



BACKGROUND INFORMATION DOCUMENT

The purpose of this document is to serve as a background information document intended to inform I&APs of the project as well as to provide information on the roles and responsibilities of registered I&APs. This document does not serve to provide detailed information on the potential impacts of the proposal which will be described in the environmental impact assessment report. Please note that comments on the BID are not required, however should you have any initial comments or queries please submit to the contact person listed on the last page.

Project Title:	Application for Amendment of the existing Environmental Authorisation (DM/0003/201) for the proposed changes to the Ntshongweni Mixed Use Development (Urban Core Precinct), eThekweni Municipality, KwaZulu-Natal.
Application Type:	Environmental Authorisation (EA) Amendment Application (Part 2) Water Use License Application (WULA)
Competent Authority:	KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (EDTEA)
Location of Activity:	Remainder of the Farm Kirkfalls No. 14227 in Shongweni in the Outer West area of the eThekweni Municipality, KwaZulu-Natal
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Applicant:	Tongaat Hulett Developments (Pty) Ltd
Public Participation Commencement date:	February 2022

PROJECT BACKGROUND

Tongaat Hulett Developments (Pty) Ltd (THD) obtained Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA) for construction of the Ntshongweni Mixed Use Development (Urban Core Precinct), on 11 November 2015 (EA Reference: DM/0003/2012). The development site is approximately 106.54 hectares (ha) in extent and will comprise of various land uses, including commercial/ business (24.89ha), the primary shopping precinct (14.38ha), mixed use (21.361ha), road networks (17.954ha) and green open space (27.152ha). The provision of green open space has been incorporated into the development design to minimise potential impacts on the receiving environment, with specific reference to the drainage line and wetlands situated on the site.

The Applicant, THD, propose to incorporate changes to the original development scope and design, and as such, are now applying for an amendment to the existing EA for changes to the sewage, electricity and road infrastructure associated with the Development. THD has thus appointed KSEMS Environmental Consulting Pty Ltd as the independent Environmental Assessment Practitioner (EAP) to undertake an application process for amendment of the existing Environmental Authorisation (DM/0003/2012), to comply with the EIA Regulations, 2014 as amended, published under the National Environmental Management Act, 1998 (Act No. 107 of 1998).

PROJECT PROPOSAL

The Applicant intends to make changes to the following aspects associated with the Development:

- Inclusion of an on-site sewage treatment plant to act as a temporary sewage solution associated with construction of the Urban Core Shopping Precinct, until such time that the eThekweni Municipality upgrades the Umhlatazana Waste Water Treatment Plant to service the ultimate sewage requirements associated with the entire Ntshongweni Mixed-Use Development. The temporary Sewage Treatment plant is intended to process approximately 1.95 Mega Litres (Ml) of waste per day.
- Increase in the capacity of electricity supply required to service the initial requirements associated with construction of the Urban Core Shopping Precinct, from 5MVA to 8MVA. The original EA speaks to a 5MVA supply from the eThekweni Municipality who have now confirmed that they are able to supply 8MVA electricity to the development. The 8MVA supply will just be an interim supply to allow for construction of the Urban Core Precinct, whilst the Municipality will service the ultimate electricity supply (29.6MW), as authorized under the existing EA.
- Construction of a new loop road near the entrance of the site and a change to the layout of the public transport facilities.
- Condition 3.24.6 of the EA requires that a wetland offset plan be prepared for the potential loss of wetland habitat associated with the development. It must, however, be noted that the Wetland Specialist prepared a rehabilitation plan which in the specialist's opinion, is sufficient to mitigate against any loss in wetland habitat. As such KSEMS are applying to remove this condition from the EA. Feedback will be obtained from Ezemvelo KwaZulu-Natal Wildlife, and the eThekweni Municipality Environmental Planning and Climate Protection Department as part of the motivation thereof.

The Table below (Table 1) shows the activities that were authorised under the existing EA with respect to the changes that are being proposed under this Amendment Application, for the respective infrastructure elements that will be affected (i.e. electricity, sewage and roads):

Table 1: Description of the activities authorised under the EA and the associated changes proposed as applied for under this Amendment Application.

