



25 January 2019

# BACKGROUND INFORMATION DOCUMENT

**For a proposed commercial development within the Royal Agricultural Society (RAS) grounds on Portion 1 Of Erf 9147 in Pietermaritzburg, Msunduzi Local Municipality, uMgungundlovu District, KwaZulu-Natal**

## What is the purpose of this document?

The purpose of the Background Information Document (BID) is to –

- Inform Interested and Affected Parties (IAPs) of the proposed development that requires an Environmental Impact Assessment (EIA) in application for Environmental Authorization;
- Inform IAPs of the EIA process;
- Provide a brief background of the project; and
- Invite IAPs to participate in the EIA process.

## Notification

Notice is hereby given - -

in terms of Regulation 41 of GNR 326 of the National Environmental Management Act (NEMA, No. 107 of 1998), EIA Regulations (2014, amended 2017), of an application to the Department of Economic Development, Tourism, and Environmental Affairs (DEDTEA) for Environmental Authorization.

Details as follows:

**Table 1 Relevant information pertaining to involved parties and location of project.**

<b>Proponent</b>	NIMI Development Trust, Mr Nick Proome
<b>Location</b>	Portion 1 Of Erf 9147, Pietermaritzburg, located at 29 Hyslop Road in Pietermaritzburg  From Pietermaritzburg Central, head northeast northeast on Prince Edward Street toward Otto Street for 62m, turn left onto Otto Street for 77m. Turn left onto Pietermaritz Street for 160m then turn right at the 1st cross street onto Chief Albert Luthuli Street/R103, after 1,1km turn right onto Hyslop Road for 300m and the proposed site will be on the right hand side.  GPS co-ordinates for the site: 29°35'21.55"S 30° 22'21.99"E.  See the locality map attached.
<b>Environmental Assessment Practitioners (EAPs)</b>	Susan Machpesh & Swazi Kubheka, NatureStamp (Pty) Ltd PO Box 949, Hilton, 3245 Tel 033 343 1352, Cell 083 289 4912 & 073 825 5770 respectively Email susan@naturestamp.com & swazi@naturestamp.com

