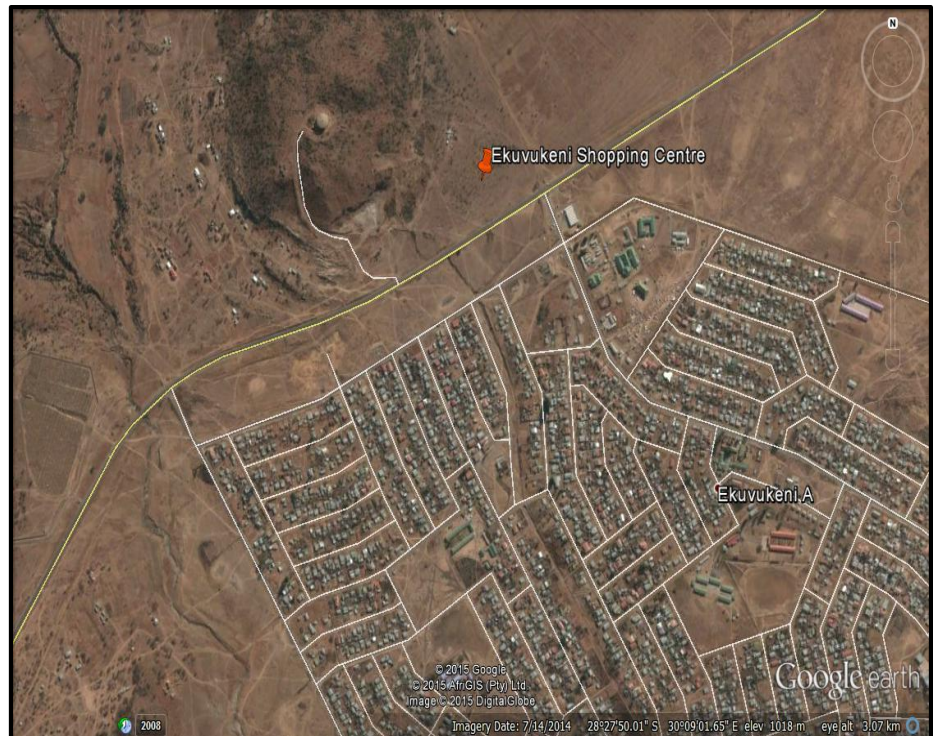


BACKGROUND INFORMATION DOCUMENT:

Proposed Construction of Ekuvakeni Shopping Centre, uThukela District Municipality, KZN

A Project of Benezone (Pty) Ltd.



07 OCTOBER 2015

DOCUMENT DESCRIPTION

Client / Applicant: Benezone (Pty) Ltd

Report name: BID for the Proposed Construction of Ekuvakeni Shopping Centre, uThukela District Municipality, KZN



Report type: Background Information Document (BID)

Project name: Ekuvakeni Shopping Centre, uThukela District Municipality, KZN

Project number: T4B.0159

Version: Original

Compiled and Authorised by:

Compiled By:	Date	Signature
Demilia Gounden Intern Environmental Consultant	28 September 2015 / Ballito	
Reviewed By:	Date	Signature
Melissa Padayachee Environmental Consultant	07 October 2015 / Ballito	
Reviewed & Authorised By:	Date	Signature
Hantie Plomp Technical Director	07 October 2015 / Ballito	

COMPILED FOR:
Benezone (Pty) Ltd
Address: 24 A Taute Street, Ermelo
Telephone: +27 (0)12 665 1247

COMPILED BY:
Triplo 4 Sustainable Solutions (Pty) Ltd
Address: Suite 5, The Circle, Douglas Crowe Dr
Ballito, 4420
Telephone: +27 (0)32 946 3213
Facsimile: +27 (0)32 946 0826
Email: hantie@triplo4.com
www.triplo4.com
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INTRODUCTION

The purpose of this Background Information Document (BID) is to provide information to interested and affected parties (I&APs) regarding the Proposed Construction of Ekvakeni Shopping Centre, uThukela District Municipality, KZN.