Description extracted from the Final EIR (KSEMS, 2015) authorised under the EA DM/0003/2012	Proposed Amendment to be applied for under the current application
Electricity	
<p>The interim electrical supply will be from two MV underground cables from Marianridge major substation and ultimately a proposed new 46m servitude for a new 132kV overhead transmission line from Eskom Gorgedale substation (south of the site).</p> <p>The EA notes that the project will require the expansion of existing infrastructure from the Marian Ridge substation for the initial distribution of electricity. The Marian Ridge substation is located 9.4km away from the site, and is the only sub-station that had 5MVA spare to service the initial electricity requirements of the development, as the ultimate supply required for the development. Once new 132/11kV, 60MVA major substation will be required adjacent to the site, to cater for the ultimate development requirements. System strengthening may also require 275kV transmission line infrastructure.</p>	<p>There were two alternative options proposed in the Engineering Services Report (Bosch, 2015) that was submitted during the environmental process:</p> <ul style="list-style-type: none"> - Temporary Supply: 5 MVA from Marianridge Major Substation. - Permanent Supply: New Major substation (132/11 kV 60 MVA) to supply the Urban Core Precinct and future precincts within the proposed Ntshongweni Urban Development. <p>eThekwini Electricity have since indicated that a temporary supply of 8 MVA can be made available from the Marianridge Major Substation to supply the proposed Ntshongweni Urban Development.</p> <p>This will be sufficient to service the initial electricity requirements for construction of the Urban Core Precinct. The Applicant, will, however, liaise with the eThekwini Municipality regarding the ultimate electrical supply (29.6MVA) for the development in its entirety, as authorised under the existing EA.</p>
Sewage	
<p>It is anticipated that the Shongweni Retail/ Mixed Use Development will generate between approximately 0.4Ml/day and 1.4Ml/day of effluent.</p> <p>The bulk sewage proposal that was included in the original application, was based on the Hillcrest Works decommissioning and pumping/gravitating the sewer down to the Umhlatuzana Sewage Treatment Works. Associated infrastructure has been approved as part of a separate EIA (DM/0024/10), which took into account potential sewage for the proposed development. The environmental authorisation includes;</p> <ul style="list-style-type: none"> - Potentially replacing the Hillcrest Sewerage Treatment Works with a 6Ml/day pump station - The construction of a 6Ml new pump station and rising main in order to cross the N3 to a point where it can gravitate. - Gravity main from this point down to the existing outfall gravity main feeding the Umhlatuzana Sewerage Treatment Works. <p>It was, however, noted that the Umhlatuzana Treatment works would need to be upgraded in order to service the development, prior to construction commencing.</p>	<p>As per Condition 2.6 of the EA, the project may only commence when a sewer with sufficient capacity is found to service the development.</p> <p>The Applicant is now proposing to treat the wastewater generated by the Urban Core Precinct on site, using a conventional sewer package treatment plant. The proposal is to phase the implementation, starting with between a 0.5 and 1 Megalitre per day (Ml/day) plant (depending on technology accepted by eThekwini Water and Sanitation) and increasing the capacity to 1,95 Ml/day to match the development take-up, using Sequencing Batch Reactor (SBR) technology or other similar approved technology.</p> <p>The proposed on-site Wastewater Package Treatment Plant is proposed as an interim solution to allow for construction of the Development to proceed and which shall be situated outside of the 1:100 year floodline and wetland buffer zones on site.</p> <p>The eThekwini Municipality will service the development in its entirety once the Umhlatuzana Waste Water Treatment Works has been upgraded.</p>
Roads	
<p>The EA notes that the project may include upgrades to the existing road networks. The Traffic Assessment conducted by Arup (2015) that was submitted to the Department when the EA was granted, considered two potential scenarios for the development.</p>	<p>In addition to the road upgrades that were authorised under the EA, the Applicant is now proposing to include the construction of a new loop road near the entrance of the Development Site, and to also change the location of the public transport facilities associated with the road upgrades.</p>

<p>Scenario 1 comprised of the following upgrades to Kassier Road and the MR551 (currently a single lane in each direction):</p> <ul style="list-style-type: none"> - Four lanes between the R103 and Alverstone Road and between the northern access point and the MR559 respectively - Five lane cross section with two northbound lanes between Alverstone Road and the M13 interchange - Seven lane cross section with three northbound lanes between the M13 interchange and Cliffdale Road - Six lane cross section with three lanes in each direction between Cliffdale road and the N3 interchange - Seven lane cross section with four northbound lanes between the N3 interchange and the northern access point - Widening of the N3/Kassier Road interchange bridge to six lanes (three lanes per direction) and adding an additional northbound lane along Shongweni Road between the M13 interchange and Hospital Road. <p>Scenario 2: the road upgrades along Kassier Road and MR551 are the same as scenario 1, however, the section between M13 interchange and Cliffdale Road requires an eight lane cross section, and the N3 interchange bridge requires a seven lane cross section, with four lanes northbound.</p> <p>Localised intersection widening for Scenario 2 is similar to scenario 1 with a major difference being the N3/Kassier Road interchange. At the northern terminal, a south-to-east on ramp loop is required and the southern terminal a continuous left slip lane, is required from the off-ramp. These road upgrades align to an extent, with the upgrades proposed by KZN DoT and SANRAL, for Kassier Road and the N3/ Kassier Road interchange.</p>	<p>It should be noted that although the loop road is a new structure, it will be located on the site that was assessed by the various specialists and EAP during the initial EIA process (Site 3 Alternative).</p> <p>The findings of the various specialist assessments (conducted between 2012 and 2015), concluded that the western boundary of the site along which the loop road will be situated, is currently being used for sugarcane farming, and so does not contain features of vegetation, faunal, or heritage significance. As these studies were undertaken in 2012, the Department has requested that the findings be verified for the current application.</p>
Condition 3.24.6 and 3.24.8 of the EA: Wetland Offsets	
<p>The offset plan for the direct loss of wetland must be developed in consultation with EPCPD and EKZNW and approved by both stakeholders prior to implementation.</p>	<p>KSEMS confirm that no offset was required as per the recommendations made by the wetland specialist in the wetland specialist report (GroundTruth, 2015). The specialist noted that the rehabilitation plan will be sufficient to mitigate against any impacts on these systems, including the loss thereof. As such, KSEMS are motivating to have the Conditions 3.24.3, 3.24.6 and 3.24.8 (pertaining to wetland offsets) removed from the EA, as this will still align the development with the recommendations made by the specialist.</p> <p>EDTEA did request that comment be obtained from Ezemvelo KZN Wildlife and the eThekweni Environmental Planning and Climate Protection Department, as part of the motivation for the removal of this Condition. This will be obtained accordingly.</p>

