

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS AND INTEGRATED WATER USE LICENCE APPLICATION PROCESS

FOR THE PROPOSED MZINGAZI VILLAGE FORMALIZATION PROJECT, RICHARDS BAY, KWAZULU NATAL.

BACKGROUND INFORMATION DOCUMENT AND INVITATION TO PARTICIPATE

16 OCTOBER 2020

1. PURPOSE OF THIS DOCUMENT

This document aims to:

- Provide background information to parties interested in and/or affected by the proposed formalization project.
- Provide information on the Environmental Impact Assessment (EIA) Process and the Integrated Water Use License Application (IWULA) to be followed for the proposed Mzingazi Village Formalization Project, Richards Bay, KwaZulu-Natal.
- Indicate how you, as an Interested and Affected Party (I&AP), can become involved in the EIA and IWULA process.

2. PROJECT DESCRIPTION

The KZN Department of Human Settlements in consultation with uMhlathuze Local Municipality proposes to formalise erven within Mzingazi Village and Meerensee 5 and provide an integrated housing solution that addresses various Human Settlement programmes and includes:

- Proposed residential and greenfield development zones; and
- Social housing components which include free-standing units, serviced sites and public amenities and facilities as well as the additional associated engineering services required.

3. PROJECT LOCATION

The Mzingazi Village is situated to the East of the City of uMhlathuze Municipality within the King Cetshwayo District Municipality, KwaZulu-Natal. The study area is located on Portions 49 and 54 of Erf 5333 (Mzingazi Village), a portion of the Remainder of Erf 5333 (Meerensee 5) and a portion of the Remainder of farm reserve no.4. no. 15823. Angler's Rod Street transverses through the proposed study area. The study area is located within the quaternary catchment W12J and quarter degree grid cell 2832CC. It has centre point

geographic coordinates at 28°45'35.43"S and 32°7'55.41"E and an approximate extent of 269 ha.

4. ENVIRONMENTAL IMPACT ASSESSMENT AND INTEGRATED WATER USE LICENCE APPLICATION PROCESSES PROCESS - LEGAL FRAMEWORK

In terms of the EIA Regulations published in Government Notice (GN) No. 324, 325, 326 and 327 of 7 April 2017 under Section 24(5), and 44 of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), as amended, the intent to carry out the EIA Process (in terms of listed activities 9, 10, and 19 of Listing Notice 1 – GN R327, listed activity 15 of Listing Notice 2 – GN R325 and listed activities 12 and 14 of Listing Notice 3 – GN R324) and an IWULA to be submitted to the Department of Human Settlement Water and Sanitation (DHSWS) under the National Water Act (NWA), (Act 36 of 1998) for listed water uses in terms of Section 21.

GN R327 - NEMA EIA Listing Notice 1 of 2017:

Activity 9: *The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more;*

Activity 10: *The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more;*

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;

GN R325 - NEMA EIA Listing Notice 2 of 2017:

Activity 15: *The clearance of an area of 20 hectares or more of indigenous vegetation.*

GN R324 - NEMA EIA Listing Notice 3 of 2017:

Activity 12: *The clearance of an area of 300 square metres or more of indigenous vegetation in (d) KwaZulu-Natal in (iv) within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEM:BA.*

Activity 14: *The development of — (ii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs—(a) within a watercourse in (d) KwaZulu-Natal in (vii) critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.*

NWA for the listed water uses in Section 21.

An IWULA in terms of Section 21 of the NWA will be required for the proposed project.

The EIA and IWULA Processes consists of the following two very closely interlinked processes:

- A technical process, which entails the identification and management of possible environmental issues/concerns; and
- A public participation process, which requires public consultation in order to assist in the identification of possible environmental and/or social issues and/or concerns.

5. ANTICIPATED ENVIRONMENTAL ISSUES

It is anticipated that the following environmental aspect will be significant and will hence be addressed by the project team during the assessment process:

- Impacts on vegetation and faunal habitats;
- Impacts on water resources and wetlands;
- Impacts on the socio-economic dynamics during construction.
- Impacts on livelihood of local residents.

Management guidelines will be developed for the above-mentioned issue and incorporated in an Environmental Management Programme (EMPr).

You are welcome to comment on the above list and provide additional anticipated issues and possible impacts that should be assessed.

