

ENVIRONMENTAL IMPACT ASSESSMENT BACKGROUND INFORMATION DOCUMENT



THE PROPOSED ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT ZONE (IDZ) ON PORTION 123 OF THE FARM ESTATE KLEIN ZEEKOE RIVER 335, WITHIN THE KOUGA LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE

INTRODUCTION

Habitat Link Consulting (Pty) Ltd has been appointed to apply for an Environmental Authorisation (EA) for the abovementioned project. Notice is hereby given in terms of the National Environmental Management Act (NEMA) (Act No. 107 of 1998, as amended) of the proposed Industrial Development Zone (IDZ) on Portion 123 of the Farm Estate Klein Zeekoe River 335, located within the Kouga Local Municipality, Eastern Cape Province (Figure 1).

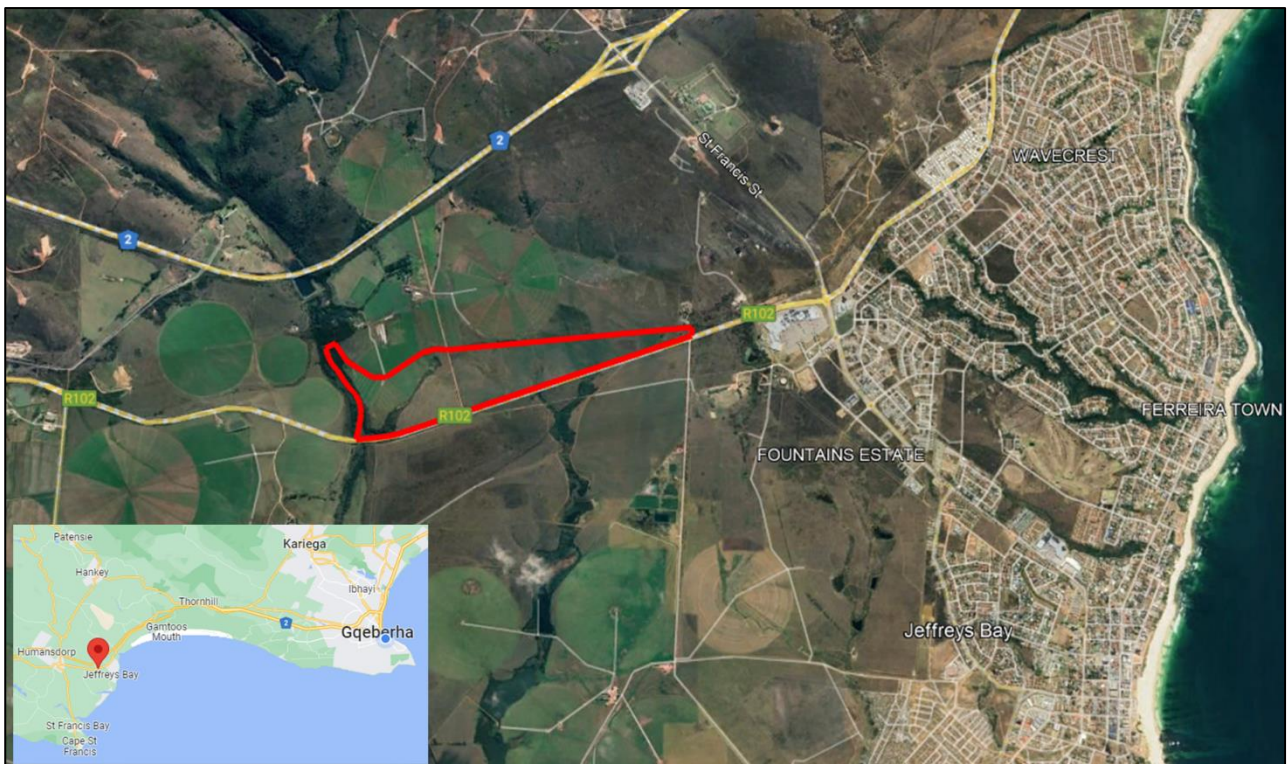


Figure 1: Locality map of Portion 123 of the Farm Estate Klein Zeekoe River 335, within the Kouga Local Municipality.