NEED AND DESIRABILITY

The proposed Ntshongweni Mixed Use Development (Urban Core Precinct) will be located on a property owned by the Applicant, on land which is currently being used for sugar cane production. The development will comprise of a retail centre along with supporting logistics, light industry, business and service land uses. The development

is well aligned with the eThekweni Municipality Spatial Development Plan (2009) for the Outer West region to aid development along the proposed tourism/ recreation corridor along Kassier Road. Increasing residential development in the Outer West Area will also increase the demand for retail outlets in the area. The proposal is also aligned with the Shongweni Local Area Plan (LAP) which aims to promote the establishment of a Town Centre with several supporting nodes. The retail sector in particular was noted to play an important role in contributing to the economy of urban areas, as it provides services to local residents, and also aids as an attraction to visitors from surrounding areas, as well as investors which further contributes to the local economy of an area. Developers, investors and tenants may purchase freehold stands within the precincts upon which they could develop retail facilities, offices or warehousing etc. for their various business activities or to lease buildings/portions of buildings that could be constructed by the developer.

Various specialists were appointed at the time of the original EIA process to identify potential impacts associated with the development and to provide suitable measures to mitigate against such impacts. As previously discussed, the development design has incorporated the sensitive wetland and vegetation features into the layout as green open space. The remainder of the site on which changes are proposed (position of the new loop ramp), did not contain any sensitive features, and the proposed sewage treatment plant does not trigger any Listing Notices activities. The specialist reports, will, however, be updated to ensure that no additional impacts will arise from the proposed changes.

As previously indicated, the development has already been granted Environmental Authorisation (EA), whereby this amendment application is for changes to the proposed development and EA. The proposed changes to the development design for which the amendment of the EA is required, is needed to ensure that the service infrastructure associated with the development will have adequate capacity to support the development.

SITE DESCRIPTION

The Ntshongweni Mixed Use Development (Urban Core Precinct) is located on the Remainder of the Farm Kirkfalls No. 14227 within the eThekweni Municipality, KwaZulu-Natal. The site is approximately 106 hectares in extent and is located on the southern side of the N3 Highway and is bounded on the east by J.B. McIntosh Drive (extension of Kassier Road). The site is surrounded by sugar cane on the southern and western boundaries. The centre-point coordinates of the site are 29°48'39.05"S, 30°44'38.99"E (Figure 1).

The site is situated in Shongweni which is surrounded by other residential areas such as Hillcrest, Assagay and Summerveld. The site has been is currently being used for sugar cane production but has been rezoned from agricultural use. The proposed layout of the development is shown in Figure 2.

