



BACKGROUND INFORMATION DOCUMENT

Proposed construction of low-income, medium density housing and associated infrastructure as part of an in-situ upgrade across the properties described as Portions 3,4,5,6,7,8,9 and 10 of Erf 717, Brickfield, located on Lacey Road, Overport.

Applicant: eThekweni Municipality Human Settlements Unit

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Purpose of this Document

- The Background Information Document (BID) is meant to provide an introduction to the proposal and the Basic Assessment process.
- The BID invites you to register as an Interested and Affected Party (I&AP) and outlines how you as an I&AP can be involved in the process.
- Details of the proposal and potential impacts will be investigated and discussed in the Basic Assessment Report.

Proposal

The applicant, eThekweni Municipality: Human Settlements Unit proposes to construct low-income, medium density housing and associated infrastructure as part of an in-situ upgrade. The proposed activity will take place across the properties described as Portions 3,4,5,6,7,8,9 and 10 of Erf 717, Brickfield, located on Lacey Road (Figure 1 Locality Map). The total combined targeted extent is 2.37 Hectares (Ha) that is anticipated to yield approximately 148 medium density residential sites and a single mixed used site located at the corner of Lacey Road and Clayton Road. The proposed project requires environmental authorisation in terms of the NEMA 2014 EIA Regulations (as amended 2017) as it involves the infilling of a wetland by more than 10 cubic metres to accommodate the housing development. As such, the proposal will be undergoing a Basic Assessment process in terms of the EIA Regulations, 2014 (as amended 2017).

Due to the presence of a wetland on the site, in a separate application process, Water Use Authorisation is also being applied for in terms of Section 21(c) and (i) of the National Water Act (No 36 of 1998).



Figure 1: Locality Map of the site, outlined in red. Source: (Google Earth, 2017). The site is bordered by Nu-Shifa Hospital to the immediate west, Randles Road to the south-west, an unoccupied portion along Clayton Road to the North and built up residential areas to the East.

Brief Site Description

The proposed site is geographically located at S29°49'51.97"; E30°59'10.06" and is 2.37ha in extent. The site is located on Lacey Road, Overport and is currently densely settled by informal housing. The site is zoned as Education, and will be rezoned to facilitate the proposed in situ upgrade.

The site is bordered by the Nu-Shifa hospital to the immediately west, an unoccupied portion to the north and built up residential areas to the east (Figure 1). To the south of the site across Randles Road, the predominant land use is commercial (Figure 2). The site can be directly accessed from the south off Randles Road via Lacey Road and from the north via Clayton Road.

There is very little to no vegetation on the site; the only patches of vegetation remaining include weeds and grasses on the unoccupied portion of the site along Clayton Road (Figure 4). A wetland is present along the western boundary of the site; the extent and functionality of the wetland will be confirmed by a Wetland specialist.



Figure 2: Photographer facing west showing the commercial land use across from the site along Randles Road.



Figure 3: Photographer facing east providing a general view of the informal settlements on the site.



Figure 3: Photographer facing south showing access to the site from Randles Road.



Figure 4: Photographer facing north showing the unoccupied portion of the site and the vegetation present on the site accessed from Clayton Road.

Need and Desirability

The general aim of the project is to upgrade the local sanitation services and basic housing needs of the proposed area.

What is a Basic Assessment process?

When Environmental Authorisation is required for a proposal, one of two legislated types of environmental assessments may be followed, i.e. a basic assessment (BA) or a Scoping & Environmental Impact Reporting (EIR). The nature and scale of the proposal determines which type of assessment is to be undertaken. A BA process will be required when listed activities of Listing Notice 1 (GNR 327) and/or Listing Notice 3 (GNR 324) is applicable to the development. Generally, but not always, where a proposal is less likely to cause significant environmental impacts, then a BA process is followed.

According to the National Environmental Management Act (NEMA) (Act 107 of 1998), EIA Regulations 2014 (as amended 2017), [GNR 326], the proposed activity requires Environmental Authorisation via a BA process, as per the following activity:

Listing Notice 1, Activity 19

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—

- (a) will occur behind a development setback;*
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;*
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;*
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or*

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

For the current proposal, the BA will investigate the proposal against various parameters, such as ecosystem functioning, biodiversity, vegetation, traffic, and heritage resources etc. to ensure that the proposal follows the idea of sustainable development and that any potential negative environmental impacts are mitigated against. Potential positive and negative impacts of the proposal will be identified and assessed in the BA report.

