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# **Proposed Keystone Park Light Industrial, Warehousing and Logistics Precinct (DM/0071/2012)**

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Draft Scoping Report  
October 2013



**BALANCED  
ENVIRONMENT**

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## ACRONYMS

AMAFA	Heritage Kwa-Zulu Natal
DAEA	Department of Agriculture and Environmental Affairs
DEA	Department of Environmental Affairs
DSR	Draft Scoping Report
EAP	Environmental Assessment Practitioner
ECA	Environmental Conservation Act
EIA	Environmental Impact Assessment
EIR	Environmental Impact Report
EKZNW	eZemvelo Kwa-Zulu Natal Wildlife
EPCPD	Environmental Planning and Climate Protection Department
I&AP	Interested and Affected Party
IDP	Integrated Development Plan
LAP	Local Area Plan
NEMA	National Environmental Management Act, 1998 (Act 107 of 1998)
NEMAA	National Environmental Management Amendment Act, 2008 (Act No 62 of 2008)
NEM:AQA	National Environmental Management: Air Quality Act, 2004 (Act No 39 of 2004)
NEM:WA	National Environment Management: Waste Act, 2008 (Act No 59 of 2008)
NDP	National Development Plan
PGDP	Provincial Growth and Development Plan
PGDS	Provincial Growth and Development Strategy
PSDF	Provincial Spatial Development Framework
PSEDS	Provincial Spatial Economic Development Strategy
SAHRA	South African Heritage Resources Agency
SEMA	Specific Environmental Management Act
SDF	Spatial Development Framework
SIPs	Strategic Integrated Projects

## EXECUTIVE SUMMARY

The subject of this application DM/0071/2012 for authorisation in terms of the National Environmental Management Act, Act 107 of 1998 is a proposal to establish a Light Industrial, Warehousing and Logistics Park (a new Precinct) and associated infrastructure on  $\pm 152$ Ha of land purchased from the Bartlett Estate ( $\pm 111$ Ha), and others ( $\pm 41$ Ha) immediately southeast of the MR385 (M50/Mthoko Mkhize Drive) to Hammarsdale and south west of the N3 in the Western Functional Region of the eThekweni Municipality.

The project proponent is Keystone Park cc. The project intention is to establish a new Light Industrial, Warehousing and Logistics precinct to service market demand for facilities in a serviced, clean light industrial node within the eThekweni region on the Durban Johannesburg corridor.

In addition to the provision of internal infrastructure the following bulk infrastructural upgrades are anticipated:

- A possible upgrade of the N3 Hammarsdale interchange
- A possible upgrade of the relevant portion of the MR385 (M50/Mthoko Mkhize Drive)
- The probable relocation of the applicant site entrance (previously Emerald Drive) to a position more suited topographically and to the high traffic volume on the MR385 (M50/Mthoko Mkhize Drive)
- The probable addition of a second park entrance to deal with the traffic volumes
- A possible rerouting of portions of existing Eskom powerlines and related servitudes
- Connection to the Hammarsdale Waste Water Treatment Works
- New or upgraded lines / pipes to the following infrastructure: sewer, power, water, telecoms
- A possible helipad

Agreements with the relevant organisations to facilitate the above-mentioned bulk infrastructural upgrades which are necessary to enable this development proposal and which form part of this application will be finalised as part of the process to enable a comprehensive environmental authorisation. Where separate authorisation processes are necessary for infrastructural upgrades these will be explicitly identified in the process.

The proposed development is located within the Primary Growth Corridor between Durban and Pietermaritzburg, identified in terms of the Provincial Spatial Economic Development Strategy in 2006. The Corridor was cemented as a

growth intervention in more recent Provincial Planning Documents (PSDF 2011, PGDS 2011, PGDP 2012) The importance of the corridor has now been reinforced by the country's New Growth Path, National Development and National Infrastructure Plans and prioritised for accelerated implementation in terms of the Strategic Integrated Projects (SIPs) where the Durban - Free-State – Gauteng logistics and industrial corridor is being developed as SIP2.

Six (6) properties, in total extent 152.1Ha, make up the applicant site and are described as Portion 7 (of 1) of Farm Bartlett No 16387, in extent 33,2536 Ha and Remainder of Portion 1 of Farm Bartlett No 16387, in extent 78,0204Ha owned by Keystone Park cc (transferred from Bartlett and Edwards Farms 050813), Portion 420 (of 1) of the Farm Sterkspruit No 907, 5,6407Ha in extent, owned by Morning Tide Investments 225 Pty Ltd, Portion 460 (of 458) of the Farm Sterkspruit No 907, 10,0011Ha in extent, owned by David Baksa, Portion 461 (of 458) of the Farm Sterkspruit No 907, 24,1964Ha in extent, owned by Paul de la Beaujardiere (locally known as Pierre Pitot), and Portion 8 (of 1) of the Farm Bartlett No 16387, in extent 1,0336Ha owned by RSA Government (KZN DOT). Keystone Park cc has bought the land from both Morning Tide Investments and David Baksa, but at the time of this report had not yet taken transfer. Morning Tide Investments, David Baksa and Paul de la Beaujardiere (locally known as Pierre Pitot) have entered into agreements with Keystone Park cc to include the land in the development application pending transfer and have provided landowners consent to the department.

The potential to relocate small portions of the existing Eskom power lines and servitudes over the Remainder of the Farm Bartlett No 16387, Ptn 434 of the Farm Sterkspruit No 907 and Erf 22, Clifffdale is also under consideration.

The planning of the development proposal has been informed by the up-front identification of any environmental constraints. This includes the recognition of areas with conservation potential, heritage significance, and geotechnical constraints.

Adverts calling for interest in the project were placed in the Highway Mail and Natal Mercury of the week ending 4 January 2013. Stakeholders and surrounding landowners within 100m of the site (for whom addresses were available) were posted a Background Information Document and asked to comment. Registered Interested and Affected parties were e-mailed Background Information Documents. Site Notices were displayed at the Emerald Road/MR 385 (Mthoko Mkhize Drive) intersection, and alongside the MR385 (M50/Mthoko Mkhize Drive) adjacent the lay-by approximately 500m from the N3/MR385 (M50/Mthoko Mkhize Drive) intersection. A subsequent notice advertising the inclusion of additional portions, Ptn 8 (of 1) of the Farm Bartlett 16387 and Ptn 460 (of 458) of the Farm



Sterkspruit 907) and the addition of listed activity GN545 7 to accommodate a possible helipad was placed in the Mercury and Highway Mail in the week ending 7 June 2013. Site Notices were updated and registered and interested and affected parties notified. A further notice has been placed in the Mercury dated 25 October and the Highway Mail of 30 October 2013 advising of the inclusion of an additional portion, Portion 461 (of 458) of the Farm Sterkspruit 907, to facilitate safe sight distances for the proposed second access to the park off the MR385, and the potential trigger of listed activities GN544 24 and GN5454 18. Notice of a public meeting to be held on Wednesday 20 November 2013 was also given. Site Notices have been updated and additional notices placed and registered interested and affected parties have been notified.

Extensive support has been received by the eThekweni Municipality for the development of the Keystone Park precinct as a non-polluting node where warehousing, logistics and clean light industry could be established, as a Light Industry 3 zone / land use.

