


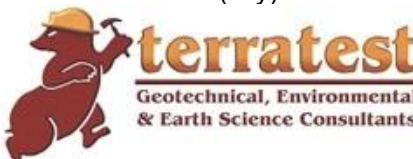


NOTIFICATION SHEET

1. INTRODUCTION

Terratest (Pty) Ltd has been appointed by Ilifa Africa Engineers (Pty) Ltd, on behalf the KwaZulu-Natal Department of Transport (KZN DoT), to render the environmental services required for the proposed upgrading of Main Road P419 within Wards 9 and 12 of the Dr Nkosazana Zuma Local Municipality, Harry Gwala District Municipality, KwaZulu-Natal. This Notification Sheet aims to inform Interested and Affected Parties (IAPs) of the Basic Assessment (BA) and Water Use Authorisation (WUA) processes that are being conducted for this development. The BA and WUA aims to identify impacts of the project on the environment (i.e., physical, social and economic).

According to the Environmental Impact Assessment (EIA) Regulations (2014), as amended, an independent Environmental Assessment Practitioner (EAP) who will adhere to the Environmental Regulations and complete the applicable environmental process on behalf of the KZN DoT must be appointed. Terratest (Pty) Ltd is the appointed EAP in this regard. Terratest (Pty) Ltd have also been appointed to undertake the necessary WUA process for the proposed development. The relevant role-players for both processes are detailed in **Table 1**.

TABLE 1: Role-players for proposed development

ROLE-PLAYER	BA	WUA
APPLICANT	KwaZulu-Natal Department of Transport 	
ENVIRONMENTAL ASSESSMENT PRACTITIONER	Terratest (Pty) Ltd 	
COMPETENT AUTHORITY	KwaZulu-Natal Department of Economic Development, Tourism & Environmental Affairs (EDTEA) 	Department of Water and Sanitation (DWS) 

2. PROJECT DESCRIPTION AND LOCALITY

The proposed development entails the upgrading of two sections of the Main Road P419, from KM 4.4 – KM 9.4 and KM 17.0 – KM 22.0 The upgrade will include the following:

- Existing 7m wide gravel road to be upgraded to an 8m wide blacktop road (i.e., tar road);

- Re-alignment of road where required to meet 60 km/h design speed and associated road reserve. The realignment will be limited to less than 0.5km; and
- The replacement and extension of culverts over watercourse crossings.

The start and end co-ordinates of the upgrade, as well as location of culverts are provided in **Table 2** and shown in **Figure 1**.

TABLE 2: Co-ordinates of proposed infrastructure

SECTION	INFRASTRUCTURE	LATITUDE	LONGITUDE
1	ROAD START (KM 4.4)	29°46'29.82"S	29°52'20.51"E
	CULVERT 1	29°48'05.33"S	29°52'31.39"E
	CULVERT 2	29°48'09.35"S	29°52'09.96"E
	ROAD END (KM 9.4)	29°48'44.45"S	29°52'08.90"E
2	ROAD START (KM 17.0)	29°51'24.90"S	29°51'00.62"E
	ROAD END (KM 22.0)	29°51'48.35"S	29°48'11.97"E

