

NOTICE OF APPLICATIONS FOR ENVIRONMENTAL AUTHORISATION & WATER USE AUTHORISATION FOR:

THE PROPOSED PLANNING & DESIGN FOR THE MAINTENANCE AND/OR UPGRADE OF THE PATROL ROADS AND FENCING ON THE BORDERS BETWEEN RSA, SWAZILAND & MOZAMBIQUE – PHASE 1



public works

Department:
Public Works
REPUBLIC OF SOUTH AFRICA



BACKGROUND INFORMATION DOCUMENT

(March 2018)

DEA REF NO: TBC

DWS REF NO: TBC

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 proposed **development of the proposed Planning & Design for the Maintenance and/or Upgrade of the Patrol Roads and Fencing on the Borders between RSA, Swaziland & Mozambique – Phase 1 Project located on the international border between South Africa and Mozambique in the KwaZulu-Natal Province**, being undertaken by the **National Department of Public Works (DPW)**.

The document also provides information regarding the **Basic Assessment (BA) and Water Use Authorisation (WUA)** process to be undertaken. The document 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.

PROJECT BACKGROUND

The protection of South Africa's borders serves to:

- prevent the illegal movement of people, goods (to avoid payment of duty) or contraband;
- prevent the movement of produce or livestock that may lead to the spread of infectious animal disease and
- promote the lawful entry and exit of goods and people.

In order to ensure that the required infrastructure is constructed to enable the responsible organs of state to effectively execute their respective responsibilities towards the above objectives, the DPW has commissioned the Planning and Design for Maintenance and / or Upgrade of the Patrol Roads and Fencing on the borders between, RSA, Swaziland and Mozambique.

The following have been identified as the priority focus of border security functions:

- To ensure that fences are erected to manage the particular risk associated with each section of the border. This includes:
 - Preventing the movement of elephants (damaging disease control fences).
 - Preventing the movement of livestock.
 - Preventing the crossing of stolen vehicles.
 - Prevent the smuggling of contraband.
 - Control the movement of people, in line with the Department of Home Affairs directives.
- To ensure that the border is clearly marked, to avoid mistaken illegal crossing into South Africa and to enable prosecution in the case of illegal crossing.
- To ensure that patrol roads, tracks and associated infrastructure are available to monitor the border and to respond to cases of illegal crossings.

- To ensure appropriate access for the responsible Departments' personnel to the border patrol infrastructure. These include: officials from the Department of Agriculture, Forestry and Fisheries (DAFF) to monitor disease control stock fences and personnel from the South African National Defence Force (SANDF), to guard and patrol the border.

DESCRIPTION OF THE PROPOSED PROJECT

The Project entails the upgrading and development of border control infrastructure along a section of the South Africa (KwaZulu-Natal)-Mozambique Border. The Department of Public Works (DPW) as the applicant, in conjunction with the KwaZulu-Natal Department of Transport (KZN DoT) as the implementing agent are proposing the upgrade of existing infrastructure, and development of new infrastructure along a portion of the northern KwaZulu-Natal border in the north-eastern part of the Province. This application is termed the 'Phase 1' application and forms a component of a wider project being undertaken by the Department of Public Works for the upgrading of border control infrastructure along the South Africa-Swaziland border and the southern part of the South Africa (KZN)-Mozambique border.

The project is being undertaken by the DPW in conjunction with the Department of Agriculture Forestry and Fisheries (DAFF) and the South African National Defence Force (SANDF) as end users. The Phase 1 section of the wider project is being prioritised for development as it is considered a 'high risk' area where significant numbers of stolen vehicles are currently being trafficked into Mozambique from South Africa.

PROJECT LOCALITY

An application for environmental authorisation is being lodged for a fifty (50) meter-wide corridor (as measured from the existing border fence) for a fifty four (54) km long section of the international border with Mozambique, from the high water mark of the Indian Ocean near Kosi Bay (KM0) to the eastern boundary of the Ndumo Game Reserve (KM54).

