

NO	IAP DETAILS	COMMENTS / QUESTIONS RAISED	INITIAL RESPONSE	FINAL RESPONSE
1	<p>Bernadet Pawandiwa</p> <p>KwaZulu – Natal Amafa and Research Institute</p> <p>21 January 2021</p>	<p>Thank you for the notification. You are required to fill in the attached Form J and submit together with proof of payment, kml file map of development footprint, Photographs of the development footprint and its surroundings as per guidelines on the form.</p>	<p>Apologies for the late response. I will upload the application form on SAHRIS. Attached herewith:</p> <ul style="list-style-type: none"> • AMAFA Application together with the proof of payment and a declaration from the developer. Please note, the developer is the Nkosazana Dlamini Zuma Municipality. The declaration is extracted from the environmental authorisation application forms. • Site KML • Photographs of the site • Site Locality Map <p>Please let me know if you require any further information or documents.</p>	<p>An AMAFA application was lodged on SAHRIS, proof of payment and a copy of the application were also submitted to AMAFA.</p>
2	<p>Tashveer Bothath</p> <p>Ingonyama Trust Board</p> <p>25 January 2021</p>	<p>I tried perusing your documents regarding the abovementioned project and cannot seem to find Landowner information?</p> <p>Would the affected parcels of land be under the ownership of the Ingonyama Trust Board? If so, has this formally come</p>	<p>Our understanding of the landownership is illustrated on the attached Figure which shows the areas under the administration of the Ingonyama Trust Board.</p> <p>As outlined in the Basic Assessment Report. The development of the Sdangeni Access Road is driven through the Dr.Nkosazana Dlamini Zuma Municipal (NDZM) Integrated Development Plan</p>	<p>The development of the Sdangeni Access Road is driven through the Dr.Nkosazana Dlamini Zuma Municipal (NDZM) Integrated Development Plan (IDP), which, in 2018/2019, identified this project as a key municipal objective.</p> <p>Based on this municipal planning process (the IDP process) it is SLR's understanding that the NDZM has been in discussion with</p>

		<p>through for capturing onto our system? As you may be aware, should the project fall on land owned by the ITB, we would be required to sign off the Landowner Notification/Consent Form for this project.</p>	<p>(IDP), which, in 2018/2019, identified this project as a key municipal objective.</p> <p>Based on this municipal planning process (the IDP process) it is SLR's understanding that the NDZM has been in discussion with the Board/local ward councillors and traditional authorities to arrive at this project being allocated in the IDP.</p> <p>We have copied our employers (iX Engineers) who are the design engineers who will take up this discussion with the NDZM and revert to you.</p>	<p>the Board/local ward councillors and traditional authorities to arrive at this project being allocated in the IDP.</p>
3	<p>Londeka Zulu Dr Nkosazana Dlamini Municipality Environmental Management Officer 16 February 2021</p>	<p>May you also include Miss Lindiwe Ndelu (DR NDZ Environmental Management Officer) on the Sidangeni Road Construction communication. I have cc her email addresses on this email.</p>	<p>I have added Ms Ndelu to the database. Thank you.</p>	<p>Lindiwe Ndelu was added to the IAP Database</p>
4	<p>Riaz Dawjee Department of Land Affairs and Rural Development 16 February 2021</p>	<p>Take note of change in domain and new email address. In future please use Riaz.Dawjee@dalrrd.gov.za</p>	-	<p>Noted. The contact details on the IAP database has been updated.</p>