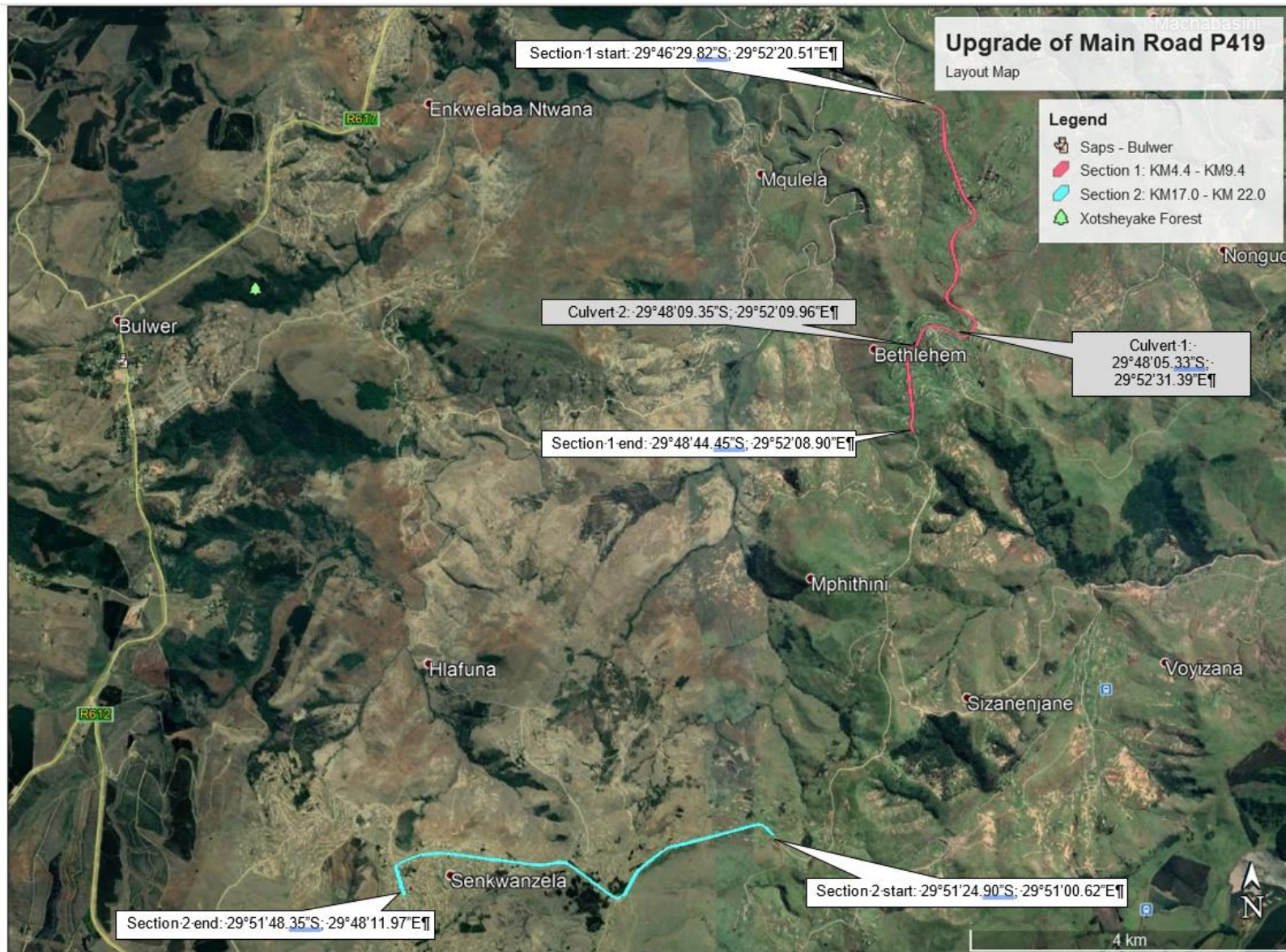


Figure 1: Location of proposed infrastructure

3. THE ENVIRONMENTAL LEGAL FRAMEWORK

The BA as well as the WUA process required for the P419 project stem from legislative requirements for activities that are triggered based on the following:

- Chapter 5 of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), as amended and the associated NEMA Environment Impact Assessment (EIA) Regulations, 2014, as amended; and
- Part 6 or 7 of the National Water Act, 1998 (Act No. 36 of 1998)

The processes will be undertaken concurrently and include the undertaking of various specialist studies.

3.1 BA based on EIA Regulations (2014, as amended)

In accordance with the National Environmental Management Act (Act 107 of 1998) and the EIA Regulations (2014, as amended), the following Listed Activities are triggered:

- **Listing Notice 1, 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.”*
 - Construction through watercourses will necessitate the movement of 10m³ of material or more, into or out of a watercourse.
- **Listing Notice 3, Activity 14 (a)(ii):** *“The development of- (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— within a watercourse; in d. KwaZulu-Natal x. Outside urban areas: (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve”.*
 - The site is located outside of an urban area, within 5km of the Impendle, Marutswa and Indhloveni Nature Reserves. The development of culverts and other road related infrastructure will result in infrastructure with a physical footprint of more than 10m² being developed within a watercourse or within 32 metres of a watercourse.

The Basic Assessment report illustrated in **Figure 1** will take 197 days (i.e., 6.5 months) to complete.

