

NOTICE OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION & WATER USE AUTHORISATION

THE REHABILITATION OF A CULVERT ALONG THE EXISTING P230 FROM KM 37,0 TO KM 47,0, EMPANGENI, KWAZULU-NATAL



BACKGROUND INFORMATION DOCUMENT

(JUNE 2017)

EDTEA REFERENCE NO: To be confirmed

DWS REFERENCE NO: To be confirmed

What does this document tell you?

This document aims to provide you, as an **Interested and Affected Party (I&AP)**, with background information regarding the **initiative by the KwaZulu-Natal Department of Transport (KZN DoT), Empangeni Road Rehabilitation Programme, which aims at rehabilitating an existing culvert on the P230 from kilometre (km) 37.0 (intersection with P393) to km 47.0 (Empangeni), KwaZulu-Natal.**

This document provides information regarding the **Basic Assessment (BA)** and **Water Use Authorisation (WUA)** being undertaken, and also advises you on how you can become involved in the project – by reviewing information, and making inputs thereon, including raising any possible issues. This sharing of information forms the basis of the **public participation process** and offers you the opportunity to become actively involved in the project from the outset. Public participation allows for local knowledge to be integrated into the BA as generated.

What does the project entail?

The project can be summarised as follows:

Project name	Rehabilitation of a culvert along the existing P230 from km 37,0 to km 47.0, Empangeni, KwaZulu-Natal			
Applicant	KwaZulu-Natal Department of Transport (KZN DoT)			
Local authority	uMhlathuze Local Municipality within the King Cetshwayo District Municipality - KwaZulu-Natal			
Competent Authority – CA)	Department of Economic Development, Tourism and Environmental Affairs (EDTEA), King Cetshwayo District (Environmental Authorisation - EA) and Department of Water and Sanitation (Water Use Authorisation - WUA)			
Landowner(s)	Thornhill Estates			
Property details	21 Digit Reference Number	Farm Name		
	NOGU00000001241700000	Farm 12417 Empangeni		
Co-ordinates	Road Details	Watercourse(s) within 500m buffer	Start Point of Road Rehabilitation	End Point of Road Rehabilitation
	P 230		Channelled valley-bottom wetland; Seep wetland; Seasonal River	28° 44' 16" S 31° 47' 49" E
	Culvert Details	Culvert location		
	Culvert 1	28° 43' 29.79" S 31° 50' 14.28" E		
Location	The work to be carried-out commences at the intersection of P393 and P230, km 37,0 to km 47,0 at Empangeni, uMhlathuze Local Municipality, KwaZulu-Natal.			

Description of the proposed project

The project is located in the eastern part of the Province of KwaZulu-Natal. The work to be carried-out commences at the intersection of the P393 and P230, km 37,0 to km 47,0, uMhlathuze Local Municipality at Empangeni.

The P230 is a single carriageway road with an existing surface width of approximately 9,0m. This project aims at

rehabilitating approximately 10,0km of the P230 road while increasing the width of the road to 10,0m which would consist of two 3,5m lanes; two 1,5m surfaced shoulders and the construction of 1,0m wide gravel shoulders on both sides of the road and the replacement of one culvert at a water crossing. The proposed rehabilitation work is to be carried-out using half-width construction with stop/go conditions during the day and traffic signals at night.

Access to the site of the works can be obtained from either the Melmoth P47/4 (R34) / Eshowe P47/4 (R66) direction at km 37,0 or from the Empangeni P230 (R34) direction at km 47,0.

The proposed rehabilitation comprises the bulk earthworks, layerworks, surfacing, drainage work, ancillary works and replacement of one culvert required for the rehabilitation. As the rehabilitation of the road (i.e. bulk earthworks, layerworks, surfacing and ancillary works) did not trigger any listed activities, these activities could proceed whilst the Basic Assessment (BA) study for the culvert replacement is being undertaken. **Therefore, the application at hand is specific to the culvert replacement only.** There is no way of confirming the age of the culvert as there are no as-built drawings available and the culvert does not have it on the structure. The bridge engineer confirms that it is definitely not older than 60 years.



Figure 1: Location contextualisation of study area

What are the potential environmental impacts associated with the proposed project?

Potential environmental impacts associated with the project have been identified. Therefore, as part of the BA, these potential impacts will be assessed through the following specialist study:

Specialist Study	Organisation
Freshwater Habitat Assessment	Eco-Pulse Environmental Consulting Services

The EIA Regulations (2014 as amended in 2017) requires the Environmental Assessment Practitioner (EAP) to be independent, objective and have expertise in conducting EIAs. Such expertise should include knowledge of all relevant legislation and of any guidelines that have relevance to the proposed activity. To ensure a lack of bias and to ensure transparency an external peer review will be undertaken prior to the public review during the formal BA process. This peer review will be conducted by Kinvig & Associates Environmental Consultants.

