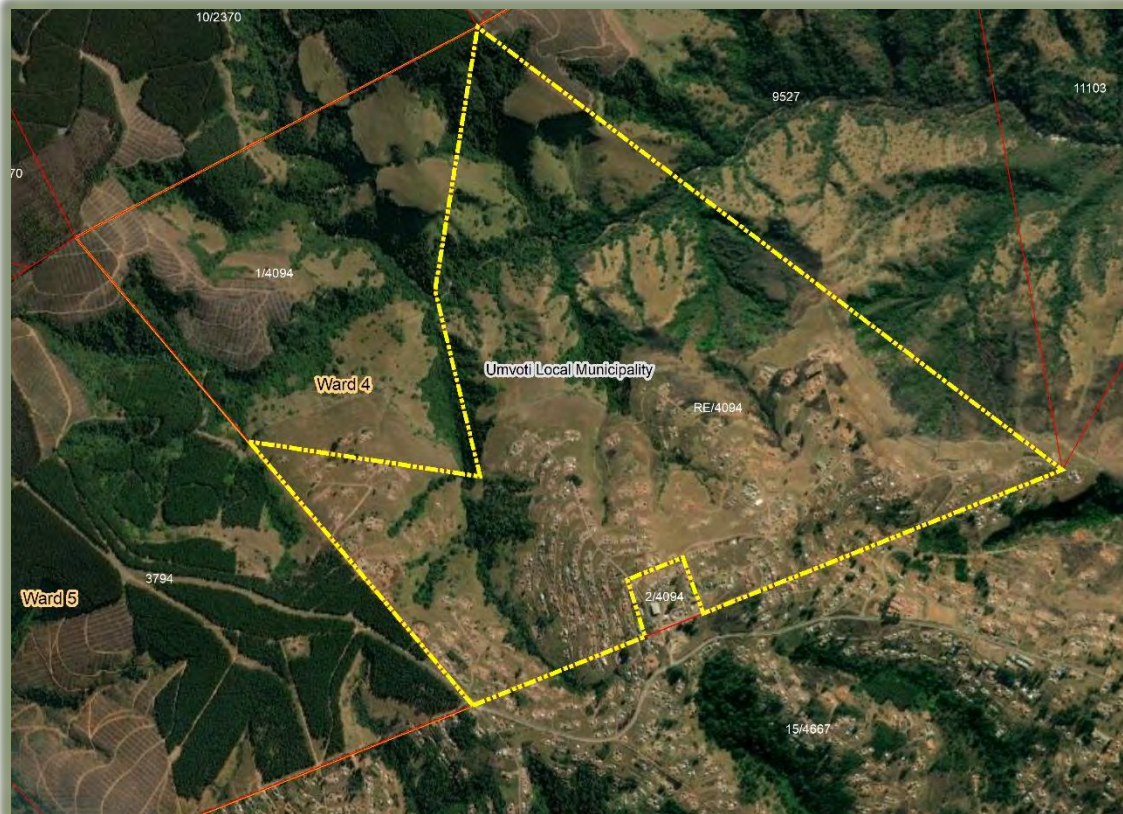


# ESHANE RURAL SUBSIDISED HOUSING DEVELOPMENT WITHIN THE UMVOTI LOCAL MUNICIPALITY

## *PRELIMINARY ENVIRONMENTAL ASSESSMENT*



APRIL 2022

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# 1 INTRODUCTION

## 1.1 PROJECT BACKGROUND

The Umvoti Local Municipality has, through its IDP process, and extensive consultation with respective beneficiary communities residing within the Umvoti Local Municipality, identified the need to provide rural subsidised housing in its area of jurisdiction. This process was initiated as a means to address the municipality's predominantly traditional/informal housing profile, and in doing so improve the living conditions and quality of life of its rural communities. The provision and implementation of the rural subsidised housing projects will occur in accordance with the terms of the Rural Housing Subsidy Scheme (as described in Chapter 11 of the National Housing Code).

All rural subsidised housing projects require that an Environmental Assessment be conducted, as part of the initial rural housing application. This document provides an Environmental Assessment of the project area as part of the approval phase of the proposed rural housing project. The report is based on a combination of available desktop data sources. This assessment provides a summarized overview of key socio-economic, infrastructural and environmental aspects that will have to be considered in the implementation of the proposed subsidized housing project. The Umvoti Local Municipality appointed Bigen Africa as the Implementing Agent for the proposed development. Subsequently, Bigen Africa in turn appointed K2M Environmental (Pty) Ltd as the independent Environmental Assessment Practitioner (EAP) to undertake the Environmental Process for the proposed development located within Ward 4 of the Umvoti Local Municipality.

The proposed Eshane Rural Housing Development is located within Ward 4 of the Umvoti Local Municipality and has a total extent of approximately 254.75 ha. The southern portion of the site is occupied by rural / traditional dwellings whilst the northern portion is vacant and contains environmentally sensitive attributes. From the desktop assessment that was undertaken by K2M Environmental, environmentally sensitive attributes such as rivers, drainage lines and CBA: Irreplaceable areas were identified within the project area.

While the exact nature of the housing project in terms of the application of the subsidies and the location of individual beneficiaries within the study area has not yet been specified, it is known that the proposed Eshane Rural Subsidised Housing project will result in the construction of

approximately 300 new top structures and will therefore service approximately 300 beneficiaries and their associated families. One VIP will be constructed per top structure. Construction of the top structure and VIP will be within each existing imuzi (development footprint). There will be no construction of roads or pipelines and development will not take place within any watercourses, within 32m of a watercourse, or within CBA: Irreplaceable areas.

According to Chapter 11 of the National Housing Code, rural housing subsidies may be used for any purposes which, in the discretion of the Housing Board, amount to housing purposes. Without limiting the discretion of any particular Housing Board, the following purposes may be regarded as housing purposes:

- ✚ The provision of sanitation facilities;
- ✚ The provision of roads and stormwater drains within the boundaries of any particular settlement;
- ✚ The provision of water;
- ✚ The construction or upgrading of dwellings;
- ✚ The purchase of building materials in order to enable a beneficiary himself or herself to construct or upgrade a dwelling

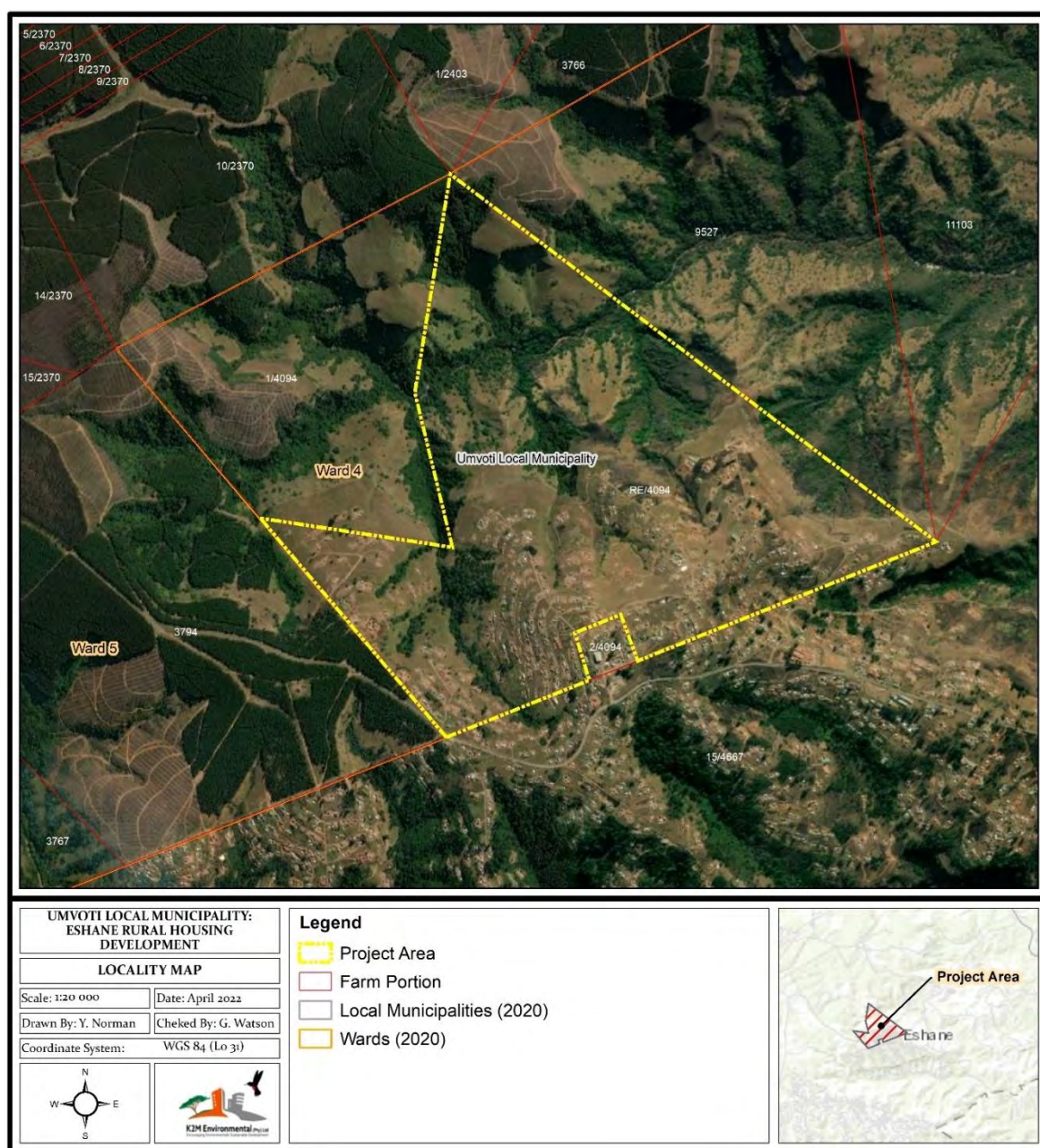
## 1.2 SITE DESCRIPTION

The project area falls within the jurisdiction of the Umvoti Local Municipality, one of the local municipalities that form part of the uMzinyathi District Municipality. The total population of the municipality is estimated at 122 423 persons.

The project area is located within Ward 4 of the Umvoti Local Municipality and has a total extent of approximately 254.75 ha. The southern portion of the site is occupied by rural / traditional dwellings whilst the northern portion is vacant and contains environmentally sensitive attributes. Environmentally sensitive attributes such as rivers, drainage lines and CBA: Irreplaceable areas were identified within the project area. The project area in relation to the wards is depicted in Map 1.1 below.



### Map 1.1: Project Area



## 2 APPROACH AND METHODOLOGY

### 2.1 APPROACH

#### 2.1.1 Applicable Legislation

The National Environmental Management Act (No. 107 of 1998) provides for the control of certain listed activities which “*may have a detrimental effect on the environment.*” In terms of the Environmental Impact Assessment (EIA) Regulations Listing Notice 1, Listing Notice 2 and Listing Notice 3 of 2014 (as amended), such activities are prohibited until written authorisation is obtained from the Minister or his delegated authority. Activities listed in EIA Regulations Listing Notice 1 and Listing Notice 3 of 2014 (as amended) will require a Basic Assessment to be conducted while activities listed EIA Regulations Listing Notice 2 of 2014 (as amended) will require a thorough EIA process which includes a Scoping Report and an Environmental Impact Assessment Report.

The Department of Economic Development, Tourism and Environmental Affairs (DEDTEA) have in the past on similar projects indicated that it is their opinion that the development and construction of rural subsidised housing projects **do not constitute a listed activity** as identified in terms of Environmental Impact Assessment Regulations. This opinion was based on the fact that the Rural Housing Projects entail the construction of housing units within existing iMuzi's (Brown Field Development). Due to the fact that such projects do not constitute listed activities they therefore did not require environmental authorisation in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA), and as such no environmental authorisation was required from the Department of Economic Development, Tourism and Environmental Affairs for projects of this nature.

The Department of Human Settlement has requested that cognisance needs to be taken in terms of the establishment of sustainable human settlements. This encourages the densification of settlements to enable for the provision of other supporting infrastructure at a later stage such as water connections to individual stand level as well as improved road and sanitation infrastructure. It is however important to understand that as part of this project only housing units with a Ventilated Improved Pit Latrine (VIP) will be constructed within existing iMuzi's.

Should any Greenfield development occur as a result to this project, the extent of the cumulative area to be impacted must be limited to less than 1 hectare and should be restricted to degraded areas. Should the cumulative Greenfield Development footprint exceed 1 hectare, then an Environmental Authorisation will need to be applied for.

The purpose of this Environmental Assessment is thus to identify possible strategic environmental issues at the earliest possible stage in the planning process to:

- ✚ Ensure that environmental issues are addressed in a pro-active manner in the development of the housing process.
- ✚ Improve the assessment of strategic environmental impacts that might be caused by the envisaged developments, and
- ✚ Ensure that the concept of sustainability is integrated with developmental decision making.

This Environmental Assessment is prepared in terms of the Stage 1 application (reservation of beneficiaries) requirement of the Department of Human Settlement. This Report will be submitted to DEDTEA for official comment and to determine the way forward.






The overall approach towards this preliminary assessment is therefore based on the concept of sustainable development within the context of the official definition of sustainable development being: *“development that aims for equity within and between generations and adopts an approach where the economic, social and environmental aspects of development are considered in a holistic fashion”*.

## 2.2 METHODOLOGY

This Environmental Assessment thus provides a summarized overview of some of the key aspects relating to the social, economic, infrastructural, service and biophysical environments, which impact on, and are similarly impacted upon by the Eshane Rural Housing project area. The summarized overviews of various aspects contained within the Environmental Assessment have been based on a combination of existing available desktop information sources as well as the findings and observations derived from the recent on-site survey conducted of the project area.

Available desktop information sources include information derived from the 2011 South African Census, as well as the Integrated Development Plan 2021/2022; and various spatial GIS information. These information sources were initially made use of to establish the general status quo conditions of various social, economic, service and infrastructural demographics which impact on and are subsequently impacted upon by the project area and its local population. As a supplement to the information provided and discussed within the assessment report a number of accompanying thematic maps have also been included within the report, which provide a graphical representation of various biophysical factors at play within the project area.

The report has generally been structured as follows:

-  **Section 3** deals with the **Socio-Economic Development component** of the project area. The social component addresses aspects such as age, gender, education and housing, while the economic component addresses aspects such as monthly household income, employment status, and a profile of the economic sectors within which the employed proportion of the project area population are involved in within the Eshane Rural Housing project area.
-  **Section 4** deals with the **services and infrastructural component** of the project area. The services component therefore addresses residents' access to water, sanitation, electricity, telecommunication infrastructure and waste removal services, while the infrastructural component addresses the road network and stormwater management systems within the project area.
-  **Section 5** deals with the **biophysical characteristics** of the project area, and therefore covers aspects such as land use, climate, land cover, topography and drainage, floodline areas, CBAs, Protected areas, corridors, mineral deposits, archaeological, cultural and historical sites, and potential sources of pollution.
-  **Section 6** provides a brief overview of the **current settlement pattern** of the Eshane Rural Housing project area, and discusses some of the impacts associated therewith.
-  **Section 7** provides a **summary conclusion** of the findings of the Preliminary Environmental Assessment Report and the potential impact of the proposed development on the environment and local population, while also providing some recommendations with which to minimize or negate any negative impacts.

