

BACKGROUND INFORMATION DOCUMENT (BID) FOR THE PROPOSED CONSTRUCTION OF NOTTINGHAM ROAD TRUCKSTOP WITH A RESTAURANT AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM KILDARE NO. 14654 – FT AT NOTTINGHAM ROAD, WITHIN UMNGENI LOCAL MUNICIPALITY IN KWAZULU – NATAL

Project Background

Sesizwile Transport and General Services is planning to construct a Truckstop with a restaurant and associated infrastructure on portion 5 of the Farm Kildare No. 14654 at Nottingham Road, KwaZulu – Natal.

The facility's main aim is to accommodate the truck drivers, in order to have a comfortable rest and refreshing place. Research done in 2006 revealed that about 244 000 trucks were moving freight across South Africa. It further showed that tiredness and drowsiness pose a significant risk to road safety, and most truck drivers experience this daily in their line of duty.

Truckstop is a commercial facility that accommodates mostly truck drivers to refresh and rest en route to their destination. The resting facility is ideal for drivers as opposed to the practice of parking trucks anywhere. The uncontrolled parking of trucks leads to a situation where drivers tend to keep the trucks idling in order to keep warm. The latter activity tends to pollute the environment and result in a lot of noise in the neighbourhood. The parking of the trucks anywhere is a risky act for both the driver and the load he or she is carrying. Such ad hoc parking may also give rise to unintended consequences like prostitution.

The South African Government through its arrive alive campaign has invested a lot of time, money and energy encouraging motorists to rest if driving long distances. This goes a long way in addressing the problem of fatigue, of which research has indicated it's a major cause of most road accidents and deaths on our roads. Experience has also shown that availability of Truckstops goes a long way towards the wellbeing of the drivers. The facility will have facilities like telephones for drivers to contact their families, and TV for their enjoyment.

The study done by Magubane and Ramanna in this specific industry confirmed that tiredness and drowsiness contributed to road accidents. The study made some important recommendations which included overhaul in regulations compelling drivers to rest between 11 pm and 5 am. The study also highlighted the need for truck drivers to be given a reasonable time off to be with their families.

Project Location

The project is falling within the municipal jurisdiction of uMngeni Local Municipality and uMgungundlovu District Municipalities. The site can be

accessed from Pietermaritzburg side by off-ramping on the N3 at Nottingham Road, taking left at the stop street. The site is located on the left-hand side as you pull from the said stop street.

This is adjacent to the N3, north of the town of Mooiriver and south of the city of Pietermaritzburg; and also, along P147 on the west side. The project co-ordinates taken at the centre of the site are as follows: 29° 19' 03.83"S; 30° 02' 45.35"E.

See attached Annexure A and B.

Project description

The Facility will comprise a Truckstop, restaurant, ablution blocks and parking bays. The facility will be fenced with parking area for trucks on a 2,9 HA piece of land. The facility will be guarded 24 hours a day to control access as part of strengthening security to the facility.

The site is 29 000m² (2.9HA) in extent. The building floor area for the particulars on site will be as follows: the restaurant and ablutions will be about 300m², 1700m² will be left for future expansion and 27 000m² will be used for the parking of trucks.

All buildings are single storey. The project layout is currently being prepared.

Site Description

The site is flat with no vegetation in the form of trees and grass. The soil is not showing any signs of erosion.

The site was previously used by Basil Read, a construction Company, for the purposes of stockpiling while doing maintenance on the N3. The site is situated outside the uMngeni Urban Planning Scheme and is zoned Agriculture.

Services on site

Internal roads

The internal roads will not be tarred, but the developer will use blackish gravel.

Sewerage

The area where the site is located has no sewer infrastructure, and the proposed Truckstop Facility will use septic tanks. The sewer pipes will be from the ablutions to the septic tanks, and will not be bulk transportation of sewerage. The septic tanks will be located at a distance of about 4 -5 metres from the ablution

buildings. The shorter the distance the slimmer the chance of long-distance transportation of raw sewerage, and less chance for blockages. In case, there is a need for evapotranspiration beds, these will be located at a distance of about 50metres at the most. The diameter of the pipes will probably be around 110 mm, as 0,36 pipes are too big and they are for bulk transportation of sewerage.

The septic tanks designs will be furnished together with the layout and building plans in due course.

Refuse

Refuse will be stored on site, in a well-constructed bin area before disposal. uMngeni Local Municipality will be requested to collect solid waste once a week, alternatively a private service provider can be arranged.

