

SALT ROCK BEACH ESTATES CC

# REINFORCEMENT OF SALT ROCK SEA WALL

## DRAFT STAKEHOLDER ENGAGEMENT REPORT [DC29/0023/2017]

15 FEBRUARY 2018

PUBLIC





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# SIGNATURES

PREPARED BY

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REVIEWED BY

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Carla Elliot, Associate

This REINFORCEMENT OF SALT ROCK SEA WALL (Report) has been prepared by WSP Environmental Proprietary Limited (WSP) on behalf and at the request of Salt Rock Beach Estates cc (Client), to provide the Client an understanding of the Relevant Documents.

Unless otherwise agreed by us in writing, we do not accept responsibility or legal liability to any person other than the Client for the contents of, or any omissions from, this Report.

To prepare this Report, we have reviewed only the documents and information provided to us by the Client or any third parties directed to provide information and documents to us by the Client. We have not reviewed any other documents in relation to this Report and except where otherwise indicated in the Report.

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# PRODUCTION TEAM

## SALT ROCK BEACH ESTATES

Managing Member Craig Hulett

Administration / Legals Brian Carr

## WSP

Assistant Consultant Mpendulo Dlamini

Principal Consultant Carla Elliott

Director Hilary Konigkramer



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# 1 INTRODUCTION

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## 1.1 PURPOSE OF THIS REPORT

Salt Rock Beach Estates cc (the Applicant) received Environmental Authorisation (EA) (DC29/0040/08) on 11 November 2013 for the reconstruction of portions of the sea wall in front of the Salt Rock Hotel. The sea wall was damaged by high tides and strong waves during a storm on 19 March 2007. The Department of Agriculture and Environmental Affairs (DAEA), now referred to as the Department of Economic Development, Tourism and Environmental Affairs (EDTEA), approved Alternative 2 (Construction of a Hybrid Solution) as presented in the Final Environmental Impact Report (EIR) 2012.

While the EA authorises the relevant listed activities to reconstruct damaged sections of the sea wall and reinforce the existing wall, the description of the listed activities only dealt with the reconstruction of the new portions the wall.

It is the Applicant's submission that the EA should have been amended in terms of regulation 31 of the Environmental Impact Assessment Regulations, 2014 as the proposed amendments relate to activities that have already been authorised and the changes are intrinsically linked to the development authorised in the EA. This is supported by the coastal engineer who confirmed that reinforcing existing portions of the sea wall will not change the impact significance ratings for impacts as assessed in the Environmental Impact Assessment. The significance of the impacts assessed in the Environmental Impact Assessment would therefore remain unchanged.

Despite these submissions the KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA), required the Applicant to undertake a new environmental assessment process for the reinforcement of the portions of the existing wall in a letter dated 25 October 2017. Although the Applicant did not agree with EDTEA's finding, the Applicant is applying for environmental authorisation for the reinforcement of the existing portions of the sea wall e seas wall as requested by the EDTEA despite the fact that the relevant activity relating to the reinforcement has already been authorised in the EA.

This application is therefore for the reinforcement of the remaining portions of the existing sea wall.

A pre-application meeting was held on 4 April 2017 and was attended by EDTEA, WSP Environmental (Pty.) Ltd (WSP), Salt Rock Beach Estates and Norton Rose Fulbright South Africa Inc (NRF) representatives. The purpose of the meeting was to get clarity and agreement from EDTEA on the draft application, and to fill required gaps to ensure a streamlined process. In addition, a request was made that EDTEA would accept one consolidated Environmental Management Programme (EMPr) to address mitigation and management measures for both reconstruction of the damaged portion of the wall (DC29/0040/08); and reinforcement of remaining portions of the wall (current application; DC29/0023/2017). This request was approved by EDTEA on 1 June 2017 via email.

This Stakeholder Engagement Report (SER) has been prepared by WSP on behalf of the Applicant to provide the EDTEA with the necessary documentation in support of the application for EA outlined above.