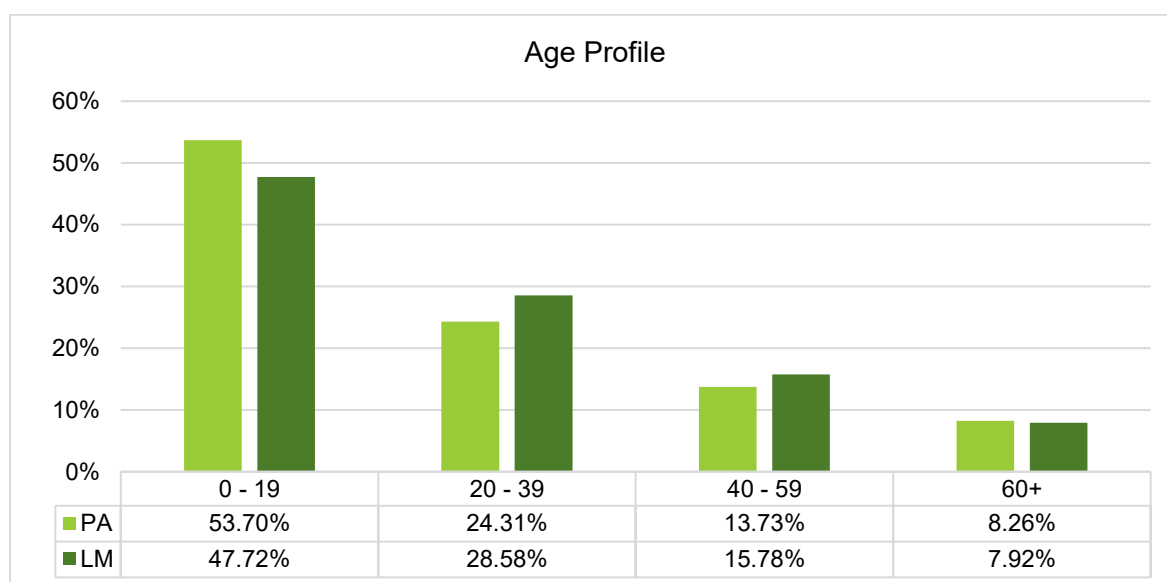
## **3 SOCIO-ECONOMIC COMPONENT**

### **3.1 SOCIAL DEMOGRAPHIC CHARACTERISTICS**

The figures illustrated below were prepared from the Census 2011 data and present a socio-economic overview of the study area. The Eshane Housing project area falls within the jurisdiction of the Umvoti Local Municipality. The figures of the project area are therefore presented together with the overall figures of the municipality to yield a comparative socio-economic overview of the study area.

#### **3.1.1 Age Profile**

The age profile of the project area and of the Umvoti Local Municipality (LM) is depicted in Figure 3.1 below. It is clearly evident from the graph that the majority of the population (53.70%) of the project area are younger than the age of 19 years. A total of 24.31% are between the ages of 20 and 39 years. 13.73% of the population fall in the age category of 40 – 59 years, while only 8.26% of the total population of the project area are older than the age of 60 years. The age distribution figures suggest that the population of the study area mostly consists of young individuals who will become the adults in the near future. The overall figures of the municipality and the 2001 census information show a relatively similar trend of age distribution to the study area as indicated in Figure 3.1 below.

**Figure 3.1: Age Profile**

Source: Statistics SA, Census 2011.

#### 3.1.1.1 Implications for the Rural Subsidised Housing Project:

Age distribution patterns are of utmost importance when planning future developments and allocating subsidies as various subsidised facilities will be better enjoyed by individuals of certain ages now and in the future. Age distribution is also considered when determining the need for other supporting facilities necessary to ensure maximum yield of benefits of any given development, such as the proposed rural housing project. The age distribution structure of the population of the project area has various implications as far as subsidised housing is concerned, which must be considered during the planning (location) and implementation of the project, these include:

- ✚ Provision of sufficient and appropriate education facilities within close proximity to the housing development, and thereby ensuring that scholars do not travel unnecessary distances.
- ✚ Provision of economic and/ or employment opportunities within close proximity of the houses as a number of young people will be entering the economically active age category over the next five to ten years and will thus be seeking appropriate employment opportunities.
- ✚ Provision of adequate social services and amenities: as the young age profile increases the proportion of the population which are not yet economically active which results in a high dependency ratio which places increased pressure on social services, facilities, and amenities.



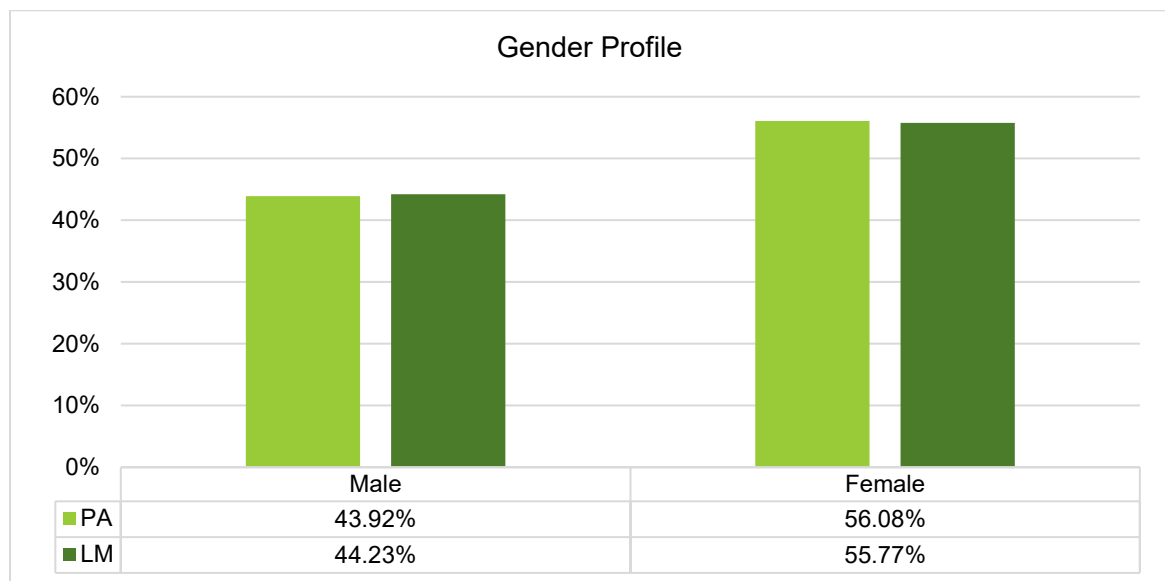
Provision of such services will not only benefit young individuals but rather the community at large.

The lack of such facilities and services within close proximity to the area will result in the individuals and families relocating to areas where such services are available and therefore leaving the subsidised houses which were meant to improve their quality of life, thereby limiting the success of the proposed housing project.

### 3.1.2 Gender Profile

According to the 2011 census information as much as 56.08% of the total population of the study area is female and 43.92% are male. Relatively similar trends of a female dominant population are evident for the overall Umvoti municipal area with 55.77% of the total population being female and 44.23% being male. The Figure 3.2 below illustrates a female dominant population within the study area and the overall municipality.

**Figure 3.2: Gender Profile**



Source: Statistics SA, Census 2011.

#### 3.1.2.1 Implications for the Rural Subsidised Housing Project:

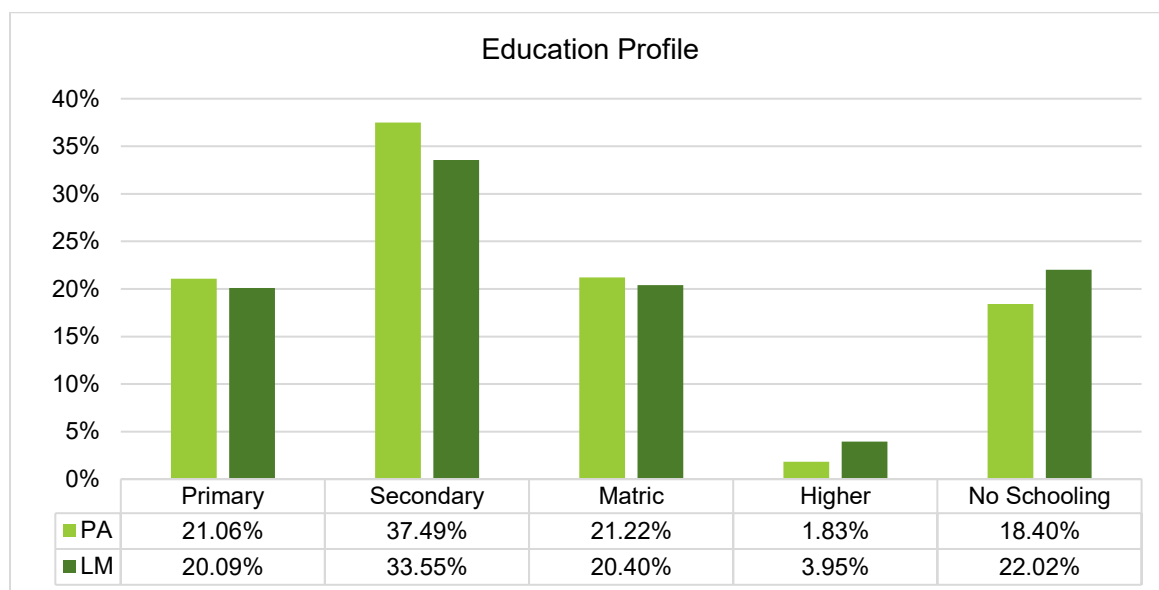
The implication of gender roles within the Eshane Housing project area need to be given due consideration with regards to the implementation of the envisaged subsidised housing project.

Practices of gender equality and empowerment are necessary to ensure that benefits derived from the implementation of the proposed development are distributed in such a way that is reflective of the population structure as a whole.

### 3.1.3 Education Profile

The 2011 education profile of the study area and the Umvoti Local Municipality is illustrated in Figure 3.3 below. These figures illustrate the education levels of persons over the age of 15 years and therefore falling into the economically active categories of the population. The figures suggest relatively low education and literacy levels within the study area with as much as 18.40% of the population have indicated that they have not undergone any formal schooling and only 21.06% have completed primary schooling. Only 37.49% of the adult population of the project area indicated to have some secondary education with only 21.22% of the population indicating to have completed Grade 12 and only 1.83% of the total population have undergone some form of post matric/ tertiary education training. The figures of the overall Umvoti municipal area indicate a relatively similar low education profile for the municipality with as much as 22.02% of the economically active population having undergone no formal schooling, 20.09% has completed some primary level education and only 20.40% and 3.95% having completed Grade 12 and tertiary education respectively.

**Figure 3.3: Levels of Education**



Source: Statistics SA, Census 2011.

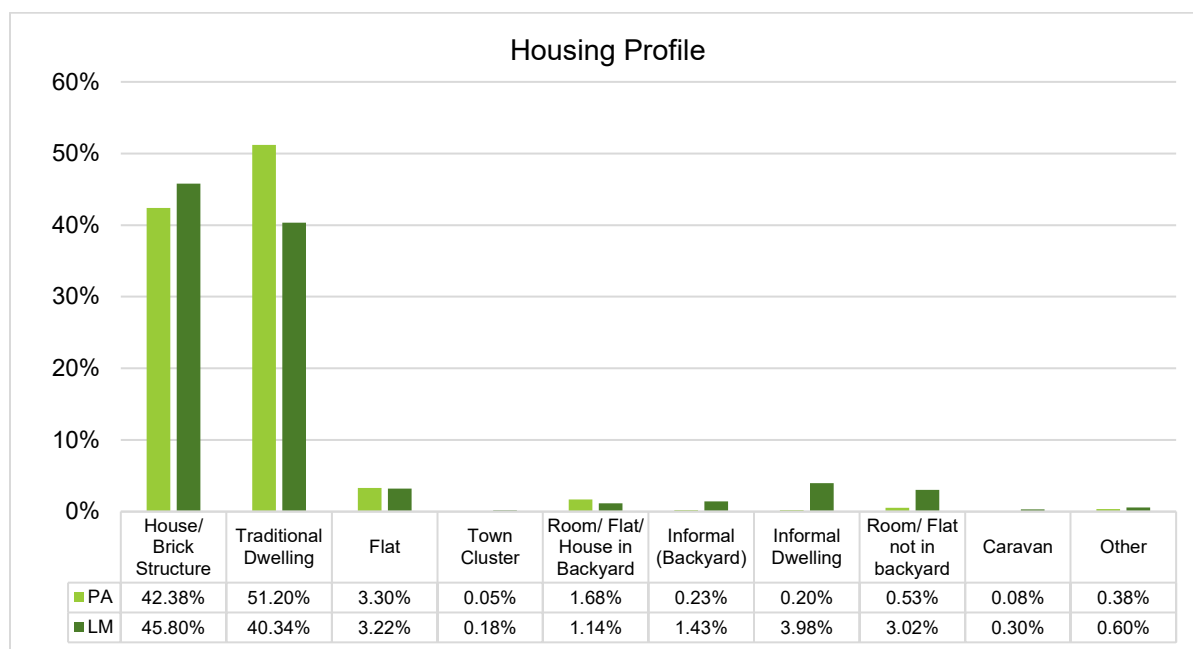


### 3.1.3.1 Implications for the Rural Subsidised Housing Project:

The level of illiteracy within the project area will need to be taken into consideration with regards to the implementation of the proposed project to ensure that that population within the project area whom are illiterate are assisted, included and involved in community participation practices, and are not discriminated against as a result. Technical aspects of the proposed housing project may have to be communicated as they need to be clearly understood by the beneficiary communities. Specific provisions will need to be made to include those members of the project area whom may be illiterate in the development process, so as to avoid the possibility of exclusion of certain demographics. Facilities with which to cater to adult education could similarly constitute a viable option for future municipal developments of the area. In terms of overall project development and management it is important to ensure that all beneficiaries fully understand and grasp the implications and technical aspects relating to this housing initiative.

### 3.1.4 Housing Profile

Figure 3.4 below depicts the housing profile of the study area and for the Umvoti Local Municipality. The most predominant housing type within the study area is “Traditional Dwelling” with the majority (51.20%) of household within the project area residing in structures of this nature; the second most predominant housing type is the “House/ Brick Structure” with 42.38% of houses within the project area falling into this category. Traditional dwellings include mud houses, clay houses and huts made of animal manure. Other housing types exist within the study area but in relatively low numbers as depicted in the graph below. The overall figures for the municipality area depict a relatively similar housing profile with the second most predominant housing type being “traditional dwellings made of traditional material”.

**Figure 3.4: Housing Profile**

Source: Statistics SA, Census 2011.

#### 3.1.4.1 Implications for the Rural Subsidised Housing Project:

According to the Housing Act, 1997, it is pertinent that all citizens and permanent residents of the Republic will, on a progressive basis, have access to:

- ✚ Permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements.

The National legislated (RDP) minimum norms and standards in respect of housing supply in South Africa is considered to be a brick top structure of 40 m<sup>2</sup> (minimum), of which only 42.38% of households in the project area; and 45.80% of the households within Umvoti Local Municipality; have access to housing services at this level. This national standard has been accepted by the Department of Housing as their minimum norms and standards for the rural housing instrument as far as subsidised housing provision is concerned.