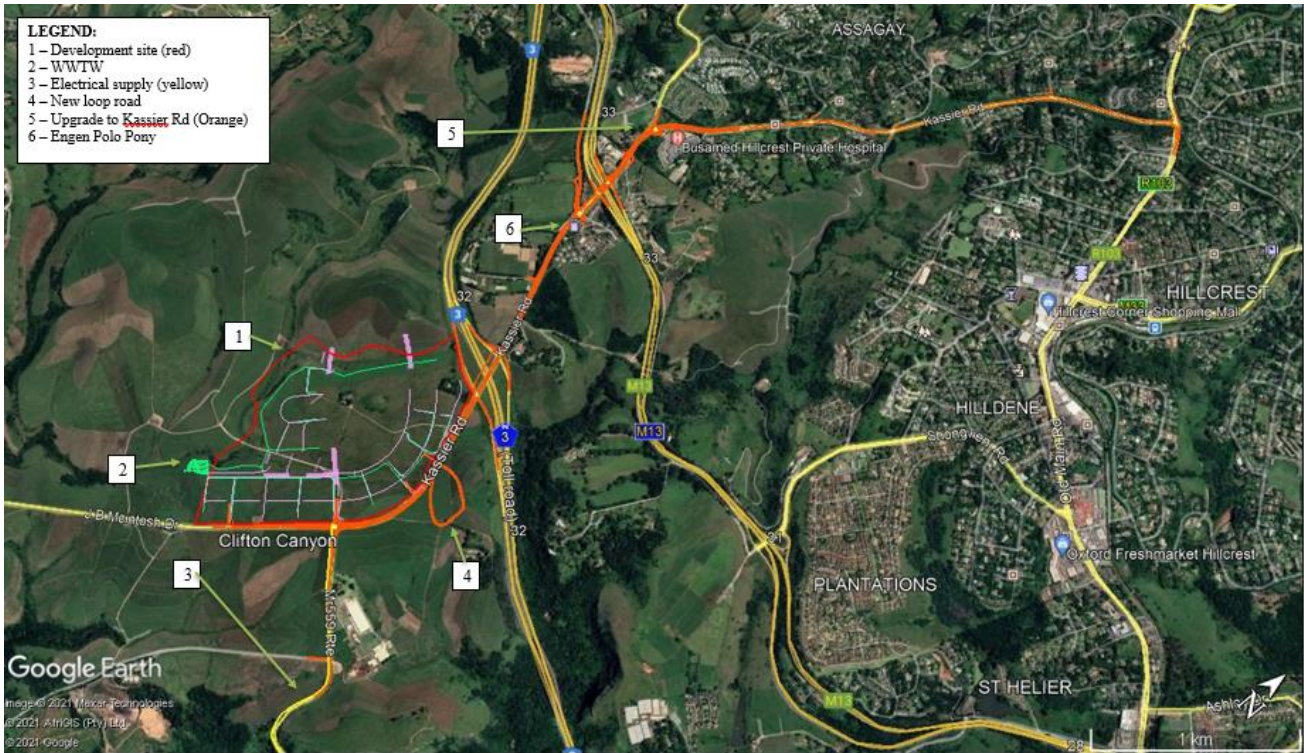


Figure 1: Location of the proposed development site, in Shongweni, eThekweni Municipality, KwaZulu-Natal (Google Earth, 2021).



Figure 2: Layout of the proposed Ntshongweni Mixed Use Development (Urban Core Precinct), a portion of which is comprised of the Urban Core Precinct (red).

The sensitivity of the site is discussed below.

Vegetation and Fauna

Under natural conditions, the vegetation on site would have comprised of KwaZulu-Natal Sandstone Sourveld (endangered). However, the site is now being used for sugar cane production and has thus been transformed from natural conditions. The only remaining natural vegetation on site occurs within the wetland/drainage line area which has been incorporated into the development design as green open space (Figure 2) and thus constitutes a no - development area. SiVest (2012) concluded that due to the site being heavily disturbed, it was also found to have a low faunal conservation value. The large areas of sugarcane were lacking in faunal species, in that the species that were observed on site included the Vervet Monkey (*Cercopithecus pygerythrus*).

Heritage

According to the Heritage Assessment (Archaic Consulting, 2012), the historical landscape associated with the study area is associated with the production of mono-crops and the associated labour compounds. There are thus few aspects that are of any heritage significance. The specialist did, however, note that the study site contains two aspects of interest, namely the Estate Management House 2 (29°48'30.57"S, 30°44'44.11"E) and the Seasonal Labour Compound (29°48'35.35"S 30°44'33.81"E). The specialist did, however, conclude that these structures are not of heritage significance as they are not older than 60 years, but that it may be worth preserving these structures for re-use.

Agricultural

The agricultural specialist (Mottram and Associates, 2012) concluded that the site has been under sugar cane production over the course of the last 10 years and noted that much of the land in the Municipality has been designated for sugar cane production which has thus taken land away from being used for urban development. After considering the findings of the study, and taking the eThekweni Spatial Development Plan objectives into account, along with the amount of additional land that will be used for sugar cane production by Tongaat Hulett, the specialist concluded that the proposed development will have little to no impact on food security in the region.

Wetland and Riparian

The study area extends across the U20M, U60F and U60C quaternary catchments within the Mgeni Sub-Water Management Area (MWA) of the Mvoti to Mzimkulu WMA, whereas the portion of the loop road extends into the U60F quaternary catchment of the same WMA. The wetland specialist (GroundTruth, 2015) delineated unchanneled valley-bottom wetlands on site which falls within the Sub-Escarpment Savanna bioregion, which has a critically endangered ecosystem threat status. The wetland has, however, been largely modified due to sugar cane cultivation and surrounding road networks intersecting the wetland.

The riparian assessment (GroundTruth, 2013) notes that the site is situated within the Wekeweke River Catchment which is classified as by the Department of Affairs as having a Present Ecological State B, meaning that the system is largely natural with few modifications. Although there may have been changes to the system as a result of surrounding development activities, the ecosystem functions of the system remains largely unchanged. Species such as *Gladiolus cruentus* (Critically endangered) and *Hydrostachys polymorpha* (Vulnerable) may occur within the stream. In order to avoid impacting on these areas, the Applicant has incorporated the wetland and associated buffer areas as part of the ecological no-development corridor that has been incorporated as open space in the development design.