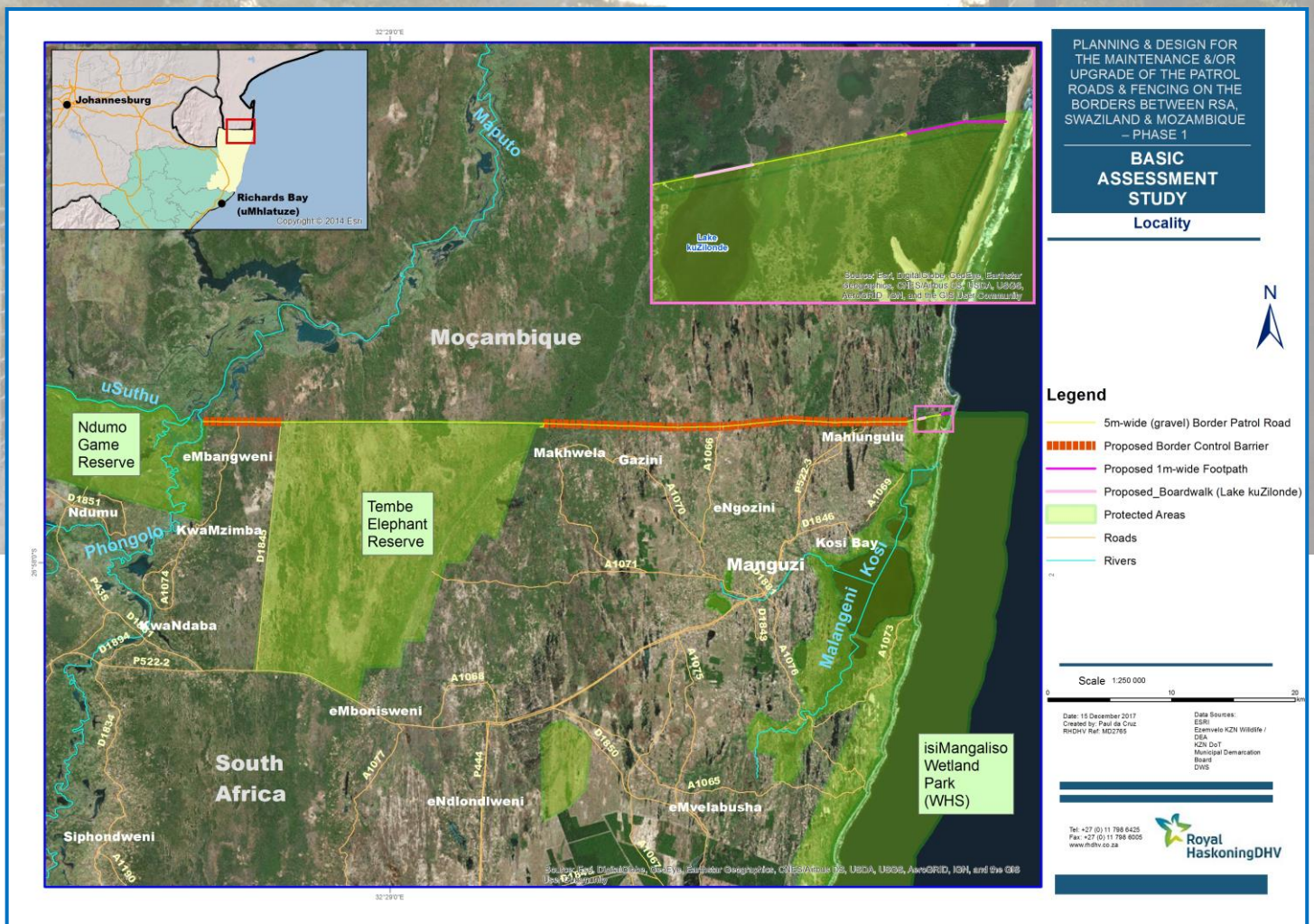


Figure 1: Project Location

LAND OWNERSHIP

The majority of the project area is registered in the name of the Ingonyama Trust Board (ITB). Parts of the ITB land have formally been proclaimed as World Heritage Sites (iSimangaliso Wetland Park) and as formally protected areas (including the Tembe Elephant Reserve and Ndumo Game Reserve).

PROJECT PROPOSAL

The proposed typical infrastructure that will be developed within this servitude will include the following components: three (3) fences, a 5.5m patrol road, a 10m detection zone and a total servitude width of 100ft (30.48m). A description of each of the infrastructure components is provided below.