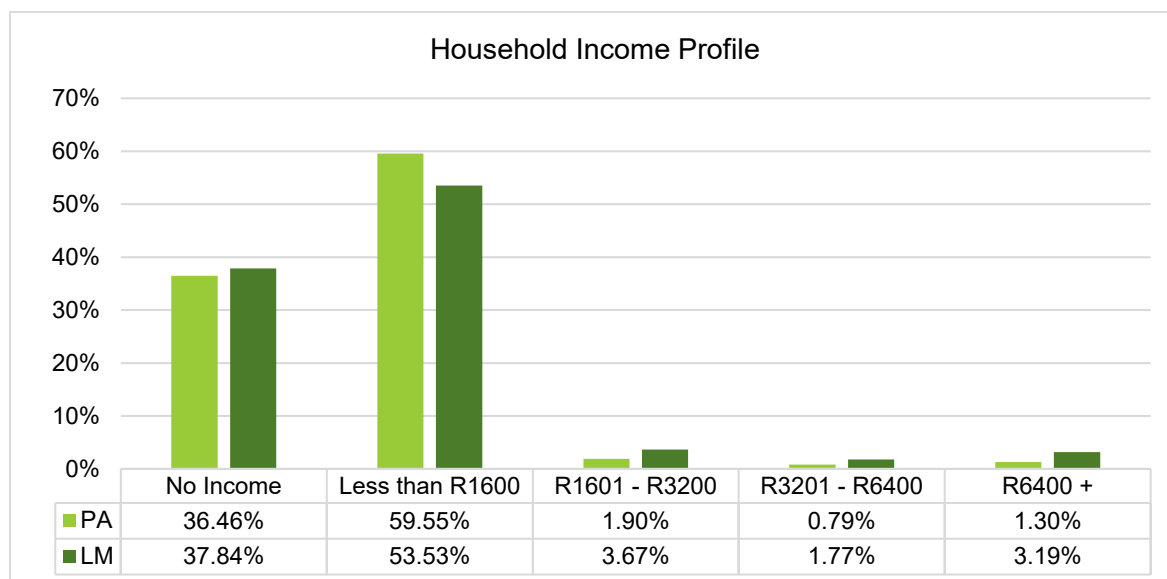
Due to the informal and traditional nature of a significant number (51.63%) of houses situated within the Eshane Rural Housing project area, the need for the implementation of a rural subsidized housing project is clearly evident. Such a factor should therefore support and favour the implementation of the proposed project on the Eshane Rural Housing project area.

## 3.2 ECONOMIC DEMOGRAPHIC CHARACTERISTICS

### 3.2.1 Household Income and Affordability Profile

Figure 3.5 below illustrates a relatively low household income profile within the Eshane Rural Housing project area and the overall Umvoti Local Municipality. As much as 59.55% of the total number of households within the study area indicated a collective monthly household income of R1600 and less, 1.90% fall within the income range of R1600 – R3200, 0.79% earn between R3200 and R6400 while only 1.30% of the total number of households indicating a collective monthly household income of more than R6400. The 2011 Census data also show that 36.46% of the population within the project area have no form of income. Relatively similar monthly household income trends can be seen for the overall Umvoti Local Municipality in figure 3.5 below.

**Figure 3.5: Monthly Household Income**



Source: Statistics SA, Census 2011.

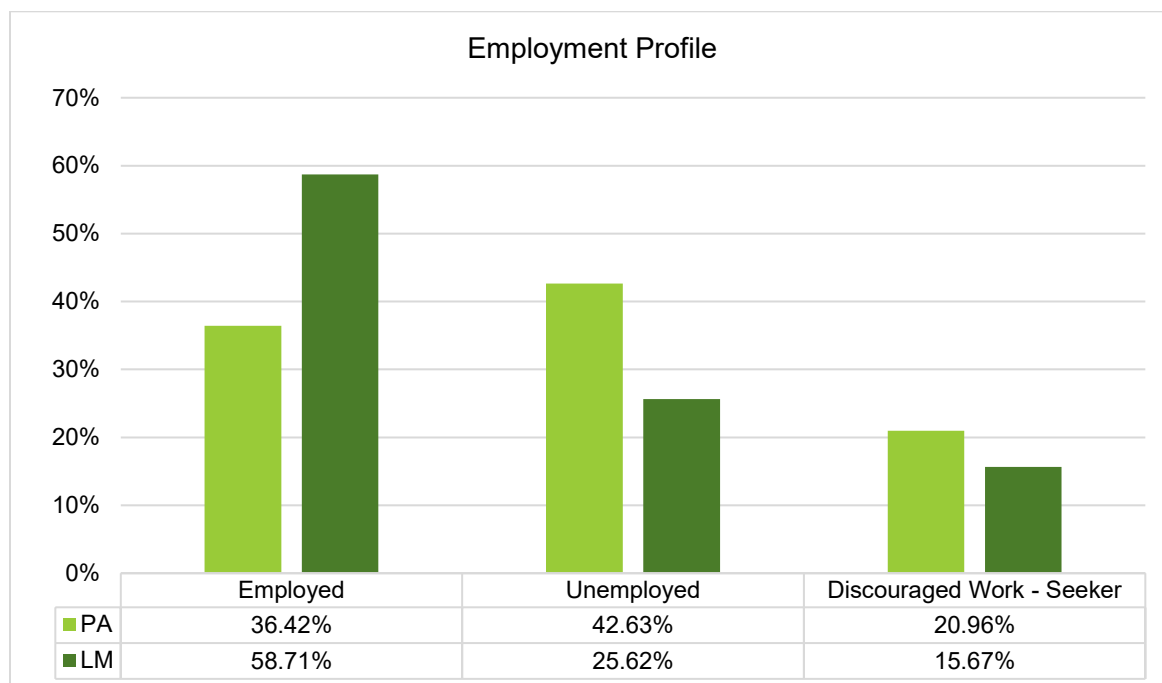
#### 3.2.1.1 Implications for the Rural Subsidised Housing Project:

The figures above indicate relatively low affordability levels within the project area and the municipality. The proposed rural housing project will benefit many households with low monthly income and who cannot afford proper housing. The ability of residents to pay for service levels above the minimum required standards will also be very limited.

### 3.2.2 Employment Profile

Figure 3.6 below illustrates the employment profile of the study area and the overall municipal profile. As much as 42.63% of the adult economically active population indicated to be unemployed, according to the narrow definition of unemployment. These figures include persons older than the age of 15 who indicated that they were unemployed at the time of the survey but seeking employment and that they were willing to take up any employment position should it be presented. Only 36.42% of the economically active population within the study area indicated that they were employed at the time of the survey. The survey on the overall employment profile of the Umvoti Local Municipality indicated relatively similar situation with only 58.71% of the population being employed and as much as 25.62% being unemployed. The very low affordability levels of the study area population are directly related to the high unemployment rate within the area.

**Figure 3.6: Employment Profile**



Source: Statistics SA, Census 2011

#### 3.2.2.1 Implications for the Rural Subsidised Housing Project:

The potential role of the envisaged housing project in providing some employment and income generating opportunities during the construction and implementation phases should clearly be a key consideration in the project plan. The development of technical skills relating to construction which could benefit the project beneficiaries after completion of the housing project should also be considered in the project implementation and management stages.

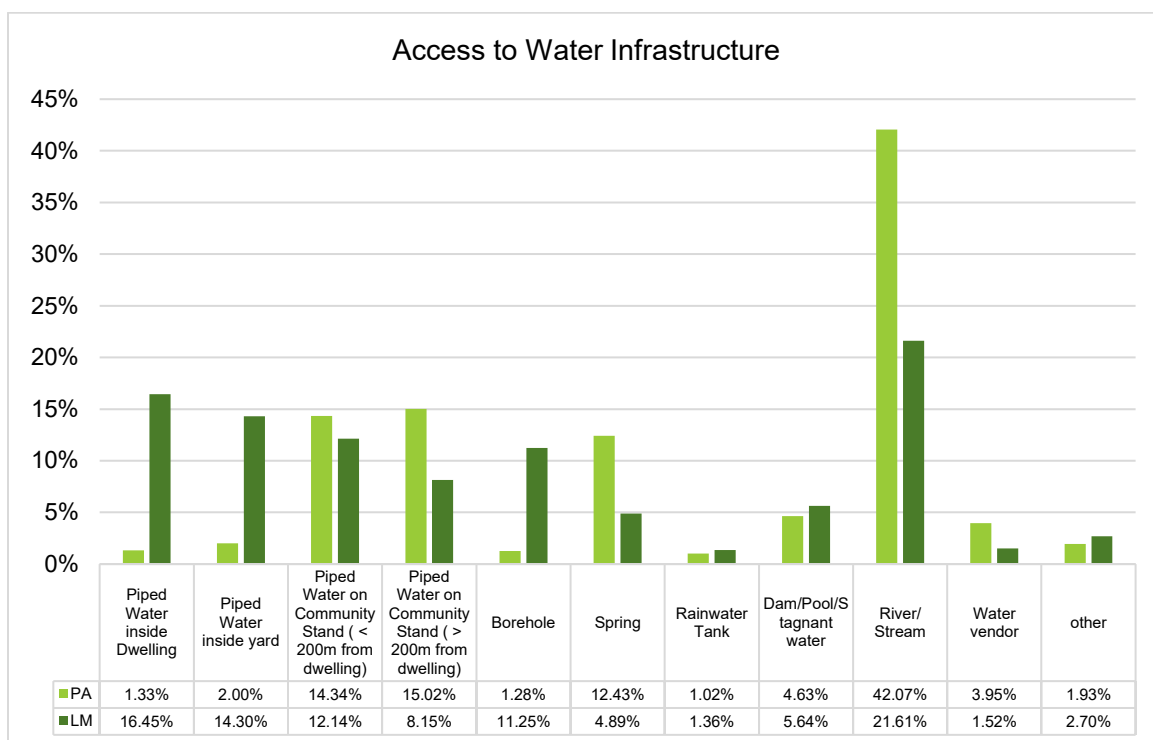
## 4 SERVICES AND INFRASTRUCTURE

### 4.1 SERVICES DEMOGRAPHICS

#### 4.1.1 Access to Water Sources

Figure 4.1 below illustrates the various sources of water, for drinking and other auxiliary household uses, for communities residing within the project area and the overall Umvoti Local Municipality. The figure shows relatively limited access to running water in the project area with only 1.33% of the total number of households having access to piped water “inside dwelling”, 2.0% having access to piped water “inside yard” while 14.34% “access water from a communal stand pipe situated within 200m” from the dwelling. 1.28% of households within the study area make use of boreholes, a further 12.43% utilise water from natural springs, and 4.63% from dams and 1.02% make use of rainwater. As much as 42.07% (majority) of the households make use of rivers and streams and 3.95% of the households buy water from a vendor who probably sourced it from the above mentioned sources which are situated at a greater distance from the households. It is quite clear that access to clean reliable running water was very limited at the time that the survey was conducted within the Eshane area. The area was underdeveloped as far as water infrastructure is considered.

The overall figures for the Umvoti Local Municipality, on the other hand, suggest better provision of water to households with as much as 16.45% and 14.3% of households having access to piped water “inside dwelling” and “piped water inside yard” respectively. A further 12.14% of households indicated to source water from a communal tap situated within a distance of 200 meters while 8.15% would source water from a communal tap situated more than 200 meters from the dwelling. However, a significant number (21.61%) of household within the municipality would utilise water from rivers and streams and 5.64% from natural dams. These figures suggest that the project area is relatively underdeveloped as far as water infrastructure provision is compared to that of the average figure (overall municipality).

**Figure 4.1: Access to Water Infrastructure**

Source: Statistics SA, Census 2011.

#### 4.1.1.1 Implications for the Rural Subsidised Housing Project:

The levels of service delivery derived from acceptable national policy frameworks which are relevant for the level of water services indicate the following definitions as being applicable:

- A 'Survival' level of service providing five (5) to eight (8) litres of water per capita per day at 800 – 1500 meters walking distance;
- The RDP level of service providing twenty five (25) litres of water per capita per day at 200 meters walking distance; and
- A higher level of service providing more than twenty five (25) litres of water per capita per day and at less than 200 meters walking distance. It even includes a yard or house connection.

The National legislated (RDP) minimum norms and standards in respect of water supply in South Africa are therefore considered to be a maximum 200 m's walking distance between a communal stand pipe and one's residence, of which approximately only 12.14% of the total Umvoti Local municipal population and 14.34% of the Eshane Rural Housing project areas total population have access to water services at this level. This national standard has been accepted by the Department of Housing as their minimum norms and standards for the rural housing instrument as far as

subsidised housing provision is concerned. Therefore, due to the fact that the provision of water amounts to housing purposes in terms of the Housing Board/Department of Human Settlements explanation of rural subsidies, the provision of water at the minimum RDP level of service provision at least should constitute a key municipal objective for implementation in Eshane Rural Housing project area, as well as the Umvoti Local Municipality as a whole. The provision of Rural Subsidised Housing should therefore not occur in isolation but should be supported by various other necessary infrastructural and service provision projects.

#### 4.1.2 Access to Sanitation Infrastructure

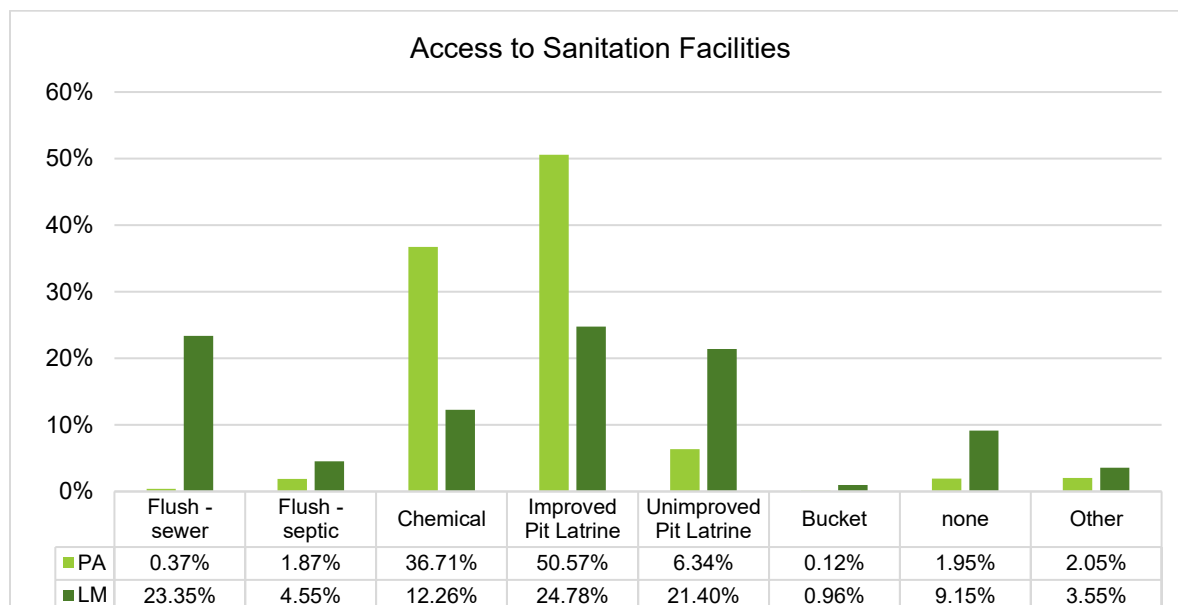
As much as 6.34% of the total number households with in the Eshane Rural Housing project area make use of “unimproved non ventilated Pit latrine” toilet facilities and 50.57% having improved “ventilated pit latrine” toilets. As much as 2.05% of the households were recorded as having no access to any sanitation facilities while 36.71% and 0.12% made the use of chemical toilets and bucket toilets respectively. Only 0.37% of households in the project area indicated to use of flush toilets connected to a sewage system and 1.87% connected to a septic tank system.

The statistics of the overall Umvoti Local municipality indicate that 21.40% of households making use of “non-ventilated pit toilets” with 24.78% having “ventilated pits toilets. A total of 12.26% of households at municipal level make use of chemical toilets and 0.96% is on the bucket system. Only 9.15% percentage of households within the overall municipal area indicated to not have any sanitation facility. While 23.35% of the total number of households within the Umvoti local municipality makes use of flush toilets connected of a sewer system while 4.55% use flush toilets connected to a septic tank. The absence of appropriate sanitation infrastructure in the project area is clearly evident from the information depicted in Figure 4.2 below. The comparative figure of households with no access to any sanitation facilities indicate the Eshane TA (1.95%) being relatively under-service compared to the average municipal figure of 9.15%. The average number of households with flush toilets in Umvoti LM is relatively higher than that of the project area and chemical toilets are used more in the project area compared to the overall municipal area. The figures however indicate a relatively high need of proper sanitation facilities but the limited access to running water within the area could be a major reason for the lack of sanitation infrastructure in the Eshane Rural Housing project area.

