

BACKGROUND INFORMATION DOCUMENT (BID)



BID for the Proposed KwaNyuswa Pipeline Replacement Project, Ray Nkonyeni Local Municipality, Ugu District Municipality, KZN.

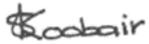
A Project of Ugu District Municipality

April 2022

DOCUMENT DESCRIPTION

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Compiled and authorised by:

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INTRODUCTION

The purpose of the Background Information Document (BID) is to provide information to Interested and Affected Parties (I&APs) regarding the proposed KwaNyuswa Pipeline Replacement Project. Wallace and Green (Pty) Ltd. has been appointed by JTN Consulting on behalf of the Ugu District Municipality to provide Independent Environmental Consulting Services for the proposed KwaNyuswa Pipeline Replacement.

LOCATION OF PROPOSED PIPELINE PROJECT

The proposed pipeline replacement project will be undertaken in KwaNyuswa, a rural area which is situated within Ward 34 of the Ray Nkonyeni Local Municipality, Ugu District Municipality, KwaZulu-Natal. The site is located 25km Northwest of the town of Port Shepstone in KwaZulu Natal. The land use surrounding the proposed pipeline replacement route is rural homesteads, Intensive agricultural activities (which include sugarcane, Macadamia nut and Tea Tree Oil plantations) and livestock grazing.