A comprehensive Traffic Impact Assessment is being conducted to determine estimated traffic volumes and movement patterns, determine the current condition/service level of road infrastructure (with specific reference to the N3 interchange and the MR 385), determine solutions for the rectification of current traffic problems, and align the programming of future improvements with the proposed Keystone Park development potential load, confirm the need for, planning and design of 2 access points to align with the long term implementation of the proposed development, deal with public transport requirements, and address issues relating to pedestrian movement.

Bulk infrastructural service requirements including water supply, sewage disposal, stormwater disposal, solid waste collection and electricity supply are being thoroughly investigated, Flood lines are to be determined and a rational design for stormwater management is to be provided in accordance with eThekweni and DWA requirements. Management of service infrastructure and erosion control is to be addressed and provisions for monitoring included in EMP's.

Vegetation, wetland and geotechnical reports will be required in the EIA phase. Environmentally friendly design options will be incorporated. A plant rescue operation will be undertaken prior to the construction phase to minimise the loss of any indigenous material. Alien invasive species present on site are to be cleared and managed in terms of CARA and NEMBA. Wetlands are to be suitably buffered and erosion and ground water pollution potential to be prevented and managed. The precinct design will incorporate 'green/sustainable' design principles/philosophies as far as possible.

This document comprises the **Draft Scoping Report (DSR)** for **EIA DM/0071/2012** the proposed Light Industrial, Warehousing and Logistics Precinct to be developed by the applicant Keystone Park cc. It is available for a 40 day comment period after which all the comments will be collated and a Final Scoping Report produced and submitted to DAEA for consideration and approval of the Plan of Study for EIA.

Following the approval of the Plan of Study for EIA the Specialist studies will be finalised. On completion of the specialist studies an Environmental Impact Report will be prepared and the Draft Environmental Impact Assessment circulated for public comment before final submission to DAEA for consideration.

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## **DRAFT SCOPING REPORT - EIA DM/0071/2012**

**28.** (1) A scoping report must contain all the information that is necessary for a proper understanding of the nature of issues identified during scoping,

### **1 TERMS OF REFERENCE**

Balanced Environment has been appointed by Mr Rod Stainton on behalf of Keystone Park cc to undertake a full Scoping/ Environmental Impact Assessment application and request authorisation from the competent authority, the Department of Agriculture and Environmental Affairs (DAEA), for the establishment of a development comprising a fully serviced Light Industrial, Warehousing and Logistics Precinct with associated infrastructure.

The process will follow the Regulations made in terms of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended) for the undertaking of listed activities published in Notices R544 and R545 and R546, as set out in Notice R543, and effective from 18 June 2010.

### **2 INTRODUCTION**

The applicant site, located at Inchanga/Hammarsdale, is a ±152Ha portion of land purchased primarily from the land holder commonly known as Bartlett Estate, situated 50km west of Durban and immediately south of the N3 to Pietermaritzburg.

The Bartlett land has been farmed mainly for sugar cane over many years. Several hectares have been expropriated and/or alienated over time to Eskom for Electrical Power Transmission Line Servitudes, eThekweni Municipality for the establishment of a regional cemetery, and KZN DOT for road reserves.

Farming enterprises have operated marginally, and have been sustained over the years through good management. However the land owner has been aware of the surrounding poverty, characteristic of the area, and the need to reinforce linkages, unlock development potential, and create desperately needed employment opportunities.

The possibility of supporting the city's growth initiatives by releasing land parcels for development, with a view to providing much needed land for logistics and light industry in close proximity to the Mpumalanga Town Centre, has resulted in the development proposal under consideration.

A land parcel immediately adjacent (south of) the N3, and south east of the MR385 (M50/Mthoko Mkhize Drive, existing link to the hinterland), most disturbed,

of least significant agricultural potential, and least likely to impact on the Open Space connectivity due to already established interruptions resulting from existing road infrastructure has been selected for development to maximise benefit and minimise the potential for negative impact.

### **3 HISTORY**

The primary Durban-Pietermaritzburg growth 'corridor' has been under consideration in various planning reports since as early as 1996, when the KZN Town and Regional Planning Commission first initiated research to identify opportunities for urban development. Dr Jeff McCarthy the erstwhile consultant to the province had even then identified the Bartlett Estate area as one of a possible series of nodes for development along the N3.

In June 2002 the Georgedale/Mpumalanga Activity Corridor Local Development Plan was prepared by the Linda Masinga Project Team and assistants. This report acknowledged the identification of the MR385 (M50/Mthoko Mkhize Drive) as a regional accessibility corridor and its ability to open up the rural hinterland and improve the interconnectivity of the Durban Metropolitan Area. The report examines the status quo and identifies proposals as part of the Outer West planning process aimed at optimising and co-ordinating development along the MR 385.

A Spatial Development Plan (SDP) for the Outer West was prepared by the eThekweni Development Planning Unit in conjunction with Urban Explorations in February 2005, as part of their proposed Land Use Management System towards updating and installing appropriate land-use management mechanisms. The objective was to investigate and acknowledge existing movement/activity corridors, examine the open space systems that dictated the structuring around them and within the framework of physical constraints, consider development opportunities and the concomitant infrastructural needs, and optimise development in the areas of greatest opportunity. The N3 was once again confirmed as the main access and economic route, with the MR385 (M50 Mthoko Mkhize Drive) being confirmed as the link to the integration of Mpumalanga.

Subsequently the Provincial Spatial and Economic Development Strategy was released in support of the nationwide Accelerated Growth Strategy, resulting in primary and secondary growth corridors being identified to maximise benefit along movement routes and contain urban sprawl.

Looking at the historical context, it is obvious that the portion of land now constituting the applicant site has been under development pressure for some

considerable period of time and the need to provide jobs in the region has become urgent.

28 (1) (a) details of (i) the EAP who prepared the report; and (ii) the expertise of the EAP to carry out scoping procedures;

#### **4 PROFESSIONAL TEAM DETAILS**

Balanced Environment (having been the environmental consultant on the project since its inception in 2007) is appointed by the developer in terms of the National Environmental Management Act (NEMA) requirements to act as the independent Environmental Assessment Practitioner (EAP) to undertake the tasks required by the GNR 543 (NEMA Regulations) including:

- The gathering of information, and preparation and presentation of suitable plans and reports describing the activity for which authorisation is sought
- Conducting the requisite public participation process
- Making all of the available information pertaining to the project available to the competent authority

Sue George is the Environmental Assessment Practitioner (EAP) on this project. She has a BA Environmental Management (UNISA) and a Masters in Environmental Management (UFS), and has been engaged with environmental impact assessment either as the lead consultant or as part of other teams, and as a support service to other independent consultants since 2005 when Balanced Environment was started.

Contact details of the Environmental Assessment Practitioner are included at the front of the report and a CV is included at Appendix 6.