The potential impact of the extensive utilization of unimproved pit latrines and other forms of inappropriate sanitation infrastructure, on biophysical aspects such as surface and ground water, as

well as the potential health implications is clearly evident from these figures, as is the need for improved access to sanitation infrastructure in both the Eshane Rural Housing project area and the greater Umvoti Local Municipality.

**Figure 4.2: Access to Sanitation Infrastructure**



Source: Statistics SA, Census 2011.

#### 4.1.2.1 Implications for the Rural Subsidised Housing Project:

The levels of service delivery derived from acceptable national policy frameworks which are relevant for the level of sanitation services indicate the following definitions as being applicable:

- a Ventilated Improved Pit latrine (VIP) level of service;
- the interim level of service providing on-site sanitation that could include amongst others a on-site dry system (single, double pit or organic systems such as the Enviroloo) or an on-site wet system (such as a low flush or a septic tank and french drain); and
- a waterborne level of service providing treatment of raw sewage by means of a Sewage Treatment Works.

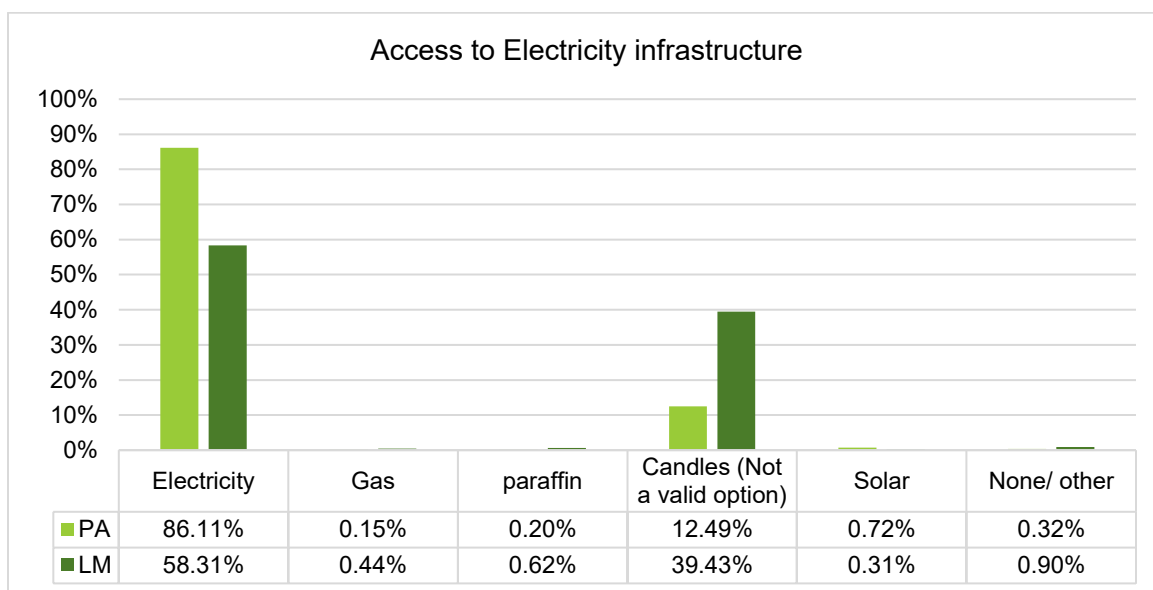
The National legislated (RDP) minimum norms and standards in respect of sanitation service provision in South Africa is considered to be ventilated improved pit toilet (VIP), of which approximately 24.78% of the total households in Umvoti Local municipal area and 50.57% of the Eshane Rural Housing project areas total population have access to sanitation services at this level. This national standard has been accepted by the Department of Human Settlements as their



minimum norms and standards for all rural housing instruments as far as subsidised housing provision is concerned. Therefore, due to the fact that the provision of sanitation amounts to housing purposes in terms of the Housing Board/Department of Human Settlements explanation of rural subsidies, the provision of sanitation at the minimum RDP level of service provision at least should constitute a key municipal objective for implementation in the Eshane Rural Housing project area, as well as the Umvoti Local Municipality as a whole. The provision of Rural Subsidised Housing should therefore not occur in isolation but should be supported by various other necessary infrastructural and service provision projects.

#### **4.1.3 Access to Electricity Infrastructure**

Figure 4.3 below indicates the various energy sources used for lighting purposes by households within the Eshane Rural Housing project area and overall Umvoti municipal area. During the time of the survey, 86.11 (the majority) of households within the project area indicated that they made use of electricity as a source of lighting in the house while 12.49% used candles. A further 0.20% and 0.15% made use of paraffin and gas lighting respectively. The trends in “energy for lighting” statistics recorded for the overall municipal area were relatively similar with as much as 58.31% of the households within the overall Umvoti municipality indicating to make use of electricity for lighting while only 39.43% used candles for lighting in 2011. Paraffin (0.62%) and Gas (0.44%) were also recorded as lighting source respectively; while 0.31% of the total number of households within the municipal area indicated the use of solar energy as a source of lighting. The proportion of households with access to electricity in the study area is relatively higher than the comparative figure for the Local Municipality.

**Figure 4.3: Access to Electricity Infrastructure**

Source: Statistics SA, Census 2011.

#### 4.1.3.1 Implications for the Rural Housing Project:

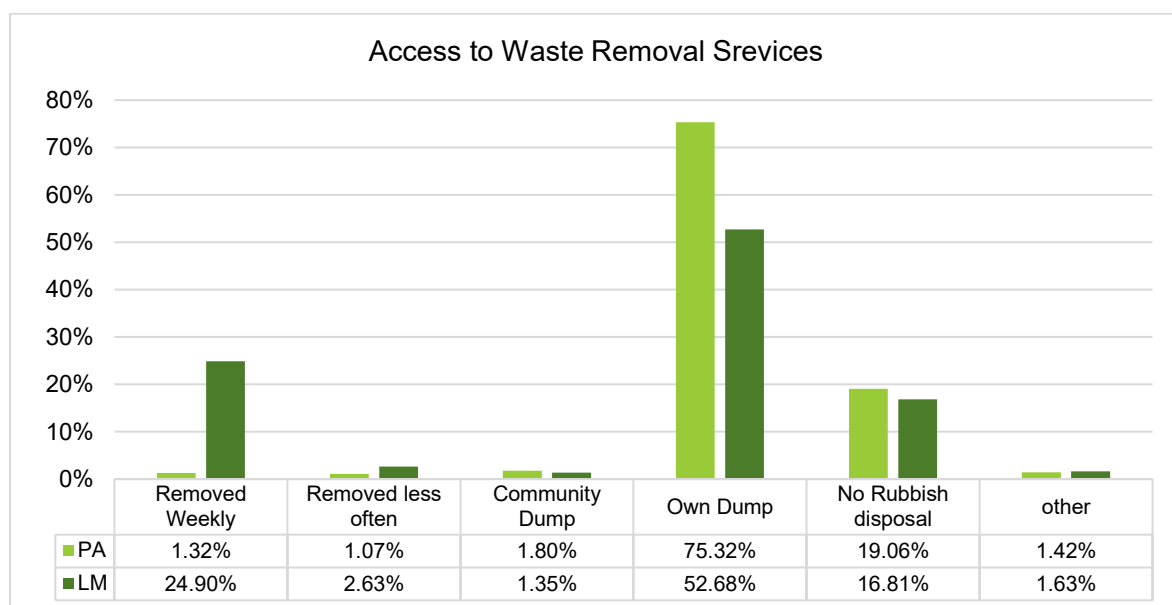
The provision of an internal electrical reticulation network is not viewed as a minimum requirement as far as subsidised housing is concerned, and as such the provision of an internal electrical reticulation network does not form part of the proposed subsidised housing project. The absence of appropriate electricity infrastructure can often result in the extensive utilization of firewood for cooking and heating purposes with the resulting potential negative impact on natural vegetation. Limited access to electricity infrastructure often contributes to the general deforestation of the surrounding area, and increased levels of air pollution arising from the use of firewood for cooking and heating purposes.

#### 4.1.4 Access to Waste Removal Services

The graph in Figure 4.5 below depicts the various waste management/ removal methods recorded as being used by the various households within the project area and the overall local municipality. The limited availability of any form of formalized refuse removal system in the Eshane Rural Housing project area and the overall Umvoti Local Municipality at the time of the survey is clearly illustrated in the graph. As much as 75.32% of the total number of households within the project area indicated that they make use of their own refuse dump, be it pit holes in the yard or in close proximity to the house. A relatively similar percentage (52.68%) of households within the entire Umvoti Local

Municipality indicated to use the same method of waste disposal. A further 19.06% of households in the project area and 16.81% in the overall municipal area indicated that they had no practised waste disposal method in place. A figure of 1.32% of households within Eshane project area was recorded for households whose refuse was collected by the municipality once a week and 1.07% of households in Eshane indicated that their refuse was collected by the local municipal authority less often than weekly basis. The figures from the graph indicate that 24.9% of the households in Umvoti Local Municipality had their refuse collected once a week and 2.63% collected less often than on a weekly basis while 1.35% made use of communal dump sites. From the graph it is evident that the majority of households in the Eshane Rural Housing project area and the overall Umvoti Municipal Area have no access to any form of waste removal or disposal services and dispose of their refuse through means of their own refuse dumps.

**Figure 4.4: Access to Waste Removal Services**



Source: Statistics SA, Census 2011.

#### 4.1.4.1 Implications for the Subsidised Housing Project:

The Umvoti Local Municipality is the service provider responsible for the provision of a functional waste removal and disposal system within the study area. It must be noted that the absence of waste removal services in the study area can not only impact negatively on the biophysical environment, but also on the aesthetic appearance of the area, and the overall health profile of the resident communities, as well as their livestock as a result of livestock ingesting such waste.

## 4.2 INFRASTRUCTURE

### 4.2.1 Roads

This section of the report provides an overview of existing road networks occurring across and providing access to the Eshane Rural Housing (project area). **It must however be noted that the scope of the proposed Eshane Rural Subsidised Housing Project does not include any major construction of new roads to the project area, in some instances some individual access roads will be constructed but which will be well below the triggers for environmental authorisation. The accesses will be less than 4-meter-wide, with no construction activity being permitted within a 32m stream, dam, river and wetland.**

#### 4.2.1.1 National Roads

There are no National Roads that have been proclaimed within the project area.

#### 4.2.1.2 Provincial Roads

There are no Provincial Roads that have been proclaimed within the project area.

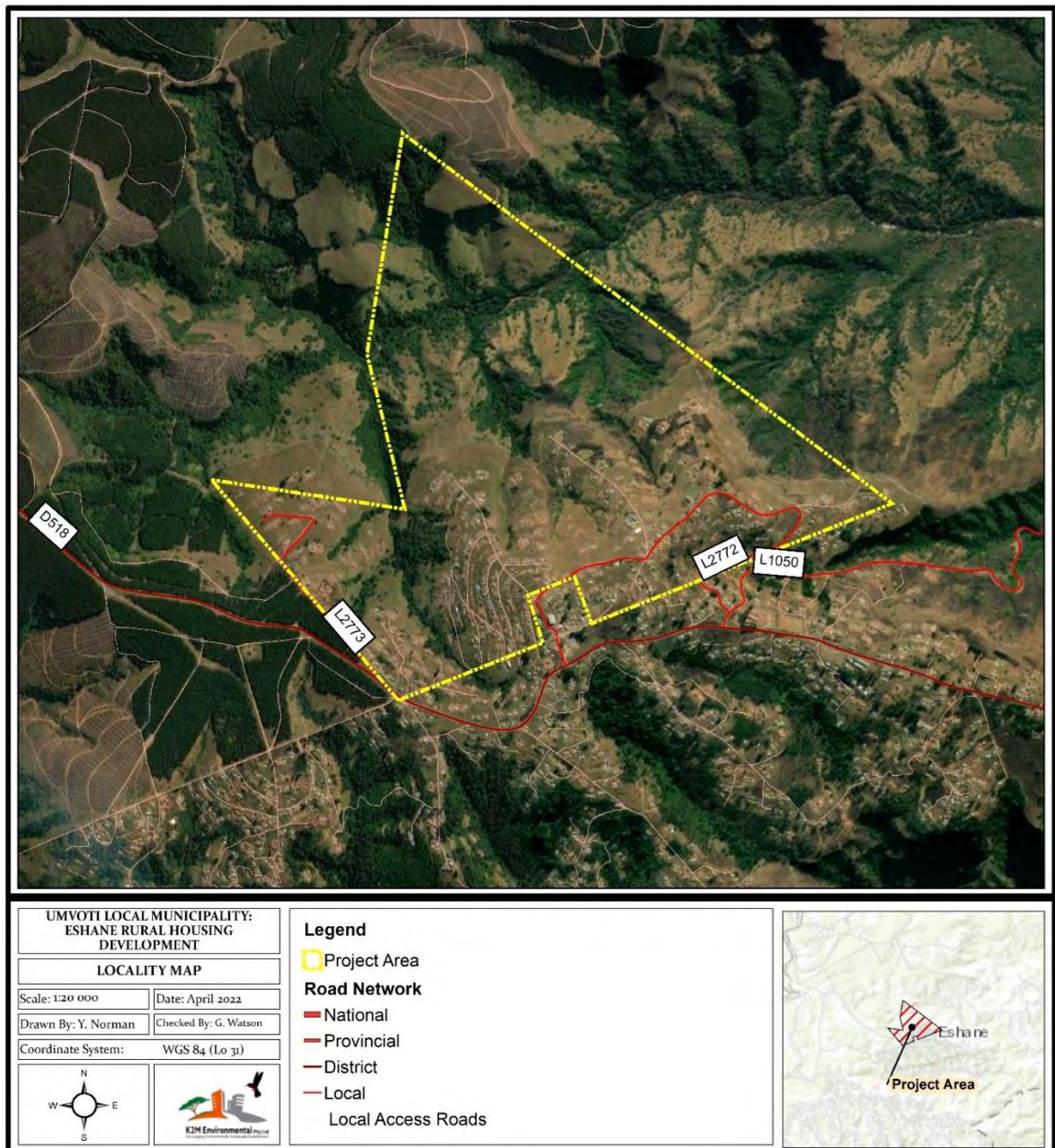
#### 4.2.1.3 District Roads

There is one District Road that runs along the south west corner of the project area namely the D518.

#### 4.2.1.4 Local Access Roads

There are three numbered local access roads around the site, namely the L2773 (which runs in the western part of the site), L2772 (which runs through the southern part of the site) and the L1050, (which runs south of the site).

Map 4.1: Road Network





#### 4.2.1.5 Implications for the Rural Subsidised Housing Project:

The National legislated (RDP) minimum norms and standards in respect of roads in South Africa are considered to be “access to all erven with graded or gravel paved roads”. This national standard has been accepted by the Department of Human Settlements as their minimum norms and standards for the rural housing instrument as far as road provision is concerned. It is important to note however that *no new access roads* are planned as part of the Eshane Rural Housing Development. Grading processes may be conducted on some existing roads as part of the proposed project in an attempt to improve the current condition of these roads within the Eshane Rural Housing project area and will therefore form part of a road maintenance programme, however such a process will not extend to the creation of any new road networks. Furthermore, due to the fact that no new road networks are planned as part of the proposed development, and due to the fact that grading purposes form part of routine road maintenance the surrounding natural environment will not be adversely impacted upon.