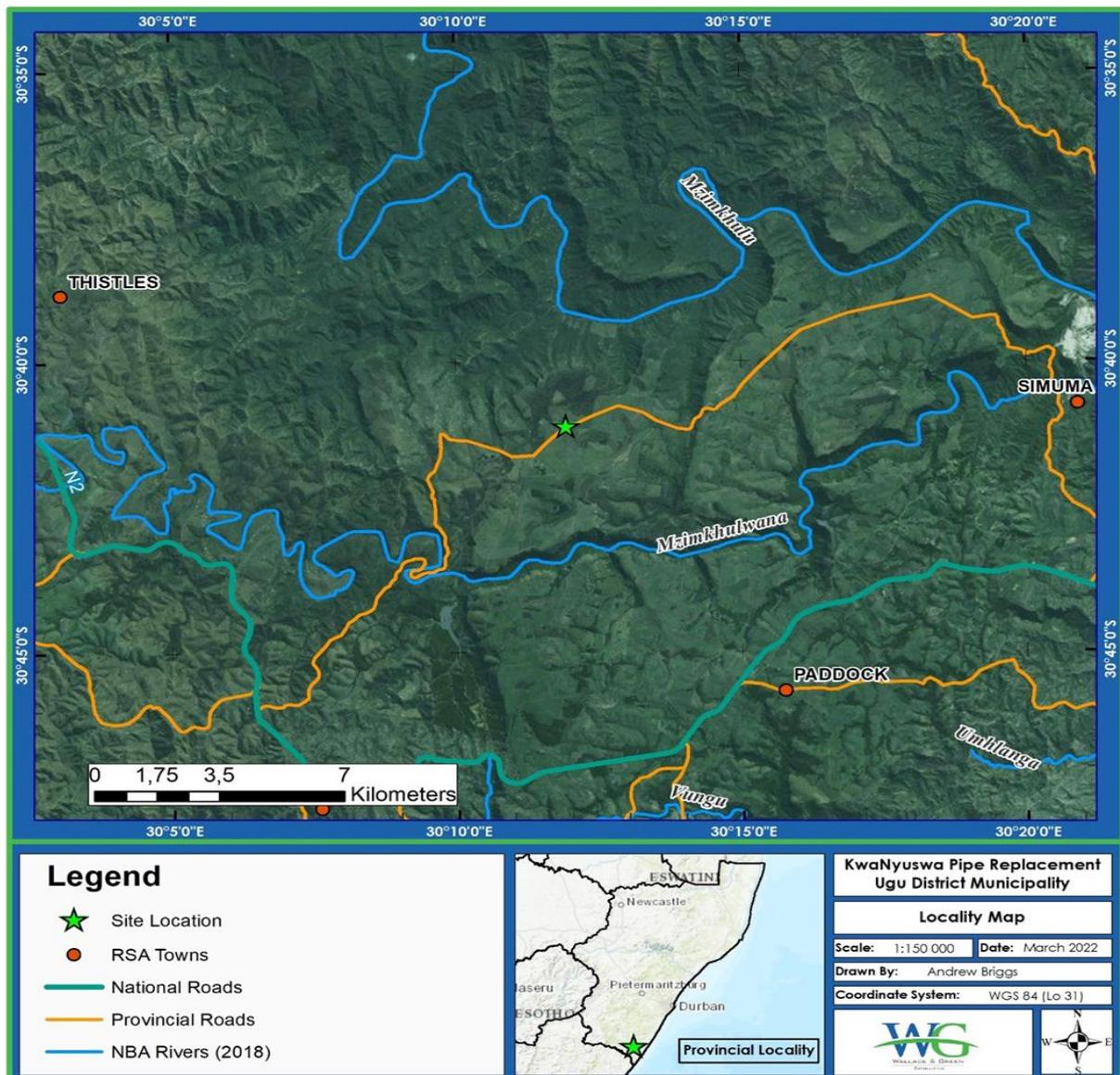


Figure 1: Locality Map illustrating the location of the Proposed KwaNyuswa Pipeline Replacement Project



Figure 2: Proposed KwaNyuswa Pipeline Replacement Project Route

Table 1: Start and End Co-ordinates of the Proposed KwaNyuswa Pipeline Replacement Project

Latitude /Longitude		Degrees	Minutes	Seconds
KwaNyuswa Pipeline Replacement Project				
(Start Point)	South	30	41	17.07
	East	30	09	36.65
(End Point)	South	30	40	43.19
	East	30	14	23.13

PROJECT DETAIL

The Ugu District Municipality intends on undertaking a direct pipeline replacement of the existing 50mm diameter HDPE rising main with a 9km 63mm diameter HDPE Class 16 pipe that can cater for the projected demand. A portion of the existing 50mm HDPE rising main will be converted to a gravity main and feed the local reticulation in KwaNyuswa. Furthermore, the proposed development will also entail the upgrade of the KwaNyuswa pumpstation and construction of associated valves and chambers. The proposed pipeline replacement will run between KwaNyuswa reservoir and the St Martins reservoir.

ENVIRONMENTAL AUTHORISATION

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

GNR	Activity Number	Activity as per legislation	Activity applicability
(GNR) No. 327	Activity 19	<p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) 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 entail the infilling and excavation of two wetlands and two artificial drainage channels. This will be further assessed in the Draft Basic Assessment Report (DBAR).</p>
(GNR) No. 324	Activity 12	<p>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.</p> <p>d. KwaZulu-Natal</p> <p>i. Trans-frontier protected areas managed under international conventions;</p> <p>ii. Community Conservation Areas;</p> <p>iii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>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 endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>(v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(vi) Within the littoral active zone or 100 metres inland from the high-water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding</p>	<p>A portion of the proposed pipeline is located within a Critical Biodiversity Areas (CBA 1) Mandatory/Optimal as well as Biodiversity Area. The clearance of an area of 7560m² of transformed and degraded vegetation units will be undertaken.</p> <p>The Oribi Gorge Nature Reserve is also located approximately 2.30 km from the pipeline.</p>

		<p>where such removal will occur behind the development setback line on erven in urban areas</p> <p>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;</p> <p>viii. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ix. World Heritage Sites;</p> <p>x. Sites or areas identified in terms of an international convention;</p> <p>xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>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</p> <p>xiii. In an estuarine functional</p>	
(GNR) No. 324	Activity 14	<p>The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 10 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 has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding 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>i. In an estuarine functional zone;</p> <p>ii. Community Conservation Areas;</p> <p>iii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>iv. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>v. World Heritage Sites;</p> <p>vi. Sites or areas identified in terms of an international convention;</p> <p>vii. Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>viii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p>	<p>The proposed pipeline infrastructure will be more than 10 square metres within a watercourse, located within a CBA Irreplaceable area. This will be further assessed in the Draft Basic Assessment Report (DBAR).</p>

