

NOTICE OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION & WATER USE AUTHORISATION

THE REHABILITATION OF THE EXISTING P236 FROM KM 6.235 TO KM 14.0, UBOMBO, KWAZULU-NATAL



BACKGROUND INFORMATION DOCUMENT

(APRIL 2016)

EDTEA REFERENCE NO: As per title above (number to be provided post formal application)

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 Department of Transport (DoT), to rehabilitate the existing P236 gravel road from kilometre (km) 6.235 to km 14.0 in Ubombo, KwaZulu-Natal.**

This document provides information regarding the **Basic Assessment (BA)** and **Water Use Licence Application (WULA)** 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 the existing P236 from km 6.235 to km 14.0, Ubombo, KwaZulu-Natal.		
Local authority	Jozini Local Municipality within the uMkhanyakude District Municipality - KwaZulu-Natal		
(Competent Authority – CA)	The National Department of Environmental Affairs (Environmental Authorisation - EA) and The Department of Water and Sanitation (Water Use Licence - WUL)		
Landowner(s)	Shared: The Ingonyama Trust Board and the Republic of South Africa		
Property details	21 Digit Reference Number	Erf and Portion Number	
	N0HV00000000016300001	1/163	
	N0HV00000000016300000	RE/163	
	N0HV00000000016300002	2/163	
	N0HV00000000016300006	6/163	
	N0HV00000001583600006	RE/6/15836	
	N0HV00000001583600000	15836	
	N0HV03460001000000000	10000	
Co-ordinates	Stream Crossing		
	Point	South	East
	Culvert	27° 36' 01.52"	29° 43' 58.75"
	Road Alignment		
	Point	South	East
	Start - at km 6.235 of the P236	27° 36' 01.52"	29° 43' 58.75"
Middle - at km 9.62 of the P236	27° 34' 20.98"	32° 04' 07.29"	
End - at km 14.0 of the P236	27° 42' 40.67"	29° 43' 57.61"	
Location	The study area is located in Wards 2 and 20 of Jozini Municipality. The P236 is located north of Mkhuze and starts at km 0. 0 at the intersection with P2-9 and ends at km 32. 0		

intersecting P449. This BA, however, is only for the rehabilitation of km 6.235 to km 14.0 of the P236.

Description of the proposed project

The proposed project is a rehabilitation of a portion of the existing P236 road, where there will be width increases to 2.5m and 4.25m in order to form a Class 3 Rural Cross-section, with the addition of climbing lanes and horizontal curve widenings as discussed below:

- Climbing lanes on left lane between km 6.380 and km 6.610, km 7.300 and km 7.530, km 8.650 and km 8.980 where the widening the road between these distances is to 11.6m, over a distance totalling 790m in length. Currently the road is 6m and is to be generally widened to 8.5m, where there are climbing lanes it will be widened to 11.6m.
- Horizontal curve widening km 6.450 and km 6.525, km 7.810 and km 8.70, km 8.570 and km 8.640, km 8.920 and km 9.030, and km 12.290 and km 12.440, where the road width will be increased to 10.5m. Currently the road is 6m and will be widened to 10.5m
- Furthermore, existing culverts with be lengthened were required. A stream crossing (culvert) is also planned at km 6.235 of the P236.



Figure 1: Location contextualisation of study area

The P236 may be considered as a link road between Mkhuze and the Makhathini Flats as well as the Ubombo/Bethesda Hospital situated at the top of the mountain pass. The route cascades through rolling to steep hill country, dissecting agricultural activity, game reserves and natural vegetation. The first 14.0 kilometres of the P236 are surfaced with the remainder being a gravel road.

The current surfaced width of the road is 6.0m. The rehabilitation of P236 will increase the surfaced width by 2.5m and where there are climbing lanes; the surfaced width will increase by 5.6m. Box excavation and compaction to a slightly wider road prism will have an environmental effect on cut slopes situated mostly on the left hand side of the pavement. The road crosses a natural water source; therefore a WUL is also required. The road construction is confined within the road servitude for drainage and ancillary work. The activities are within the existing road prism for re-working and processing of all layer works.