6. SPECIALISTS

Based on the Department of Environmental Affairs (DEA) Environmental Screening tool outcomes the following specialist input would be required for the proposed project:

- Agricultural Capability Impact Assessment
- Aquatic Biodiversity Impact Assessment
- Archaeological and Cultural Heritage Assessment
- Civil Aviation Impact Assessment

In terms of GNR 320 for the Procedures for the Assessment and minimum criteria for reporting on identified environmental themes in terms of Sections 24(5)(a) and (h) and 44 of the NEMA, when applying for an Environmental Authorisation as released on the 20 March 2020, when the requirements for the protocols apply, the requirements for Appendix 6 of the EIA Regulations are replaced by these requirements. Where a specialist assessment is required and no specific environmental theme protocol has been prescribed, the required level of assessment must be based on the findings of the site sensitivity verification and must comply with Appendix 6 of the EIA Regulations.

Additional specialist studies that will be conducted include:

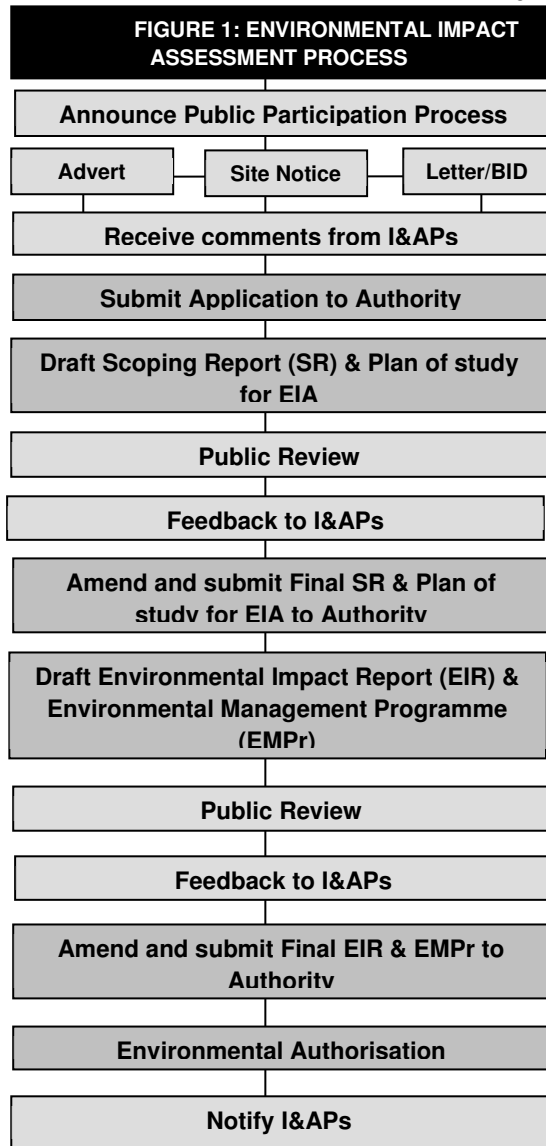
- Heritage Impact Assessment.
- Geotechnical Assessment

The Department of Economic Development, Tourism and Environmental Affairs (DEDTEA), DHSWS or other stakeholders may require additional specialists' studies if necessary.

7. PUBLIC PARTICIPATION PROCESS

Public Participation is any process that involves the public in problem solving or decision-making and forms an integral part of the EIA and WULA. The Public Participation Process (PPP) provides people who may be affected by the proposed formalization project, with an opportunity to provide comments and to raise issues of concern, or to make suggestions that may result in enhanced benefits for the project.

The EIA process to be followed is depicted in Figure 1.



Comments and issues raised during the PPP will be captured, evaluated and included in a Comments and Response Report, which will be incorporated into the draft Environmental Impact Assessment report (EIA) and the IWULA. The draft EIA, WULA and EMP will be made available for public review prior to submission to the relevant environmental authorities.

8. APPROVING AUTHORITY

The DEDTEA is the relevant authority which will review the Scoping, and EIR. The DEDTEA has to reach a decision as to whether, and under what conditions, the project may proceed, based on environmental considerations.

The process to be followed is depicted in Figure 1 as per the amended 2017 NEMA regulations.

The DHSWS is the relevant authority which will review the IWULA. A decision on the application will be made by DHSWS based on content which has been provided in the IWULA.

9. INVITATION TO PARTICIPATE

Exigent Engineering Consultants has been appointed by Gabhisa Planning and Investments, on behalf of the City of uMhlathuze Local Municipality, to manage and facilitate the environmental process and PPP required for the project.