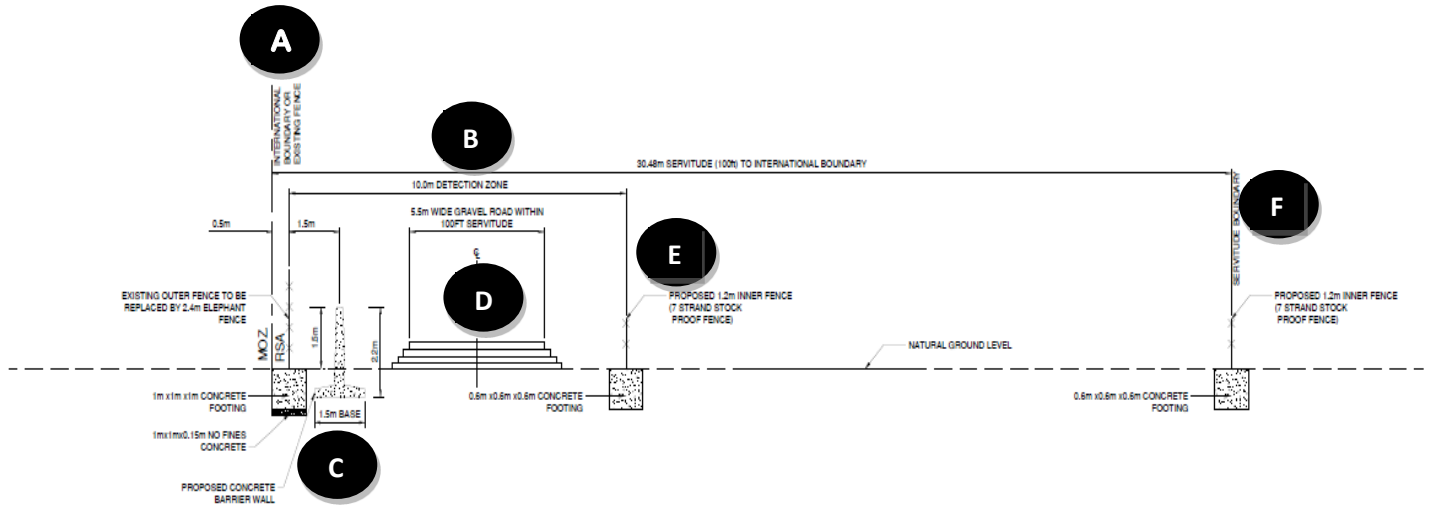


Figure 2: Typical infrastructure within the 30m servitude

- A. International border fence** – typically a 2.4m high elephant fence, a requirement from DAFF to prevent elephants and other wildlife from crossing into South Africa and spreading foot-and-mouth disease. The elephant fence will be replaced by a 2.4m high mesh fence (ClearVu® or similar approved) for a length of 1km either side of the Farazela Border Post to prevent pedestrian crossings as required by SANDF.
- B. 10m wide detection zone** - cleared of vegetation between the international border fence and the inner fence. This is a requirement by SANDF to provide protection for their staff patrolling the international boundary to provide them with a clear, uninterrupted view of the border.
- C. 1.5m high concrete barrier structure** - along two portions of the Phase 1 alignment – between the western boundary of iSimangaliso Wetland Park and the eastern boundary of the Tembe Elephant Park (26.3km) and between the western boundary of the Tembe Elephant Park and the western boundary of the Ndumo Game Reserve(5.7km). The aim of the barrier is to prevent the illegal movement of stolen vehicles across the international border.
- D. 5.5m wide gravel border patrol road** - typically within the detection zone as a requirement by SANDF to allow for border patrol vehicles to travel along the border. This road will also be used by DAFF staff to inspect the fence.
Note: The border patrol road will be replaced by a **wooden ‘boardwalk’ structure** for the use of all-terrain vehicles (ATVs) across Lake kuZilonde within the iSimangaliso Wetland Park
Note: No road will be developed across the primary dune primary dune at the Indian Ocean near Kosi Bay, instead a **1m-wide footpath** extending from the western foot of the dune to the high water mark of the sea will be developed.
- E. 1.2m high stock-proof inner fence** - 10m away from the international fence within RSA. This purpose of this inner fence is to prevent animals within RSA territory from grazing adjacent to the international border fence and potentially contracting aeri-ally-borne infectious diseases from animals in Mozambique.
- F. 1.2m high stock-proof outer fence** – on the 100ft (30.48m) edge (optional, where viable).

In addition to the above infrastructure, the following components form part of the project scope:

- **An existing access road to the Muzi Camp** on the eastern border of the Tembe Elephant Park(to be used for operational use) will be upgraded.
- A **5ha construction camp** near the Farazela Border Post.
- Other **construction camps / lay-down areas** – will be located within the 50m servitude.

WHAT ARE THE POTENTIAL ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT?

Large parts of the Phase 1 study area are designated as environmental sensitive geographical areas i.e. World Heritage Sites, Protected Areas, Transfrontier Conservation Areas, Critical Biodiversity Areas (CBAs) and Critically Endangered and Endangered Ecosystems may potentially be impacted by the project. In addition, numerous wetlands will be traversed by the route.