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## 1.2 OBJECTIVE OF THE STAKEHOLDER ENGAGEMENT PROCESS

The stakeholder engagement process is being undertaken in accordance with the 2014 Environmental Impact Assessment (EIA) Regulations (GN: R326) as amended in 2017 promulgated under the National Environmental Management Act (No. 107 of 1998) (NEMA). The process aims to ensure that the widest range of potential stakeholders are identified and provided with an opportunity to review the details of the proposed project and to submit any issues and concerns.

The NEMA requires that an inclusive, transparent process of stakeholder engagement be undertaken. The objectives of the stakeholder engagement process were as follows:

- To ensure an open and transparent Basic Assessment (BA) and consultation process;
- To identify and inform stakeholders of the proposed project and associated environmental authorisation process;



- Establish an on-going line of communication between the stakeholder and the project team;
- Provide an opportunity for stakeholders to raise all issues, concerns and questions and ensure that these are considered in the environmental authorisation process for the project;
- Ensure that stakeholders have an opportunity to make a meaningful contribution towards decision making by all commenting authorities as well as the lead authority; and
- Compile an issues trail of all issues, concerns and questions raised during the stakeholder engagement process.

# 2 STAKEHOLDER NOTIFICATION

## 2.1 ADVERTS

The EIA Regulations require that an advertisement be placed in a local newspaper or any official gazette. An English and isiZulu advert was published in the North Coast Courier on 3 March 2017 (Figure 1). The adverts formally announced the commencement of the BA process; gave notice in terms of the EIA Regulations for the proposed project; and, requested stakeholders to register their interest with the Environmental Assessment Practitioner (EAP), WSP.