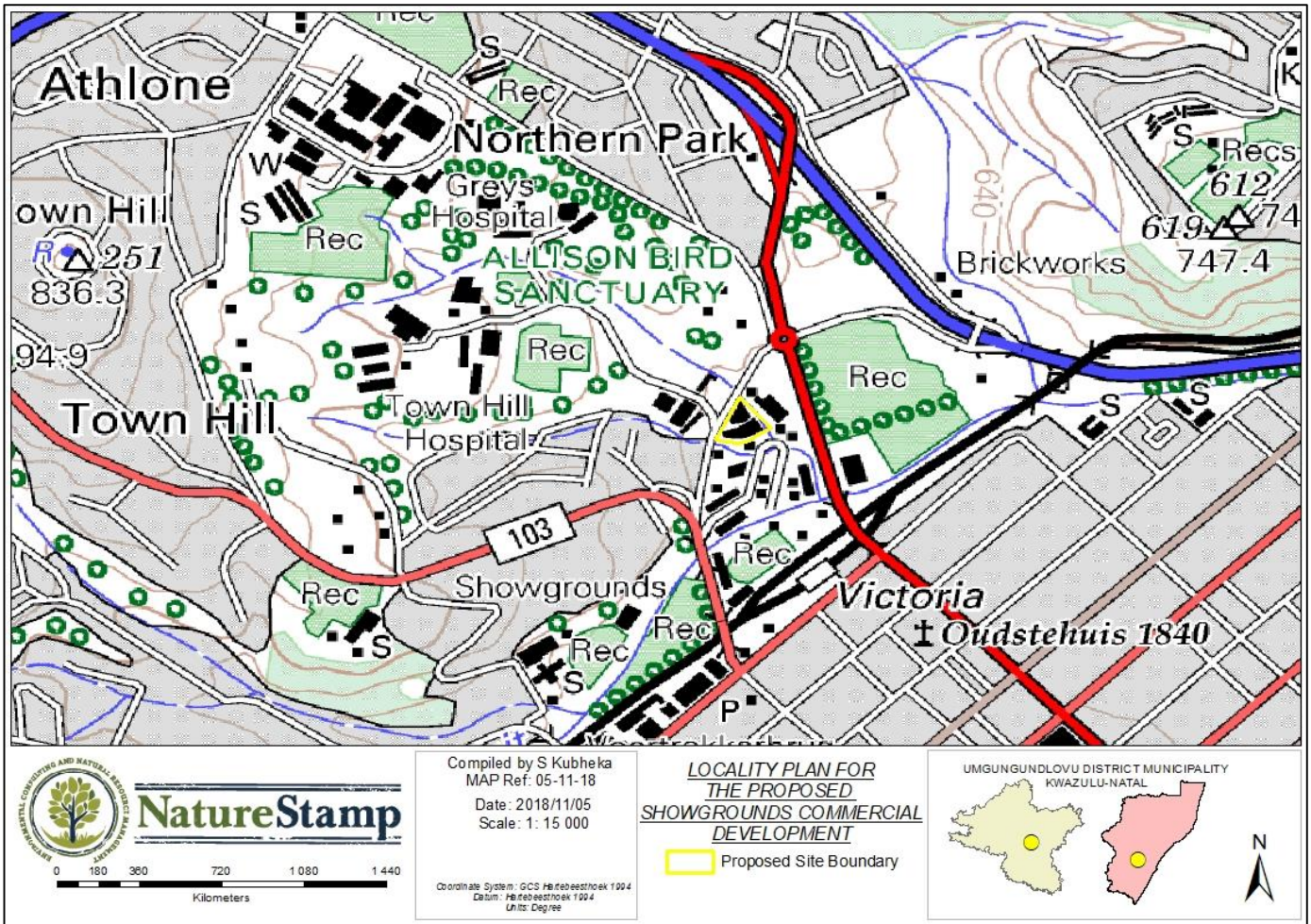


Figure 1 Locality map of the proposed commercial development

## Project information

The proponent wishes to develop an office park development in the northern portion of the Royal Showgrounds property. The site is adjacent to the existing ABSA and Standard Bank office precincts, between Hyslop and Chatterton Roads.

The area is 10 560m<sup>2</sup> in extent and would be used as follows:

- Office Area
- Semi Basement Parking
- Surface Parking

A development layout is proposed, as follows–

Description	Area / volume / distance
Height Restriction	4 storeys
Total Office Area	6164m <sup>2</sup>
Semi Basement Parking	72
Parking Provided	236

The site is currently zoned as Public Open Space. It is 'transformed' according to the Msunduzi Municipality Environmental Services Plan. The site is 'sensitive' according to the environmental management framework of the Msunduzi Municipality.



**Figure 2 Layout of the proposed commercial development**

There are 2 drainage lines running through the property: the drainage line to the east is currently piped. It would require minor upgrades to the inlet. The drainage line to the west, running south of the property, consists of an open channel. It would remain grassed and open, but may require some maintenance to maintain capacity.

All services would be provided by the respective municipal departments (electricity, roads, water, sanitation).

See the Google Earth image of the site in Figure 3.



**Figure 3 Google Earth imagery of the proposed site**

The following items have been identified by the EAP as potential impacts and would, amongst other issues, be investigated during the EIA process:

- Potential impacts on watercourses/drainage lines in and around the site;
- Potential impacts on traffic flow within Hyslop and Chatteron Roads;
- Potential impacts of stormwater.

To inform the planning of the proposed project, the following specialist studies and basic investigations have been conducted to date -

- Stormwater Management Plan
- Traffic Impact Assessment
- Floodline Assessment
- Geotechnical Assessment
- Watercourse and ecological investigation

Further information will be provided in the draft Basic Assessment Report (BAR) which will be circulated to all registered IAPs.

## The EIA process

The National Environmental Management Act (NEMA, Act No. 107 of 1998) EIA Regulations 2014 (amended 2017) list activities which have the potential to cause a detrimental impact on the environment. If one is to undertake these activities, an Environmental Impact Assessment (EIA) must be undertaken in application for Environmental Authorization from the DEDTEA before commencement of the activity.