5	Tashveer Bothath Ingonyama Trust Board 17 February 2021	<p>You may recall that about three weeks ago you sent this through and I had some reservations regarding the Landowner Consent, has this been sorted? Did you receive feedback from the municipality and/or Theo?</p>	<p>Theo provided feedback on the landowner consent on 26 January 2021. Please can you check if you have received it, I have also attached the response email for your convenience.</p>	<p>The proposed project is in respect of a linear development (Road). The National Environmental Management Act (NEMA) only requires that the proponent notify landowners of a project. Landowner consent forms are therefore not required to be submitted with the basic assessment process.</p>
6	Tashveer Bothath Ingonyama Trust Board 17 February 2021	<p>I'm referring to having obtained a signed Landowners Consent from the Ingonyama Trust? Was the Landowner Consent from together with the relevant Shapefiles and Traditional Authority consent sent to the ITB?</p> <p>Although the email from Theo shows that the ITB owns the land, the process to obtain landowners consent to proceed with the relevant environment authorisations needs to be obtained from the ITB.</p>	<p>While we completely appreciate the Ingonyama Trust Boards consent procedures, our obligations in terms of the National Environmental Management Act requirements are to notify landowners. The excerpt from the regulations is below for your ease of reference (See Sub regulation of Regulation 39). The access road is obviously a linear development.</p> <p>Your previous queries were forwarded onto iX Engineers who are managing the project along with the Nkosazana Dlamini Zuma Municipality. Additionally I know that COGTA are assisting in the process.</p> <p>I have copied in the project manager Shanir (iX Engineers), who will take up the process of having you ITB consents applied for and obtained.</p> <p>@Shanir Ramjathan (Durban), will iX and NDZM please take up discussions with the ITB regarding the required consent.</p>	<p>COGTA and iX Engineers are currently conducting the landowner consent process with the Ingonyama Trust Board in parallel with the basic assessment process</p> <p>The excerpt from the regulations is below for your ease of reference</p> <p>Activity 39 of GN R 982, NEMA EIA Regulations 2014 states that:</p> <p>39. Activity on Land Owned by Person Other than Proponent</p> <p>(1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of</p>

			<p>From a project implementation process, it is vital that the necessary channels are followed. The last thing we want is construction to be halted because of a process, parallel to the EIA isn't followed</p>	<p>the land to undertake such activity on that land.</p> <p>(2) Subregulation (1) does not apply in respect of -</p> <p>(a) linear activities;</p> <p>(b) activities constituting, or activities directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral or petroleum resource; and</p> <p>(c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014.</p>
7	<p>Ayanda N. Dlamini</p> <p>EDTEA – Harry Gwala District</p> <p>17 February 2021</p>	<p>Kindly receive the attached letter for request of extension.</p> <p>Please note that we have not received the Draft BAR for comment.</p>	<p>Thank you so much for following up with us. That amazingly conscientious of you but at the same time worrying as we had couriered the document to your offices.</p> <p>I've included our Ami Mothilal in here and she will supply a copy of the weighbill and track the document. Much appreciated.</p>	<p>A copy of the waybill was sent to EDTEA along with the parcel tracking details.</p>
			<p>We had previously requested an extension on the project until 01 March 2021, however, we are aware that there will be a delay in receipt of the</p>	

			<p>acknowledgement of the report and the review of the report by the Department.</p> <p>Please can you advise on the way forward in respect of submission of the final basic assessment report. Thank you once again. Your time and consideration is greatly appreciated.</p>	
8	<p>Ayanda N. Dlamini EDTEA – Harry Gwala District 17 February 2021</p>	<p>Please submit the final BAR by the 12th April 2020.</p> <p>Kindly courier a hard copy and soft copy of the FBAR to our offices to the address below: 38 Margaret Street Ixopo 3276</p>	<p>Thank you for allowing us an extension till 12 April 2021 for the submission of the FBAR. Your amenability and consideration is greatly appreciated.</p> <p>The Sdangeni Access Road Project proponent, Dr Nkosazana Dlamini-Zuma Municipality, as well as COGTA have been placing immense pressure regarding the BAR process and obtaining of the EA as their aim was to commence with construction by June/July 2021. Should we only be able to submit the FBAR in April 2021, this will result in significant delays in the commencement of construction, due to the 107 day decision period.</p>	<p>The updated BAR was finalised based on comments received from registered I&APs up to and including 2 March 2021.</p> <p>While it is noted that comments from EDTEA were not received during the allotted 30-day comment period, it is expected that should the need arise, these will be accommodated during the Department decision-making period.</p>

			<p>In order to meet the municipal deadlines, would it be possible for any of the following alternatives:</p> <ul style="list-style-type: none"> • Submission of the FBAR on 03 March 2021 without comments from EDTEA. We can respond/action any queries upon receipt from EDTEA • EDTEA to provide a comment within this week so that we can submit the FBAR as soon as possible or • Would it be possible for EDTEA to expedite a decision on the FBAR in less than 107 days. <p>Please can you advise. I will also call you to discuss.</p>	
9	<p>Karen Moodley PMB Resources Centre – KZN Department of Agriculture, Forestry and Fisheries 25 February 2021</p>	<p>This correspondence serves as a notice of receipt for the above-mentioned document received on the 16th February 2021.</p> <p>Should you require any further information, please do not hesitate to contact Karen</p>	-	Noted