It should also be noted that all District Roads will be allocated a 20 m road reserve, to which an additional 10 m building line will be added onto either side, while all Local Access roads will be afforded a minimum 15 m building line within which no construction activities may occur. This therefore ensures that no construction activities associated with the proposed rural housing project will result in any adverse negative impacts on the existing road network.

### 4.2.2 Stormwater

Whilst low income rural subsidised housing developments have huge budgetary constraints on the design and implementation of stormwater management and control systems, it is vitally important to dispose of stormwater as effectively and efficiently as possible. This is due to the fact that uncontrolled stormwater runoff can cause damage to property and may erode and destabilise fill and cut banks. The objectives of the stormwater management system should be as follows:

-  To adequately dispose of runoff from developed areas without causing soil saturation or erosion. This is particularly important on any sites underlain by erodible soils and on steep slopes;
-  To provide overland flow routes through developments to cater for major storms and thereby minimising any risk of damage to property infrastructure and other immovable assets;

- ✚ Stormwater systems should be designed to function adequately with low maintenance in the long term, and should cater for silting, etc.

#### 4.2.2.1 Implications for the Subsidised Housing Project:

While the National legislated (RDP) minimum norms and standards in respect of stormwater management in South Africa is considered to be “Lined open channels” the logistics and costs involved with the implementation thereof mean that such a minimum norm and standard is not feasible for implementation as part of the Rural Subsidised Housing development.



## 5 BIO-PHYSICAL COMPONENT

### 5.1 CURRENT LAND USE

The current land use within the project area is residential. The D518 runs south west of the project area and perennial (as well as non-perennial) streams run through the western and northern portion of the site. The Eshane Primary School is situated south of the site.

**Figure 5.1: Current Land Use**



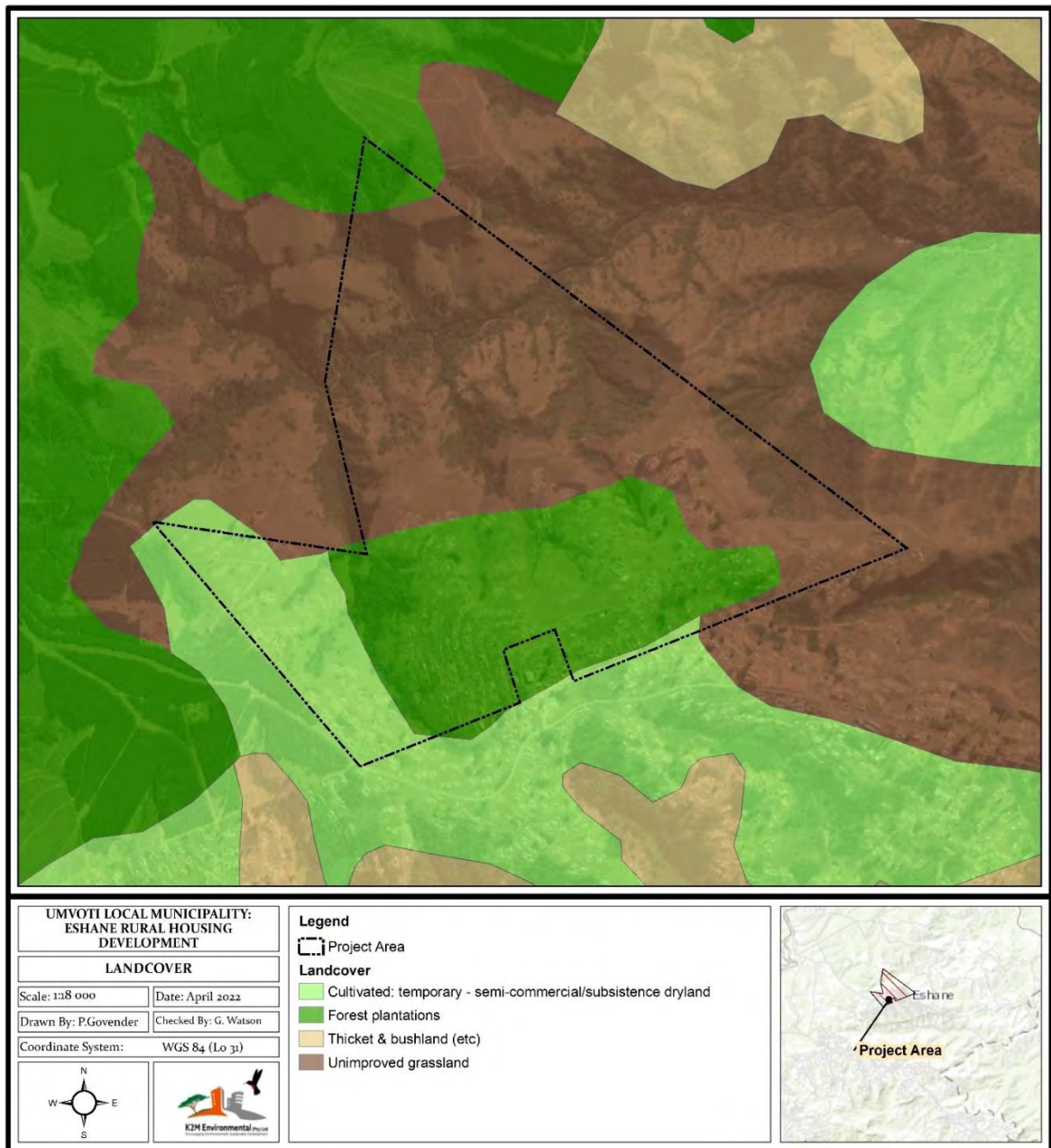
Source: Google Earth, 2022



## 5.2 LAND COVER AND TOPOGRAPHY

The overall land cover within the study area is graphically depicted on the Map 5.1 below. The dominant land cover within the project area is “Unimproved grassland”.

**Map 5.1: Landcover**



The overall topography of the study area is clearly depicted on Figure 5.2 below. The topography of the site consist mainly of gentle to steep slopes.

**Figure 5.2: Topography**



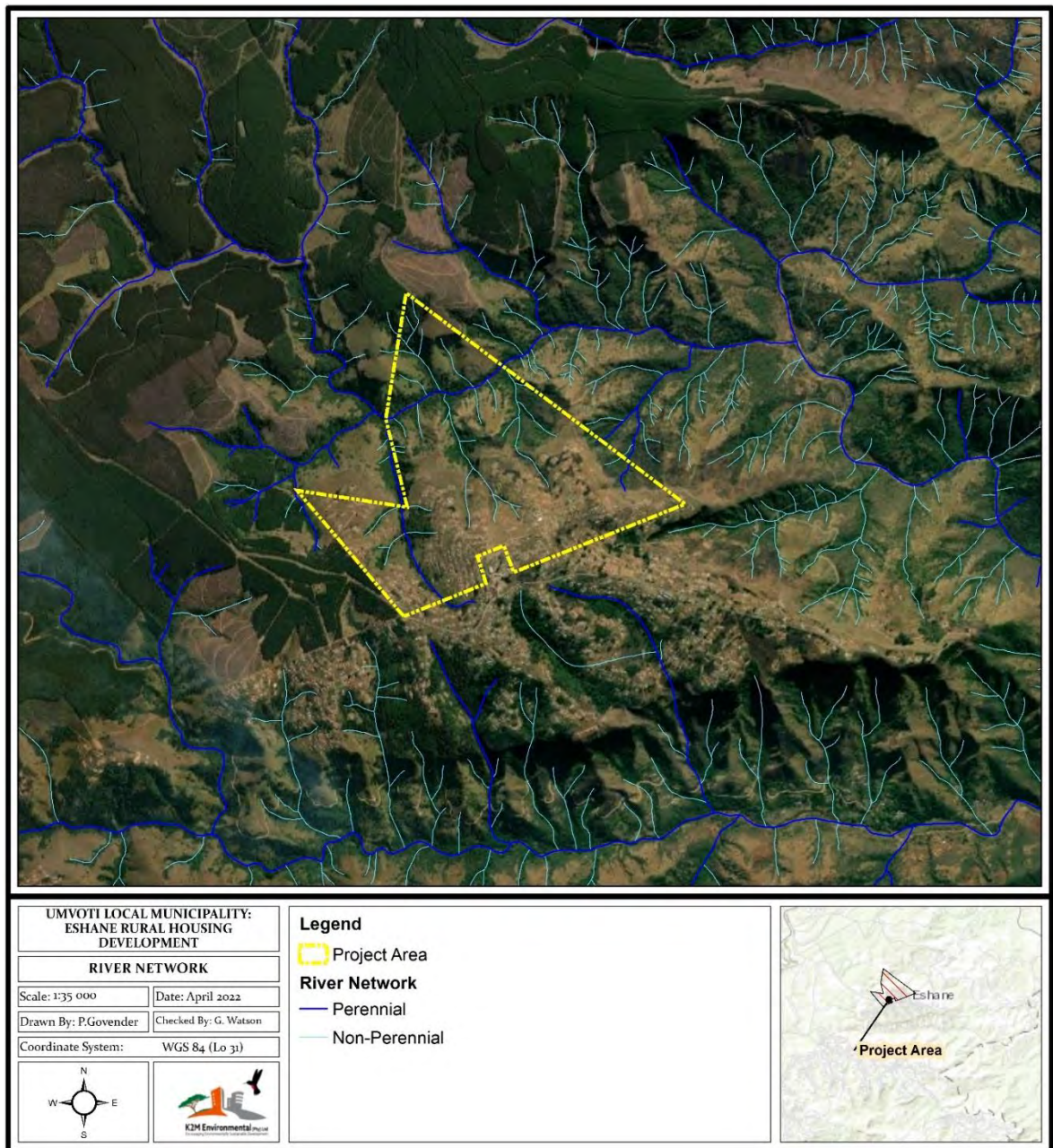
Source: Google Earth 2022

### 5.3 RIVER NETWORK

As indicated in Map 5.2, there are two perennial and several non-perennial streams that have been identified within the project area. It should be noted that in terms of the National Water Act, as well as other developmental legislation which are applicable, should the project area be subject to a 1:100-year flood line, no development should occur within this area.

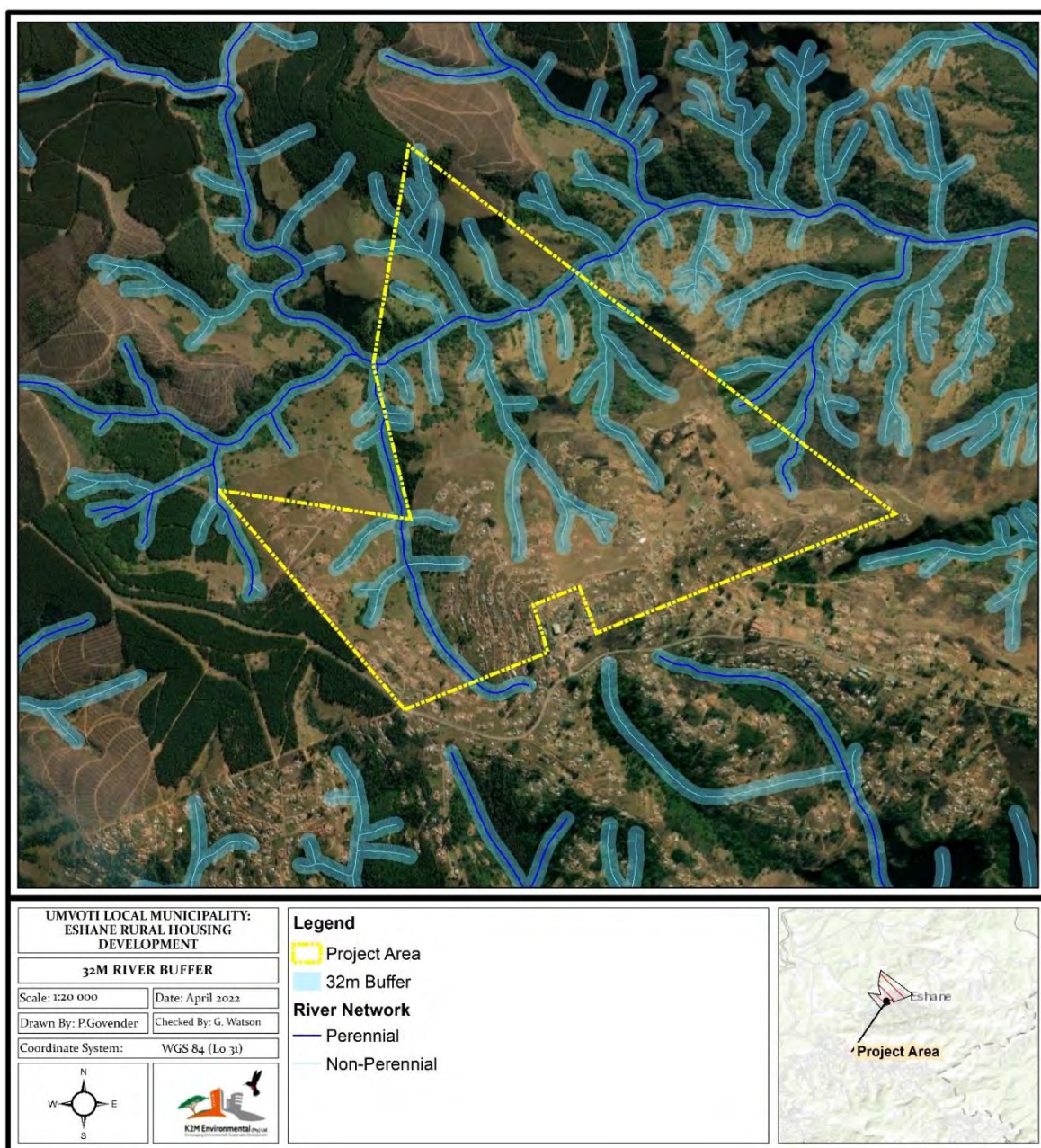
However, in terms of the 2014 EIA Regulations, all new development should be located at least 32m's away from the bank of any river or stream. Should construction take place within 32m from the bank of any river or stream, then an EIA will need to be applied for. Map 5.3 below illustrates the 32m river network buffer.