The pavement structure is weak due to the many crocodile cracks with pumping, edge break, surface failure and potholes. The failures occur along the whole length of road due to the low strength base relative to the moderate traffic

loading. The pavement is in a terminal condition, and unsuitable for the predicted traffic and therefore requires strengthening. The proposed rehabilitation design is based on the estimated future traffic and the material test results. The rehabilitation proposal considers widening of the surface width in order to strengthen of the pavement and improve all the drainage structures.

The drainage improvements will form part of the rehabilitation of the existing road. The existing gravel base will be ripped and re-compacted to the required density. Grade seven (7) material ($\pm 150\text{mm}$) will be imported to achieve the design base level and density. The existing drainage structures will require lengthening, cleaning and headwalls, and a culvert will be constructed at km 6.235. Clearing of vegetation and excavating of earth side drains will be required.

The identification and assessment of alternatives for the proposed project will be limited as the bulk of the work will be done inside the shoulder breakpoint of the road.

The plates below depict the current poor condition of the P236.



Plate. 1: Severe crocodile cracks, and potholes from km 8.0 to km 11.0



Plate. 2: Less severe structural and surfacing defects are evident between km 6.24 and km 8.0 compared to the lower lying portions of the road, although there are still major defects that need urgent attention

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 studies:

Specialist Study	Organisation
Terrestrial Vegetation and Freshwater Aquatic Assessment	Eco-Pulse
Heritage Impact Assessment	Active Heritage cc

The EIA Regulations (2014) 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 technical peer review will be undertaken prior to the public review during the formal BA process. This peer review will be conducted by Kinvig & Associates.

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 preferred site(s) 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) No. 983 to 985 of 2014 (as amended), 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 DoT requires an Environmental Authorisation (EA) from the Provincial Department of Economic Development, Tourism and Environmental Affairs (EDTEA) for undertaking the proposed project as it includes activities listed under Regulation 983 of the EIA Regulations (2014). In terms of the National Water Act (NWA) (Act No. 36 of 1998), the DoT requires a WUL from the Department of Water and Sanitation (DWS).

The following activities of GNR 983 are being applied for:

- Activity 19 – The infilling or depositing of any material of more than 5 m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 m³- (i) a watercourse; and
- Activity 67 – Phased activities (reference to the rehabilitation of the entire P236).

The following activities of GNR 985 are being applied for:

- Activity 18 – The widening of a road by more than 4 m (d) in KwaZulu-Natal in (vi) a protected area in terms of the National Environmental Management Protected Areas Act (NEMPAA), (vii) critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans, (x) areas designated for conservation use in spatial development frameworks adopted by the competent authority or zoned for a conservation purpose and (xi) outside urban areas (aa) within 10 km from national parks or world heritage sites or 5 km from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere.

Activities under these listings may have an effect on the environment, hence a BA process and WUL Application, as prescribed in Regulations 16 to 20 and Appendix 1 of the EIA Regulations (GNR 982), will have to 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.

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

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

The 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 WULA Process:

- STEP 1: Create awareness of the BA and WULA 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 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 WULA.

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 **Novashni Sharleen Moodley** 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

Mrs Novashni Sharleen Moodley	PO Box 55, Pinetown, 3600		
	Tel	031 719 5575	
Royal HaskoningDHV	Fax	031 719 5505	
	Email	novashni.moodley@rhdhv.com	

PLEASE NOTE: Royal HaskoningDHV eThekweni Office is in the process of relocating. As of 16th May 2016, our new address will be as follows: Physical Address: 19 Park Lane, Umhlanga Rocks / Postal Address: PO Box 1243, Umhlanga Rocks

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YOUR COMMENTS AND QUERIES ARE WELCOME

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

Mrs Novashni Sharleen Moodley	PO Box 55, Pinetown, 3600		
	Tel	031 719 5575	
Royal HaskoningDHV	Fax	031 719 5505	
	Email	novashni.moodley@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