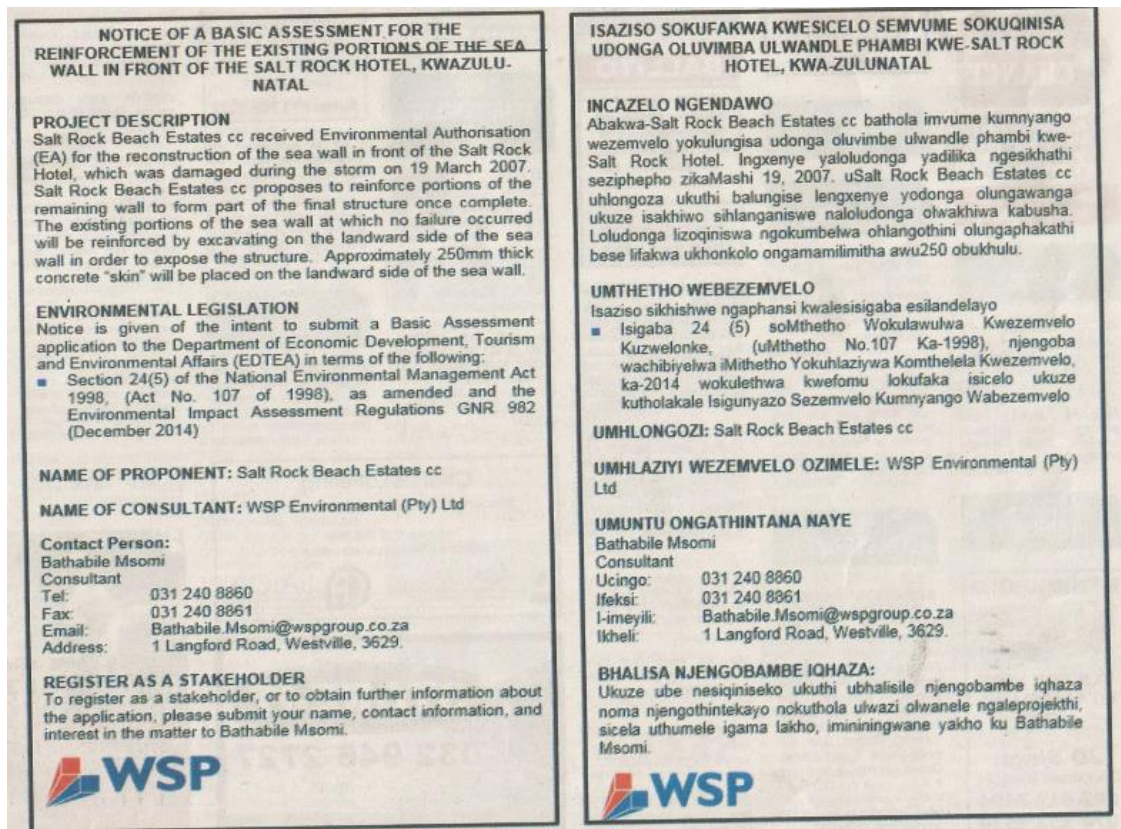


Figure 1: Proof of advert placement

## 2.2 PUBLIC NOTICES

The EIA Regulations require that site notices be fixed at places conspicuous to the public at the boundary or on the fence of the site where the activity (to which the application relates) is to be undertaken, as well as at any alternative sites. Posters (English and isiZulu), conforming to the size specifications of the EIA Regulations, were placed along accessible portions of the sea wall route (on perimeter fencing) (Figure 2, Figure 3 and Figure 4). These were visible to both beach and hotel users. Notices were also placed at local public buildings (Figure 5, Figure 6, Figure 7).





Figure 2: South End of Sea Wall Location



Figure 3: Mid Portion of Sea Wall Location



Figure 4: North End of Sea Wall Location

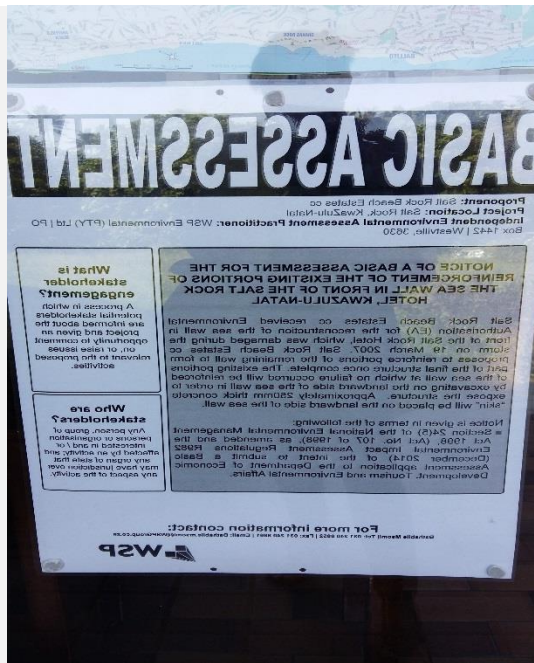


Figure 5: Local Library





Figure 6 Umhlali Library



Figure 7 KwaDukuza Municipal Offices

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## 2.3 WRITTEN NOTICES

Section 41 (2)(b) of the EIA Regulations states that written notices must be provide to stakeholders outlined in **Table 1**. Stakeholders received written notification (**Figure 8 and 9**) on 1 March 2017.