The following professionals comprise the project team contributing expertise to this development proposal:

**Table 1 Professional Team**

<b>Discipline</b>	<b>Professional</b>	<b>Company</b>
Developer	Rod Stainton	Keystone Park cc
Project Manager	Rod Stainton & Team	Rokwil (Pty) Ltd
Town Planner (Statutory)	Christine Platt	Christine Platt Consulting
Engineer	Scott Taylor	Thabathi Taylor Consulting
Engineer (Sanitation)	Tex Westgate	GOBA
Engineer (Water & Stormwater)	Terence O'Flaherty	Aurecon
Electrical Engineer	Gary Wilson	
Traffic Engineer	Mike van Tonder & Dave Kellock	Aurecon
Land Surveyor	Mark Turnbull	Button O Connor
Land Surveyor	Tony Cuninghame	A R J Cuninghame Professional Land Surveyors
Vegetation Specialist	Johan Bodenstein	INDIfloa cc
Wetland Specialist	Doug MacFarlane	Eco-Pulse
Geotechnical Engineer	Gerald Davie	GeoZone GeoServices
Archaeological Specialist	Len van Schalkwyk	eThembeni Cultural Heritage
Agricultural Specialist	Keith Snyman	Keith Snyman and Associates
Architectural Theme and Controls	Nick Proome	EPA
Logistics Consultant	Mark Long	Long Logistics
Conveyancer & Property Law	Sue Bartlett	Tomlinson Mnguni James
Environmental Law	Norman Brauteseth	Norman Brauteseth & Associates

## 5 ACTIVITIES FOR AUTHORISATION

Application for authorisation of the following activities will be requested as part of this EIA:

**Table 2 Activities for Authorisation**

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
GN R544	9	<p>The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water -</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more, excluding where:</p> <p>a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve; or</p> <p>b. where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.</p>	<p>Infrastructure exceeding 1000m in length for the bulk transportation of sewage to the works and the supply of potable water to the development will be installed. These pipes should be located primarily in the road reserves but there may be instances where they will be located outside of the road reserves in servitudes. It is possible that the pipe sizes could exceed 0.36m. It is possible that sewer, stormwater, water throughput could exceed 120 litres per second at peak.</p>

1 Please note that this description should not be a repetition of the listed activity as contained in the relevant Government Notice, but should be a brief description of activities to be undertaken as per the project description, i.e. describe the components of the desired development

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	10	The construction of facilities or infrastructure for the transmission and distribution of electricity - (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or (ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more.	The existing Eskom powerlines may possibly have to be rerouted to the site boundary to facilitate a better site layout and minimise potential risk to the lines.
	11	The construction of: (i) canals; (ii) channels; (iii) bridges; (iv) dams; (v) weirs; (vi) bulk storm water outlet structures; (vii) marinas; (viii) jetties exceeding 50 square metres in size; (ix) slipways exceeding 50 square metres in size; (x) buildings exceeding 50 square metres in size; or (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.	It is possible that a bridge may have to be constructed with supports occurring within 32m of the wetland /watercourse. Attenuation dams and bulk stormwater outlet structures will possibly be constructed instream, and building or structures exceeding 50m <sup>2</sup> may be constructed to facilitate pump stations, decks and a small restaurant within 32m of the wetland/watercourse



Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	12	The construction of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 19 of Notice 545 of 2010;	It is intended to construct a dam with a capacity in excess of 50 000m <sup>3</sup> for the storage of stormwater for recycling
	18	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from</p> <ul style="list-style-type: none"> <li>(i) a watercourse;</li> <li>(ii) the sea;</li> <li>(iii) the seashore;</li> <li>(iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater- but excluding where such infilling, depositing, dredging, excavation, removal or moving</li> </ul> <ul style="list-style-type: none"> <li>(i) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or</li> <li>(ii) occurs behind the development setback line.</li> </ul>	Infill and deposition of material of material in excess of 5m <sup>3</sup> , and the removal of sand and rock from a watercourse is possible.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	20	Any activity requiring a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) or renewal thereof.	It is not anticipated that any mining right is required for the processing / crushing of minerals (sandstone) on site as no beneficiation will occur and material will be retained by the primary developer on site for use on site. This trigger will be omitted from the authorisation on receipt of confirmation from DME.
	22	The construction of a road, outside urban areas, (i) with a reserve wider than 13,5 meters or, (ii) where no reserve exists where the road is wider than 8 metres, or for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.	The site is located outside of an urban area and roads with reserves wider than 13,5m will be constructed
	23	The transformation of undeveloped, vacant or derelict land to – (i) residential, retail, commercial, recreational, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, or (ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; - except where such transformation takes place for linear activities.	The transformation of 115Ha of land will occur. The primary trigger for this action is Activity 15 of Listing Notice 2.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	24	The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where at the time of the coming into effect of this Schedule was zoned open space, conservation or had an equivalent zoning.	In the event that the eThekweni D'Moss layer is deemed to have been zoned open space conservation or equivalent authorisation of this activity to accommodate the change of land use will be necessary
	27	<p>The decommissioning of existing facilities or infrastructure, for -</p> <ul style="list-style-type: none"> <li>(i) electricity generation with a threshold of more than 10MW;</li> <li>(ii) electricity transmission and distribution with a threshold of more than 132kV;</li> <li>(iii) nuclear reactors and storage of nuclear fuel;</li> <li>(iv) activities, where the facility or the land on which it is located is contaminated ;</li> <li>(v) storage, or storage and handling, of dangerous goods of more than 80 cubic metres;</li> </ul> <p>but excluding any facilities or infrastructure that commenced under an environmental authorisation issued in terms of the Environmental Impact Assessment Regulations, 2006 made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006, or Notice No. 545 of 2010.</p>	It is possible that the existing Eskom powerlines will be rerouted. This will involve decommissioning of the existing powerlines.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	37	<p>The expansion of facilities or infrastructure for the bulk transportation of water, sewage or storm water where:</p> <p>(a) the facility or infrastructure is expanded by more than 1000 metres in length; or</p> <p>(b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more—excluding where such expansion:</p> <p>(i) relates to transportation of water, sewage or storm water within a road reserve; or</p> <p>where such expansion will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.</p>	<p>Infrastructure exceeding 1000m in length for the bulk transportation of sewage to the works and the supply of potable water to the development and storm water infrastructure will be installed. These pipes should be located primarily in the road reserves but there may be instances where they will be located outside of the road reserves in servitudes.</p>
	38	<p>The expansion of facilities for the transmission and distribution of electricity where the expanded capacity will exceed 275 kilovolts and the development footprint will increase.</p>	<p>It is possible that the existing Eskom powerlines will be rerouted. These may be 400 Kva lines. This may result in an increased footprint.</p>