AIM OF THIS DOCUMENT

The purpose of this Background Information Document (BID) is to ensure that people who are interested in, or affected by, the proposed project are provided with the relevant information, including the process being followed. Registering as an Interested and/or Affected Party (I&AP) allows individuals or groups to contribute ideas, issues, and concerns relating to the proposed project. I&APs also have an opportunity to review all of the reports and submit their comments on these reports. All of the comments that are received will be included in the final reports that are submitted to the Competent Authority (CA). All I&APs are hereby invited to register their interest and submit initial comments on any aspect of the project.

PROJECT DESCRIPTION

The economy of Jeffreys Bay and the wider Kouga Local Municipality is largely based on industrial activities with an increasing demand for industrial development space. The proposed development will contribute to the socio-economic development area as not only will a number of jobs be created for the construction of the IDZ, but a number of permanent employment opportunities can be realised when new industries are established in the area.

The development will involve the subdivision of the subject property to facilitate its use for light industrial purposes, including warehousing, light manufacturing, storage as well as facilities for the service and trade industry. The term 'light industry' specifically excludes any noxious industries, which are commonly associated with other industrial areas. A total of approximately 44 hectares of the 81 hectare property will be developed in a phased manner and will include industrial zones, transport zones and open space areas (Figure 2).

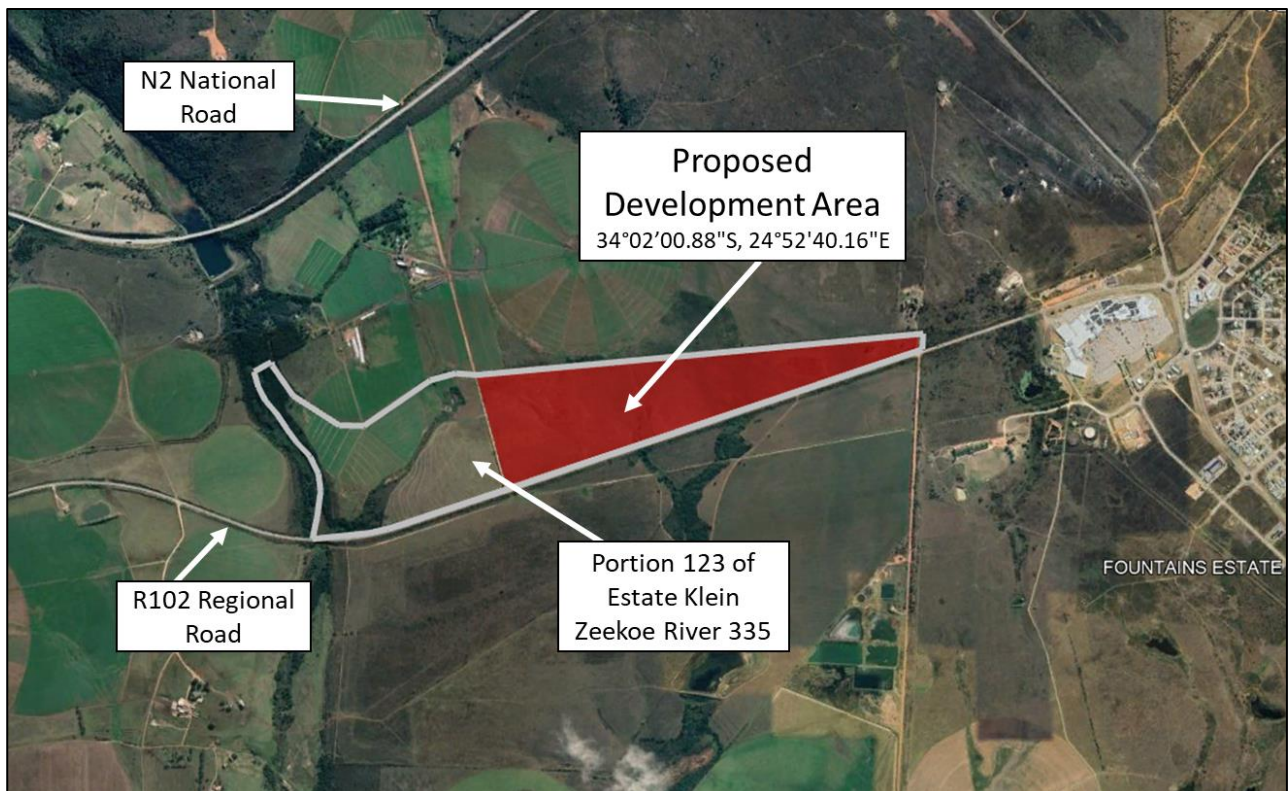


Figure 2: Proposed Klein Zeekoe IDZ.

Access to the development area will be obtained from the R102, which runs along the southern boundary of the site. Water will likely be sourced from an existing borehole(s) within or adjacent to the property. The applicant proposes to develop on-site water purification and wastewater treatment facilities, while connecting to existing municipal electricity infrastructure, supplemented by solar power and inverters wherever possible.

The proposed development site is located within the Garden Route Biosphere Reserve as per the South African Conservation Areas Database (SACAD, 2022). It is also situated within a Critical Biodiversity Area (CBA) and an Ecological Support Area (ESA) as per the Eastern Cape Biodiversity Conservation Plan (ECBCP, 2019). According to the South African National Biodiversity Institute vegetation map (SANBI, 2018), the proposed development site is located within Kouga Grassy Sandstone Fynbos and Sundays Mesic Thicket vegetation, although in reality the site has been completely transformed for the purposes of cattle grazing. The proposed project area is in close proximity to a number of rivers and wetlands as defined by the National Freshwater Ecosystem Priority Areas (NFEPA) database (Figure 3).



Figure 3: Map showing the project property in relation to nearby non-perennial drainage lines, inclusive of their 32m and 100m buffers.

APPLICABLE LEGISLATION

National Environmental Management Act (NEMA) (Act No. 107 of 1998, as amended)