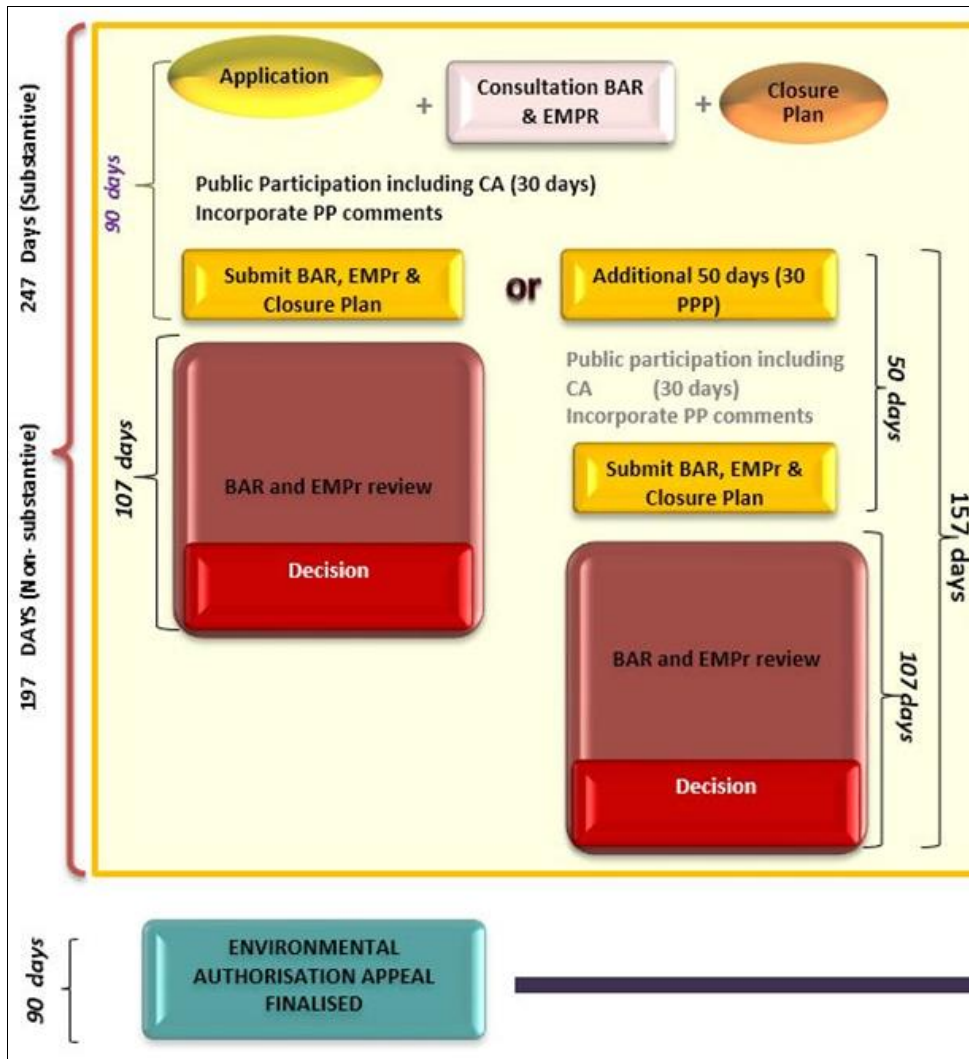


Figure 2: Basic Assessment process

3.2 WUA based on National Water Act (Act 39 of 1998)

In accordance with the National Water Act (Act 39 of 1998), the following Water Uses are triggered:

- **Section 21 (c)** - Impeding or diverting the flow of water in a watercourse; and
- **Section 21 (i)** - Altering the bed, banks, course or characteristics of a watercourse.

Based on the above noted legislation, an Application for a Water Use Authorisation will be made. This will either be a General Authorisation (GA) **or** a Water Use Licence (WUL). *The GA process will take no more than four (4) months (timeframes are currently not legislated) to complete and the WULA will take twelve (12) months based on legislated timeframes.*

4. PUBLIC PARTICIPATION PROCESS

The Public Participation Process (PPP), as promulgated in terms of Chapter 6 of the EIA Regulations of 2014 (as amended), is a fundamental process whereby the project developer,

technical team, government authorities, IAPs can engage in an informed decision-making process.

Key activities to be undertaken as part of Public Participation Process include:

- Identification of key stakeholders, authorities and municipalities, environmental groups and members of the public who may be interested in, or may be affected by the proposed development;
- Compilation of a Notification Letter for distribution to IAPs (**this document**);
- Placement of an advertisement in a newspaper applicable to the region notifying the public of the proposed activity;
- Placement of on-site posters detailing the activity and contact details of the Environmental Assessment Practitioner;
- Recording all IAP comments and presenting such comments, as well as responses provided by the EAP, in a full Comment and Response Report;
- Circulating the Draft Basic Assessment Report to all registered IAPs for a 30-day review and comment period; and
- Submitting the Final Basic Assessment Report to the EDTEA for a decision on Environmental Authorisation.


In terms of the Water Use Licence (WULA), Regulation 17 (2) of Notice No. R. 267 of the National Water Act (Act No. 36 of 1998) notes that any PPP undertaken in support of an EIA (also covers the BA) may be submitted in terms of the requirements for a WULA PPP as long as the PPP undertaken contains and covers all issues pertaining to water use activities. The necessary WULA PPP will therefore be conducted under the EIA Application Process. It must be highlighted that should a GA be required for the project, legislation does not stipulate a Public Participation Process.

5. HOW TO PARTICIPATE IN THE ENVIRONMENTAL PROCESSES

Should you wish to register as an Interested and Affected Party (IAP) in this application to: provide comments, queries and comments; be kept informed of progress, including the availability of reports for your review; and notified of the decisions of authorities, please complete the Registration Form attached as **Appendix 1** and forward onto Terratest (Pty) Ltd as per the details provided. You can also provide your comments in any other written format or verbal method you prefer.

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APPENDIX 1: IAP REGISTRATION FORM

Proposed Upgrading of Main Road P419, Harry Gwala District Municipality, KwaZulu-Natal		 terratest Geotechnical, Environmental & Earth Science Consultants	
COMPLETE RETURN TO DESIGNATED EAP:	AND TO THE	Ntsebo Mkhize Terratest (Pty) Ltd PO Box 794, Hilton, 3245 Fax: (033) 343 6788 Email: mkhizen@terratest.co.za	
NAME OF IAP:			
CONTACT NUMBER:			
FAX NUMBER:			
EMAIL ADDRESS:			
POSTAL ADDRESS:			
Reason for interest in the proposed project:			
.....			
.....			
.....			
OTHER IAP'S THAT SHOULD BE CONTACTED WITH REGARDS TO THIS PROJECT:			
Name:		Name:	
Contact Number:		Contact Number:	
Email Address:		Email Address:	