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	39	The expansion of (i) canals; (ii) channels; (iii) bridges; (iv) weirs; (v) bulk storm water outlet structures; (vi) marinas; within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, where such expansion will result in an increased development footprint but excluding where such expansion will occur behind the development setback line.	It is possible that existing storm water channels weirs or outlet structures will be expanded within 32m of a watercourse
	47	The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre - (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres – excluding widening or lengthening occurring inside urban areas.	Existing roads do traverse the site which is located outside an urban area. These will possibly be widened by more than 6m and lengthened by more than 1 kilometre.
GNR 545	7	The construction of (i) airports, or (ii) runways or aircraft landing strips longer than 1.4kilometres	The construction of a helicopter landing pad within the park to be registered with the Civil Aviation authority will be considered.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	8	The construction of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex.	It is possible that the existing Eskom powerlines will be rerouted. This could necessitate new pylons / lines needing to be built to facilitate the move. Some of these carry 400kva.
	15	Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for: (i) linear development activities; or agriculture or afforestation where activity 16 in this Schedule will apply.	±152Ha of 'Undeveloped' agricultural land will be physically altered into a Logistics/light industrial precinct with associated infrastructure.
	18	The route determination of roads and design of associated physical infrastructure, including roads that have not yet been built for which routes have been determined before 03 July 2006 and which have not been authorised by a competent authority in terms of the Environmental Impact Assessment Regulations, 2006 or 2009, made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006,— (i) it is a national road as defined in section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998); (ii) it is a road administered by a provincial authority; (iii) the road reserve is wider than 30 metres; or (iv) the road will cater for more than one lane of traffic in both directions.	It is possible that the N3 National Route intersection as well as the provincial road MR385 will be upgraded in addition to the internal road infrastructure servicing the logistic precinct directly.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	19	The construction of a dam, where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high-water mark of the dam covers an area of 10 hectares or more.	It is possible that the wall of the water attenuation dam may exceed 5m.
	20	Any activity which requires a mining right or renewal thereof as contemplated in sections 22 and 24 respectively of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).	It is not anticipated that any mining right as contemplated in S22 and S24 of the MPRDA will be required for the use of minerals (sandstone) uncovered in construction earthworks on site (cut and fill operations) , as no beneficiation will occur and material will be retained by the primary developer on site (i.e. it is envisaged that stone required for site works will where possible be crushed from stone on site to reduce the impact of transporting aggregates in for the job). This trigger will be omitted from the authorisation on receipt of confirmation from DME.
	22	Any activity which requires a production right or renewal thereof as contemplated in sections 83 and 85 respectively of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).	It is not anticipated that any production right as contemplated in S83 and S85 of the MPRDA is required for the processing of minerals (sandstone) on site as no beneficiation will occur and material will be retained by the primary developer on site. This trigger will be omitted from the authorisation on receipt of confirmation from DME. Refer to point 20 above.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
GN546	1	<p>The construction of billboards exceeding 18 square metres in size outside urban or mining areas or outside industrial complexes.</p> <p>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces:</p> <p>iv. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>vi. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>	<p>It is anticipated that a billboard exceeding 18m<sup>2</sup> in size will be erected to advertise the development. The site falls outside an urban area and the site on which the billboard will be erected could potentially be identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>
	2	<p>The construction of reservoirs for bulk water supply with a capacity of more than 250 cubic metres.</p> <p>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces:</p> <p>iii. Outside urban areas, in:</p> <p>(bb) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>	<p>A reservoir for bulk water supply with a capacity of more than 250m<sup>3</sup> could potentially be constructed in an area identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>



Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	3	<p>The construction of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast:</p> <ul style="list-style-type: none"> <li>(a) is to be placed on a site not previously used for this purpose, and</li> <li>(b) will exceed 15 metres in height,</li> <li>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces: <ul style="list-style-type: none"> <li>ii. Outside urban areas,</li> </ul> </li> <li>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</li> <li>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</li> </ul>	<p>Fibre optic cables will be installed for telecommunications in the Park. It is possible a microwave tower may be required to ensure the provision of uninterrupted communications. It may be necessary to locate the tower in an area identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	4	<p>The construction of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces:</p> <p>ii. Outside urban areas, in:</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>	<p>It is anticipated that a road wider than 4m will need to be constructed on the portion of land which may be identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>
	12	<p>The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>(b) Within critical biodiversity areas identified in bioregional plans.</p>	<p>It is anticipated that Indigenous vegetation exceeding 300m<sup>2</sup> will be cleared on a portion of land which may be identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	13	<p>The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p> <p>(1) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list.</p> <p>(2) the undertaking of a linear activity falling below the thresholds</p> <p>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape and Western Cape:</p> <p>ii. Outside urban areas, the following:</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p>	<p>It is anticipated that Indigenous vegetation exceeding 1Ha will be cleared on a portion of the site which may be identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Description of each listed activity as per wording of the relevant Government Notice):	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)1:
	14	<p>The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p> <p>(1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;</p> <p>(2) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list;</p> <p>the undertaking of a linear activity falling below the thresholds in Notice 545 of 2010.</p> <p><b>(a)</b> In Eastern Cape, Free State, KwaZulu-Natal, Gauteng, Limpopo, Mpumalanga, Northern Cape, Northwest and Western Cape:</p> <p>All areas outside urban areas.</p>	<p>It is anticipated that Indigenous vegetation exceeding 5Ha will be cleared in portions of the site which may be identified by eThekweni as a critical biodiversity area when they do their biodiversity sector plan early in 2013.</p>

## **6 ASSUMPTIONS AND LIMITATIONS**

### **6.1 PROJECT STAGE**

A scoping report was prepared for the Bartlett Phase 1 project and approved by DAEA for continuation to EIA. The scoping phase for the Keystone Park proposal was based on the work done in that application and has included substantial additional work by a team of specialists to refresh, update and refine the original baseline information and to align with current service infrastructure requirements. Stakeholders and municipal line departments have been engaged extensively to confirm project feasibility and confirm that bulk infrastructural requirements can be met. The Keystone Park proposal encompasses a smaller portion of the original Bartlett Phase 1 initiative and has been modified to meet current demand.

The Keystone Park application was advertised in the newspapers in January 2013. A Background Information Document (BID) (copy attached at Appendix 5) was distributed in February 2013. At the time of BID distribution the applicant was reflected as Azitrix cc which has since changed to Keystone Park cc to reflect the name of the development. Keystone Park cc purchased the applicant site in May 2012 and took transfer of the bulk of the land in August 2013. A further notice was placed in the newspapers indicating the addition of two properties (Ptn 460 Baksa and Ptn 8 Emerald Road) and an additional activity (potential helipad) for authorisation in June 2013. Following discussions with the KZN DOT a decision to consider moving the second potential access point further south to ensure safe sight distances has resulted in the inclusion of an additional property (Ptn 461 owned by Paul de la Beaujardiere locally known as Pierre Pitot) advertised in the Mercury of the 25<sup>th</sup> October and the Highway Mail of 30 October

This draft scoping report serves to inform registered Interested and Affected Parties and stakeholders of the basis of the project, advise which consultants have been employed to scope the project requirements and finalise the scope for issues to be addressed in the Environmental Impact Assessment Phase. .

### **6.2 TIMEFRAMES**

The development proposal will be the subject of an application in terms of the Planning and Development Act, Act 6 of 2008, which has legislated time frames applicable. The advertisement of the rezoning will only be made once the appropriate departments within eThekweni Municipality and Keystone Park cc agree that Rezoning Application complete. This is expected to be early in the first half of 2014.

