospheric Emission License. ▪ Authority – DEFF (national) and provincial counterparts, as well as municipalities.
National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	<ul style="list-style-type: none"> ▪ Management and conservation of the country's biodiversity. ▪ Protection of species and ecosystems. ▪ Authorisation type – Permit. ▪ Authority – DEFF and KZN EDTEA.
National Environmental Management: Waste Act (Act No. 59 of 2008)	<ul style="list-style-type: none"> • Management of waste. • Chapter 5 – licensing requirements for listed waste activities - GN No. R. 921 of 29 November 2013. • Authorisation type – Waste Management Licence. • Authority – DEFF (national) and provincial counterparts.
National Environmental Management: Protected Areas Act (Act No. 57 of 2003)	<ul style="list-style-type: none"> ▪ Protection and conservation of ecologically viable areas representative of SA's biological diversity and natural landscapes.
National Forests Act (No. 84 of 1998)	<ul style="list-style-type: none"> • Supports sustainable forest management and the restructuring of the forestry sector, as well as protection of indigenous trees in general. • Section 15 – Authorisation required for impacts to protected trees. • Authorisation type – Permit. • Authority – DAFF (national) and provincial counterparts.
Occupational Health & Safety Act (Act No. 85 of 1993)	<ul style="list-style-type: none"> • Provisions for Occupational Health & Safety. • Authority – Department of Employment and Labour (DEL). • Relevant regulations, such as Facilities Regulations, Construction Regulations, etc..
National Heritage Resources Act (Act No. 25 of 1999) (NHRA)	<ul style="list-style-type: none"> • Key sections: <ul style="list-style-type: none"> ○ Section 34 – protection of structure older than 60 years. ○ Section 35 – protection of heritage resources. ○ Section 36 – protection of graves and burial grounds. ○ Section 38 – Heritage Impact Assessment for linear development exceeding 300m in length; development exceeding 5 000m² in extent, etc. • Authorisation type – Permit. • Authority – South African Heritage Resources Agency (SAHRA) and Amafa KwaZulu Natal provincial heritage agency).

7 BIOPHYSICAL FEATURES

The proposed Project was screened at a desktop level using GIS as a spatial tool in order to understand the nature of the receiving environment and to identify any sensitive environmental features.

7.1 Surface Water

The National Freshwater Ecosystem Priority Areas (NFEPA) project provides strategic spatial priorities for conserving South Africa's freshwater ecosystems and supports sustainable use of water resources. A South African Inventory of Inland Aquatic Ecosystems (SAIIAE) was established during the National Biodiversity Assessment of 2018 (NBA 2018). The SAIIAE offers a collection of data layers pertaining to ecosystem types and pressures for both rivers and inland wetlands.

The SAIIAE builds on previous efforts while also introducing improvements and several new elements. An inventory of inland aquatic ecosystems responds to a multi-stakeholder need for the planning, conservation and management of these systems, as mandated by a number of legislative Acts, including the South African National Water Act No. 36 of 1998 (NWA) and the National Environmental Management: Biodiversity Act No. 10 of 2004 (NEMBA). Efforts were undertaken between 2015 and 2018 in the update of data layers associated with river and inland wetland ecosystem types for the NBA 2018, including the update of the National Wetland Map version 5 (NWM5) which was used in the National Biodiversity Assessment of 2018 (NBA 2018). The National Wetland Map version 5 (NWM5) attempted to address a number of reported issues and commission errors found in NFEPA (NWM4).

Consequently, the NWM5 (i.e. NBA 2018) database was used in the desktop screening exercise to assess the surface and groundwater sensitivities associated with the proposed site.

In terms of Section 21 (c) and (i) of NWA, any development falling within the regulated area of a watercourse, i.e. within 500m of a wetland or within the 1:100 year floodline / "Riparian Zone" (whichever is greatest) of a watercourse, requires a Water Use Licence Application (WULA).

According to the desktop screening results (**Figure 4**), no watercourses traverse the proposed site, however, an Estuary Wetland is located within 500m of the proposed site. Given the built-up nature of the area, it is unlikely that wetlands would be located within 500m of the site. **However, it is recommended that a suitably qualified registered Aquatic and Wetland Specialist provide an opinion on the presence of the desktop identified wetland.**



Figure 4: Watercourse Map

7.2 Terrestrial Environment

7.2.1 Threatened Terrestrial Ecosystems

The South African National Biodiversity Institute (SANBI), in conjunction with the Department of Environmental Affairs and Tourism (DEAT), released a draft report in 2009 entitled “Threatened Ecosystems in South Africa: Descriptions and Maps” to provide background information on the abovementioned List of Threatened Ecosystems (SANBI, 2009). The purpose of this report was to present a detailed description of each of South Africa’s ecosystems and to determine their status using a credible and practical set of criteria. The following criteria were used in determining the status of threatened ecosystems:

- Irreversible loss of natural habitat;
- Ecosystem degradation and loss of integrity;
- Limited extent and imminent threat;
- Threatened plant species associations;
- Threatened animal species associations; and
- Priority areas for meeting explicit biodiversity targets as defined in a systematic conservation plan.