Triplo4 Sustainable Solutions (hereafter referred to as Triplo4) was appointed as Independent Environmental Assessment Practitioner by Benezone (Pty) Ltd for the proposed construction of Ekvakeni Shopping Centre.

LOCATION OF PROPOSED PROJECT

The proposed site is situated within Ekvakeni adjacent to the P32 which runs in an east-west direction from Ladysmith and joins the Dundee- Pomery Road. The proposed development falls within the Indaka Local and uThukela District Municipality.

Co-ordinates of proposed development

Latitude /Longitude	Degrees	Minutes	Seconds
South	28	27	37.33
East	30	09	02.91

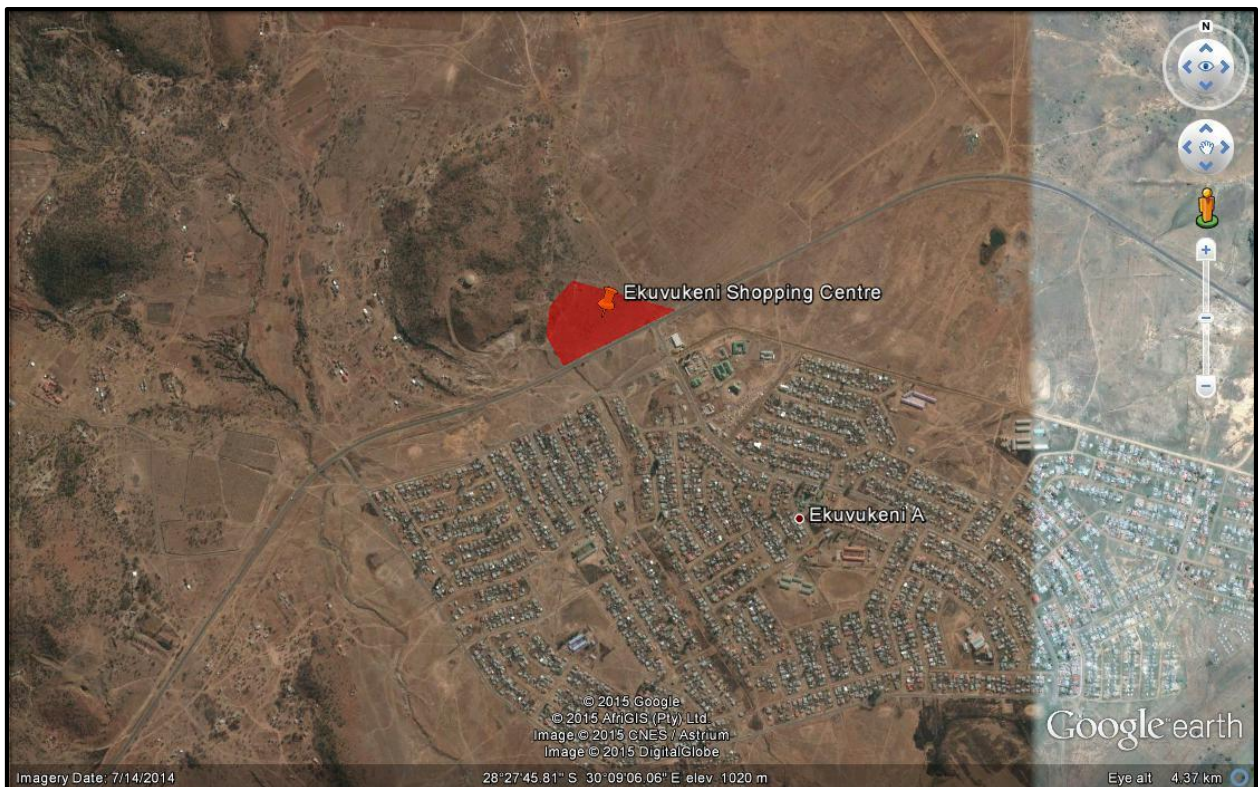


Figure 1: Google Image showing the location of the Proposed Ekvakeni Shopping Centre

PROJECT DETAIL

Benezone Pty Ltd proposes the construction of a Shopping Centre in Ekuvakeni, Indaka Local Municipality, KwaZulu-Natal, comprising of food outlets, retail stores, etc. The proposed development is situated on Portion 6 of the Farm Uitvlugt No. 1156 within Ekuvakeni which is currently vacant land and not zoned as it is currently not within the town-planning scheme. The total size of the site is approximately 5.2 ha.