- 28 (1) (b) a description of the proposed activity;
- 28 (1) (d) a description of the property on which the activity is to be undertaken and the location of the activity on the property, or if it is—
- (i) a linear activity, a description of the route of the activity; or
  - (ii) an ocean-based activity, the coordinates where the activity is to be undertaken;

## 7 DESCRIPTION OF PROPOSED DEVELOPMENT

### 7.1 PROJECT LOCATION

The site is located within the boundary of the eThekweni Municipal area, south of the MR 385 to Hammarsdale immediately south east of the MR385 (M50/Mthoko Mkhize Drive) /N3 interchange. The area falls into Ward 4 (Cllr Dennis Shoji) and is under the jurisdiction of the Western Functional Region of the Durban Metro. A 1:50 000 Locality Plan is attached at Appendix 1



Figure 1 Development location within Metro boundary

### 7.2 PROJECT DESCRIPTION

The project encompasses the development of an entirely new Precinct. The proposed precinct, to be known as Keystone Park will be  $\pm 152\text{Ha}$  in extent. The development is proposed to create sites for light industrial, warehousing and logistics use, supported by a small commercial component. All necessary supporting infrastructure comprising roads, sewage disposal,

water supply, electricity supply, stormwater management, solid waste management and disposal, high speed telecoms and security will be simultaneously developed.

In addition to the provision of internal infrastructure the following bulk infrastructural upgrades are anticipated:

- A possible upgrade of the N3 Hammarsdale interchange
- A possible upgrade of the relevant portion of MR385 (M50/Mthoko Mkhize Drive) The probable relocation of the Park Entrance (previously Emerald Drive) to a position more suited topographically and to the high traffic volume on the MR385 (M50/Mthoko Mkhize Drive)
- The probable addition of a second park entrance to deal with the traffic volumes
- A possible rerouting of existing Eskom powerlines and related servitudes
- Connection (new pipeline) to the Hammarsdale Waste Water Treatment Works
- New or upgraded lines / pipes to the following infrastructure: sewer, power, water, telecoms
- A possible helipad

The Light Industrial, Warehousing and Logistics Precinct is proposed to serve the growing demand in the Hammarsdale area. This land-use capitalises on the unique geographical advantage of the applicant site's close proximity to the N3 Hammarsdale/Inchanga Interchange halfway between Pietermaritzburg and Durban, and reinforces the corridor concept identified in the Provincial Spatial Economic Development Strategy. The current ad hoc development of service industry along the N3 corridor from Cato Ride to Camperdown confirms the identified need.

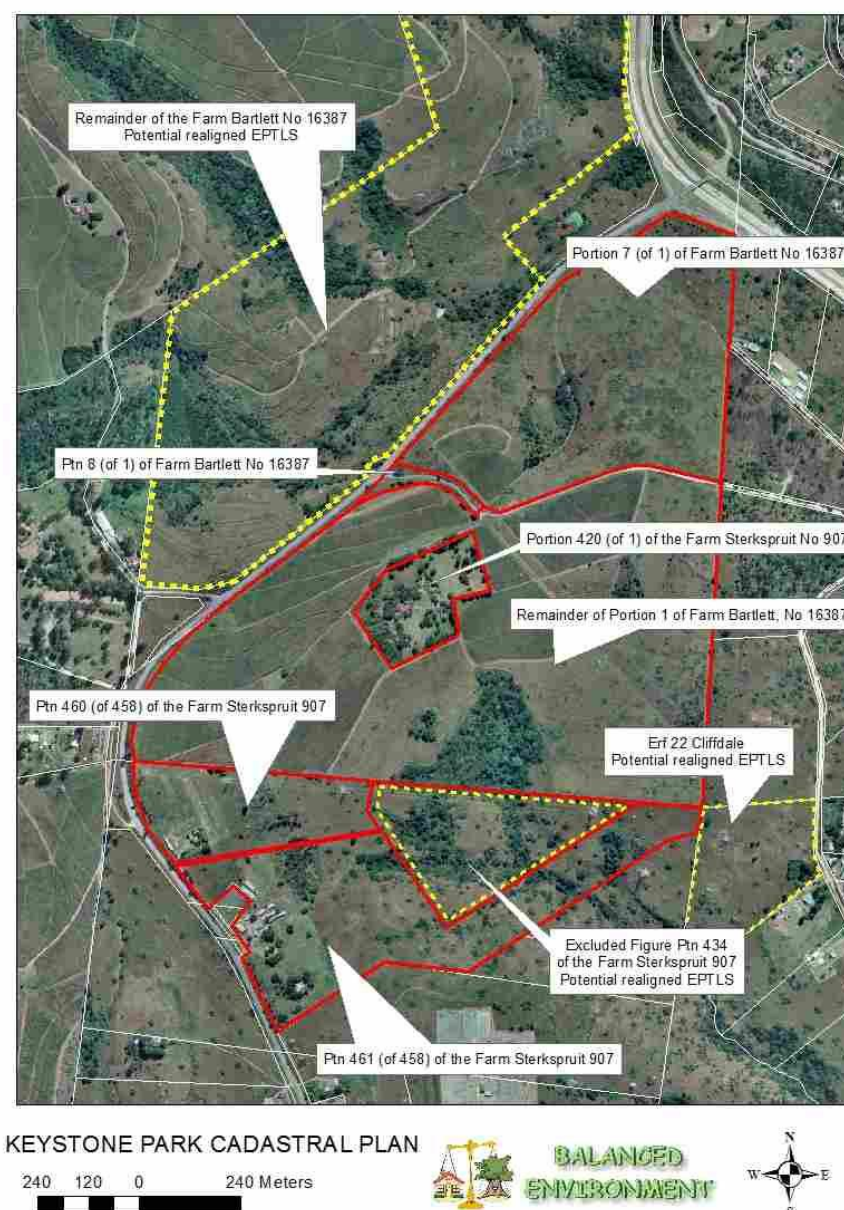
### **7.3 PROPERTY DESCRIPTION**

Six (6) properties, in total extent 152.14Ha, make up the applicant site and are described as Portion 7 (of 1) of Farm Bartlett No 16387, in extent 33,2536 Ha and Remainder of Portion 1 of Farm Bartlett No 16387, in extent 78,0204Ha owned by Keystone Park cc (transferred from Bartlett and Edwards Farms 050813), Portion 420 (of 1) of the Farm Sterkspruit No 907, 5,6407Ha in extent, owned by Morning Tide Investments 225 Pty Ltd, Portion 460 (of 458) of the Farm Sterkspruit No 907 10,0011Ha in extent, owned by David Baksa, Portion 461 (of 458) of the Farm Sterkspruit No 907 24,1964Ha in extent, owned by Paul de la Beaujardiere (locally known as Pierre Pitot), and Ptn 8 (of 1) of the Farm Bartlett No 16387, in extent 1,0336Ha owned by



RSA Government (KZN DOT). Keystone Park cc has bought the land from both Morning Tide Investments and David Baksa, but at the time of this report had not yet taken transfer. Morning Tide Investments, David Baksa and Paul de la Beaujardiere (locally known as Pierre Pitot) have entered into agreements with Keystone Park cc to include the land in the development application pending transfer and have provided landowners consent to the department.

Some sections of the existing power lines and their servitudes may be realigned over the following properties adjacent the applicant site, the Remainder of the Farm Bartlett No 16387 (north west of the MR385), Portion 434 of the Farm Sterkspruit No 907 and Erf 22, Cliffdale.



