

BACKGROUND INFORMATION DOCUMENT (BID)



BID for the Proposed Ballito Beach Club, KwaDukuza Local Municipality, iLembe District Municipality, KZN.



A Project of Balwin Properties Ltd

October 2022

DOCUMENT DESCRIPTION

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Report name:	BID for the Proposed Ballito Beach Club, KwaDukuza Local Municipality, iLembe District Municipality, KZN.
Report type:	Background Information Document (BID)
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Compiled and authorised by:

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INTRODUCTION

Wallace and Green (Pty) Ltd. has been appointed by Balwin Properties Ltd to provide Independent Environmental Consulting Services for the Proposed Ballito Beach Club. The purpose of the Background Information Document (BID) is to provide information to Interested and Affected Parties (I&APs) regarding the Proposed Ballito Beach Club Development located on Erf 14, Ballito, KwaDukuza Local Municipality, iLembe District Municipality.

LOCATION OF PROPOSED PROJECT

The site (central co-ordinates 29°32'41.48"S; 31°12'53.03"E) is located on Erf 14, Ballito, KwaDukuza Local Municipality, iLembe District Municipality, KZN. The proposed development is approximately 1 013,53m² in extent and is located within Ward 6 of the KwaDukuza Local Municipality. The site is situated east of Tedder Way and South of Compensation Road.



Figure 1: Aerial Image of the proposed Ballito Beach Club



Figure 2: Aerial Image for the proposed site

SITE LOCALITY



Figure 3: Locality Map illustrating the location of the Proposed Ballito Beach Club

PROJECT DETAIL

Erf 14 located in Ballito has been earmarked for a mixed-use development, to be referred as Ballito Beach Club. The property in question encompasses an area of around 1 013,53m², with planned coverage of the structure approximating 720m². The design of the structure is presented in figure 4 below.

The proposed Ballito Beach Club will include a four-storey structure, which will comprise of a:

- Basement level with parking;
- Ground floor with entertainment facilities, including a restaurant, pool, dining area, kitchen and buffet bar;
- First floor with entrance facilities, including a reception, meeting rooms, Offices and terrace bar;
- Second floor with four residential units.

In Terms of services, it is assumed that the development will connect into the existing Siza water sewerage system and has the opportunity to connect to municipal stormwater. Road access is clearly available from Compensation Beach Road, while services such as electricity can also be readily supplied.

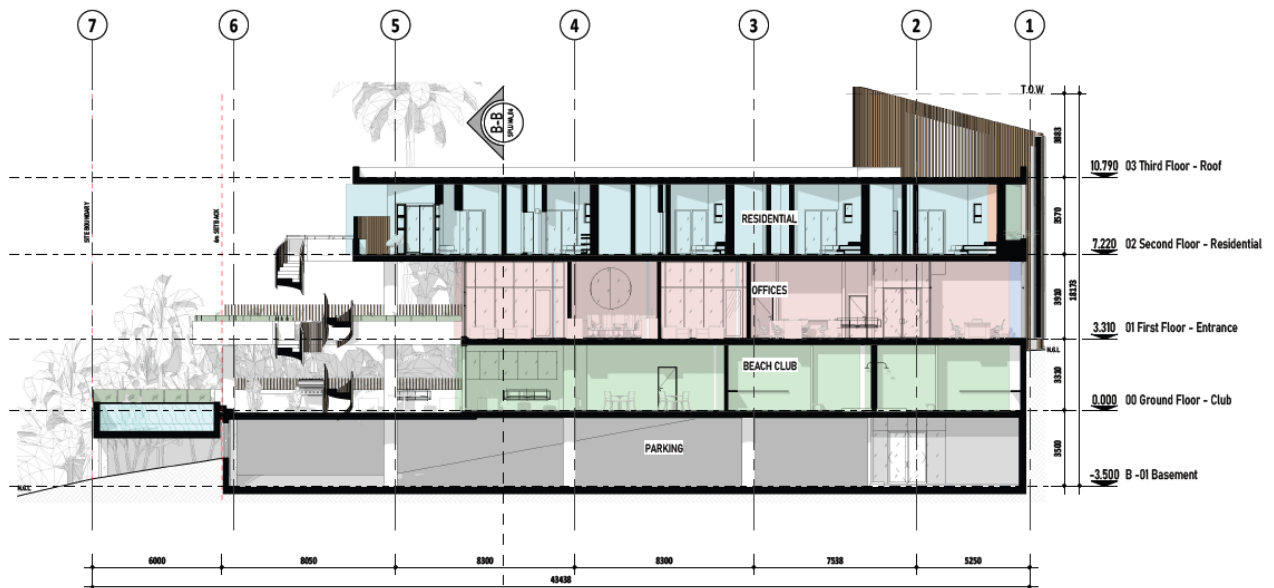


Figure 4: Site Layout of the Proposed Ballito Beach Club

ENVIRONMENTAL AUTHORISATION

The proposed development triggers the following listed activities, thus requiring an Environmental Authorisation from KZN EDTEA in terms of the National Environmental Management Act (NEMA).