- All bulk services (water, electricity) are available within close proximity to the site and the development will be linked with the existing infrastructure.
- A Lilliput Package Plant is proposed (for the treatment of sewage) and will be confirmed, following discussions and negotiations with the Municipality regarding planning requirements

PROJECT MOTIVATION

The Ekuvakeni area currently has no large shopping centre. The major retail stores that do operate are located within Ladysmith and Dundee which is unfavourable as it is inconvenient due to the distance, making them less frequented by shoppers.

The construction of the Ekuvakeni Shopping Centre will provide the surrounding area with a central retail shopping centre. In addition, the retail and commercial opportunities will create new temporary and permanent employment opportunities for the residents from surrounding communities.

The job opportunities from the retail industry within the mall will help alleviate the burden of youth unemployment. Local Economic Development that will stem from this development.

SPECIALIST EVALUATION

Heritage Impact Assessment:

As per the assessment, one heritage site was located in the northern footprint. The grave will need to be relocated or the development footprint will need to be modified.

Palaeontological Impact Assessment

As per the assessment, the study area is an area of very high palaeontological significance. Where the trenches and excavations will reach deeper than 1,5m, a suitably qualified Palaeontologist must be appointed to record and collect the fossils according to SAHRA and AMAFA specifications as part of a Phase 1 Palaeontological Impact Assessment during the initial stages of excavation at each individually proposed development node on this property.

A Wetland and Ecological Habitat Assessment will be conducted by an independent specialist and the findings of the proposed site will be discussed during the BA process.

ENVIRONMENTAL PROCESSES

Relevant Environmental Legislation

The below mentioned environmental activities are potentially being triggered by the proposed development, requiring an Environmental Authorisation from KZN EDTEA:

Listing Notice 1 (GNR 544, 2010):

Activity No.	Listed activity as per the project description
Activity 12	<p>The development of-</p> <ul style="list-style-type: none"> (x) buildings exceeding 100 square metres in size; (xii) infrastructure or structures with a physical footprint of 100 square metres or more; <p>where such development occurs-</p> <ul style="list-style-type: none"> (a) within a watercourse; (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; - <p>excluding-</p> <ul style="list-style-type: none"> (dd) where such development occurs within an urban area; or (ee) where such development occurs within existing roads or road reserves. <p>It is anticipated that the proposed development will include buildings and infrastructure exceeding 100 square metres in size. The applicability will be confirmed upon receipt of the specialists' studies (namely, the wetland delineation).</p>
Activity 17	<p>Development-</p> <ul style="list-style-type: none"> (e) buildings of 50 square metres or more; or (f) infrastructure with a development footprint of 50 square metres or more - <p>but excluding-</p> <ul style="list-style-type: none"> (dd) where such development occurs within an urban area. <p>The development footprint is approximately 5.2 hectares and will occur within a rural area.</p>
Activity 19	<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> <ul style="list-style-type: none"> (i) a watercourse; <p>The applicability will be confirmed upon receipt of the specialist studies (namely, the wetland delineation) and final design of structures and infrastructures.</p>
Activity 25	<p>The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2000 cubic metres but less than 15000 cubic metres</p> <p>Applicability to be confirmed upon confirmation of daily throughput capacity of the proposed Wastewater treatment facility (Lilliput Package Plant)</p>
Activity 27	<p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</p> <ul style="list-style-type: none"> (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan <p>The applicability will be confirmed upon receipt of the specialist's Ecological Assessment, to determine the extent of indigenous vegetation on site.</p>