**Figure 2 Cadastral Plan**



## 8 NEED & DESIRABILITY

The NEMA Draft Guideline on Need and Desirability (Notice 792 of 2012 published on 5 October 2012) and the more recently updated DEA&DP (2013) Guideline on Need and Desirability has been used to inform and provide structure for the following Need and Desirability discussion. The context is presented by the following extracts from the 2013 document in the text box below:

Consistent with national priorities, environmental authorities must support “increased economic growth and promote social inclusion”, whilst ensuring that such growth is “ecologically sustainable”. In the National Spatial Development Perspective (NSDP) (2003 and updated in 2006) it is highlighted that, to achieve the goal of stimulating sustainable economic activities and to create long-term employment opportunities, it is required that spending on economic infrastructure is focused in priority areas (“spatial targeting”) with potential for economic development, with development to serve the broader societies’ needs equitably. (N&D Guideline 2013:4)

Financial viability must be considered within the context of justifiable economic development, measured against the broader societal short-term and long-term needs. While the financial viability considerations of the private developer might indicate if a development is “do-able”, the “need and desirability” will be determined by considering the broader community’s needs and interests as reflected in an IDP, SDF and EMF for the area, and as determined by the EIA. While the importance of job creation and economic growth for South Africa cannot be denied, the Constitution calls for justifiable economic development. The specific needs of the broader community must therefore be considered together with the opportunity costs and distributional consequences in order to determine whether or not the development will result in the securing of ecological sustainable development and the promotion of justifiable social and economic development – in other words to ensure that the development will be socially, economically and environmentally sustainable. (N&D Guideline 2013:9)

Consistent with the [above] aim and purpose of EIA, the concept of “need and desirability” relates to, amongst others, the nature, scale and location of development being proposed, as well as the wise use of land. While essentially, the concept of “need and desirability” can be explained in terms of the general meaning of its two components in which need primarily refers to time and desirability to place (i.e. is this the right time and is it the right place for locating the type of land-use/activity being proposed?), “need and desirability” are interrelated and the two components must be considered collectively in an integrated and holistic manner. (N&D Guideline 2013:11)

**DEA&DP (2013) Guideline on Need and Desirability, EIA Guideline and Information Document Series. Western Cape Department of Environmental Affairs & Development Planning (DEA&DP), March 2013.**

### Text Box 1 Extract from 2013 DEA&DP Guideline on Need and Desirability

The concept of need and desirability has been determined by the guideline as relating to the *type* of development proposed. The examination of that concept is expanded into two components the first being *need* which refers to *time* and the second being *desirability* which relates to *place*. The discussion provides responses to the question of whether or not the time and the place is right for locating the type of activity (land-use) proposed i.e. is the development proposal considered to be wise use of land.

## **8.1 NEED ('TIMING')**

Acknowledging that the need for development, especially in a developing country, is indisputable there remains an onus on developers through the EIA process to convince the competent authority that any development proposal is a necessity. It is incumbent on any applicant to explain the benefit of a proposed development in a national, provincial/regional and/or local context. The assessment should explain how surrounding communities are expected to benefit from the development which automatically emphasises the need.

One aspect in defining need is the assessment by a developer of market demand. This is a fundamental component of a feasibility study (normally undertaken prior to the EIA process) towards ensuring that a proposed development is likely to succeed. The Keystone Park development proponent has undertaken an extensive feasibility study in the process of identifying suitable land for the development of a logistics and light industrial precinct.

There is a clearly identified need to strengthen the City's logistics infrastructure and reinforce connectivity as outlined in the annually reviewed eThekweni IDP and the resulting Integrated Freight and Logistics Strategic Framework, the need for which is further motivated in the later sections of this report dealing with the alignment of the proposal with Provincial and Municipal planning initiatives.

The project is aligned with the National Infrastructure Plan adopted by the South African Government in 2012 with a view to transforming the economic landscape, creating new jobs, and strengthening the delivery of basic services.

18 Strategic Integrated Projects known as SIP's were developed, five of which are geographically focussed. SIP 2 is the Durban - Free-State – Gauteng logistics and industrial corridor the key drivers of which are set out in the text box below.

## **SIP 2: Durban-Free State-Gauteng logistics and industrial corridor**

- Strengthen the logistics and transport corridor between SA's main industrial hubs.
- Improve access to Durban's export and import facilities.
- Integrate Free State Industrial Strategy activities into the corridor.
- New port in Durban.
- Aerotropolis around OR Tambo International Airport.

Work has already started on a massive logistics corridor stretching between Durban and the central provinces of the Free State and Gauteng. Most of the projects that form part of the second Strategic Infrastructure Project ([SIP 2](http://www.info.gov.za/issues/national-infrastructure-plan/#sip2)), also known as the Durban-Free State-Johannesburg Logistics and Industrial Corridor, are still in the concept or pre-feasibility stage, but construction has already started on several projects.

These include:

- the building of a R2,3 billion container terminal at City Deep
- a R3,9 billion project to upgrade Pier 2 at the Port of Durban
- R14,9 billion procurement of rolling stock for the rail line which will service the corridor.

Work has also started on the R250 million Harrismith logistics hub development to set up a fuel distribution depot, as well as on phase one of the new multi-product pipeline which will run between Johannesburg and Durban and transport petrol, diesel, jet fuel and gas.

The aim of these projects and others which form part of SIP 2, is to strengthen the logistics and transport corridor between South Africa's main industrial hubs and to improve access to Durban's export and import facilities. It is estimated that 135 000 jobs will be created in the construction of projects in the corridor. Once the projects are completed a further 85 000 jobs are expected to be created by those businesses that use the new facilities.

<http://www.info.gov.za/issues/national-infrastructure-plan/#sip2>

**Text Box 2 – SIP Projects** (source <http://www.info.gov.za/issues/national-infrastructure-plan/#sip2>)

The proposed development is located within the Primary Growth Corridor between Durban and Pietermaritzburg, identified in terms of the Provincial Spatial Economic Growth and Development Strategy in 2006. The Corridor was cemented as a growth intervention in more recent Provincial Planning Documents (PSDF 2011, PGDS 2011, and PGDP 2012)

The eThekweni Municipality 2013/2014 IDP Review identifies the 'Bartlett's Industrial Development' (now known as Keystone Park as a strategic project for 2013 and beyond (IDP Review:13, 89, and 343)). The review further identifies strategic focus areas for the municipal SDF noting "the provision of investment opportunity areas within Hammarsdale, Bartlett (Keystone Park), Shongweni and Cornubia as a way of encouraging private investment and partnerships within the municipality subject to servicing and phasing limitations" (IDP Review: 96). Of the strategic focus areas certain of them, including Bartlett (Keystone Park) have been elevated to Phase 1 Priority

areas i.e. identified for development in the next 5 (five) years (IDP Review:101).