As part of the BA study, these potential impacts will be assessed through the following specialist studies:

Specialist Assessment	Organisation
Ecological Assessment	Eco-Pulse Environmental Consulting Services cc
Freshwater Habitat Assessment (including Aquatic Assessment and Wetland Assessment)	Eco-Pulse Environmental Consulting Services cc Royal HaskoningDHV
Heritage Assessment	Active Heritage cc
Palaeontological Assessment	Banzai Environmental

The EIA Regulations 2014 (as amended in 2017) require 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 technical peer review will be undertaken prior to the public review during the formal environmental assessment process. This peer review will be conducted by GAIA Aquaculture | Environmental.

Input from the public through the public participation process provides valuable input in the identification of issues requiring investigation within the BA studies. The studies will highlight areas that should be avoided in order to minimise potential negative impacts.

The BA study will aim to achieve the following:

- Provide an overall assessment of the social and biophysical attributes of the affected area;
- Undertake a detailed assessment of the 50m-wide application corridor and other project locations 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 DPW requires an Environmental Authorisation (EA) from the Department of Environmental Affairs (DEA) 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 Listing Notice 1 and 3 are triggered:

Listing Notice	Activity Number	Applicability
1 (GNR 327)	12	Infrastructure (road, fence and associated crossing structures e.g. culverts) will be constructed within watercourses (wetlands) or within 32m of watercourses
	15	Infrastructure (i.e. elephant fence) will be developed in the coastal public property at the Indian Ocean coastline
	17	Infrastructure (i.e. elephant fence and 3m-wide footpath) will be developed within a distance of 100 metres inland of the high-water mark of the sea at the Indian Ocean coastline and onto the primary dune.
	19	Construction of infrastructure (road, fence and associated crossing structures e.g. culverts) within watercourses (wetlands) resulting in the infilling or depositing or the excavation, removal or moving of material of more than 10m ³ from a watercourse.
	19A	Construction of infrastructure (i.e. elephant fence) within the seashore of the Indian Ocean resulting in the depositing or the excavation, removal or moving of material of more than 5m ³ from the seashore.

Listing Notice	Activity Number	Applicability
	27	The development of the Construction Camp near the Farazela Border Post that will result in the clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.
	48	Existing infrastructure may be expanded by 100m ² within watercourses (wetlands) or within 32m of watercourses
3 (GNR 324)	4	Applicable to the 5.5m wide gravel road constructed in sensitive geographical areas i.e. Trans-frontier protected areas, World Heritage Sites, Protected Areas, CBAs, areas within 10km from national parks or World Heritage Sites and 5km from Protected Areas.
	12	Removal of indigenous vegetation within the 50m servitude in sensitive geographical areas i.e. Trans-frontier protected areas, critically endangered or endangered ecosystems, World Heritage Sites, Protected Areas, CBAs, areas within 100 metres inland from high water mark of the sea, land zoned for conservation.
	14	Construction of infrastructure within watercourses (wetlands) or 32m of a watercourse in sensitive geographical areas i.e. World Heritage Sites, Protected Areas, CBAs, areas within 10km from national parks or World Heritage Sites and 5km from Protected Areas.
	18	Widening of the border patrol road within sensitive geographical areas i.e. Trans-frontier protected areas, World Heritage Sites, Protected Areas, CBAs, areas within 10km from national parks or World Heritage Sites and 5km from Protected Areas.
	23	Expansion of existing infrastructure within watercourses (wetlands) or within 32m of watercourses in sensitive geographical areas i.e. World Heritage Sites, Protected Areas, CBAs, areas within 10km from national parks or World Heritage Sites and 5km from Protected Areas.