As the above specialist studies were conducted between 2012 and 2015, EDTEA has requested that the respective specialists be appointed to verify the findings contained within their reports, for submission with this application. The findings of the verification reports will be included in the draft amendment report that will be made available for public comment.

POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A number of potential environmental issues have been identified to assist I&APs to better understand the investigations to be undertaken as part of the environmental assessment process. The Table below presents potential impacts that may be associated with the proposed changes to the Ntshongweni Development, as well as the relevant mitigation measures that can be implemented to reduce the risk of the activities impacting on the receiving environment.

Table 2: Potential impacts and associated mitigation measures that have been identified for the activities pertaining to the changes proposed for the amendment to the EA.

POTENTIAL ISSUE	DESCRIPTION AND PROPOSED SOLUTION
PLANNING AND DESIGN PHASE	
Non-Compliance with legislative requirements	<ul style="list-style-type: none"> The Applicant proposes to make changes to the development design and scope. As such, the Applicant must submit an application to amend the existing EA. The Applicant must adhere to all conditions within the existing EA until such time that the amended EA is obtained. The Department confirmed that no additional Listing Notice Activities will be triggered, but did request that Activity 28 of Listing Notice 1 of the EIA Regulations, be included in the Application, due to this activity being left out of the EA, despite it previously being applied for and assessed. The upgrades to the Kassier Road from Alverstone Road to the R103 will require a Water Use License from the Department of Water and Sanitation, prior to construction. Non-compliance with these legislative requirements will have legal implications for the Applicant.
Impacts associated with the change in electricity supply from the authorised 5MVA to 8MVA	<ul style="list-style-type: none"> There are no anticipated negative impacts associated with the change in supply of electricity from 5MVA (as authorised in the EA), to 8MVA. The eThekweni Municipality has confirmed the availability of 8MVA supply and this increase does not trigger any additional activities triggered under the EIA Regulations. The layout of the electricity infrastructure also remains the same as originally applied for.
Removal of the Conditions 3.24.3, 3.24.6 and 3.24.8 of the EA	<ul style="list-style-type: none"> There are no risks anticipated for this change, as the wetland specialist prepared a wetland rehabilitation plan, which noted that the suggested rehabilitation measures will be sufficient to maintain or improve the existing conditions of the at-risk wetlands (HGM 1 and HGM 2) on site. With regards to the HGM 1, the specialist noted that based on the assessments of the system, the approximately 4 hectares (ha) of wetland habitat, is actually equivalent to 1.62ha of intact wetland habitat, whereby the post-development scenario after implementation of the mitigation and rehabilitation measures – is anticipated to be 1.86ha, resulting in a gain of 0.24 hectare equivalents. The findings were similar for HGM 2, in that the 2.65ha of wetland habitat is actually equivalent to 1.08ha of intact wetland habitat, and which will be increased to 2ha of habitat following mitigation and rehabilitation, resulting in a gain of 0.92ha equivalents. As such, there is no need for wetland offsets.
Footprint of environmental impact	<ul style="list-style-type: none"> The Applicant has considered the natural stream and 1:100 year floodline which traverses a portion of the site, in order to avoid developing within this area. This area has thus been designated for open space. These buffers must be strictly adhered to. The proposed loop road does not fall within the site boundary. It does, however, fall on the previously assessed Site 3 Alternative, which was assessed by the various specialists at the time of the initial application.