Activity Number	Activity as per legislation	Activity applicability
Activity 12	The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water	The development will entail the construction of “Ballito Beach Club”, a four-storey development

	<p>surface area, exceeds 100 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>— excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	<p>with a restaurant, offices and residential uses with a footprint of approximately 720m².</p> <p>The proposed development will fall within 100 metres of the High-Water Mark.</p>
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<p>Activity 17</p>	<p>Development—</p> <ul style="list-style-type: none"> (i) in the sea; (ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; <p>in respect of—</p> <ul style="list-style-type: none"> (a) fixed or floating jetties and slipways; (b) tidal pools; (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; or (e) infrastructure or structures with a development footprint of 50 square metres or more — <p>but excluding—</p> <ul style="list-style-type: none"> (aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or (dd) where such development occurs within an urban area. 	<p>The proposed development will fall within 100 metres of the High-Water Mark.</p>
<p>Activity 18</p>	<p>The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding where —</p>	<p>Landscaping of the dune, seaward of the development will be undertaken as per the recommendations by the specialist.</p>

	<p>(i) the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation undertaken in accordance with a maintenance management plan; or</p> <p>(ii) (ii) such planting of vegetation or placing of material will occur behind a development setback.</p>	
<p>Activity 19A</p>	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</p> <p>(i) the seashore;</p> <p>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or</p> <p>(iii) the sea;</p> <p>— but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(f) will occur behind a development setback;</p> <p>(g) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(h) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(i) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (Publisher's note – Numbering as published in Gazette No. 40772) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>The proposed development will fall within 100 metres of the High-Water Mark and therefore it is anticipated that the infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres will occur during construction and landscaping of the Dune System.</p>

A person who wishes to commence a Listing Notice 1 activity must conduct a Basic Assessment according to the EIA Regulations, 2014 (as amended). This process, inclusive of public participation, is described below.

OUTLINE OF THE BASIC ASSESSMENT PROCESS, INCLUDING PUBLIC PARTICIPATION

The Basic assessment process being followed comprises of the following:

- Public Participation Process;
 - Notification and distribution of the Background Information Document (this document) to identified stakeholders and I&AP's to announce the project and inviting stakeholders to register as an I&AP and participate in the public participation process;
 - An advertisement in the local newspaper;
 - Placement of a site notification at the site notifying I&AP's of the proposed activity and inviting them to register; and;
 - Relevant I&AP's consultation to address issues and concerns raised;
- Compilation of a Draft Basic Assessment Report for I&APs to review and comment.
- Submission of an Application for Authorisation to EDTEA;
- Submission of a Final Basic Assessment Report and details of I&AP consultation to the EDTEA, for a decision;
- Communication to I&APs regarding the decision made by EDTEA on the application for Environmental Authorisation.

SPECIALIST EVALUATION

To inform the Basic Assessment Report, a Terrestrial and Coastal Dynamics Impact Assessment and Heritage Impact Assessment was undertaken. ***The specialist reports will be made available for public comment as part of the Draft Basic Assessment Report.***

Your contributions are important

You can get involved in the process:

1. By responding (by phone or e-mail) to our invitation for your involvement in the process;
2. By completing the attached comment form and e-mailing it to Wallace and Green;
3. In writing contacting or telephoning consultants if you have a query, comment or require further project information; and
4. By reviewing and commenting on the BA Report within the allowed extended 30-day review period.

In terms of the NEMA EIA Regulations 2014 (as amended) you are invited to formally register as an I&AP. Please note that in terms of Regulation 56 (c), I&APs need to disclose any direct business, financial, personal or other interest which they may have in the approval or refusal of the application.

As per the Protection of Personal Information (POPI) Act, which came into effect on the 1st of July 2021, consent must be granted to the EAP to use personal information provided. The information received will be made available to several competent authorities. Please register by the **1st of November 2022** by completing the enclosed registration and comment sheet and please declare the interest with regard to the project with your comments.

REGISTRATION FORM:
**Proposed Ballito Beach Club, KwaDukuza Local Municipality, iLembe
 District Municipality, KZN.**

Attention: Ms. Nicole

Office No: 031 563 4466

E-mail: Nicole@wallaceandgreen.co.za

Fax No: 086 613 8535

Title (Mr/Mrs/Ms)		Phone	
Name		Fax	
Organisation / Interest		E-mail	
Signature			

Please tick the appropriate circle and confirm your contact details above:

Registration

<input type="radio"/>	I would like to register as an Interested and Affected Party for the BA process for this Project. By completing this document, I voluntary consent that my personal information may be processed, collected, used and disclosed in compliance with the Protection of Personal Information Act, 4 of 2013. I furthermore agree that my personal information may be used for the lawful and reasonable purposes in as far as Wallace & Green Environmental Consulting (responsible party) must use my information in the performance of its contractual duties. I understand that my personal information may be disclosed to a third party in as far as Wallace & Green Environmental Consulting must fulfil its contractual legal duty.
<input type="radio"/>	Non stakeholder: I would like you to take me off your distribution sheet for the Proposed. I would not like to receive any further information regarding this process.

Other

If you know of any other individual or organisation that would be interested in registering as an Interested and Affected Party please provide their contact details:

Title (Mr/Mrs/Ms)		Phone	
Name		Fax	
Organisation / Interest		E-mail	
Signature			