In terms of section 52(1) (a), of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), a national list of ecosystems that are threatened and in need of protection was gazetted on 9 December 2011 (Government Notice 1002 (<http://bgis.sanbi.org/ecosystems/project.asp>)). The list classified all threatened or protected ecosystems in South Africa in terms of four categories; Critically Endangered (CR), Endangered (EN), Vulnerable (VU) or Protected. The purpose of categorising these ecosystems is to prioritise conservation areas in order to reduce the rates of ecosystem and species extinction, as well as preventing further degradation and loss of structure, function, and composition of these ecosystems.

It is estimated that threatened ecosystems make up 9.5% of the land in South Africa, with critically endangered and endangered ecosystems accounting for 2.7%, and vulnerable ecosystems 6.8% of the land area. It is therefore vital that Threatened Terrestrial Ecosystems inform proactive and reactive conservation and planning tools, such as Biodiversity Sector Plans, municipal Strategic Environmental Assessments, Environmental Management Frameworks, Environmental Impact Assessments and other environmental applications (Mucina *et al.* 2006).

The proposed site falls within the Northern Coastal Grasslands terrestrial threatened ecosystem, which is classified as **critically endangered (Figure 5)**.

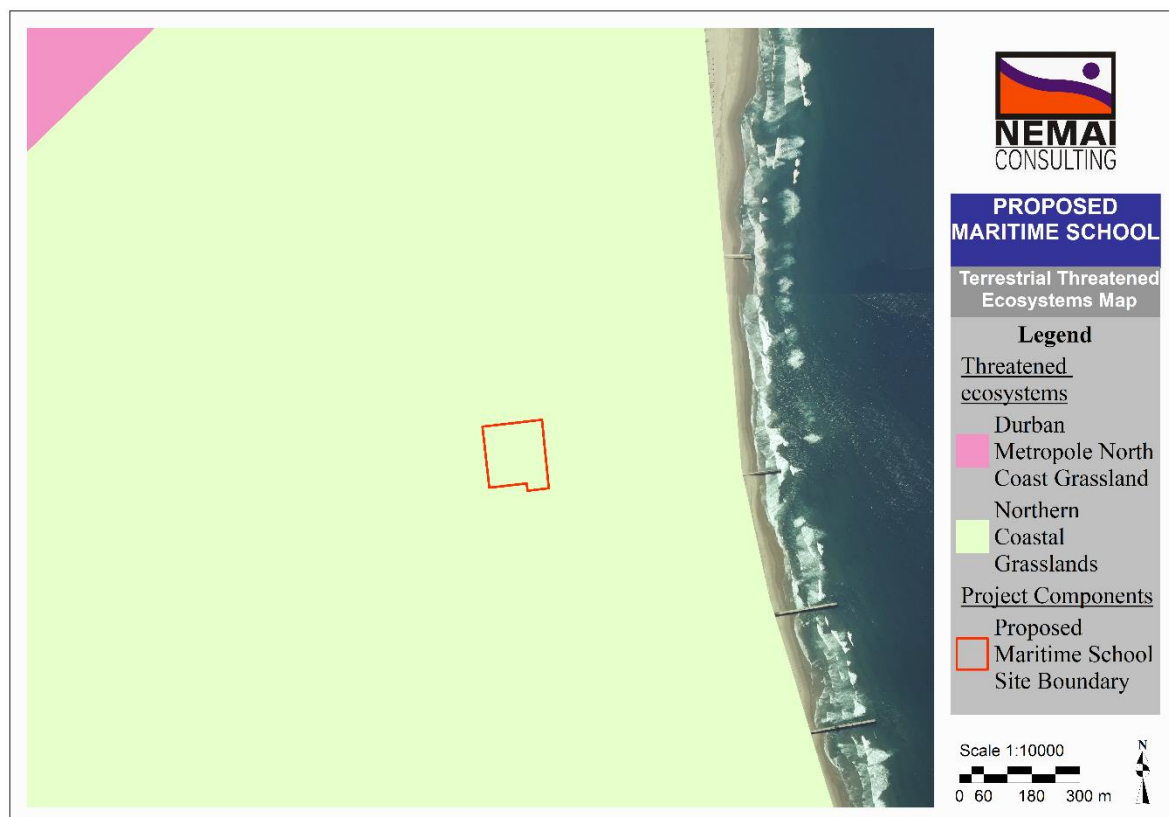


Figure 5: Terrestrial Threatened Ecosystem

During the site visit undertaken, it was observed that the proposed site has been transformed and is currently used as sports fields (**Figure 6**). The sports fields comprise planted grass/turf which are maintained. Therefore, it is concluded that no natural vegetation remains.