**Map 5.2: River Network**



Map 5.3: 32m River Network Buffer



## 5.4 FRESHWATER ECOSYSTEM PROTECTED AREAS (FEPA'S)

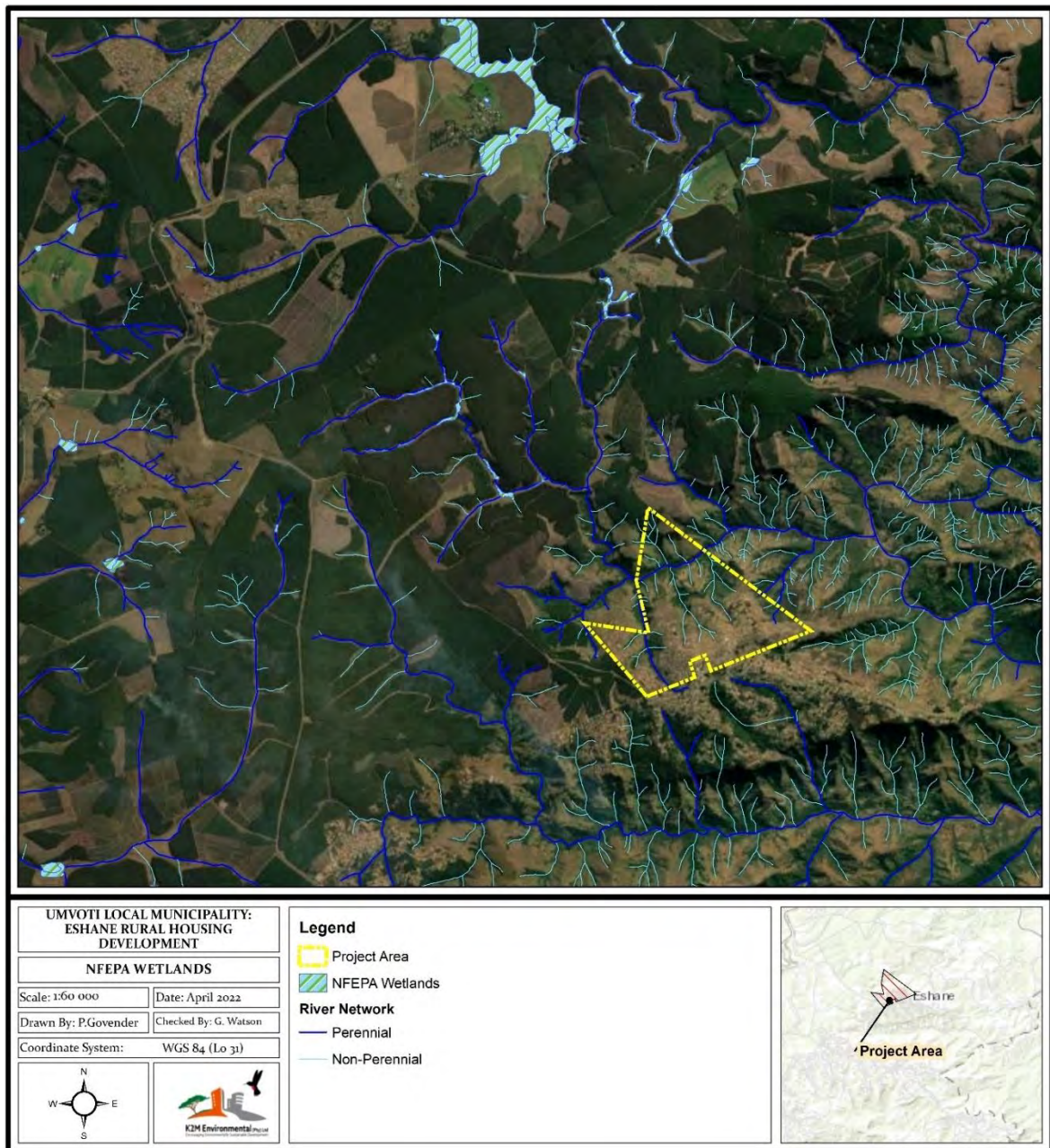
Freshwater Ecosystem Protected Areas (FEPA's) according to the Water Research Council are strategic spatial priorities for conserving freshwater ecosystems and supporting sustainable use of water resources. Freshwater ecosystems refer to all inland water bodies whether fresh or saline, including rivers, lakes, wetlands, sub-surface waters and estuaries. FEPAs are often tributaries and wetlands that support hard-working large rivers, and are an essential part of an equitable and sustainable water resource strategy. FEPAs need to stay in a good condition to manage and conserve freshwater ecosystems, and to protect water resources for human use (Water Research Council).

According to the National Water Act (1998), a wetland is defined as *“Land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land, in normal circumstances, supports or would support vegetation typically adapted to life in saturated soil”*.

As illustrated in Map 5.4 below, there are no NFEPA Wetlands located within the project area. The closest NFEPA Wetland is situated approximately 5.8 km north of the site.



Map 5.4: NFEPA Wetlands



Source: Department of Water and Sanitation

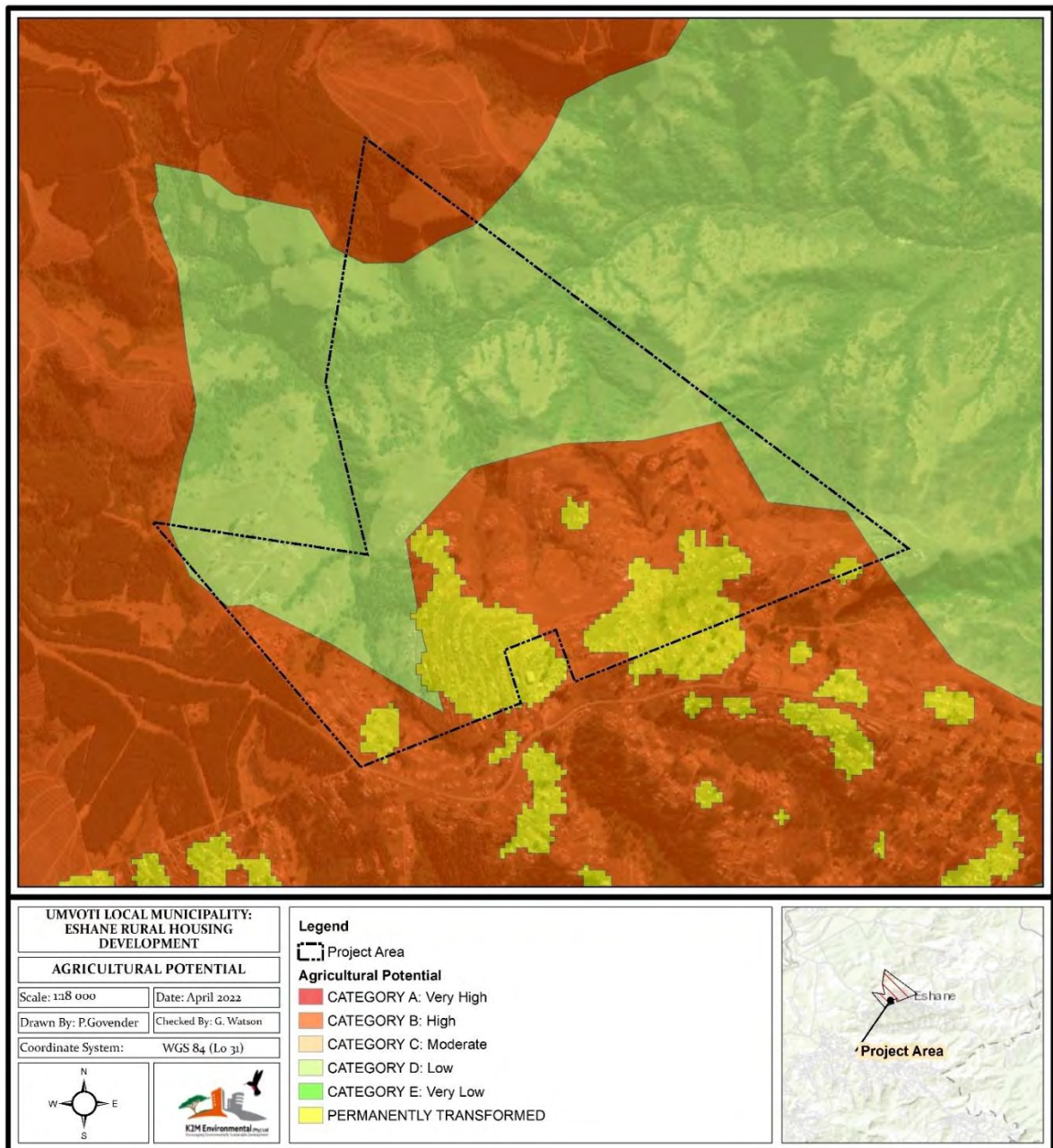
## 5.5 AGRICULTURAL POTENTIAL

According to the Agricultural Land Potential Categories External Report, agricultural potential refers to the potential of the land to produce sustainably over a long period without degradation to the natural resources base. This includes land under production for cultivation purposes (arable land) and for grazing purposes. Table 5.1 and Map 5.5 illustrate the agricultural potential categories within the site. A description of each category is provided below.

The majority (48.17%) of land within the project area is classified as Category D: Low, while 38.54% of the land within the project area is classified as Category B: High. The remainder of the land in the project area (13.29%) is classified as Permanently Transformed. According to Collett and Mitchell, 2013, areas demarcated as Permanently Transformed, applies to land that has been converted irreversibly to non-agricultural land uses. This includes urban/built up areas, roads, mines and quarries and which can therefore no longer be utilized for agricultural production purposes. This Category will also require regular updates due to on-going non-agricultural development. This may also include previously mined areas which are polluted and/or degraded to the point that safe utilization of the land for food production is not possible.

**Table 5.1: Agricultural Potential**

Agricultural Potential	Area (Ha)	Percentage of Total Area (%)
Category B: High	98.17	38.54
Category D: Low	122.71	48.17
Permanently Transformed	33.87	13.29
<b>Total Area</b>	<b>254.75</b>	<b>100</b>

**Map 5.5: Agricultural Potential**

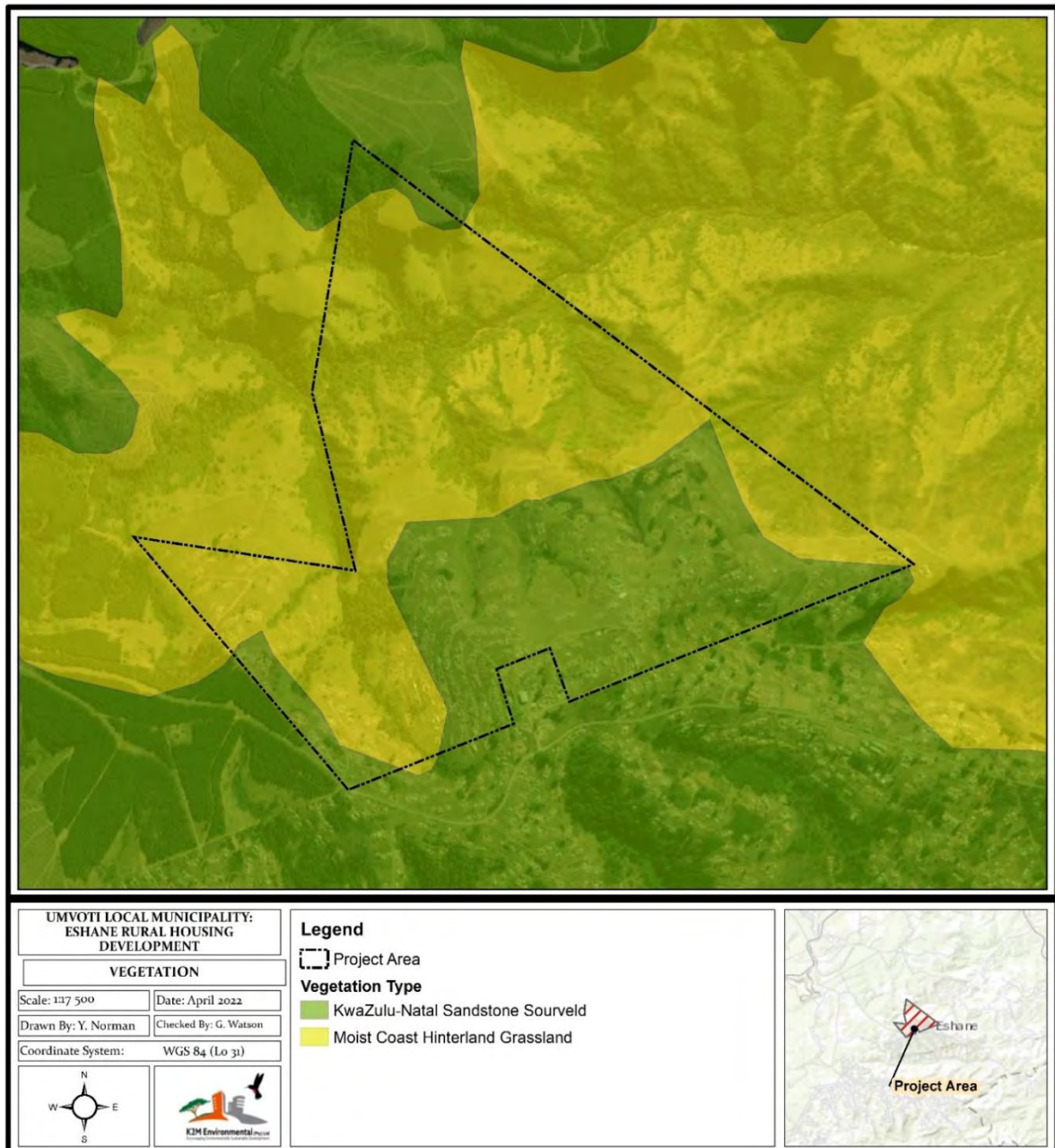
Source: Department of Agriculture and Rural Development



## 5.6 VEGETATION

As indicated in Map 5.6 and Table 5.2, the project area is characterised by KwaZulu-Natal Sandstone Sourveld, which occurs in 39.08% of the project area, with the majority of the land within the project area (60.91%) falling under Moist Coast Hinterland Grassland.

**Map 5.6: Vegetation**



Source: KZN Wildlife

**Table 5.2: Vegetation**

Vegetation	Area (Ha)	Percentage of Total Area (%)
KwaZulu-Natal Sandstone Sourveld	99.57	39.08
Moist Coast Hinterland Grassland	155.18	60.91
<b>Total Area</b>	<b>254.75</b>	<b>100</b>

As per the data provided by Mucina and Rutherford (2006), the dominant vegetation units that occur within the Eshane Rural Housing project area is discussed in further detail below:

### 5.6.1 KwaZulu-Natal Sandstone Sourveld

KwaZulu-Natal Sandstone Sourveld is a Critically Endangered vegetation type with over 90% of this vegetation already transformed (Jewitt, 2018). It is therefore imperative that no further loss or transformation of KwaZulu Natal Sandstone Sourveld be allowed. Although fire is an important management tool in maintaining savannah/grassland habitats, frequent fires, as well as high levels of grazing, are not conducive to the recruitment of many of the shrubs and herbs that are a feature of KwaZulu-Natal Sandstone Sourveld (Mucina and Rutherford, 2006).

### 5.6.2 Moist Coast Hinterland Grassland

Moist Coast Hinterland Grassland is also Endangered (Jewitt, 2018). This vegetation and habitat type is usually composed of dense, tall, sour grassland dominated by unpalatable Ngongoni grass, *Aristida junciformis*. Due to the dominance of this species, Moist Coast Hinterland Grassland has low plant species diversity. When in good condition, this grassland is dominated by the grasses, *Themeda triandra* and *Tristachya leucothrix*. Less than one percent is statutorily conserved in Protected Areas and the conservation target is 25% (Mucina & Rutherford, 2006).