The proposed development constitutes listed activities in terms of the 2014 EIA Regulations (as amended) as promulgated under NEMA. As such, the proposed development requires an EA prior to commencement of construction and operation. The following listed activities published in GN R. 983, 984 and 985 (as amended in GN R. 327, 325 and 324) are likely to be triggered:

No.	Description	Triggering activity
LISTING NOTICE 1 – GN R. 983 (GN R. 327)		
Activity 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.	The proposed development may involve the removal and depositing of soil of more than 10m ³ over areas that traverse non-perennial drainage lines or temporary wetland areas. The applicability of this activity will be determined during the EIA process.
Activity 24	The development of a road— (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road— (c) which is 1 kilometre or shorter.	Although unlikely, the development of the IDZ may include roads wider than 8m and longer than 1km. The applicability of this activity will be determined during the EIA process.

No.	Description	Triggering activity
Activity 25	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 2 000 cubic metres but less than 15 000 cubic metres.	The proposed IDZ may include the development of infrastructure for the treatment of effluent that exceeds a capacity of 2 000 m ³ . The applicability of this activity will be determined during the EIA process.
Activity 28	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.	The proposed industrial development will exceed 5 ha and is located on land that has been utilised for agricultural purposes after 1 April 1998.
LISTING NOTICE 2 – GN R. 984 (GN R. 325)		
Activity 15	The clearance of an area of 20 hectares or more of indigenous vegetation.	The proposed development will require the clearance of more than 20 ha of vegetation that is defined as ‘indigenous’. <i>“Indigenous vegetation”</i> refers to vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years.
LISTING NOTICE 3 – GN R. 985 (GN R. 324)		
Activity 2	The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres. a. Eastern Cape ii. Outside urban areas, in: (dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.	The proposed IDZ may include the development of a reservoir(s), for the storage of water, that exceeds a capacity of 250 m ³ . The property is located within a CBA according to the ECBCP (2019) and is located within 5km of protected areas.
Activity 4	The development of a road wider than 4 metres with a reserve less than 13,5 metres. a. Eastern Cape ii. Outside urban areas, in: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas;	The development of the IDZ will likely include roads wider than 4m. The property is located within a CBA according to the ECBCP (2019) and is located within 5km of protected areas.
Activity 12	The clearance of an area of 300 square metres or more of indigenous vegetation. a. Eastern Cape i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.	The proposed development site will require clearance of more than 300m ² of indigenous vegetation. A section of the property is located within an area identified as Humansdorp Shale Renosterveld, which is an endangered ecosystem according to the NEMBA.