Figure 6: Site Photos of Current Land Use

7.2.2 Protected Areas

The aim of the National Environmental Management: Protected Areas Act (Act No. 57 of 2003) is to provide for the protection and conservation of ecologically viable areas representative of South Africa's biological diversity and natural seascapes. The purpose of a Protected Environment is amongst others to protect a specific ecosystem outside a special nature

reserve world heritage site or nature reserve and also to ensure the use of the natural resources in the area is sustainable.

As seen in **Figure 7**, the proposed site does not fall within any protected areas. The closest protected area is the Beachwood Mangrove Nature Reserve, which is located approximately 3.5 km north of the proposed site. In terms of NEMA, according to GN No. R985 of the 2014 EIA Regulations (as amended), no Listed Activities are expected to be triggered.



Figure 7: Protected Areas Map

7.2.3 KZN Biodiversity Spatial Planning Version 3.3

The Ezemvelo KZN Wildlife (2016) KZN Biodiversity Spatial Planning Terms and Processes, Version 3.3 was used to screen relevant sensitivities. The KZN Biodiversity Plan provides a spatial representation of land and coastal marine area required to ensure the persistence and conservation of biodiversity within KZN, reflected as Critical Biodiversity Areas (CBA) and Ecological Support Areas (ESA).

The proposed site does not fall within a CBA or ESA (**Figure 8**). CBA areas are located north and east of the site.

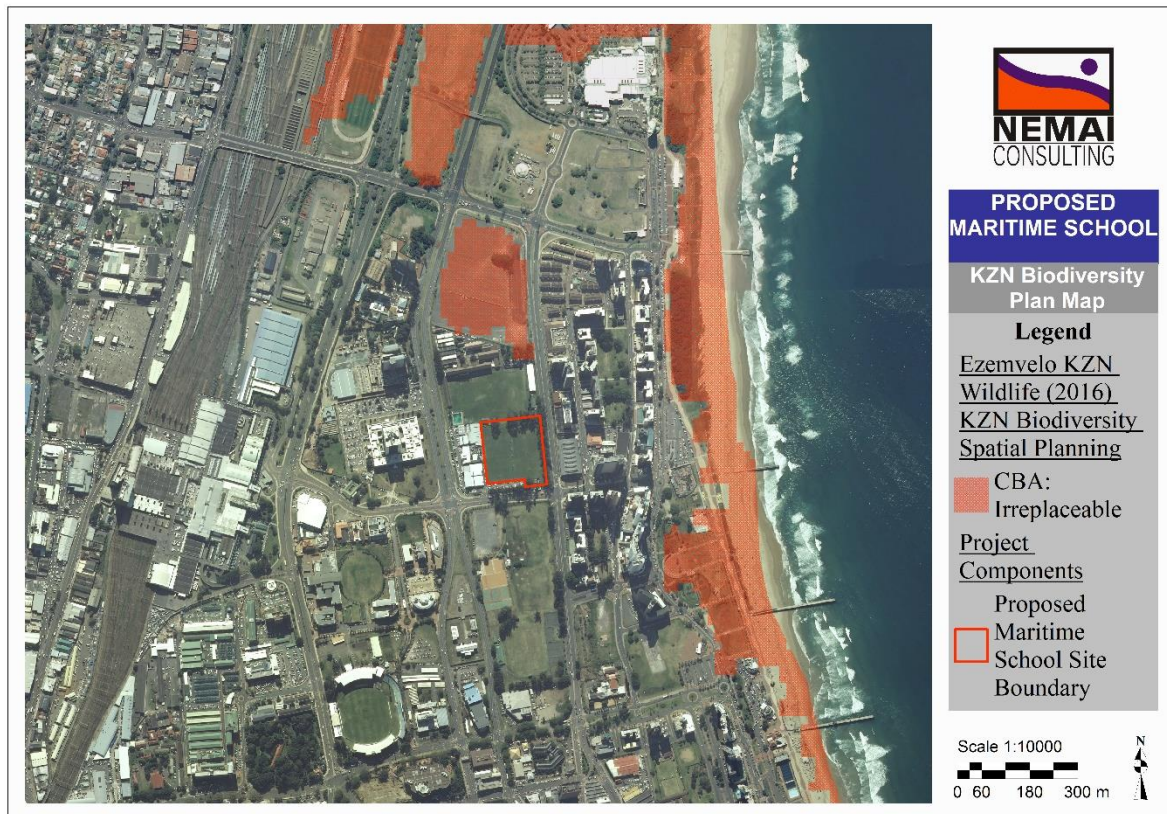


Figure 8: CBA Map

7.2.4 Durban Metropolitan Open Space System

The Durban Metropolitan Open Space System (D'MOSS), currently 94 000 hectares in extent, is a spatial layer of interconnecting open spaces in public, private and traditional authority ownership that seeks to protect the biodiversity and associated ecosystem services of Durban for future generations. From a natural resource perspective, D'MOSS includes approximately 2 400 ha of estuarine environment, including sand and mudbanks, mangrove and swamp forests; 14 000 ha of forests including dune, coastal and scarp forests; 7 500 ha of wetlands including floodplains, swamp forest and reedbeds; 13 000 ha of grassland including the threatened KZN Sandstone Sourveld Grasslands; and 40 000 ha of dry valley thicket.