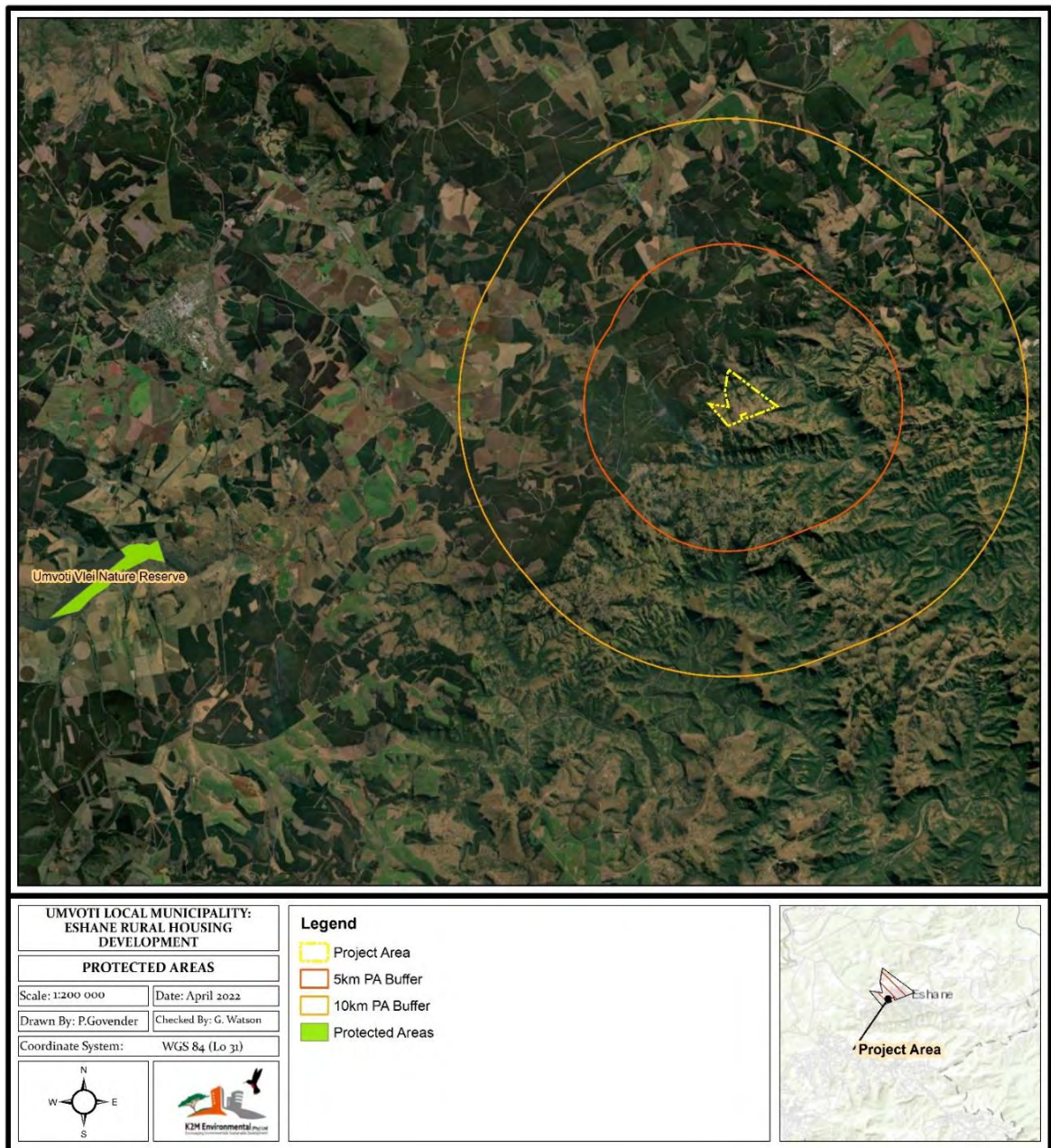
## 5.7 PROTECTED AREAS

According to the Protected Areas Act (57 of 2003), protected areas are:

- a) special nature reserves, national parks, nature reserves (including wilderness areas) and protected environments;
- b) world heritage sites;
- c) marine protected areas;
- d) specially protected forest areas, forest nature reserves and forest wilderness areas declared in terms of the National Forests Act, 1998 (Act No. 84 of 1998); and
- e) mountain catchment areas declared in terms of the Mountain Catchment Areas Act, 1970 (Act No. 63 of 1970).

As illustrated in Map 5.7, there are no protected areas located within the project area or within 10km of the site. The closest protected area is the Umvoti Vlei Nature Reserve which is located approximately 24km west of the site.



**Map 5.7: Protected Areas**

Source: KZN Wildlife, 2019

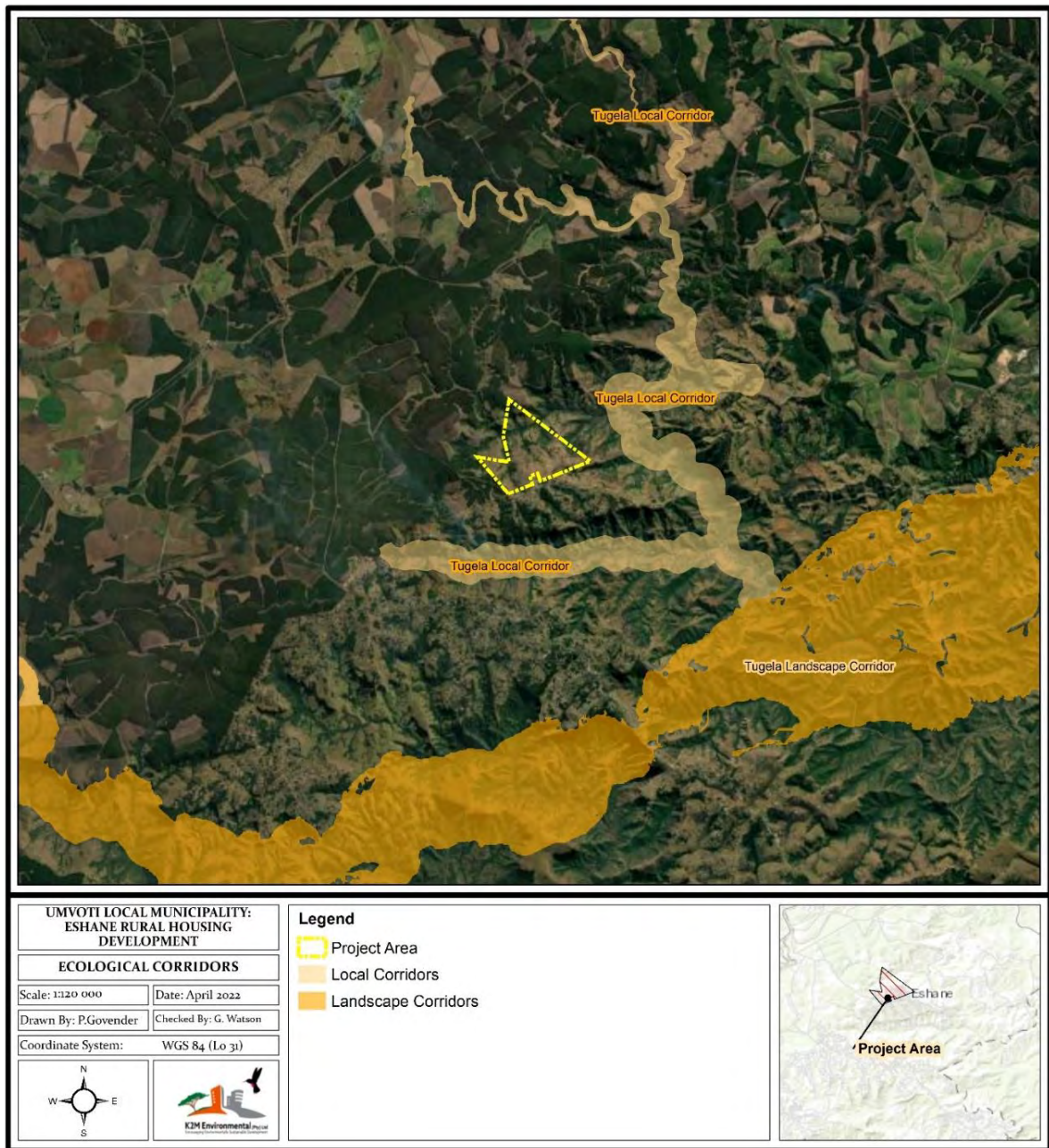
## 5.8 ECOLOGICAL CORRIDORS

There are two different types of corridors that have been created by Ezemvelo KZN Wildlife, namely, the Landscape Corridors and the Local Corridors. Landscape Corridors are a series of biogeographic corridors, created to facilitate evolutionary, ecological and climate change processes to create a linked landscape for the conservation of species in a fragmented landscape. Local corridors were developed at a district scale to create fine scale links within the landscape that facilitate ecological processes and ensure persistence of critical biodiversity features.

As depicted in Map 5.8, there are no corridors located within the site. The Tugela Local Corridor is located approximately 2 km south and 2 km east of the project area. The Tugela Landscape Corridor is located approximately 6.3 km south and east of the project area.



Map 5.8: Ecological Corridors



## 5.9 CRITICAL BIODIVERSITY AREAS

The Critical Biodiversity Areas (CBAs) can be divided into two subcategories, namely Irreplaceable and Optimal. The CBA categories are based on the optimised outputs derived using systematic conservation planning software, with the Planning Units (PU) identified representing the localities for which the conservation targets for one or more of the biodiversity features contained within can be achieved.

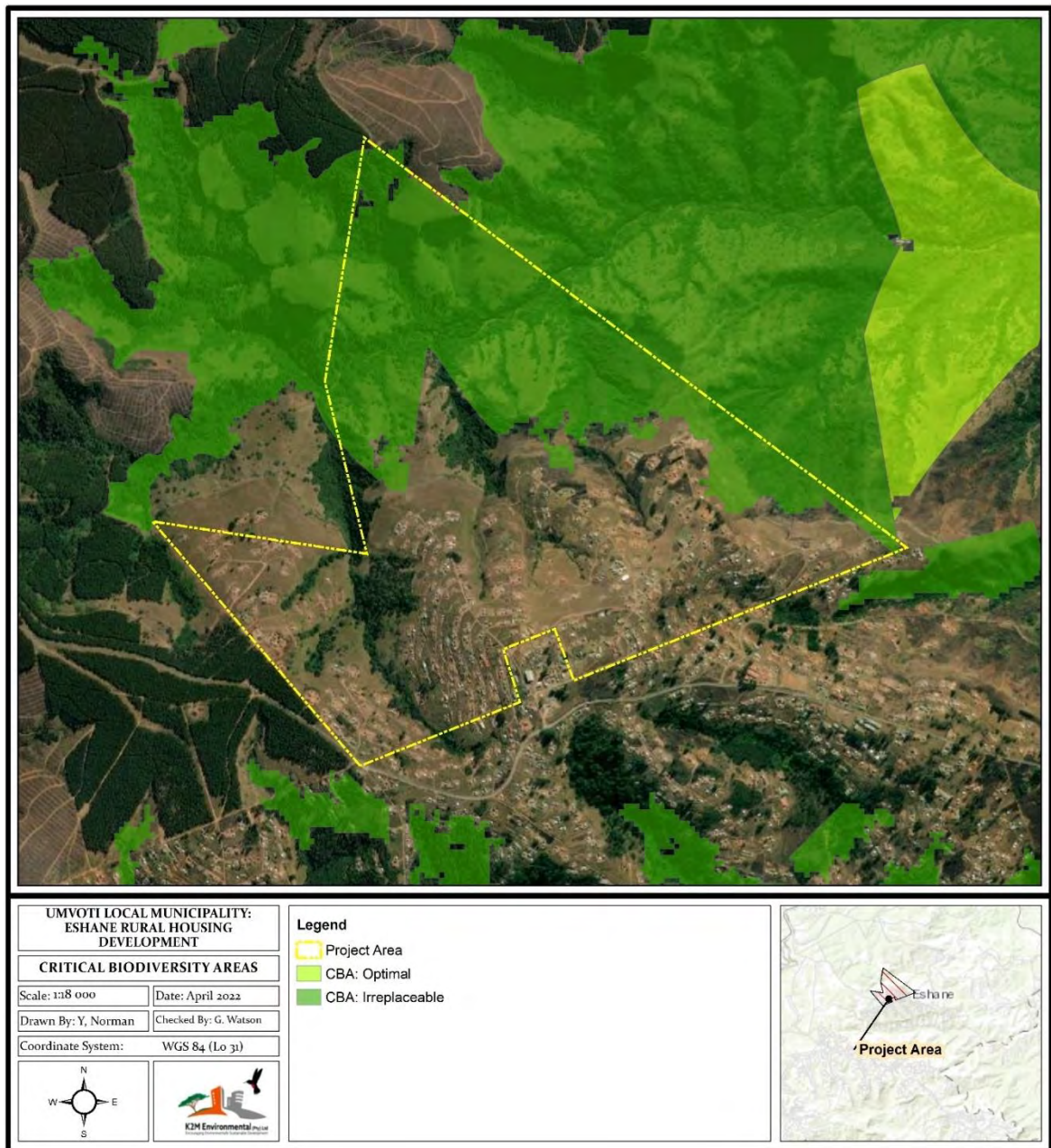
The CBA Irreplaceable Areas represent the localities for which the conservation targets of one or more of the biodiversity features that can be achieved. These areas are considered critical for meeting biodiversity targets and thresholds, and which are required to ensure the persistence of viable populations of species and the functionality of ecosystems. The CBA: Irreplaceable Areas are identified as having an Irreplaceability value of 1.

The CBA: Optimal Areas are areas which represent the best localities out of a potentially larger selection of available PU's that are optimally located to meet both the conservation target but also the criteria defined by either the Decision Support Layers or the Cost Layer. The CBA Optimal Area has an Irreplaceability score of  $>0$  and  $< 0.8$ .

Map 5.9 below depicts that there is a small portion of CBA: Irreplaceable Areas situated within the northern and eastern parts of the project area. A CBA: Optimal Area is located to the east of the project area.



Map 5.9: CBAs



Source: KZN Wildlife, 2019

## 5.10 MINERAL DEPOSITS

There are no mineral deposits occurring within the boundary of the Eshane Rural Housing project area.

## 5.11 ARCHAEOLOGICAL, HISTORICAL AND CULTURAL SITES

No detailed information is currently available on existing archaeological, historical or cultural sites within the boundaries of the study area. The KwaZulu-Natal Amafa and Research Institute Act (Act 05 of 2018) requires that the KwaZulu Natal Amafa has to comment on the need for an archaeological assessment for proposed development in accordance with Section 41 of the Act:

- Development area is larger than 5 000m<sup>2</sup>
- Development is longer than 3 00m
- The development area contains known archaeological sites.

However due to the fact that the proposed project constitutes an in-situ type upgrade, it is not expected that the implementation and operation of the proposed project will result in any new adverse impacts on any archaeological, historical or cultural sites which may be present within the area. It is however recommended that documentation pertaining to the proposed development be submitted to KZN AMAFA for their comment.

## 6 EXISTING SETTLEMENT PLAN

The project area has a total extent of approximately 254.75 ha and falls within Ward 4 of the Umvoti Local Municipality, one of the local municipalities that form part of the uMzinyathi District Municipality. The total population of the local municipality is estimated at 122 423 persons.

The project area's leadership has the right to allocate residential sites to members of their Traditional Authority within the proclaimed Eshane Rural Housing area. Each family is then permitted to build their own houses on these allocated sites, which are referred to as "iMuzi's". These iMuzi's comprise of a combination of a number of familial homesteads which are grouped together and constructed in close proximity to one another on the same "communal" patch of land, with patches of cultivated subsistence land which are made use of for subsistence agricultural purposes which are generally located adjacent to and around the homestead areas. Due to the fact that Zulu culture permits men to have more than one wife, this iMuzi settlement pattern is beneficial with regard to polygamous families, where one male may reside in an iMuzi with his various wives and their associated families. When children of the family's reach adulthood, they then generally build their own homesteads within the very same iMuzi. These homesteads also get passed down from one generation to the next.

Followers of traditional Zulu culture generally bury their dead within the iMuzi area. Such a practice results in residents being very reluctant to leave their traditional iMuzi areas to relocate to a new area, as their ancestors and loved ones would be left behind.

While most iMuzi's occurring within the project area had areas of land adjacent to their iMuzi which were cultivated and/or planted to be made use of for subsistence purposes, the land throughout the area is available to all its residents for communal livestock to graze on.

The project area is largely characterized by medium density traditional rural iMuzi settlements which is predominantly located to the east of the site. While homesteads incorporating a mix of round and rectangular structures constructed making use of both traditional (mud brick, wattle and daub, thatch roof) and more modern (cement grouted concrete blocks and corrugated iron roof) materials and techniques were observed within the project area, the vast majority of the homesteads encountered were of a traditional nature comprising of traditional homesteads constructed making use of traditional materials and traditional techniques.