Based on the listed activity identified in Listing Notice 2, the proposed project will be subject to **scoping and environmental impact reporting (S&EIR)** process. In order to comply with the NEMA, the impacts associated with the activities listed above will need to be identified and assessed during this process and will include the necessary specialist studies. The Competent Authority (CA) for this project is identified as the Member of the Executive Council (MEC) of the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT).

National Water Act (NWA) (Act No. 36 of 1998, as amended)

The NWA is the primary regulatory legislation for the control, management and use of water resources. Section 21 of the NWA sets out water uses that may require registration or licencing. This includes any development activities that may impact upon the flow and function of watercourses. The proposed development may occur within 500 m of a wetland and/or 100m of a natural drainage line. As such, the need for a Section 21 (c) and (i) water use authorisation (WUA) will need to be discussed with the Department of Water and Sanitation (DWS). Should a WUA be required, this will be undertaken in parallel with the S&EIR process. Furthermore, abstraction from boreholes will require authorisation in terms of Section 21(a) of the NWA, inclusive of the relevant geohydrological studies.

National Heritage Resources Act (NHRA) (Act No. 25 of 1999, as amended)

The NHRA provides for the protection and management of South Africa's heritage resources. Section 38 of the NHRA notes that *'any person who intends to undertake a development categorised as—*

(c) any development or other activity which will change the character of a site—

(i) exceeding 5 000 m² in extent

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.'

The proposed development will change the character of the site. As such, a Heritage Notice of Intent to Develop (NID) will thus need to be submitted to the provincial heritage authority, along with a Heritage Assessment. This will be undertaken in conjunction with the NEMA process.

POTENTIAL IMPACTS ASSOCIATED WITH THE DEVELOPMENT

The following preliminary environmental issues have been identified and will be investigated during the application process:

- Loss of vegetation communities;
- Impacts on biodiversity and plant Species of Conservation Concern;
- Disruption of ecosystem function and processes (e.g. invasion of alien plant species);
- Impact on potential faunal habitats;
- Impact on water availability, specifically groundwater resources;
- Impact on services availability, specifically electricity capacity;
- Storm water and erosion;
- Impact on aquatic systems;
- Soil compaction and sedimentation;
- Dust, noise and other nuisance aspects;
- Generation of waste and effluent;
- Impact on visual aesthetics and sense of place;
- Loss of sites of archaeological and/or palaeontological importance;
- Employment creation and socio-economic benefits.

These and other impacts will be assessed in detail during the S&EIR process and mitigation measures to reduce the significance of the negative impacts will be provided in the Environmental Management Programme (EMPr).

SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

The listed activities trigger the requirement of an S&EIR process (Figure 4). This process is initiated through a scoping phase as dictated by Section 21 of the 2014 NEMA EIA Regulations (as amended). The scoping process serves to bring stakeholders on board by means of consultation with relevant government departments, allowing for the identification of potential issues and concerns at the onset of the study. After completion of the scoping phase, detailed specialist studies will be undertaken in order to address issues identified during the scoping phase. The drafting of the EIA report is then undertaken in accordance with Section 23 of the 2014 NEMA EIA Regulations (as amended). All draft reports are submitted for public review as per Section 41 of the regulations. The recommendations cited in the EIA report are detailed in an EMP, which defines the actions to be implemented, and is required to be submitted alongside the EIA report.