We would like to encourage you to participate in this EIA and IWULA process. Should you wish to get involved, receive project information, and/or to raise issues, please provide your written comments together with your name, contact details, preferred method of notification (e.g. email or fax) and an indication of any direct business, financial, personal or other interest which you have in the application by **16 November 2020**:

EXIGENT ENGINEERING CONSULTANTS

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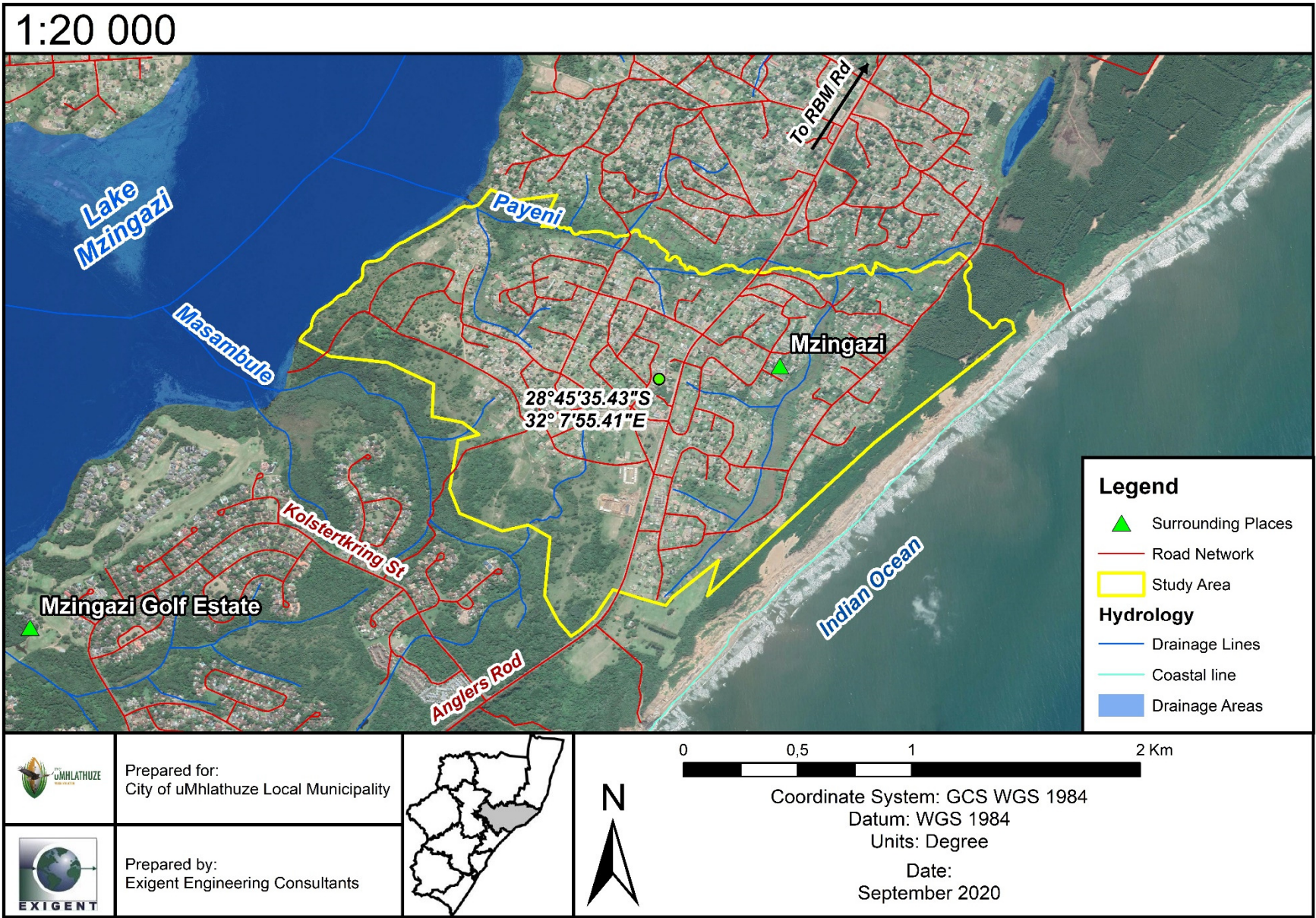


Figure 2. Locality Map