## Annexure 13: Strategic Projects

**Project Name**  
BARTLETTS INDUSTRIAL DEVELOPMENT

**Project Description**  
Manufacturing, Residential

**Status**  
Pre-feasibility

**Construction employment per annum**  
3,416

**Operational employment per annum**  
5,010

**Projected cost to completion (Rand Billion)**  
3.78

**Project Scope - Typology**  
Industrial park

**Project Scope - Land uses**  
Light industrial and warehousing

**Project Scope - Infrastructure requirements**  
Sanitation and waste water treatment - gravity feed; Interchange upgrade; electrical

**Project Scope - Key economic sectors**  
Metal products; Food and beverage; Transport equipment; Transport and warehousing

### Project Scope - Economic strategy

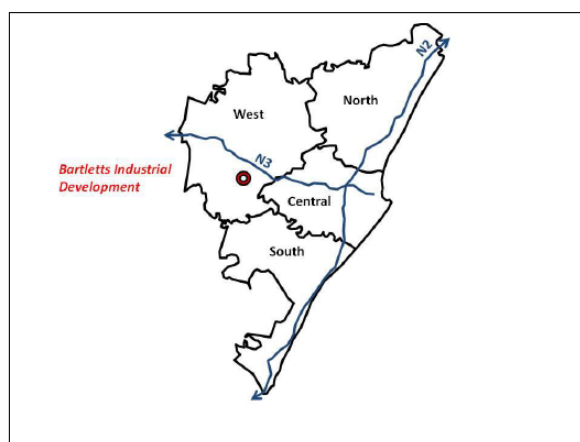
Conversion of non-viable commercial sugar cane farms into industrial to support growth opportunities along N3 corridor (PMB-DBN Port corridor)

### Project schedule

Preliminary Layout, Design and Statutory Approvals in 2012-13

### Challenges

EIA phase to be concluded. Environmental restrictions on phase 2 development which caters for housing of employees and social amenities. GLA restrictions posed for wider region based on road and waste water capacity constraints along N3 and Hammarisdale treatment works respectively. Funding Constraints.



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### Text Box 3 – IDP Strategic Projects (Source eThekweni IDP Review 2013/2014)

The proposed Keystone Light Industrial, Warehousing and Logistics Precinct was originally part of the Bartlett Estate Ph1 development proposal initiated in 2007 ± 6 years ago. At that time the municipal IDP and SDF had not made focussed provision for that level of activity in the Western Region. However in the 6 years that have elapsed since the original submission, several strategic planning events (including the development of the NDP, SIPs, PGDS, PGDP, PSDF, several IDP annual reviews and the development of the Mpumalanga New Town Centre) have occurred resulting in the proposal for the logistics and light industrial park component of the Bartlett Ph 1 proposal (now known as Keystone Park) to now be perfectly aligned with the national, provincial and local municipal growth timelines.

Examining the community need for the proposed development and whether or not it is a societal priority cognisance is taken of the immediately surrounding community i.e. the landowners directly adjacent and within the immediate vicinity of the applicant site as well as the greater Hammarisdale/Mpumalanga region.

The immediately surrounding community have largely located there over time to live in the peaceful existence of the country side on the far outskirts of the city. The development of a logistics and light industrial park at this node is neither a need nor priority for this community.

The greater Hammarsdale/Mpumulanga community however are notably one of the poorest communities in the eThekweni Metro and for them the need to have jobs provided within close proximity to their homes is vital. The proposed development falls within Programme 2.6 of the IDP which is to facilitate nodal development (LED) "The programme aims to fast-track the development rights for projects that meet multiple goals for economic development and social integration. These projects are based on New Urbanism principles that aim to reverse the effects of the Apartheid city, but creating all inclusive live, work and play environments within a racially segregated municipal area. The key tenets of this programme are that of inclusive settlements and sustainable residential densities alongside mixed use business activities and recreational uses" (IDP Review:131).

Service capacity is in the process of being investigated by the Keystone Park professional team. Indications are that additional capacity will need to be created to cater for the development.

The 2013/2014 IDP review notes that despite the identification of "Phase 1 priority areas for development in the next 5 years an initial study has revealed that these areas require various degrees of infrastructure provision to support the development that is envisaged in the SDP's and in some cases based on resources and budgets and the cycle of planning, designing and implementing infrastructure, may even go well beyond the envisaged short term priorities (5 years) (IDP Review:100).

## **8.2 DESIRABILITY ('PLACING')**

Desirability is evaluated in terms of the suitability of the proposal under consideration, within the context of the location and prevailing circumstances, (e.g. locality, access, geotechnical compatibility, and service provision etc) including its ability to meet the national, regional and local objectives, and encompass the social, economic, and environmental objectives underpinning the '*triple bottom line*' of sustainable development.

The objective in considering desirability is to determine whether or not the development proposed is the best practicable environmental option for the site in question i.e. that is should provide the most benefit and cause the

least damage to the environment as a whole, at a cost acceptable to society in the short and long term.

The EIA will evaluate all the contributing aspects and consider the positive benefits of the proposal against the negative impacts to produce an environmental impact statement which will indicate the extent to which the proposal is the best practicable environmental option.

Any potential for the proposed land use to result in unacceptable cumulative impacts will be assessed in the EIR. Potential cumulative impacts already identified have been described in Chapter 11 of this report.

The alignment of the development proposal with the credible eThekweni IDP and SDF has been outlined in the discussion of 'need' above. The aspects of the proposals alignment with the IDP/SDF will be evaluated in the EIR to determine whether or not the approval of the application would compromise the integrity of the IDP/SDF.

eThekweni Municipality has an advanced approach to environmental management, with a well developed Metropolitan Open Space System which has informed the development of the IDP and SDF since the first version in 2002. The environmental management priorities for the municipality are clearly laid out, implemented and monitored by the Environmental Planning and Climate Protection Department (EPCPD). The Keystone Park Development proposal has been discussed with EPCPD and EKZNW the provincial custodians of biodiversity in KZN to ensure that the application will not compromise the integrity of the environmental management priorities for the area.

### **8.2.1 LOCALITY**

The locality of the development proposal is highly desirable for the development of the proposed Precinct because of its direct proximity to the major road transport link, the N3. The site is positioned almost midway between Durban and Pietermaritzburg, in the Primary Growth Corridor identified by the Provincial Spatial Economic Development Strategy. The fact that the applicant site is adjacent the MR 385 (Mthoko Mkhize Drive) to Hammarisdale, strengthens the desirability providing a suitable position to establish a definitive Gateway to the Mpumalanga Town Centre and Hammarisdale Industrial areas.

### **8.2.2 ACCESS**

Access to the site is very good. The site being located immediately adjacent the N3 National Route, and adjacent the MR385 (M50/Mthoko Mkhize Drive)



provides the shortest possible access route to the development which is highly desirable for logistics park operations, as it provides the benefit of avoiding the 'dragging' of traffic through any other area.

### **8.2.3 DEVELOPMENT SCALE AND CHARACTER**

The proposal is to establish a logistics and light industrial park on ±152Ha of land which will yield in excess of 1000 000 m<sup>2</sup> of developable platforms. In order to place the development scale in context for the reader the following information is provided:

The Riverhorse Valley Business Park immediately north of Durban (Nandi Drive) is approximately 150Ha in size and houses approximately 166 businesses.

The Keystone Park Light Industrial, Warehousing and Logistics Precinct will comprise fairly expansive 'clean' (non-polluting) warehouses and associated buildings. The introduction of the Precinct alongside the N3 will change the visual character of the area immediately surrounding the existing N3/MR385 interchange from sugarcane fields to an urban built environment. Noise impacts will be limited largely to the construction phase with the exception of traffic related noise, as is currently experienced, in the operational phase.