CONSTRUCTION PHASE	
Soil degradation	<ul style="list-style-type: none"> • The proposed development will result in the clearance of vegetation. It should, however, be noted that the majority of the vegetation on site is comprised of sugar cane. • Bare ground may be prone to erosion which consequently poses a sedimentation risk to surrounding watercourses. • To limit potential impacts, it is suggested that land clearing activities be undertaken in a phased approach, as required to minimise exposure of bare soil. • Soils can be stored in stockpiles not exceeding 2 m in height and erosion control measures implemented to prevent erosion. • Heavy construction vehicles transporting materials may result in soil compaction and altering infiltration and runoff properties. It is thus required that designated routes be utilised to minimise the impact footprint. • All impacts will be mitigated against by implementing the control measures outlined in the site-specific Environmental Management Programme (EMPr), with input from the relevant specialists, as well as the spill response procedure to be followed in the event of an accidental spill.
Ground/surface water contamination	<ul style="list-style-type: none"> • There is potential for ground/ surface water contamination to occur as a result of accidental spills or leaks of harmful substances/fuel, resulting in product seeping into the ground and potentially moving into the soil, groundwater and contamination of run-off being discharged into surrounding watercourses. • All impacts will be mitigated against control measures outlined in the site-specific EMPr as well as the spill response procedure to follow in the event of an accidental spill. The surface water quality, wetland monitoring and riverine monitoring plans must be implemented.
Impacts on surrounding watercourses	<ul style="list-style-type: none"> • Construction within watercourses or their associated buffer zones must be limited and avoided where possible. • The buffers associated with the no-development corridor on site must be adhered to at all times. • The Water Use License has already been obtained for the proposed development. A WUL Application must still be submitted for the upgrades to Kassier Road prior to construction taking place. • No vehicles must be serviced within the vicinity of watercourses to prevent contamination thereof.
Impacts on flora and fauna	<ul style="list-style-type: none"> • The study site is located on land that is being used for sugar cane production and which has thus been largely transformed. The ecological specialist concluded that the only vegetation and fauna worth noting, is that in the wetland area and drainage line on site. • These areas should be avoided, whereby no construction is permitted within them. • The new loop road will be situated on the site that was previously assessed by the specialist as an Alternative that was considered during the initial EIA process. The specialist had noted that the site is also being used for sugar cane production and that no species of concern are found on site. As such, the new loop road is not anticipated to result in significant negative effects on the receiving environment.
Impacts associated with the change in road infrastructure, i.e. construction of the new loop road	<ul style="list-style-type: none"> • The EA authorised the proposed upgrades to the road network, as described in the Final EIR (KSEMS, 2015) and supporting specialist reports. The Applicant is now proposing to construct a new loop road near the entrance of the shopping mall, to improve the flow of traffic along this area. The loop ramp will be located on land owned by the Applicant, which was assessed during the original EIA process, as the Site 3 Alternative. The land was assessed as being used for sugar cane production and which does not pose a risk to vegetation, fauna or heritage resources. Therefore, the loop ramp is not anticipated to result in significant negative impacts. • Construction and clearing of land may result in an increase in the risk of erosion and potential sedimentation of downstream watercourses. This can, however, be mitigated through implementation of the EMPr.
Impacts associated with the waste water treatment works.	<ul style="list-style-type: none"> • The proposed Waste Water Treatment Works will process the effluent on site, which will then be treated, and discharged into the existing valley line downstream. The discharge point for the plant is, however, located 32m away from the delineated watercourses on site. • A Water Use License has already been obtained for the development, inclusive of the Waste Water Treatment Works, in terms of Section 21 (c), (i) and (f) of the NWA.

	<ul style="list-style-type: none"> • A reno mattress will help dissipate flows and prevent erosion. • The treated effluent will be in accordance with the DWS standards and acceptable limits for discharging into a stream or watercourse.
Impacts associated with heritage resources	<ul style="list-style-type: none"> • The National Heritage Resources Act (Act no. 25 of 1999) provides for the management and protection of heritage resources in South Africa. Section 38 of the Act refers to activities that require the applicant to correspond with the South African Heritage Resource Agency (SAHRA). • A heritage impact assessment was conducted which concluded that no heritage resources were of concern. The new loop road does trigger an activity under Section 38 of the Act, however, the site on which the loop will be located was assessed during the initial EIA process and it was also concluded that there were no resources of concern present. • Should heritage resources be uncovered during excavation activities, construction is to be placed on hold and the relevant heritage resource agency contacted on how to manage the identified resources.
Traffic impacts	<ul style="list-style-type: none"> • Construction vehicles will increase the number of vehicles utilising roads but these will be restricted to working hours. • Should vehicles traverse outside of the working hours, surrounding landowners will be notified. • All access points, roads and turning areas must be agreed by the engineer and Environmental Control Officer (ECO) prior to commencement of construction. No ad-hoc haulage roads or turning areas should be created. • The upgrades proposed for the roads will increase capacity of the road network to cater for projected increases in traffic, that will be associated with the upcoming developments in the region.
Noise generated by construction workers, machinery and construction vehicles disturbing surrounding residents.	<ul style="list-style-type: none"> • Noise pollution is expected to be within the construction threshold of 85 decibels (dB), however, should excessive noise pollution occur, all nearby residents must be notified prior to the activity commencing. • Construction must take place from 07:00 to 17:00 daily. • Noise mitigation measures will be included in the EMPr.
Impact on local residents	<ul style="list-style-type: none"> • Employment opportunities during construction. • Disturbance in terms of dust and noise during construction.
OPERATIONAL PHASE	
Aesthetic or visual impacts arising from the proposed development.	<ul style="list-style-type: none"> • Increased traffic around the development area. • The site is situated along a national road and the surrounding area is experiencing increased levels of residential development. The development is unlikely to have a significant negative impact in terms of aesthetic appeal to the community.
Impact on local residents	<ul style="list-style-type: none"> • The proposed development will promote economic growth in the region, as it will contribute to construction along the proposed Kassier Road tourism and recreation corridor, as well as to the creation of a new town centre, in accordance with the eThekweni Spatial Development Plan and Shongweni Local Area Plan respectively. • The development will attract residents, surrounding visitors, and investors. • New job opportunities.
Impacts associated with the operation of the waste water treatment works.	<ul style="list-style-type: none"> • The on-site WWTW will act as a temporary solution until the Municipality has sufficient capacity to meet the ultimate demands of the development. The WWTW will treat effluent to be of acceptable DWS standards, before being discharged into a watercourse. There is a potential for watercourse contamination which may will negatively affect water quality, and biodiversity within the system, or downstream systems, if there are any mechanical errors in the WWTW which results in leaks or discharge of effluent that has not been treated according to the acceptable limits. This impact does pose a significant risk of impact, in the event that the WWTW experiences failure during operation. • Water quality, wetland and riverine monitoring reports have been prepared to ensure that any contamination of water is detected early on, so that the correct remedial actions can be taken. • A specialist has prepared a surface water, riverine and wetland monitoring plan to manage potential impacts associated with the activities. • The Waste management measures will be included in the site-specific EMPr.