D'MOSS thus provides a unique opportunity to conserve many of South Africa's threatened ecosystems and species including: the endangered KZN Sandstone Sourveld grasslands; the critically endangered *Brachystelma natalense* (a small herbaceous plant); and the endangered Oribi, Spotted Ground Thrush, and Pickersgill's Reed Frog. If protected and managed, D'MOSS will assist the province and the country in meeting biodiversity conservation targets.

The proposed site falls outside of D'MOSS areas, with the nearest D'MOSS areas located to along the coastline to the east of the site (**Figure 9**).

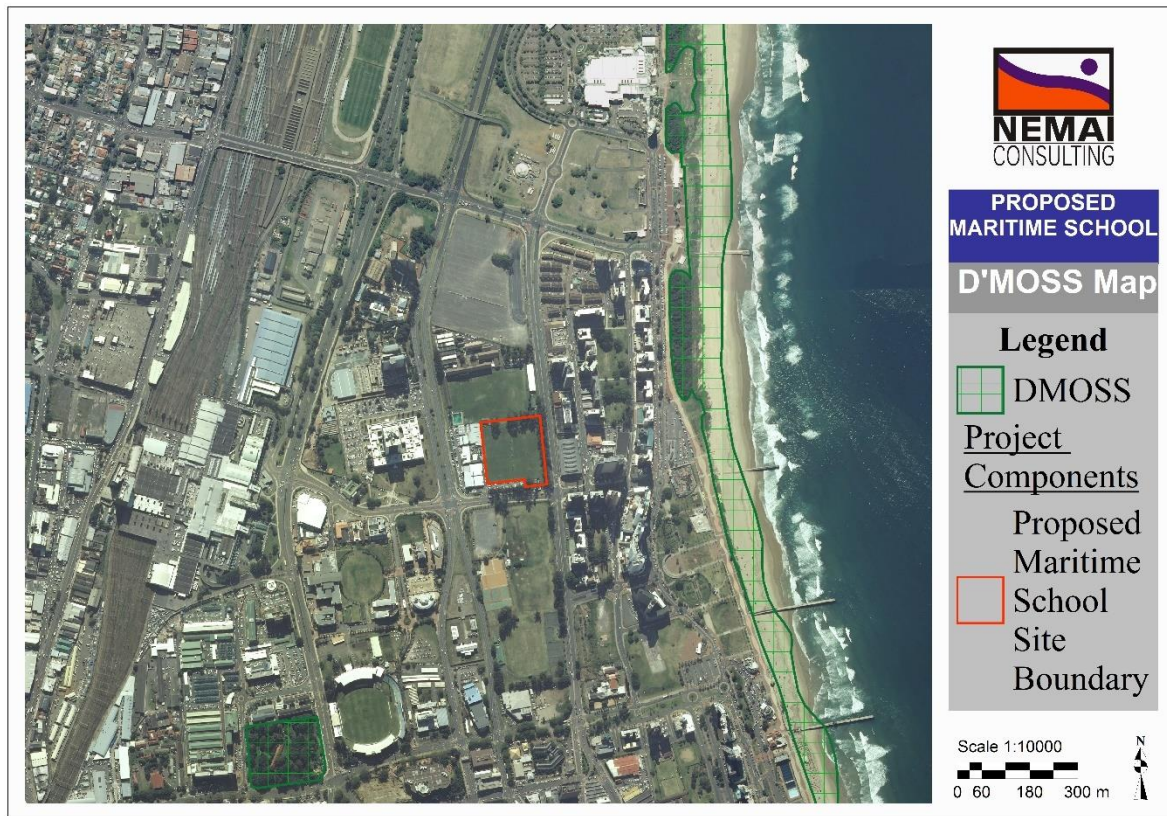


Figure 9: D'MOSS Map

7.2.5 Important Bird and Biodiversity Areas

IBAs form a network of sites, at a bio-geographic scale, which are crucial for the long-term viability of naturally occurring bird populations (Barnes, 2000). GIS tools were consulted for relevancy for this Proposed site and found that the proposed site route does not occur within an IBA. The nearest IBA is the Mount Moreland Area, which is located 22km to the north (Figure 10).