One of the outcomes of the process is an Environmental Management Programme (EMPr) that manages the pre-operation/pre-construction, operational and rehabilitation phases of the development to practically manage negative environmental impacts.

Approach: Basic Assessment Process

The BA process will strictly follow the requirements of GNR 326, NEMA EIA Regulations (2014, as amended 2017).

In summary, the following steps will be taken:

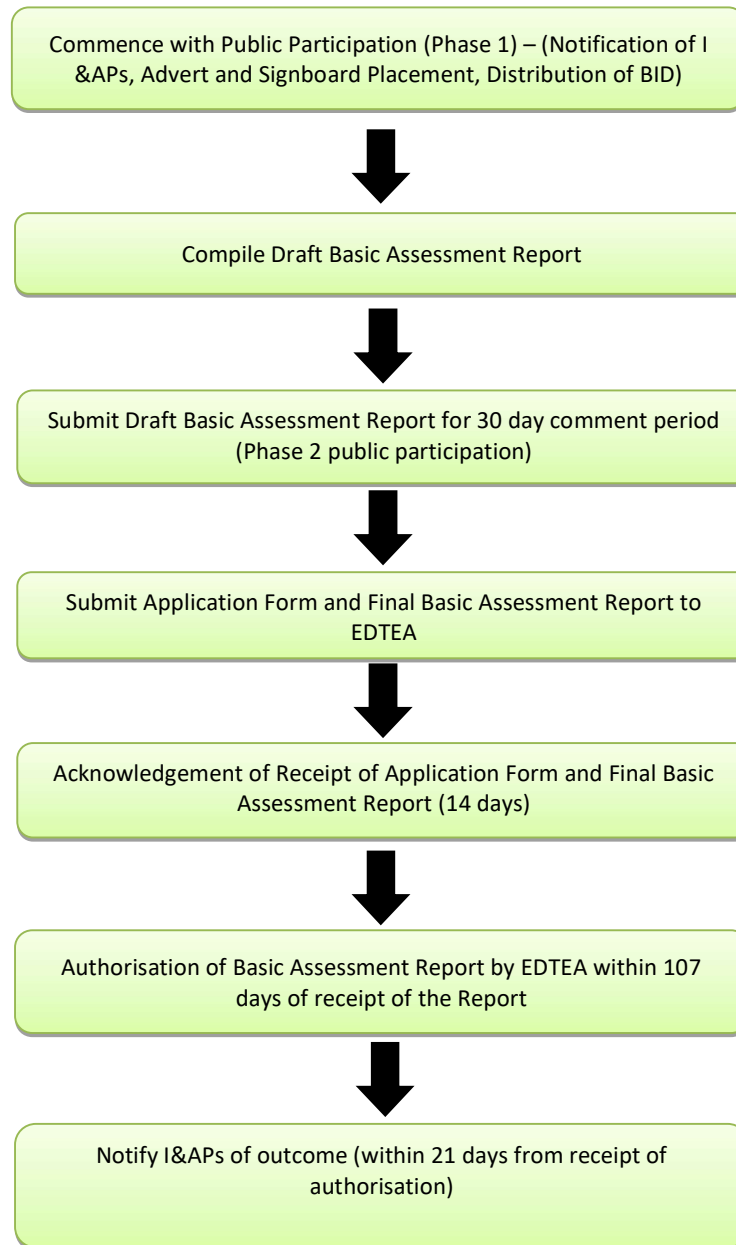


Figure 5: Illustration of the BA process to be followed

The competent authority that will either authorise or reject the BA is the KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA)

Specialist Studies

The following specialist studies will be reviewed as part of the BA / WUA process:

1. Wetland Delineation and Functionality Study – The aim is to determine the extent and functionality of the wetland / watercourse on site;
2. Ecological / Vegetation Assessment – The aim is to identify indigenous and/or protected vegetation and to assess the impact of the proposal on the ecological biodiversity of the proposed site.

3. Heritage Impact Assessment – To identify items / areas of cultural or heritage significance that require protection and / or consideration.
4. Traffic Impact Assessment– To determine the traffic impacts of the proposed development as well as to identify the impact of the proposal on trip generation in the context of the existing traffic dynamics.
5. Stormwater Management Plan– The aim of the stormwater management plan is to ensure that post-development stormwater runoff approximates and does not exceed the pre-developed condition.
6. Engineering Services Report - The purpose of the Engineering Services Report is to identify the service needs for the development in terms of electricity, sewage and water and how these needs will be met.