ENVIRONMENTAL AUTHORISATION (EA) PROCESS

To determine the overall environmental feasibility of the project, an Environmental Impact Assessment (EIA) process for EA is required as per the NEMA: EIA regulations (2014, as amended), (Regulations in terms of Chapter 4 of the NEMA, 1998, as amended) by way of either a BAR or a full S&EIA process. Each process is a planning and management tool used to promote sustainable development, and which aims to inform decision-makers about the potential environmental, physical, biological and socio-economic impacts that may arise as a result of the proposal. As part of the EIA process, an EMPr is composed, which is a site-specific document that presents all the potential impacts that the proposed development may have on the surrounding terrestrial, aquatic and anthropogenic environments and details potential avoidance, mitigation and/or rehabilitation measures that must be implemented to either avoid or reduce the potential impacts.

Upon conducting a pre-application meeting with EDTEA it was determined that no additional Listing Notices Activities published under the EIA Regulations (2014, as amended) will be triggered, as the proposed sewage treatment plant and new loop road will remain below any triggering thresholds. As such, this application will be a Part 2 amendment to the existing EA.

EDTEA has, however, requested that the application include Activity 28 of Listing Notice 1 (GNR 327, 2017) of the EIA Regulations (2014, as amended) due to this Activity being left out of the original EA in error, despite the Activity having already been applied for and assessed in the original EA process. The Table below (Table 4) lists the activities that will be included in the application for amendment of the EA.

Table 3: Listing Notice Activities being applied for in this Part 2 Amendment Application.

Government Notice No.	Activity No(s)	Description
GNR 327 of April 2017	28	Residential, mixed, retail, commercial or industrial developments where such land was used for agriculture purposes on or after 1998, where such development (i) occurs inside an urban area where the land to be developed is bigger than 5ha or (ii) outside an urban area, where the land to be developed is bigger than 1 ha The development site is approximately 105ha in extent, and is situated on land being used for sugar cane production.

WATER USE LICENSE APPLICATION (WULA)

The NWA (Act no. 36 of 1998) deals with various consumptive and non-consumptive uses of water resources and controls the manner in which water resources are protected, used, developed, controlled, conserved, managed and ensures the sustainable use of water for all. Water uses are defined within Section 21 of the NWA (Act no. 36 of 1998). These generally relate to the utilisation or removal of water (surface and/or ground), alterations and/or diversions of watercourses and discharging/dispersing of waste into a watercourse (river or wetland).

The water uses which are outlined within Section 21 that will be triggered as a result of the proposed upgrades to Kassier Road include Section 21 (c) and (i) of the NWA as the proposal will comprise of the upgrading of Kassier Road and construction of the new loop road within 500m of several watercourses. A WULA will thus be submitted to the Department of Water and Sanitation (DWS) for the proposed upgrades to Kassier Road, between the R103 (start point: 29°46'11.18"S, 30°45'33.73"E) and Alverstone Road (end point: 29°47'23.81"S, 30°44'26.81"E).

PUBLIC PARTICIPATION PROCESS

The Public Participation Process (PPP) is a legislated component of the EIA and WULA process as per the NEMA (Act no. 107 of 2014): EIA Regulations (Regulations in terms of Chapter 6 of the NEMA (1998), as amended) and as per the NWA (Act no. 36 of 1998) (Regulations in terms of Chapter 4 of the NWA (1998)), respectively. PPP is the opportunity afforded to all I&APs (including government authorities) to become involved in the application processes and is required to ensure that the views of all I&APs are considered during the assessment of the potential impacts. The EIA and WULA processes are indicated in Figure 3 below. It should be noted that the EA Amendment process follows the same application process as a Basic Assessment, hence the reference to the BAR process in the Figure below.