The spatial distribution of households across the area seems to be determined by a number of influencing factors which will be discussed accordingly below:

- The settlement pattern across the project area to a large extent correlates with the existing Provincial, District network that provide access to the project area.
- A number of non-perennial river and stream networks traverse the project area. Aspects such as river networks are an influencing factor with regards to the settlement distribution of the project areas homesteads. Whereas previously the area may not have been adequately catered to with regards to water services and water infrastructure, residents would have traditionally relied predominantly on rivers and streams for their water needs. Historically, residents' dependence on water obtained from rivers and streams located within the area would have been an influencing factor with regards to their households' location. Households would therefore be located within close enough proximity to nearby rivers and streams but predominantly outside of low-lying, flat areas which may have been characterized by periodic flooding.

The spatial distribution of households within the project area is therefore influenced by a number of cultural, historical and natural features. It is important to note however that the spatial distribution of beneficiaries may pose a limiting factor with regards to the implementation of the proposed project. Those households which are located on steep slopes for example may be excluded from the beneficiary list for the project. Furthermore, due to the Zulu culture regarding the burying of one's deceased family members within the iMuzi area may result in households being reluctant to move in order to benefit from the proposed project and such households may also be excluded from the proposed project. Similarly, due to legislative constraints, those households which are located within the stipulated 32m buffer of all river, streams and wetlands will also be omitted from the Eshane Rural Subsidised Housing development. The proposed projects "in-situ" type nature therefore implies that the existing settlement plan and spatial distribution of households may have repercussions with regards to the implementation of the proposed project. Such a notion would therefore require greater attention during the implementation phase of development. The "in-situ" type nature of the development is however very beneficial from an environmental perspective, this is due to the fact that the only construction activities associated with the project would occur within already established iMuzi's, and therefore no new/additional areas will be impacted upon as a result of the implementation and operation of the Eshane Rural Subsidised Housing development.

## 7 SUMMARY AND RECOMMENDATIONS

As indicated in the Introduction and Background to this report, the exact extent of the housing project in terms of the application of the subsidies for the purposes outlined in the housing code, and the exact spatial location and distribution of beneficiaries within the broader study area are currently not specified. What is however known is that the total number of households in need of housing (including those residing in traditional houses constructed of traditional materials, backyard structures or informal structures) is approximately 51.63%. The purpose of this preliminary assessment is thus to provide a brief overview of the social, economic, biophysical and infrastructural characteristics of the broader area within which this total estimated housing need will have to be addressed.

### 7.1 SOCIO-ECONOMIC ASPECTS

A number of important aspects and recommendations relating to the **socio-economic characteristics** of the study area include:

- Approximately 53.7% of the total population of the study area is younger than 19 years of age. This implies two important aspects as far as the development and implementation of the proposed housing project is concerned:
  - Sufficient and appropriate education facilities according to accepted national norms and standards will have to be provided.
  - A large number of people will be entering the economically active age category over the next five to ten years and will thus be seeking appropriate employment opportunities.
- The study area is characterized as being female dominated with the majority of approximately 56.08% of the project area's total population being represented by females.
- The study area is characterized by fairly low levels of literacy with approximately 18.4% of the population of the study area older than 20 years of age not having received any form of schooling.
- The information depicted in Section 3 indicated that the majority of all households are potentially in need of formalized housing is 51.63%. It was furthermore indicated in Section

4 that there are a number of households that are expected to qualify for housing subsidies in terms of their income profile.

- Affordability levels in the study area are very low with approximately 59.55% of all households earning less than R 1600 per household per month.
- The low affordability levels in the study area are clearly the result of the high unemployment rate which is estimated to be as high as 42.63% in the Eshane project area.

## 7.2 SERVICES ASPECTS

A number of important summary observations regarding the services characteristics of the study area population include:

- Only 14.34% of households in the study area receive water at levels above the minimum RDP standards according to the 2011 Census information (piped water within a 200 m radius). In addition, the majority of approximately 42.07% of households utilize water directly from Rivers/Streams within the area.
- Approximately 1.95% of all households in the study area do not have access to any form of sanitation infrastructure, while an additional 6.34% are reliant on unimproved pit latrines.
- As much as 86.11% of the total number of households within the study area does have access to electricity for lighting purposes.

## 7.3 INFRASTRUCTURAL ASPECTS

A number of important summary observations regarding the **infrastructural characteristics** of the study area population include:

- There are no Provincial roads that run near the project area.
- There is one District Road, the D518, that runs through the south west corner of the site.

- There are three numbered local access roads around the site, namely the L2773 (which runs in the western part of the site), L2772 (which runs through the southern part of the site) and the L1050, (which runs south of the site).

## 7.4 BIO-PHYSICAL ASPECTS

As far as the **biophysical characteristics** of the study area are concerned, the key aspects can be summarized as follows:

- The current land use within the project area is residential. The D518 runs south west of the project area and perennial (as well as non-perennial) streams run through the western and northern portion of the site. The Eshane Primary School is situated south of the site.
- The dominant land cover within the project area is “Unimproved grassland”.
- There are two perennial and several non-perennial streams that have been identified within the project area
- There are no NFEPA Wetlands located within the project area. The closest NFEPA Wetland is situated approximately 5.8 km north of the site..
- The entire project area is characterised by the KwaZulu-Natal Sandstone Sourveld and the Moist Coast Hinterland Grassland vegetation types.
- There are no protected areas located within the project area or within 10km of the site. The closest protected area is the Umvoti Vlei Nature Reserve which is located approximately 24km west of the site.
- There are no corridors located within the site. The Tugela Local Corridor is located approximately 2 km south and 2 km east of the project area. The Tugela Landscape Corridor is located approximately 6.3 km south and east of the project area.
- There is a small portion of CBA: Irreplaceable Areas situated within the northern and eastern parts of the project area. A CBA: Optimal Area is located to the east of the project area.



- There are no known archaeological, cultural or historical sites or artefacts located within the Eshane Rural Housing project area. Due to the “in-situ” type nature of the proposed project, should any sites or artefacts of archeological, cultural or historical significance be located within the project area, it is not expected or anticipated that these will not be impacted upon as a result of the proposed development. The Developer is however aware of his responsibilities with regards to the Amafa Heritage Act. Should there be any Greenfield Development, larger than 5 000m<sup>2</sup>, a Heritage Impact Assessment will be required.
- No detailed quantifiable information is currently available on various forms of pollution in the study area. A number of important observations can however be made in this regard:
  - Elevated levels of air pollution, especially during the winter months, are common in the area due to the extensive use of firewood and fossil fuels for heating and cooking purposes.
  - High levels of environmental pollution are evident resulting from the absence of any form of waste collection and management system within the area.

## 7.5 EXISTING SETTLEMENT ASPECTS

As far as the **settlement characteristics** of the study area are concerned, the key aspects can be summarized as follows:

- The entire project area is characterised by the KwaZulu-Natal Sandstone Sourveld and the Moist Coast Hinterland Grassland vegetation types.
- The project area is characterized by medium density scattered rural iMuzi settlement.
- Residents are generally reluctant to move or relocate due to the fact that they bury their dead within their familial iMuzi.

## 7.6 RECOMMENDATIONS

Based on the existing available desktop overview, it does not appear as if there are any material barriers to the proposed rural housing development from an environmental impact perspective. The specific impacts which can be anticipated and may have to be managed during the implementation phase will only be known once the exact project extent, location and characteristics have been finalized. Some potential mitigation measures include the following:

- Remove invasive alien vegetation at the project sites.
- Soil erosion on site must be prevented during the pre-construction, construction and operational phases.
- Suitable erosion control measures must be implemented in all areas potentially sensitive to erosion such as near water supply points edges of slopes etc.
- Ventilated improved pit toilets must be located away from drainage lines, boreholes and natural springs and at a sufficient distance from the 1: 100 year flood line in watercourses.
- KwaZulu Natal Amafa has to comment on the need for an archaeological assessment for the proposed development in accordance with Section 41 of the KwaZulu Natal Amafa and Research Institute Act (Act No. 05 of 2018).
- A solid waste management plan must be formulated for the areas addressing aspects such as the collection, sorting, recycling and disposal of waste.
- Provision of litter containers in public places to address the litter problem.
- No development is to take place within the 32m buffer of rivers, streams and wetlands.
- No development is to take place on slopes that are steeper than 1:3.

- The following waste management principles should be taken into consideration during construction and operation phases:
  - The excavation and use of rubbish pits on site or the burning of waste at the construction camp is forbidden.
  - Refuse must be placed in designated skips or bins in the camp area and at construction sites. These should remain within demarcated waste areas and should be covered to prevent refuse from being blown out by wind and attraction of vermin.
  - Recycling is to be encouraged by providing separate bins for different types of waste and making sure that staff is aware of their uses.
  - Littering in the camp area or on site is forbidden and the site must be cleared of litter at the end of each working day.
  - Skips and bins must be emptied regularly (at least two-weekly), removed from the camp site and construction sites and transported to a DEDTEA-registered recycling and waste facility.
  - Waste from chemical toilets should be disposed of regularly at a certified waste facility by a registered waste contractor. Care must be taken to avoid contamination of soils and water and pollution of construction sites and adjoining areas.
  - Beneficiaries are not to burn any form of waste.
  - Waste is to be moved on a weekly or bi-weekly basis.

## 7.7 LEGISLATIVE REQUIREMENTS

Possible considerations from a legislation point of view are briefly summarized in the Table below.

Act <sup>1</sup>	Section <sup>1</sup>	Summary of requirement <sup>1</sup>	Implication for project
National Water Act (Act 36 of 1998) and regulations	S21, 32, 41	"Water use" in terms of the Act includes "impeding or diverting the flow of water in a watercourse" and "altering the bed, banks, course or characteristics of a watercourse". Department of Water Affairs and Forestry will require water licences for all water uses unless the water use is an "existing lawful water use", or it is a permissible water use in terms of the Schedule 1 of the Act or can be generally authorized. It is advised that the Department of Water Affairs and Forestry be consulted as to their licensing requirements for each development. Licences are not required where water is obtained from the local council or another bulk water supplier.	If part of the rural housing subsidy will be utilized for the provision of water the necessary permits will have to be obtained from the Department of Water Affairs and Forestry (depending on the existing water service authority and water service provider arrangement in the area)
	S144	A person is prohibited from establishing a township unless the layout plan shows, in a form acceptable to the local authority, the 1/100 year flood level, for the purposes of ensuring that all persons who might be affected have access to information regarding potential flood hazards.	Depending on the exact location of the housing components, a 1/100 year floodline will have to be determined.
Water Services Act (Act 108 of 1997)	S6	Access to water services must be through a nominated water services provider, failing which approval should be obtained from the water services authority.	Applicable if water provision will form part of the subsidy application.
Water Services Act (Act 108 of 1997)	S7	Water for industrial use must be obtained through a nominated water services provider and no person may dispose of industrial effluent in any manner other than that approved by the water services provider	It is not anticipated at this stage that any industrial development will form part of the rural housing development project.

		nominated by the water services authority having jurisdiction in the area of question.	
Environmental Conservation Act (Act 73 of 1989)	S20	Waste must be disposed of at a waste disposal facility licensed in terms of the provisions of the Act. Any hazardous waste such as paints, varnishes, waste oils etc accumulated at the construction sites must be disposed of at hazardous waste sites. If waste dumps are established for housing developments, a waste disposal license will be required from the Department of Water Affairs and Forestry.	A waste disposal license for a waste dump will be required if a formal waste collection and removal system is implemented as part of housing project. Waste which is may be generated during the construction process, will have to appropriately disposed of.
National Building Regulations and Building Standards Act (Act 103 of 1997) and Regulations	Reg F6 of Part F	No person may on specified days and during specified times generate noise from a construction site which may unreasonably disturb or interfere with the amenity of the neighborhood, unless authorized to do so by the local authority.	Appropriate specifications will have to be included in the tender documentation
National Heritage Resources Act (Act 25 of 1999)	S34	No person may alter or demolish any structure or part of a structure that is older than 60 years without a permit issued by the relevant provincial heritage resources authority	The existence of graves, archaeological or palaeontological sites will have to be further investigated, once the exact location of the housing project components is known.
	S35	No person may, without a permit issued by the responsible heritage resources authority destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site.	
	S36	No person may, without a permit issued by the South African Heritage Resources Association or a provincial heritage resources authority, destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by the local authority. "Grave" is widely defined in the Act to include the contents, headstone or other marker of such a place, and any other structure on or associated with such place.	
National Forest Act (Act 84 of 1998)	CH 3 Part 1	There is a prohibition against damaging or cutting protected indigenous trees unless a license has been obtained or an exemption has been published in the Government Gazette.	Indigenous trees will have to be protected, where possible, during the implementation phase of the project
Conservation of Agricultural Resources Act (Act 43 of 1983 and GN R1048)		This regulation requires the control of weeds and invader plants, which occur on any land or inland water surface in SA. Category 1 plants are declared weeds and may only occur in biological control reserves. Category 2 plants are declared invader plants and may only occur in demarcated areas and biological control reserves. Category 3 plants are declared invader plants and may occur in biological control reserves. All weeds and invader plants not within the demarcated areas or biological control reserves must be eradicated and control methods are stipulated	Weeds and invader plans should be eradicated if occurring at the final project location.
National Building Regulations and Building Standards Act (Act 103 of 1997) and Regulations R2378	Reg F6 of Part F	The owner of any land on which excavation work is in progress must take precautions in the working area and on surrounding roads and footways to limit to a reasonable level the amount of dust arising from these areas.	Appropriate stipulations should be included in the tender documentation for construction.
Minerals Act (Act 50 of 1991)	S 5 and 9	No person may prospect or mine for any mineral without the necessary authorization granted to him in accordance with the provisions of the Minerals Act (Act 50 of 1991). Should construction material be excavated from borrow pits, the provision of the Minerals Act, are applicable and the Department of Minerals and Energy needs to be contacted in order to determine their requirements in this regard.	If any borrow pits are to be excavated during the construction process in the implementation phase, the necessary permits will have to be acquired from the Department of Minerals and Energy.

<sup>1</sup> National Department of Housing – Environmental services for Housing developments

## 8 CONCLUSION

In view of the summary conclusions outlined above, as well as the fact that the project entails the construction of new houses within the boundaries of existing iMuzi's (in-situ upgrading), it is our view that the project will not impact negatively on the environment. The project will in fact provide suitable living conditions to the rural community and contribute to Rural Development.

It should be noted that from past experience on similar projects, Environmental Authorisation was not required. There will be no construction of roads and no development within 32m of any watercourses. It is important to ensure that no listed activities are triggered during construction. Should there be removal of 1ha or more of indigenous vegetation or should activities listed below be triggered, Environmental Authorisation from DEDTEA will then be required for the proposed project. Specific attention needs to be paid to the following activities that could be triggered if contractors are not made aware of it:

**Table 8.1: Activities that may be triggered without proper monitoring**

Listed Activities	Description of Activity	Potential to be Triggered
Activity 12 of GN.R. 327	<p>The development of –</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more; Where such development occurs –</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback exists, within 32 metres of a watercourse;</p> <p>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 exists, within 32 metres of a watercourse, measured from the edge of a watercourse</p> <p>Excluding –</p> <p>(aa) 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>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p>	Although each imuzi to be constructed will be 42 square metres, the cumulative impact will be larger than 100 square metres hence no development is to take place within 32m of any watercourse.

	<p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activities applies;</p> <p>(dd) where such development occurs within an urban area</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of commencement of development and where indigenous vegetation will be cleared.</p>	
Activity 19 of GN.R. 327	<p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging of, excavation, removal of soil, sand, shells, shell grit, pebbles or rocks of more than 10 cubic metres from a watercourse;</p> <p>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; or</p> <p>(c) falls within the ambit of activity 21 in this Notice, in</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>Temporary access to the project area might be through a stream. Therefore, no crossings of watercourses are permitted.</p> <p>There are to be no sanding wining activities that are to take place within the rivers or river beds.</p>