**Table 1 Interested and Affected Parties required to receive written notification**

STAKEHOLDER COMMENT	RESPONSE
(i) the occupiers of the site and if the proponent or applicant is not the owner or person in control of the site on which the activity where the activity is or is to be undertaken., the owner or person in control of the site where the activity is to be undertaken and to any alternative site where activity is to be undertaken. or to any alternative site where the activity is to be undertaken	Salt Rock Beach Estates is the owner and occupier of the site. No alternative sites exist.
(ii) Owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken and to any alternative site where the activity is to be undertaken	Surrounding landowners and businesses notified via email include: <ul style="list-style-type: none"> <li>– Saltyz on Rocs Restaurant</li> <li>– Beach House Lodge</li> <li>– Canelands Beach Lodge</li> </ul>
(iii) the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area	A written notice was sent to the Municipal Councillor Malcolm W Hubner (Ward 2) and Louis Luyt Jnr of the Rate Payers Association (DOCCRA).
(iv) the municipality which has jurisdiction in the area	The Local (KwaDukuza) and District (Ilembe) Municipality were notified via email.
(v) any organ of state having jurisdiction in respect of any aspect of the activity	Relevant organs of state were notified via email: <ul style="list-style-type: none"> <li>– Department of Economic Development, Tourism and Environmental Affairs (EDTEA)</li> <li>– EDTEA: Coastal Management Unit</li> <li>– DEA Marine and Coastal Management</li> <li>– Department Water and Sanitation (Pongola-Umzimkulu Proto CMA)</li> <li>– AMAFA</li> <li>– Ezemvelo KZN Wildlife</li> </ul>
(vi) another party as required by the competent authority.	Stakeholder from the previous application process and well as newly identified stakeholders received written notifications.

01 March 2017

Dear Stakeholder

**WRITTEN NOTICE OF A BASIC ASSESSMENT FOR THE REINFORCEMENT OF THE EXISTING SEA WALL IN FRONT OF THE SALT ROCK HOTEL, KWAZULU-NATAL**

Salt Rock Beach Estates cc (Salt Rock Beach Estates) received Environmental Authorisation (EA) for the reconstruction of the sea wall in front of the Salt Rock Hotel, which was damaged during the storm on 19 March 2007. Salt Rock Beach Estates proposes to reinforce portions of the remaining wall to form part of the final structure once complete. The existing portions of the sea wall at which no failure occurred will be reinforced by excavating on the landward side of the sea wall in order to expose the structure. Approximately 250mm thick concrete "skin" will be placed on the landward side of the sea wall, fixing the concrete "skin" to the sea wall.

Notice is given in terms of the following legislation to all potential interested and affected parties (I&APs):

- Section 24 of the National Environmental Management Act, (No. 107 of 1998) (NEMA), as amended, and the Environmental Impact Assessment (EIA) Regulations, Government Notice Regulation (GNR) 982 (2014) of the Basic Assessment (BA) being undertaken;

I&APs are identified in GNR 982 as including the following:

- i. The owner or person in control of that land if the applicant is not the owner or person in control of the land;
- ii. The occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
- iii. Owners and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
- iv. The municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;
- v. The municipality which has jurisdiction in the area;
- vi. Any organ of state having jurisdiction in respect of any aspect of the activity; and
- vii. Any other party as required by the competent authority.

WSP Environmental (Pty) Ltd has been appointed as independent Environmental Assessment Practitioner to undertake the EA process in an independent, diligent and transparent manner.

The purpose of this notification is to provide you (as an identified stakeholder) with sufficient details of the application and to encourage participation in the stakeholder engagement process for the project. Please ensure that your full contact details are provided to Bathabile Msomi (contact details below) to facilitate further engagement.

Kind Regards,



**Name:** Bathabile Msomi  
**Tel:** +27 31 240 8860  
**Fax:** +27 31 240 8861  
**Email:** Bathabile.msomi@wspgroup.co.za

**WSP Environmental (Pty) Ltd**

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Registered Number: 1995/08790/07

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Certified Company

A member of the WSP Global Inc.  
Offices worldwide

**Directors:** SL Doel<sup>1</sup>(Managing), MC du Plooy<sup>2</sup>, JH McStay<sup>3</sup>, ESBF Mtetwa<sup>4</sup> (non-Executive)

Ver: Jan 2017 <sup>1</sup>(Pr Sci Nat) <sup>2</sup>(Pr Eng) <sup>3</sup>(Pr Tech Eng) <sup>4</sup>(British)