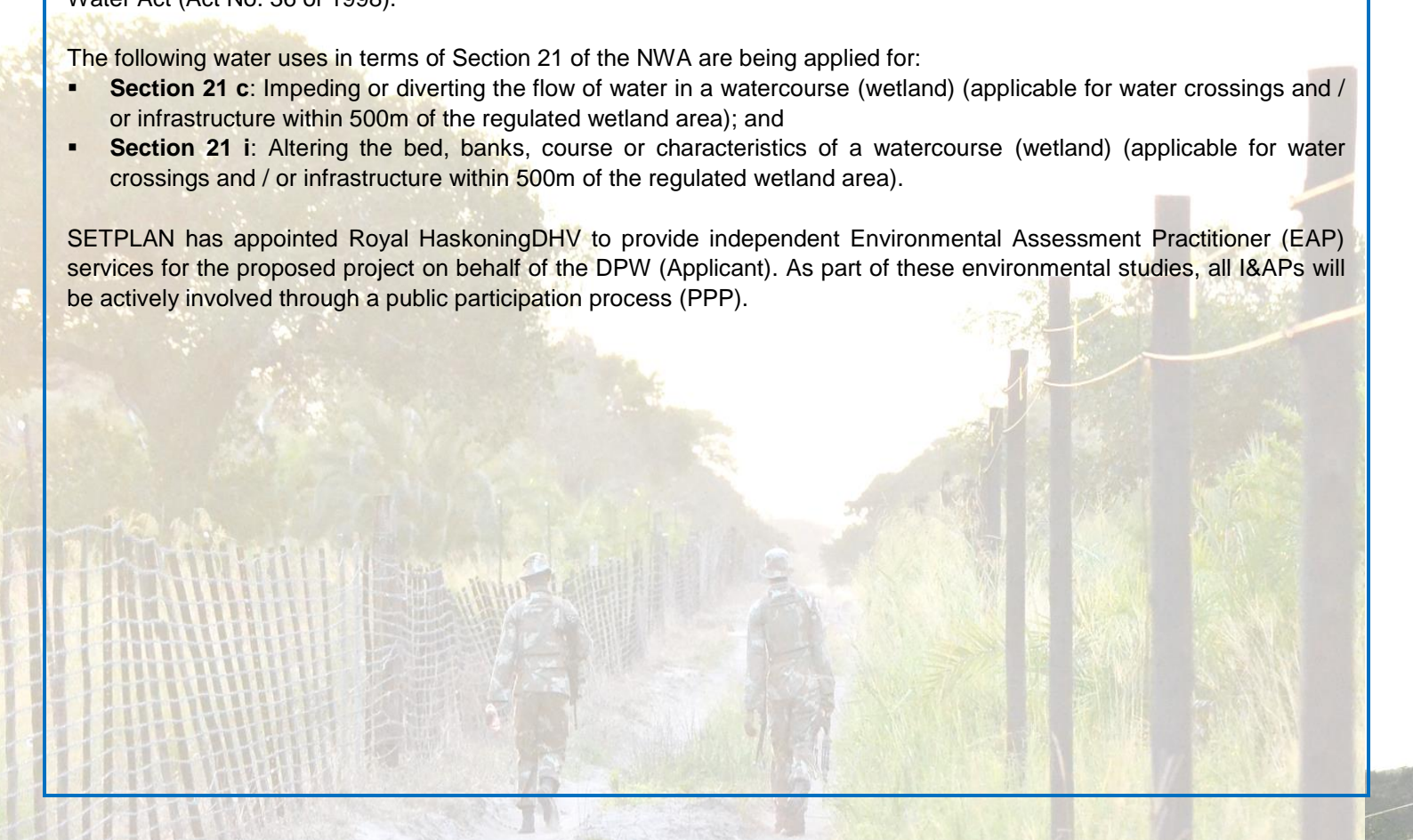
Activities under these listings may have an impact on the environment, hence a Basic Assessment (BA) study as prescribed in section 16 to 20 and Appendix 1 of the EIA Regulations 2014 (as amended in 2017), will be undertaken. A BA is an effective planning and decision-making tool, which allows for the 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 (wetlands), a **Water Use Licence Application (WULA)** 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 in terms of Section 21 of the NWA are being applied for:

- **Section 21 c:** Impeding or diverting the flow of water in a watercourse (wetland) (applicable for water crossings and / or infrastructure within 500m of the regulated wetland area); and
- **Section 21 i:** Altering the bed, banks, course or characteristics of a watercourse (wetland) (applicable for water crossings and / or infrastructure within 500m of the regulated wetland area).

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



PUBLIC PARTICIPATION PROCESS

As part of these environmental studies, all Interested and Affected Parties (I&APs) will be actively involved through a 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, five steps are proposed.



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 Sibongile Hlomuka at Royal HaskoningDHV;
- In writing, contacting the EAP if you have a query, comment or require further project information; and
- By reviewing and commenting on the consultation BAR within the allowed 30-day review period.

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

Sibongile Hlomuka	PO Box 867, Gallo Manor, 2191		
	Tel	011 798 6000	
	Email	sibongile.hlomuka@rhdhv.com	



BASIC ASSESSMENT AND WATER USE AUTHORISATION (UNDER THE NATIONAL WATER ACT) PROCESS FOR:

THE PROPOSED PLANNING & DESIGN FOR THE MAINTENANCE AND/OR UPGRADE OF THE PATROL ROADS AND FENCING ON THE BORDERS BETWEEN RSA, SWAZILAND & MOZAMBIQUE – PHASE 1




public works
 Department:
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 (February 2018)

YOUR COMMENTS AND QUERIES ARE WELCOME

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

Ms Sibongile Hlomuka	PO Box 867, Gallo Manor, 2191		
	Tel / Fax	011 798 6000 / 011 798 6005	
	Email	sibongile.hlomuka@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)

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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