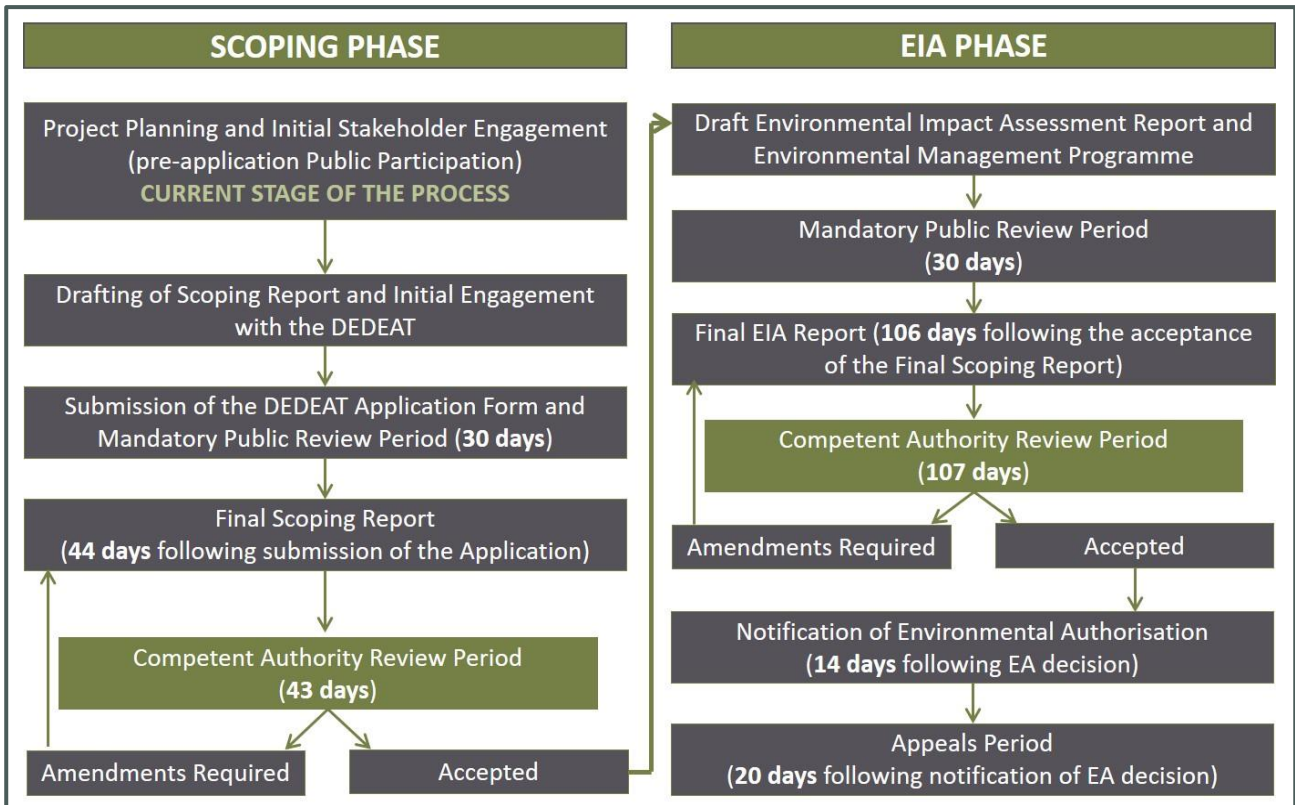


Figure 4: Scoping and Environmental Impact Reporting (S&EIR) process.

INVITATION TO COMMENT

In terms of the NEMA, public participation forms an integral part of the Basic Assessment process. The Public Participation Process (PPP) provides people who may be affected by the proposed development with an opportunity to provide comment and to raise issues of concern about the project, or to make suggestions that may result in enhanced benefits for the project. Should you wish to express your views regarding this proposed development, please send us your written comments. The names of all registered Interested and Affected Parties (I&APs), together with the comments received, will be incorporated into the IRT and will be submitted to the competent authority (DEDEAT).

Please submit your name, contact information (address, telephone number and email address) and any written comments to Habitat Link Consulting:



Postal Address: 117 Cape Road, Mount Croix, Port Elizabeth, 6001
 Tel or WhatsApp: 082 930 8711
 Email: comments@habitatlink.co.za or roberto@habitatlink.co.za