Input from the public through the public participation process provides valuable input in the identification of issues requiring investigation within this BA process. The study will highlight areas that should be avoided in order to minimise potential impacts, and evaluate the project alternatives. The BA will aim to achieve the following:

- Provide an overall assessment of the social and biophysical environments of the affected area by the proposed construction of the project;
- Undertake a detailed assessment of the culvert replacement in terms of environmental criteria including the rating of significant impacts;
- Identify and recommend appropriate mitigation measures for potentially significant environmental impacts; and
- Undertake a fully inclusive public participation process to ensure that I&AP issues and concerns are recorded and commented on.

Why are environmental studies needed?

In terms of the **Environmental Impact Assessment (EIA) Regulations** Government Notice Regulation (GNR) 983 – 985 (amended by GNR 324 to 327 of 2017), published in terms of Section 24(5), and read with Section 44, of the National Environmental Management Act (NEMA) (Act No. 107 of 1998), the KZN DoT requires an Environmental Authorisation (EA) from the KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA) for undertaking the proposed project as it includes activities listed under Listing Notices 1 - 3 of the EIA Regulations (2014 as amended in 2017).

The following activities of GNR 983 are being applied for:

- Activity 19 – The infilling or depositing of any material of more than 10 m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 m³ from a watercourse.

Activities under these listings may have an effect on the environment, hence a Basic Assessment (BA) study as prescribed in Regulations 16 to 20 and Appendix 1 for a BA study and Regulations 16 – 18, 21-24 and Appendix 2 and 3 of the EIA Regulations (2014 as amended in 2017), will be undertaken. A BA is an effective planning and decision-making tool, which allows for the identification of potential environmental consequences of a proposed project, and its management through the planning process.

Additionally, as the project involves the crossing of watercourses, a Water Use Authorisation (WUA) will be submitted to the Department of Water and Sanitation (DWS) as per Sections 21 (c) and (i) of the National Water Act (Act No. 36 of 1998).

The following water uses of Section 21 of the NWA are being applied for:

- (c) Impeding or diverting the flow of water in a watercourse; and
- (i) Altering the bed, banks, course or characteristics of a watercourse.

The KZN DoT has appointed Royal HaskoningDHV to provide independent Environmental Assessment Practitioner (EAP) services for the proposed project. As part of these environmental studies, all I&APs will be actively involved through a public participation process (PPP).

Public Participation Process (PPP)

It is important that relevant I&APs are identified and involved in the PPP from the outset of the project.

To ensure effective public participation, the process includes the following steps during the BA and WUA Process:

- STEP 1: Create awareness of the BA and WUA process (by way of advertisement in local newspaper, circulation of BID [this document] and erection of site notices);
- STEP 2: Register I&APs and key stakeholders on the database (on-going);
- STEP 3: Consultation with, and transfer of information to, I&APs through consultation and stakeholder engagement;
- STEP 4: Invite I&AP comment and input on the draft consultation BA report (BAR) (30-day comment period); and
- STEP 5: Record all comments, issues and concerns raised by I&APs within an issues trail, which will form an integral part of the BAR and WUA.

How can you get involved?

If you consider yourself an I&AP for this proposed project, we urge you to become involved.

- By responding (by phone, fax or e-mail) to our invitation for your involvement in the process.
- By completing the attached comment form and mailing or faxing it to **Clive Zwane** at Royal HaskoningDHV.
- In writing contacting consultants if you have a query, comment or require further project information.
- By reviewing and commenting on the draft consultation BAR within the allowed 30-day review periods.

Your input into this process forms a key part of the environmental studies and we would like to hear from you to obtain your views on the proposed project.

By completing and submitting the accompanying response form, you automatically register yourself as an I&AP for this project, and ensure that your comments, concerns and/or queries raised regarding the project will be noted.

Comments and queries on the project can be directed to

Clive Zwane Royal HaskoningDHV	PO Box 1243, Umhlanga Rocks, 4320		
	Tel	087 350 6783	
	Email	clive.zwane@rhdhv.com	

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YOUR COMMENTS AND QUERIES ARE WELCOME

Please **complete** this Comment Form **in full** and return to:

Clive Zwane Royal HaskoningDHV	PO Box 1243, Umhlanga Rocks, 4320		
	Tel	087 350 6783	
	Email	clive.zwane@rhdhv.com	

Title (Prof/Mr/Mrs)		First name	
Surname			
Capacity (e.g. Secretary / Director)			
Organisation			
Postal address		Postal code	
Tel No. ()		Cell No.	
Fax No. ()		Email address	

What comments / concerns would you like to raise regarding this proposed project? (Please use additional pages, if required)

PLEASE REGISTER THE FOLLOWING PERSON(S) ON THE PROJECT DATABASE:

Title (Prof/Mr/Mrs)		First name	
Surname			
Capacity (e.g. Secretary / Director)			
Organisation			
Postal address		Postal code	
Tel No. ()		Cell No.	
Fax No. ()		Email address	

Signature	
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IF YOU PREFER NOT TO RECEIVE ANY FURTHER INFORMATION REGARDING THIS PROPOSED PROJECT, AND, WOULD PREFER TO BE REMOVED FROM THE PROJECT DATABASE, PLEASE TICK THE BOX BELOW AND RETURN THE FORM TO THE PUBLIC PARTICIPATION CONSULTANTS (CONTACT DETAILS AS PROVIDED ABOVE).

Yes, remove my name