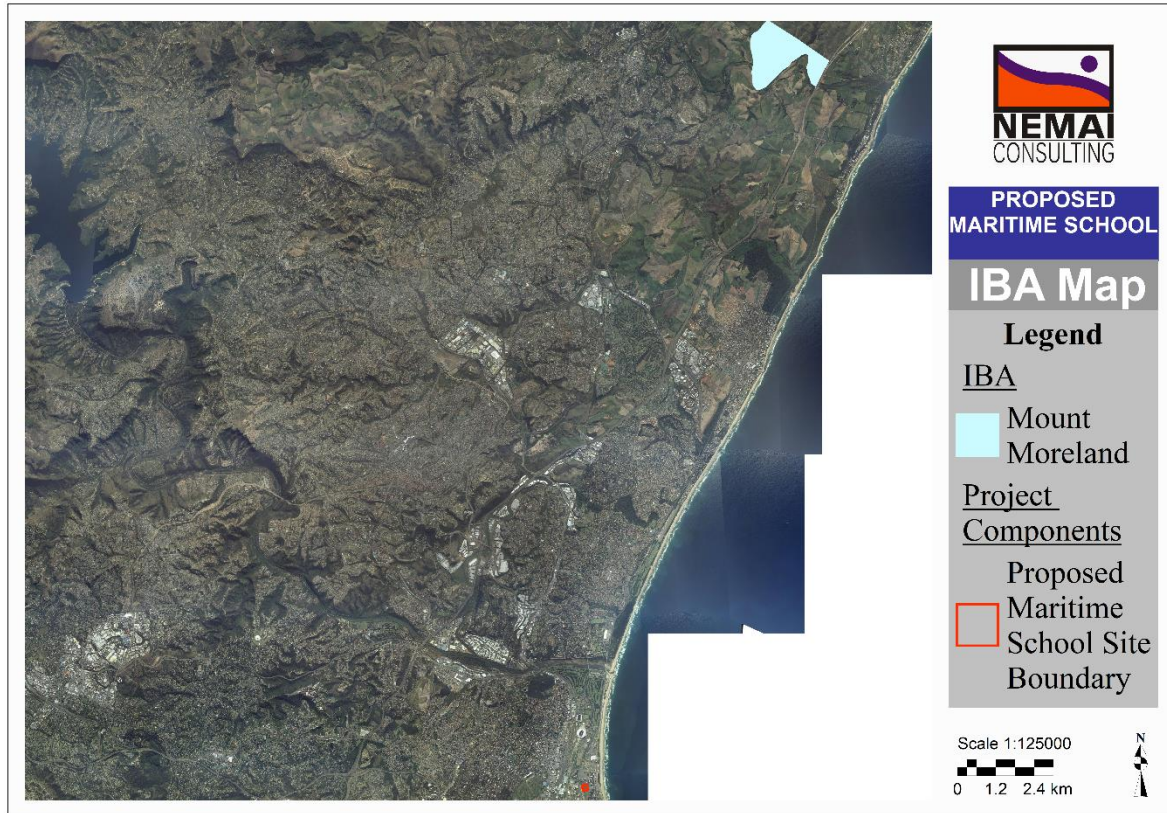


Figure 10: IBA near the proposed site

7.2.6 Flora and Fauna

The proposed site falls within 2931CC quarter degree square in terms of the 1:50 000 grid of South Africa. During the site visit, it was noted that several trees are located around the boundary of the site, including two fig species (**Figure 11**).

It is recommended that a suitably qualified registered Terrestrial Ecologist assess the proposed site and determine whether any protected tree species or plants species of conservation concern will be impacted on by the proposed activities. Should protected tree species or plant species of conservation concern be confirmed within the proposed site boundary, the relevant permits would need to be applied for and received prior to their cutting or removal.



Figure 11: Two fig tree species were observed growing in the proposed site

8 SOCIAL ENVIRONMENT

8.1 Heritage Resources

The purpose of the National Heritage Act (Act No. 25 of 1999) (NHRA) is to protect and promote good management of South Africa's heritage resources, and to encourage and enable communities to nurture and conserve their legacy so it is available to future generations.

The Act makes heritage resources of cultural significance or other special value part of the national State, and therefore places them under the care of the South African Heritage Resources Agency (SAHRA).

Heritage resources may include buildings, historic settlements, landscapes and natural features, burial grounds and certain moveable objects, including objects of decorative art or scientific interest. Provincial and municipal authorities also play a role in managing provincial heritage resources and local-level functions.

According to Section 38(1) under Heritage resources management of the NHRA, any person who intends to undertake a development categorised as the following must undertake a Phase 1 HIA and submit to the responsible heritage resources authority:

- a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- b) the construction of a bridge or similar structure exceeding 50m in length;
- c) any development or other activity which will change the character of a site—
 - i. exceeding 5 000m² in extent; or
 - ii. involving three or more existing erven or subdivisions thereof; or
 - iii. involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - iv. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- d) the re-zoning of a site exceeding 10 000m² in extent; or
- e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority

According to the above, since the proposed development will change the character of a site exceeding 0.5ha, a Phase 1 Heritage Impact Assessment (HIA) will be required.