Electricity

There is electricity in the vicinity of the site, and it will be a matter of ensuring the necessary connections to the proposed development. ESKOM will be contacted to ascertain the exact location of the infrastructure and capacity.

Environmental legislative imperatives; and activities triggered in terms of the EIA Regulations of 2014 as amended.

Based on the site inspection conducted on 8 October 2018 the following was observed:

In our view the following activities would have been a close possibility, with regard to triggered environmental listed activities:

GNR 327, Listing 1:

Activity 14 - The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.

In this regard the developer has indicated that no dangerous goods will be stored on site, therefore this activity is not applicable.

Activity 27 - The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-

- (i) the undertaking of a linear activity; or

(ii) maintenance purposes undertaken in accordance with a maintenance management plan.

In this instance the site is 2,9HA in extent, but there is not vegetation on site, let alone indigenous plant species occurring naturally that needs clearance. Furthermore, the soil has been disturbed on the site.

Therefore, we concluded that this activity is not applicable.

Activity 28 – Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:

(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or

(ii) will occur outside an urban area, where the total land to be developed is bigger than one hectare;

Excluding where such land is already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.

This site has not been used for agriculture, but has been used by the construction Company for stockpiling of road maintenance material. We have been informed that the land was previously expropriated from the adjoining Farm by SANRAL for the purposes of stockpiling.

In our view this activity is not applicable.

Listing 3

GNR 324, Listing 3

Activity 5 – The development of resorts, lodges, hotels, **[and]** tourism or hospitality facilities that sleep less than 15 people.

As much as the facility may be used by drivers for sleeping, but it is not a resort, lodge or hotel as per the definitions. The drivers will not sleep inside the facility, but inside their trucks within the premises, since the trucks have sleeping facilities inside them.

We are of the view that this activity is not applicable.

Activity 10 – The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous goods where such

storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.

We note that the site is within 2.16km from the Blue Crane Nature Reserve and 652.95m from the watercourse, on the other hand the site is not going to store dangerous goods where such occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.

We reached the conclusion that this activity is not applicable.

Activity 12 – 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.

There is no clearance of indigenous vegetation that will take place, and the site is not within the watercourse.

We are of the view that this activity is not applicable.

Activity 15 – The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.

The site is not zoned open space or conservation. This activity is in any event not applicable in KwaZulu – Natal.

Based on the foregoing, we are of the opinion that this specific project does not require **environmental authorisation** in terms of the EIA Regulations 2014 as amended. In this regard the Department of Economic Development, Tourism and Environmental Affairs (EDTEA) has confirmed that the proposed development does not require an environmental authorization (EA) **(see Annexure E)**.

However, it must be emphasized that under these circumstances the developer is still responsible for compliance with the provisions of Duty of Care and Remedial Action of Damage in accordance with section 28 of the above-mentioned Act, where the determination of environmental degradation and the need for remedial action is still decided by the Department of Economic Development, Tourism and Environmental Affairs' Compliance, Monitoring & Enforcement Section. The latter Department retains the right to inspect the proposed project during both construction and operational phases. Furthermore, this does not exclude the applicant from compliance with any other relevant and applicable legislation administered by other government Departments.

In addition, an Environmental Management Programme (EMPr) has been compiled to guide the construction, in order to safeguard against any possible environmental degradation (**see Annexure F**).

It must also be noted that there are other organs of state and stakeholders that have legal jurisdiction on the site that will be afforded an opportunity to comment on the project.

Identified project stakeholders

In view of the above, the following stakeholders have been identified to provide comments to the project:

- Umngeni Local Municipality.
- Umgungundlovu District Municipality
- Ezemvelo KZN Wildlife
- Amafa AkwaZulu - Natali
- Department of Agriculture, Forestry and Fisheries (DAFF)
- Department of Agriculture and Rural Development (DARD)
- Department of Water and Sanitation.
- South African National Roads Agency Limited (SANRAL).
- ESKOM.
- 500 metre radius neighbours to the proposed facility.

Project beneficiaries

The project will benefit the truckers using N3 as a place where they can rest, eat and refresh. The facility will provide the well needed jobs in this area both during construction and operational phases.

The facility will be developed in line with the local economic development (LED) goals, and take the uMngeni Local Municipality's integrated development plan (IDP) into account.

It is against this background that we request for your comments on the project from your constitutional mandate perspective.

ANNEXURES:

- Annexure A – Locality Map
- Annexure B – 2 x Site Maps, and Google image.
- Annexure C – SG diagram
- Annexure D - Title Deed
- Annexure E – Confirmation by EDTEA that the EA is not required.
- Annexure F – Environmental Management Programme (EMPr)