All specialist studies will be reviewed and investigated in the BA Report.

Public Participation

A key part of the BA is public participation, whereby authorities, residents, neighbours and any organisation that may be interested in or affected by the proposed activity, are notified of the proposal so as to provide an opportunity for expression of comments/concerns throughout the BA process. Public participation is a legislated requirement according to the EIA Regulations, 2014 (as amended, 2017). As the independent Environmental Assessment Practitioner (EAP), ECA Consulting is required to involve the public in the following way (as per Chapter 6 of the EIA Regulations, 2014, as amended 2017):

- Provide written notice to adjacent occupiers of the site, the municipal ward councillor, ratepayers association, and any organ of state having jurisdiction in respect of any aspect of the activity;
- Place an advert in one local newspaper, and at least one provincial or national newspaper if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken;
- Fix a notice board (minimum size 60cm x 42cm) at a place conspicuous to the public at the boundary or on the fence of the site or any alternative site mentioned in the application.

Further to the public notification, the public may register as an I&AP to obtain further information and partake in the BA process by way of comment.

Any comment / concern / query received from an I&AP and/or authority will be addressed and considered in the environmental assessment process.

What is your role as an I&AP?

According to Section 43 of the EIA Regulations, 2014 as amended (GNR 326), as a registered I&AP you are entitled to comment in writing on all written submissions, including draft reports made to the competent authority (i.e. EDTEA) and to bring to the attention of the competent authority and EAP any issues which you believe may be of significance to the consideration of the application. These issues must be submitted within the timeframes approved or those as set by the competent authority.

As an I&AP you are legally required to disclose any direct business, financial, personal or other interest which you may have in the approval or refusal of the application (complete attached comment sheet).

You will have the opportunity to comment on the following documents:

1. **Background Information Document (BID)** – Due date for comments: 29 September 2017
2. **Draft BA Report and all specialist studies** – Due date for comments: 30 days from the date of receipt of the report / notification of availability of the report.
3. **Draft Environmental Management Programme** – Due date for comments: 30 days from the date of receipt of the report / notification of availability of the report.

You may provide written comment at any time during the BA process; however comments on documents must

follow timeframes as set by the competent authority and/or EAP.

The following Authorities / State Departments have been notified of this application via email from 05 September 2017 and will continue to receive notifications and/or reports on this application:

- eThekweni Municipality
- Ezemvelo KZN Wildlife (Planning)
- Department of Water and Sanitation
- Department of Agriculture Forestry and Fisheries
- Department of Transport
- SANRAL
- KZN Department of Human Settlements
- KZN Health
- AMAFA
- Ward Councillor – Ward 31
- Nu-Shifa Hospital
- Asherville Rate Payers Association

Advertisement: A Zulu and English advert was placed in the local newspaper, the Metro Ezasegagasini on the 08 September 2017.

Notification of adjacent landowners / occupiers: Adjacent neighbours were notified via A5 flyers in English and Zulu on the 04 September 2017. The land occupiers have been notified via the ward councillor for Ward 31. Two notification signboards (60cm x 42cm) each in English and Zulu were placed at the boundary / conspicuous location around the site on the 04 September 2017.

Who is ECA Consulting?

ECA Consulting is an independent and multi-faceted environmental consultancy that provides professional consulting expertise in accordance with legislative requirements and global environmental trends. ECA Consulting provides experienced handling and management of all aspects of Environmental Impact Assessments (EIAs), Basic Assessments (BAR), and Environmental Management Programmes (EMPr) in accordance with the National Environmental Management Act (107 of 1998) as well as Water Use License Applications (WULA) according to the National Water Act (1998). ECA Consulting also manages waste license applications as per the requirements of the National Environmental Management Waste Act (59 of 2008). With experience in over 50 to 80 EIAs and other environmental management areas, ECA Consulting offers a professional and timeous service in achieving environmental compliance and moving towards sustainable development.

ECA Consulting has been appointed as the independent EAP by the eThekweni Municipality: Human Settlements to undertake and manage the BA process for the construction of low-income, medium density housing and associated infrastructure as part of an in-situ upgrade across the properties described as Portions 3,4,5,6,7,8,9 and 10 of Erf 717, Brickfield, located on Lacey Road. Leena Ackbar is the lead consultant on the project; all comments / queries can be submitted to:

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