9 ENVIRONMENTAL SENSITIVITY MAP

A consolidated environmental sensitivity map of the site is shown in **Figure 12** and it is based on the outcome of the Environmental Screening exercise.

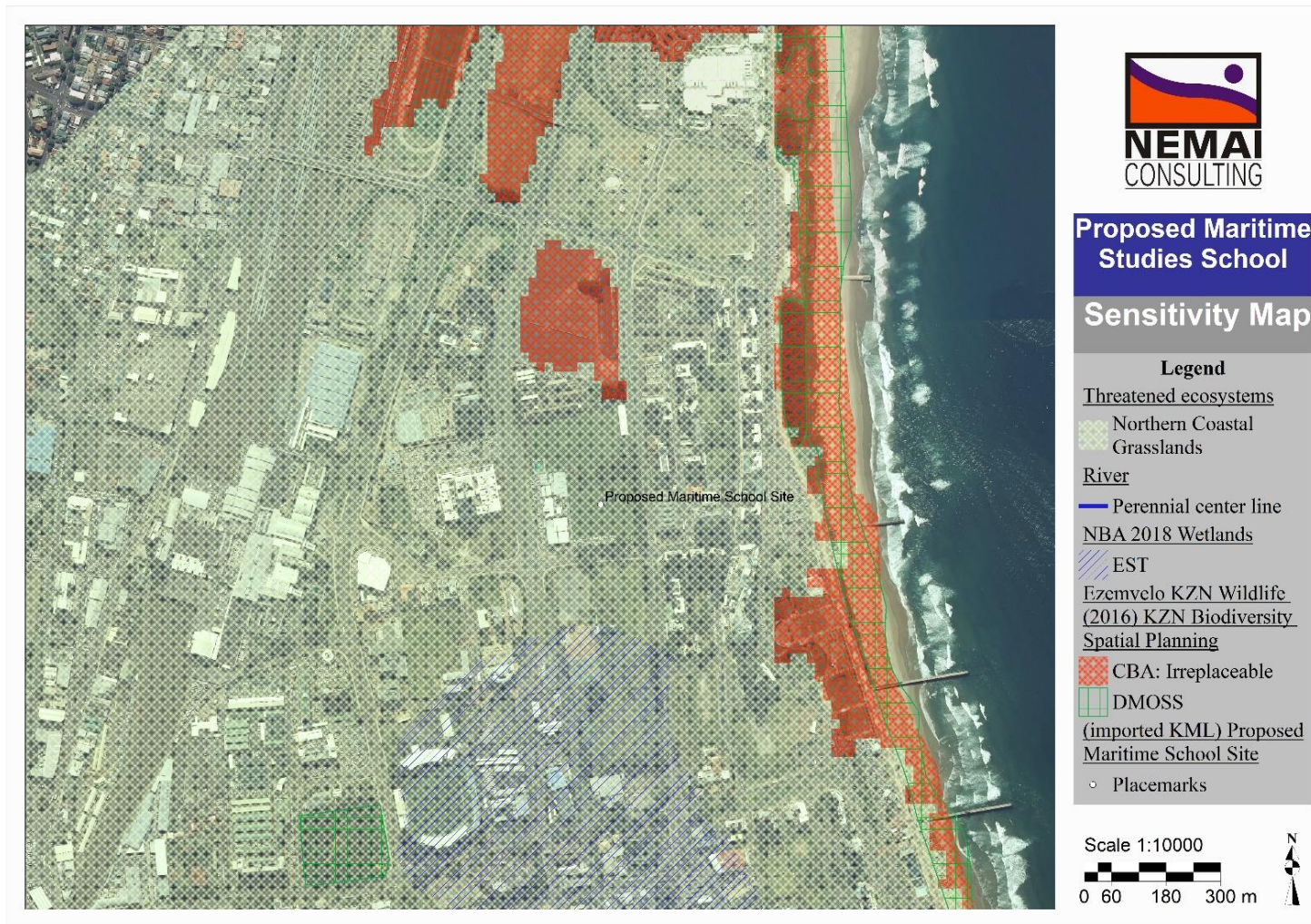


Figure 12: Sensitivity map of the proposed Maritime School of Excellence

10 POTENTIAL ENVIRONMENTAL IMPACTS

The preliminary environmental issues identified for further investigation are listed in **Table 2**.