Figure 8 Written Notification



Wed 2017/03/01 04:29 PM

Msomi, Bathabile

Proposed Reinforcement of the Existing Sea Wall In front of the Salt Rock Hotel, KwaZulu-Natal

To  
Bcc [hnatasha@ngg.co.za](mailto:hnatasha@ngg.co.za); [malcolmh@kwadukuza.gov.za](mailto:malcolmh@kwadukuza.gov.za); [Phindie.langazane@kzwildlife.com](mailto:Phindie.langazane@kzwildlife.com); [claudene@ngg.co.za](mailto:claudene@ngg.co.za); [wesley@ngg.co.za](mailto:wesley@ngg.co.za); [yeo@netactive.co.za](mailto:yeo@netactive.co.za); [Indalabidi@vodamail.co.za](mailto:Indalabidi@vodamail.co.za); [afromatz@telkomsa.net](mailto:afromatz@telkomsa.net); [djones@iafrica.com](mailto:djones@iafrica.com); [docora@absamail.co.za](mailto:docora@absamail.co.za); [kobus.fourie@sembcorp.com](mailto:kobus.fourie@sembcorp.com); [carlos@smaconsultants.co.za](mailto:carlos@smaconsultants.co.za); [mbalim@kwadukuza.gov.za](mailto:mbalim@kwadukuza.gov.za); [hokubongad@kwadukuza.gov.za](mailto:hokubongad@kwadukuza.gov.za); [thembekam@kwadukuza.gov.za](mailto:thembekam@kwadukuza.gov.za); [hazeld@kwadukuza.gov.za](mailto:hazeld@kwadukuza.gov.za); [archaeology@amafapmb.co.za](mailto:archaeology@amafapmb.co.za); [Dominic.Wieners@kzwildlife.com](mailto:Dominic.Wieners@kzwildlife.com); [MokoenaM@divs.gov.za](mailto:MokoenaM@divs.gov.za); [malcom.moses@kzmedtea.gov.za](mailto:malcom.moses@kzmedtea.gov.za); [Mavis.Padayadree@kzmedtea.gov.za](mailto:Mavis.Padayadree@kzmedtea.gov.za)



Dear Stakeholder

Please find attached a notice for an environmental authorisation application (Basic Assessment) for the *Proposed Reinforcement of the Existing Sea Wall In front of the Salt Rock Hotel, KwaZulu-Natal*. Please refer to the attached notice for further details.

If you have any comments or queries, please contact me on the details below.

Kind Regards

**Bathabile Msomi**  
Assistant Consultant



**WSP | Parsons Brinckerhoff, Environment & Energy, Africa**  
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Figure 9 Proof of the written notification emailed to stakeholders on 1 March 2017.

## 2.4 ISSUES RAISED

The only comment raised to date in response to public notifications was received from Di Jones requesting that the Dolphin Coast Conservancy be registered as a stakeholder in the BA process (**Figure 10**). A response was provided that the Dolphin Coast Conservancy was already included in the stakeholder database due to their interest in the previous application.

**Elliott, Carla**

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**From:** Di Jones <dijones@iafrica.com>  
**Sent:** Saturday, 04 March 2017 11:39  
**To:** Msomi, Bathabile  
**Subject:** RE: Proposed Reinforcement of the Existing Sea Wall In front of the Salt Rock Hotel, KwaZulu-Natal

Dear Sirs

With reference to the above Notice, would you kindly register the Dolphin Coast Conservancy as a Stakeholder in the BA process.  
Contact details are : Landline 032-5258160: Cell phone: 083-6120859.  
We are a little unsure of the precise extent and purpose of the work being proposed and look forward to seeing how it ties into the reconstruction for which authorisation has been granted.  
Kind regards  
(Mrs) Di Jones  
Chairman  
Dolphin Coast Conservancy

---

**From:** Msomi, Bathabile [mailto:Bathabile.Msomi@WSPGroup.co.za]  
**Sent:** Wednesday, March 1, 2017 4:29 PM  
**Subject:** Proposed Reinforcement of the Existing Sea Wall In front of the Salt Rock Hotel, KwaZulu-Natal

Dear Stakeholder

Please find attached a notice for an environmental authorisation application (Basic Assessment) for the **Proposed Reinforcement of the Existing Sea Wall In front of the Salt Rock Hotel, KwaZulu-Natal**. Please refer to the attached notice for further details.