		<p>ix. Core areas in biosphere reserves; x. Outside urban areas: (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or (bb) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</p>	
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A person who wishes to commence with a Listing Notice 1 or 3 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:

- Submission of an Application for Authorisation to EDTEA;
- 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 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, specialist studies have to be undertaken. The Ecological Habitat Assessment, Heritage Impact Assessment and Watercourse Assessment have been undertaken and the key findings have been summarised below. **The full specialist reports will be made available for public comment as part of the Draft Basic Assessment Report.**

Ecological Habitat Assessment:

An Ecological Habitat Assessment was undertaken by Mr. Clayton Cook in April 2022. The study site falls predominantly within the Pondoland-Ugu Sandstone Coastal Sourveld vegetation unit which is situated in a Critical Biodiversity Areas (CBA 1) Mandatory/Optimal as well as 'Biodiversity Area' as per the KZN Conservation Plan. The project area comprises mainly of transformed agricultural lands, fallow agricultural lands dominated by secondary succession grasslands and alien invaded Eucalypt woodlots and road reserves. The transformation of land and the Pondoland-Ugu Sandstone Coastal Sourveld vegetation unit is mainly due to intensive

sugar cane farming, macadamia nut and tea tree oil plantations. A low herb and forb species diversity was found across the project area. The current and proposed pipeline replacement servitude bisects a patch of transformed and degraded Valley Bushveld vegetation unit, adjacent to a remnant patch of low-lying coastal forest and upper sections of poorly defined non-perennial drainage lines. It is of the specialist's opinion that the project will not have a significant impact on the receiving environment and should be authorised as long as the proposed mitigatory measures are included within the Environmental Management Programme and more importantly as the reliable supply of water is critical for the adjacent communities due to the ongoing water crisis experienced in Ugu District Municipality.

Heritage Impact Assessment:

A Heritage Impact Assessment was undertaken by Umlando: Archaeological Surveys and Heritage Management in March 2022. Many archaeological sites occur in the general area which tend to be open Stone Age and Iron Age sites of varying significance, along with historical buildings occurring in the form of original farmsteads. The pipeline is mostly in an area of zero to low palaeontological sensitivity while the western pipeline is of medium significance. No heritage sites were found within the footprint of the pipeline, while a few historical buildings were found to occur within 100m of the footprint of the pipeline. A Palaeontological Impact Assessment is not required as stated in the Letter of Exemption due to the limited ability for fossil preservation in the project area. It is of the specialist's opinion that the project may proceed as the pipeline footprint will not affect any of the recorded heritage sites.

Watercourse Assessment:

A Watercourse Assessment was undertaken by Wallace and Green in April 2022. The baseline assessment of watercourse habitat identified a single degraded seepage wetland (Unit W01), and four artificial watercourse units split into two artificial wetlands (Unit AW01 and AW02) and two artificial drainage channels (AD01 and AD02), located within the immediate receiving area of the pipeline alignment. Unit W01 was found to be in a 'seriously modified' condition (i.e., a Present Ecological State of 'E') where there is a significant change in ecosystem processes and the loss of natural habitat. All natural and artificial watercourses were determined to be of low Ecological Importance and Sensitivity (EIS) whilst providing no significant ecosystem services. Potential impacts to the natural and artificial watercourses include direct watercourse habitat loss, sedimentation and erosion, alien vegetation recruitment and water and soil pollution. It is the opinion of the specialist that, from a freshwater habitat perspective, the proposed pipeline replacement project should be authorised provided the mitigation measures and recommendations in the Watercourse Assessment Report for the potential impacts, as well as ancillary environmental requirements, are addressed.

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 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 7th of June 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 KwaNyuswa Pipeline Replacement Project, Ray Nkonyeni Local Municipality, Ugu District Municipality, KZN.

Attention: Ms. Simitha Koobair | Mr. Ntokozo Ntshobeni

Office No: 031 563 4466

E-mail: simitha@wallaceandgreen.co.za | ntokozo@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	