Table 2: Potential Environmental Impacts

Environmental Feature	Potential Impacts/Implications
Geology and Soil	<ul style="list-style-type: none"> • Sourcing of construction material • Disposal of spoil material • Soil erosion
Surface Water	<ul style="list-style-type: none"> • Inadequate stormwater management • Stormwater pollution due to spillages and poor construction practices
Terrestrial Environment	<ul style="list-style-type: none"> • Potential loss of significant flora and fauna species • Potential relocation of Protected Tree Species or Plant Species of Conservation concern, if any are identified • Accidental introduction and proliferation of alien species
Noise	<ul style="list-style-type: none"> • Construction-related noise impacts
Social	<ul style="list-style-type: none"> • Employment opportunities • Safety and security concerns
Traffic	<ul style="list-style-type: none"> • Increase in traffic on the surrounding road network during construction • Disruption of traffic during construction
Heritage	<ul style="list-style-type: none"> • Possible disturbance and destruction of heritage resources
Air Quality	<ul style="list-style-type: none"> • Increased dust generation during the construction phase • Excessive emissions from construction machinery
Services	<ul style="list-style-type: none"> • Poor maintenance of service infrastructure

11 ENVIRONMENTAL LEGAL REQUIREMENTS

The pertinent environmental legislation applicable for this project is discussed below.

11.1 The National Environmental Management Act (Act No. 107 of 1998) (NEMA)

Based on the current understanding of the Project, and the desktop environmental screening exercise undertaken, no Listed Activities promulgated under the 2014 EIA Regulations (as amended in April 2017) apply to the proposed development. It is, however, recommended that a Terrestrial Ecologist undertake a site inspection to identify any protected tree species or plant species of conservation concern within the proposed site.

It should be noted that any potential service upgrades have not been included in this screening report.

11.2 The National Water Act (Act No. 36 of 1998) (NWA)

The purpose of the NWA is to ensure that the nation's water resources are protected, used, developed, conserved, managed and controlled. Part 1 of Chapter 4 (Use of Water) of the NWA sets out general principles for regulating water use. In general, a water use must be Licensed unless it is listed in Schedule I, is an Existing Lawful Use, is permissible under a General Authorisation, or if a responsible authority waives the need for a licence.

Section 21 of the NWA identifies 11 consumptive and non-consumptive water uses for which authorisation is required. Where the project footprint encroaches on the regulated area of a watercourse the following water use types would apply:

- **Section 21 (c)** - Impeding or diverting the flow of water in a water course; and
- **Section 21 (i)** - Altering the bed, banks, course or characteristics of a watercourse.

Note that the extent / regulated area of the watercourse is defined as:

1. 1:100 year floodline or the delineated riparian habitat (whichever is greatest); or
2. Construction work closer than 500m radius of a wetland.

No watercourses traverse the proposed site, however, an Estuary Wetland is located within 500m of the proposed site. Given the built-up nature of the area, it is unlikely that wetlands would be located within 500m of the site. **However, it is recommended that a suitably qualified registered Aquatic and Wetland Specialist provide an opinion on the presence of the desktop identified wetland. Should the outcome of the Specialist opinion indicate that a ground-truthed wetland fall within 500m of the site a General Authorisation (GA) or Water Use Licence (WUL) will be required.**

11.3 The National Heritage Resources Act (Act No. 25 of 1999) (NHRA)

The purpose of the National Heritage Resources Act (Act 25 of 1999) (NHRA) is to protect and promote good management of South Africa's heritage resources, and to encourage and enable communities to nurture and conserve their legacy so it is available to future generations.

The Act makes heritage resources of cultural significance or other special value part of the national State, and therefore places them under the care of the SAHRA. Heritage resources may include buildings, historic settlements, landscapes and natural features, burial grounds and certain moveable objects, including objects of decorative art or scientific interest.

Provincial and municipal authorities also play a role in managing provincial heritage resources and local-level functions. New landowners should be made aware of any pre-existing heritage sites or objects located on their properties, and be further educated on their responsibilities regarding those sites or objects. They may also wish to approach heritage authorities in order to obtain a designation for a particular site or object under this Act.

A Phase 1 HIA assessment must be conducted and submitted to the provincial authority for approval.

11.4 The National Environmental Management: Biodiversity Act (Act No. 10 of 2004)

The National Environmental Management: Biodiversity Act (Act No. 10 of 2004) (NEM:BA) was promulgated for the management and conservation of South Africa's biodiversity through the protection of species and ecosystems and the sustainable use of indigenous biological resources.

The main implication of this Act is the protection of biodiversity. **Based on the outcome of the recommended Terrestrial Ecological site visit and opinion, a permit may be required if there will be any removal of fauna and flora of conservation concern.**

11.5 The National Environmental Management: Waste Act (Act No. 59 of 2008)

The National Environmental Management Waste Act (Act No. 59 of 2008) (NEM:WA) regulates waste management in order to protect the health and environment of South African citizens. This is achieved through pollution prevention, institutional arrangements and planning matters, national norms and standards and the licensing and control of waste management activities. The latest list of waste management activities that have or are likely to have a detrimental effect (GN No. 921 of 29 November 2013) contains activities listed in Categories A and B that would require licensing from the provincial or national authorities and activities contained in Category C which would require meeting the requirements of various Norms and Standards.