If you have any comments or queries, please contact me on the details below.

Kind Regards

**Bathabile Msomi**  
Assistant Consultant



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**Figure 10 Comment Received from Dolphin Coast Conservancy (4 March 2017)**



### 3 STAKEHOLDER DATABASE

Stakeholders with an interest in the project were identified at the project outset, and continue to be identified throughout the environmental authorisation application process. The database (Table 2) contains the details of known stakeholders and those who registered with an interest in the project as a result of the notification process.

**Table 2 Stakeholder Database**

GROUP	ORGANISATION	CONTACT PERSON
National Authority	Department Water and Sanitation (Pongola-Umzimkulu Proto CMA)	Nonkululeko Mokoena
	Department of Environmental Affairs: Marine and Coastal Management	Nokuzola Sukwana
Provincial Authority	Department of Economic Development, Tourism and Environmental Affairs	Malcom Moses; Mavis Padayachee
	Coastal Management Unit	Omar Paruk
Local Authorities	Ilembe District Municipality	Masupha Mathenjwa; Khulekani Mungwe
	Ward 22 Councillor	Councillor Malcolm W Hubner
	Amafa (Archaeology)	Weziwe Tshabalala
	Amafa (Built Env / Structures )	Roz Devereux
	Ezemvelo Wildlife KZN	Phindile Langazane; Dominic Weiners
CBO's and NGO's	Coastwatch KZN	Carolyn Schwegman
	Dolphin Coast Conservancy	Di Jones
	Dolphin Coast Rate Payers Association (DOCRA)	Louis Luyt Jnr
	Siza Water – Technical Manager	Kobus Fourie
	KwaDukuza Beach Restoration Task Team	Carlos Mendes
Registered Stakeholder	Private (previous application)	Wesley Bench-Capon; Lientjie Yeo
	North Global Group (previous application)	Ingo Roolf
Surrounding Landowners / Landusers	Saltyz on Rocs Restaurant	Belinda Moodley
	Beach House Lodge	Mark Horborth
	Canelands Beach Lodge	Christine Macivir
	Private (Neighbour)	Ingo Roolf

## 4 BASIC ASSESSMENT REPORT

All registered stakeholders have been notified of the availability of the draft BA Report for a 30-day comment period (from **16 February to 17 March 2018**). Hard copies of the report have been provided to the relevant regulatory authorities for comment. Stakeholders are able to obtain a copy an electronic copy of the report on the WSP website:

<http://www.wspgroup.com/en/WSP-Africa/What-we-do/Services/All-Services-A-Z/Technical-Reports/>

A hard-copy report is also available for viewing at the Umhlali (Salt Rock) Public Library:

Garden Rd, Umhlali Beach,

Dolphin Coast,

4420

Librarian: Lorden

Tel: 032 437 5159

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### 4.1 DRAFT BASIC ASSESSMENT REPORT COMMENTS AND RESPONSE REPORT

Comments received in response to the draft BA Report will be addressed within the Comments and Response Report contained in the Stakeholder Engagement Report (this report) appended to the final BA Report. The Comments and Response Report will outline the comments received from the stakeholders and responses provided by the applicant and EAP for consideration by the lead authority, Department of Economic Development, Tourism and Environmental Affairs (EDTEA).

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### 4.2 FINAL BASIC ASSESSMENT REPORT

The final BA Report will be submitted to EDTEA. Stakeholders will be notified on the submission of the final BAR to EDTEA and provided with the EDTEA Assessing Officer details should they wish to submit further comment direct to EDTEA.