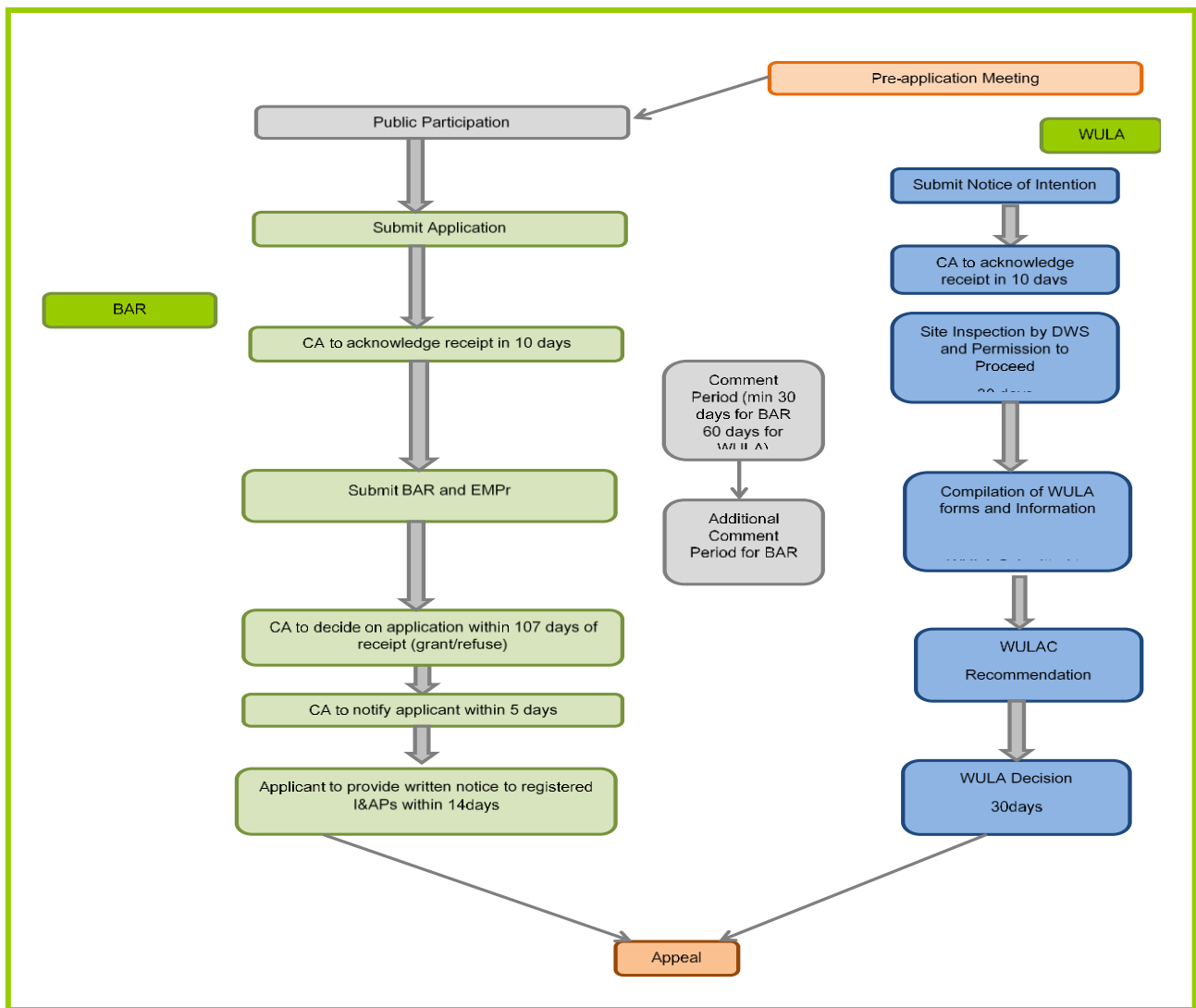


Figure 3: EIA and WULA Process.

ABOUT KSEMS ENVIRONMENTAL CONSULTING

KSEMS is an established environmental consultancy, which has been based in KZN since 1998. KSEMS has been appointed as the independent EAP and is responsible for assessing the impacts of the proposed development as well as managing the PPP. All I&APs are invited to register in writing via email with the contact person presented below to receive further information regarding the proposed development and to have an opportunity to comment on the process going forward.

Kerry Stanton/ Simone Lewis
KSEMS Environmental Consulting
Phone : 082 823 1844/ 063 684 9195
Fax : 086 535 5281
E-mail: stanton@ksems.co.za/ simone@ksems.co.za

By registering for the process, your name will be included in the register of all I&APs and you will be notified of meetings and the availability of reports for comment. You will be able to provide comment or present queries on any written submission, or information provided which will then be included in the relevant submissions that will be distributed to the competent authorities (e.g. DWS and EDTEA).

Please note the following legislated extract as per the NEMA: EIA Regulations (Act no. 107 of 1998) (Regulated in terms of Chapter 6 of the NEMA (1998), as amended):

REGISTERED INTERESTED AND AFFECTED PARTIES ENTITLED TO COMMENT ON REPORTS AND PLANS

43. (1) *A registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application.*

(2) In order to give effect to section 240 of the Act, any State department that administers a law relating to a matter affecting the environment must be requested, subject to regulation 7(2), to comment within 30 days.

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COMPANY REGISTRATION NO: 2019/522106/07
MEMBERS: K.A. STANTON (MANAGING DIRECTOR)