It is not anticipated that a Waste Management Licence will be required.

11.6 The National Environmental Management: Air Quality Act (Act No. 39 of 2004)

The National Environmental Management: Air Quality Act (Act No. 39 of 2004) (NEMAQA) provides for the setting of national norms and standards for regulating air quality monitoring, management and control and describes specific air quality measures so as to protect the environment and human health or well-being by:

- Preventing pollution and ecological degradation; and
- Promoting sustainable development through reasonable resource use.

It is not anticipated that an Atmospheric Emission License will be required.

11.7 The National Forests Act (Act 84 of 1998)

The purpose of this Act includes the following:

- To promote the sustainable management and development of forests for the benefit of all;
- To create the conditions necessary to restructure forestry in State forests;
- To provide special measures for the protection of certain forests and trees;
- To promote the sustainable use of forests for environmental, economic, educational, recreational, cultural, health and spiritual purposes;
- To promote community forestry; and
- To promote greater participation in all aspects of forestry and the forest products industry by persons disadvantaged by unfair discrimination.

In terms of the National Forests Act of 1998, forest trees or protected tree species may not be cut, disturbed, damaged, destroyed and their products may not be possessed, collected, removed, transported, exported, donated, purchased or sold – except under license granted by the Department of Water Affairs and Forestry (or a delegated authority).

Applications for such activities should be made to the responsible official in each province. Each application is evaluated on merit (including site visits) before a decision is taken whether or not to issue a license (with or without conditions). Such decisions must be in line with national policy and guidelines.

Based on the outcome of the recommended Terrestrial Ecological site visit and opinion, a permit will be required from DAFF if any protected tree species are to be either cut, destroyed, disturbed and/or transplanted within the proposed development study area.

11.8 The National Environmental Management: Integrated Coastal Management Act (NEMA:ICA) (Act 24 of 2008), as amended

The purpose of this Act aims, *inter alia*:

- to establish a system of integrated coastal and estuarine management in South Africa, including norms, standards and policies, in order to promote the conservation of the coastal environmental, and maintain the natural attributes of coastal landscapes and seascapes, and to ensure that development and the use of natural resources within the coastal zone is socially and economically justifiable and ecologically sustainable;
- to define rights and duties in relation to coastal areas;
- to determine the responsibilities of organs of state in relation to coastal areas;
- to prohibit inappropriate development of the coastal environment.

According to the definition of the coastal protection zone contemplated under section 16 and 17 of the NEMA:ICA, the proposed site does not fall within the coastal protection zone. In

addition, the proposed site falls more than 100m from the high-water mark. The proposed site is unlikely to impact on the coastal protection zone.

12 RECOMMENDATIONS AND FURTHER STUDIES

Specialist Studies in **Table 3** will be undertaken in order to comply with the legal environmental requirements. The Specialist Studies are required to confirm or ground-truth the findings of the desktop Environmental Screening exercise.

Table 3: Recommendations for Further Environmental Specialist Studies

Environmental Feature	Specialist Study Required/Proposed Resolution
Surface Water	<ul style="list-style-type: none"> Aquatic and Wetland Specialist opinion is required as the site falls within 500m of a desktop identified wetland.
Terrestrial Environment	<ul style="list-style-type: none"> A Terrestrial Ecologist opinion is required to investigate whether any fauna and flora species of conservation concern would be affected by the proposed development and identify if any protected trees occur on the site.
Heritage	<ul style="list-style-type: none"> As the proposed development exceeds 0.5ha; a Phase 1 HIA is required to determine if any heritage resources occur on the site. It is recommended that the Heritage Specialist advise whether a paleontological study would be required.

The specialist studies must be completed as per Appendix 6 of GN R. 982 of the 2014 EIA Regulations, as amended, and as per the Specialist Study guidelines outlined by the Department of Environmental Affairs (DEA) (DEAT, 2002, Specialist Studies, Information Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria), unless the requirements of a protocol published in GN 320 (March 2020) applies.

13 CONCLUSION

Based on the description of the Project as well as biophysical features, social and planning factors, the following is concluded for the proposed project:

- Recommended Specialist Opinions and Assessment
 - Wetland Specialist opinion
 - Terrestrial Ecologist opinion
 - Heritage Impact Assessment
- Environmental Authorisation –
 - No Environmental Authorisation is required under NEMA.

- Based on the outcomes of the Specialist opinion, Authorisation may be needed from DWS in terms of the NWA, for water uses associated with the Project.

Given the limitations of the scope provided, in that not all project information may have been available at the time of the Report compilation, the Environmental Screening undertaken was high level in some aspects where the scope had not yet been well defined. Therefore, it would be important to ensure that the findings of the Screening Report be re-evaluated should new or additional information become available regarding the planned scope of works.

14 REFERENCES

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