The activities required for the commercial development are listed under NEMA government notices as follows -

Table 2: Relevant Listed Activity under NEMA EIA Regulations 2014, amended 2017

Number of Govt notice	Number	Description of listed activity	Relevance to project
GN 327 Listing Notice 1	19.	<u>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;</u>  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 (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.	There may be infilling / excavation of watercourses during construction and maintenance of the stormwater management drainage canal.  This activity may be triggered.
GN 324 Listing Notice 3	4. (d), (x), (xi), (aa)	The development of a <u>road wider than 4 metres</u> with a reserve less than 13,5 metres.  <u>d. KwaZulu-Natal</u> i. In an estuarine functional zone; ii. Trans- frontier protected areas managed under international conventions; iii. Community Conservation Areas; iv. Biodiversity Stewardship Programme Biodiversity Agreement areas; v. World Heritage Sites; vi. A protected area identified in terms of NEMPAA; vii. Sites or areas identified in terms of an international convention;	The development of access roads onto the site may consist of a road wider than 4m.  The site is classified as sensitive under the Msunduzi Environmental Management Framework (EMF) due to watercourse features.

		<p>viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>ix. Core areas in biosphere reserves;</p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. 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 areas 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> <p>xiii. Inside urban areas:  (aa) <u>Areas zoned for use as public open space;</u>  (bb) Seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or  (cc) Within urban protected areas.</p>	<p>Therefore, this activity may be triggered.</p>
<p>GN 324 Listing Notice 3</p>	<p>14. (ii), (c), (d), (viii), (xi), (aa)</p>	<p><u>The development of—</u></p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p><u>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</u></p> <p>where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p><u>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</u></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><u>d. KwaZulu-Natal</u></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><u>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;</u></p> <p>ix. Core areas in biosphere reserves;</p> <p>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</p>	<p>There would be development within 32m of watercourses. The site is classified as sensitive under the Msunduzi Environmental Management Framework (EMF).</p> <p>Therefore this activity would be triggered.</p>

		<p>(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> <p>xi. <u>Inside urban areas:</u></p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</p> <p>(cc) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</p>	
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The Basic Assessment EIA would identify the potential environmental impacts, assess their significance, and present measures to avoid, reduce and mitigate against impacts such that they are rendered acceptable and sustainable. The BAR serves as an application to the DEDTEA for the Environmental Authorization.

The EIA is transparent and open. It includes a public participation process that allows any member of the public interested or affected in the project to register as an IAP.

In becoming a registered IAP, you will receive all information relating to the project and can provide your input for the EAP and proponent to consider. IAPs must take note of legislated timeframes wherein comments can be made.

**Where to from here?**

All IAPs, neighbouring landowners and other stakeholders are invited to register and submit their matter of interest in the project with the EAP (see comment sheet attached). Comments received before 01 March 2019 will be included in the draft BAR. Further opportunity to comment on the draft BAR will be provided later in the process.

Should there be interest in the project by IAPS, a public meeting will be held to provide IAPS the opportunity to hear further details about the project, ask questions and submit any comments they may have. Registered IAPs will be notified of a public meeting.

Registered IAPs will be kept informed of all progress on the project.



The White House, 22 Hilton Ave • PO Box 949, Hilton, 3245 • Tel: 033 343 1352 • Cell: 083 289 4912  
 susan@naturestamp.com • www.naturestamp.com

**COMMENT SHEET**

<b>Name</b>	
<b>Department / Title / Property</b>	
<b>Address</b>	
<b>Tel</b>	
<b>Cell</b>	
<b>Email</b>	

Please state any comments / concerns you may have regarding the proposed development, including issues you would like to be addressed in the Basic Assessment Report:

The following other potential IAP should be contacted –

<b>Name:</b>	
<b>Organization:</b>	
<b>Contact details:</b>	
<b>Name:</b>	
<b>Organization:</b>	
<b>Contact details:</b>	

<b>Signature</b>		<b>Date</b>	
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**Thank you for your participation!**