Activity 28	<p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:</p> <p>ii) will occur outside an urban area, where the total land to be developed is bigger than 1hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p> <p>Comment: This activity is triggered based on the assumption that the land is used for agriculture activities (as per old images available online). Upon confirmation of rural/urban area, the associated threshold (1 or 5 hectares) will also be confirmed. Nonetheless, the proposed development will exceed these thresholds.</p>
Activity 56	<p>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre-</p> <p>(i) where the existing reserve is wider than 13,5 meters; or</p> <p>(ii) where no reserve exists, where the existing road is wider than 8 metres;</p> <p>excluding where widening or lengthening occur inside urban areas.</p> <p>Applicability to be confirmed upon finalisation of the infrastructure.</p>

A person who wishes to commence, undertake or conduct an activity listed in terms of the National Environmental Management Act, or NEMA EIA Listing Notice 1 activities must conduct a basic assessment process.

Legal requirements for the proposed Shopping Centre

This development triggers activity 11, 18 and activity 23 of Listing Notice 1 of the EIA Regulations and will conduct a Basic Assessment Report as per The National Environmental Management Act (NEMA). A Water Use License Application is required for the proposed development. A Water Use License (WUL) is a legal process governed by DWS requiring the authorisation of all water uses defined in section 21 of the National Water Act (Act No 36 of 1998) [NWA]. The above mentioned project requires Section 21 (c) and (i) water uses. The NWA defines a Section 21 (c) and (i) water uses as: Section 21 (c) – Impeding and diverting the flow of water in a watercourse, Section 21 (i) – Altering the bed, bank, course or characteristics of a watercourse.

Additional water uses will be determined upon finalisation of sewage infrastructure.

Basic Assessment Process

The basic assessment process being followed comprises of the following:

- Submission of an Application for Authorization to EDTEA;
- Public participation Process:
 - Submission of a Background Information Document (this document) to identified stakeholders;
 - An advertisement in the local newspaper (New Age 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 Draft Basic Assessment Report for I&AP's review and comments, which will be available for review and comment at Ekuvakeni Public Library for a period of 40 days from **(dates to be finalised)**.
- Submission of a Basic Assessment Report and details of I&AP consultation to the EDTEA, for a decision;
- Communication to I&AP's regarding the Environmental Authorisation.

Public Participation Process

The public participation process and time frames are summarized as follows:

Announcing the opportunity to participate and register, (dates to be finalised).

- Distribution of the Background Information Document to all identified stakeholders to announce the project and inviting stakeholders to register as an I&AP and participate in the public participation process;
- Posting of the site notice at the site;
- Advertisement in the "New Age Newspaper" which will be available on **(dates to be finalised)**.

Obtaining initial comment,

- Providing this BID and comment sheets to stakeholders; and
- Capturing all comments in a Comment and Response Report / Issues Trial.

Draft BA Report (dates to be finalised).

- Availability of the draft BA report at Ekuvakeni Public Library, which will contain a full project description, alternatives considered, and relevant information.

Submitting the final BA report to Authorities, providing a comment period of 40 days (excluding public holidays); and **Submitting the final BA report to EDTEA for consideration and communicating the decision to I&AP's.**

Your contributions are important

You can get involved in the process:

1. By responding (by phone, fax or e-mail) to our invitation for your involvement in the process;
2. By completing the attached comment form and e-mailing, posting or faxing it to Triplo4 Sustainable Solutions;
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 40-day review period.

In terms of the NEMA Regulations (GN 543) you are invited to formally register as an I&AP.

Please note that in terms of Regulation 56 (c), I&AP's need to disclose any direct business, financial, personal or other interest which they may have in the approval or refusal of the application.

Please register by **(dates to be finalised)** by completing the enclosed registration and comment sheet and please declare the interest with regard to the project with your comments.



REGISTRATION FORM:
**Proposed Construction of Ekvakeni Shopping Centre, uThukela
 District Municipality, KZN**

Attention: Hantie Plomp

Cell: 083 308 8003

E-mail: hantie@triplo4.com / melissa@triplo4.com

Fax: 032 946 0192

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