### **8.2.4 GEOTECHNICAL COMPATIBILITY**

The preliminary geotechnical report has indicated that no adverse geotechnical conditions have been identified therefore construction solutions will be standard, and should not require excessively costly interventions to establish the development.

### **8.2.5 SERVICE PROVISION**

The site is located within the eThekweni Municipality under the jurisdiction of the Western Functional Region.

Extensive investigations are underway by the professional teams to confirm availability of:

Water  
Sewer capacity  
Electricity supply  
Stormwater disposal  
And other related infrastructural activities.

### **8.2.6 LOCAL AND REGIONAL PLANNING OBJECTIVES**

The development is aligned with local and regional planning (as described in the need discussion above) and meets the objectives as follows:

#### **8.2.6.1 ALIGNMENT WITH THE PROVINCIAL PLANNING INITIATIVES**

The Provincial Spatial Economic Development Strategy (PSEDS) released in November 2006 promoted development along growth corridors, the N3 was identified as primary movement corridor. The development proposal was designed to meet the identified PSEDS objectives of providing logistics opportunities, and reinforcing the link of previously disadvantaged areas with the major transport routes.

The Provincial Spatial Development Framework, 2011 (PSDF 2011), The Provincial Growth and Development Strategy, 2011 (PGDS 2011), and the 2030 Provincial Growth and Development Plan, 2012 (PGDP 2012) have reinforced the corridor and nodal planning structure to contain urban sprawl and maximise service provision potential. This structured planning approach also reduces sectoral conflict by considering and protecting biodiversity priority areas and conservation corridors, acknowledging high agricultural production areas to be secured, and identifying areas of high social need where interventions are necessary.

#### **8.2.6.2 ALIGNMENT WITH THE ETHEKWINI MUNICIPALITY 5-YEAR INTEGRATED DEVELOPMENT PLAN (IDP) 2013/2014 REVIEW**

The following extracts from the 2013/2014 IDP Review identify specific aspects of the IDP relative to this development proposal:

*“The Economic Development and Job-Creation Strategy 2012-2017 was compiled for the eThekweni Municipal area and will be executed via a comprehensive Implementation Plan by the Economic Development and Investment Promotion Unit, in partnership with all other relevant Units in the Municipality, as per the local government mandate with the intention of providing for the core principles, mechanisms and processing necessary to enable municipalities to move progressively towards social and economic upliftment of local communities.*

The municipality is poised for steady economic growth from several major catalytic projects over the next 20 years creating in excess of 400,000 construction jobs and 200,000 permanent jobs, respectively. Major construction projects such as the Cornubia mixed-use commercial-residential development, the port expansion plans, Dig-Out Port, Kings Estate, Inyaninga Industrial Estate, on-going economic opportunities at Dube Trade Port and the development of the dedicated freight route are all expected to contribute towards this growth.



The Strategy seeks alignment and ensures it is homologous with the relevant Strategies amongst the three spheres of government – most notably the New Growth Path, National Development Plan and the Industrial Policy Action Plan from National government, all of which have identified specific sections of the economy with job-creation potential. The KwaZulu-Natal Provincial Industrial Development Framework and the Growth and Development Strategy also guide the local government initiatives. In compiling the regional Integrated Development Strategy, the Spatial Development Framework and others, the eThekweni Municipality has ensured that the essential principles and focus areas resonate with these reports.” (IDP Review 2013/2014:29)

*“In the coming years the Municipality has a number of priorities that it will pursue, most of which align with national government’s focus on infrastructure development and job creation. These include:*

2. In the Outer-West, development is to support the national Durban-Gauteng Corridor. This corridor is more than just a logistics route and there are significant development opportunities that these routes will make possible, including developments from Pinetown to Cato Ridge. The Municipality will work with the Province and other Municipalities in proactively planning and opening up opportunities in this corridor. (IDP Review 2013/2014:34)
6. The Municipality accessed about R700 million from National Treasury in terms of the Neighbourhood Development Partnership Grant (NDPG) to facilitate investments in the township areas. The programme has been progressing well and investments have been made at Bridge City, the Mpumalanga New Town Centre, Umlazi, Clermont-KwaDabeka and KwaMashu. The Municipality will continue to support these initiatives.(IDP Review 2013/2014:35)”

In the 2007/2008 IDP review ‘Choice1’ (IDP:11) was already concentrated on improving the City’s logistics infrastructure aimed at improving connectivity and increasing economic opportunities. The establishment of the Logistics Park within the primary growth corridor between Durban and Pietermaritzburg, was aligned to contribute to the reinforcement of this choice. This has choice has been retained and strengthened in the further IDP reviews and the Bartlett (now Keystone Park initiative in the 2013/2014

Review forms part of the Phase 1 priority areas identified for development in the next 5 years.

In the outline of strategic economic interventions identified by the City (IDP Review 2007/2008:35) the revitalisation of the Cato Ridge/Hammarsdale area was already included. The development proposal has the potential to catalyse the revitalisation by providing a point of investment attraction through the development of the logistics park and it is seen by the Municipality as a strategic support project to the Mpumulanga Town Centre project currently receiving KZN CoGTA funding support.

Of the Programmes identified by the City, Programme 6 (IDP:38) will include a Freight Plan to co-ordinate and facilitate the movement of goods by air, rail, road and sea. The applicant site is strategically located adjacent the primary movement corridor west from the coast, via Pietermaritzburg to Gauteng.

The extent to which this development proposal may be seen to be misaligned with the IDP and Spatial Development Framework is that the site is located outside of the municipally defined urban edge and is within the peri-urban periphery. Traditionally the urban edge has been identified as the extent to which the city is able to provide suitable sanitation and other services. This provision of such services is obviously most economically viable and achievable from the centre core outwards over time. However with the advent of wall to wall administration and the extended responsibility of the City to provide for all areas in its jurisdiction the challenge of how to stimulate and promote growth in the 'unserviceable' urban periphery arises. One option is to allow developments that are substantial enough in terms of economic return to be self sustaining by providing/or making substantial contributions to their own infrastructural services such as sanitation services including the provision of options such as package plants or small treatment works etc. This is an aspect that will require consideration by all relevant service providers and stakeholders in the evaluation of the project.

The eThekweni Municipality Integrated Development Plan (IDP) 2013/2014 review is available at [http://www.durban.gov.za/city\\_government/city\\_vision/idp](http://www.durban.gov.za/city_government/city_vision/idp)

### **8.3 BIODIVERSITY**

The Ezemvelo KZN Wildlife C-Plan shows the site to have an irreplaceability index of  $>0 -0.2$  which is very low, totally irreplaceable having a 1 rating.

It should be noted that the information provided by EKZNW is considered to alert specialists and project proponents of the potential for threatened habitat and species in an area, thereby avoiding indiscriminate loss of protection worthy species and habitat. All information is subject to on-site verification.

The C-Plan lists some species worthy of conservation as having the potential to occur in the vicinity of the site, however the habitat being largely disturbed no significant observations of the listed species were made during the 2007 vegetation assessment undertaken by Johan Bodenstein of INDIf flora cc.

The applicant site is primarily a sugar cane farm which confirms the low irreplaceability index in terms of provincial biodiversity conservation targets.

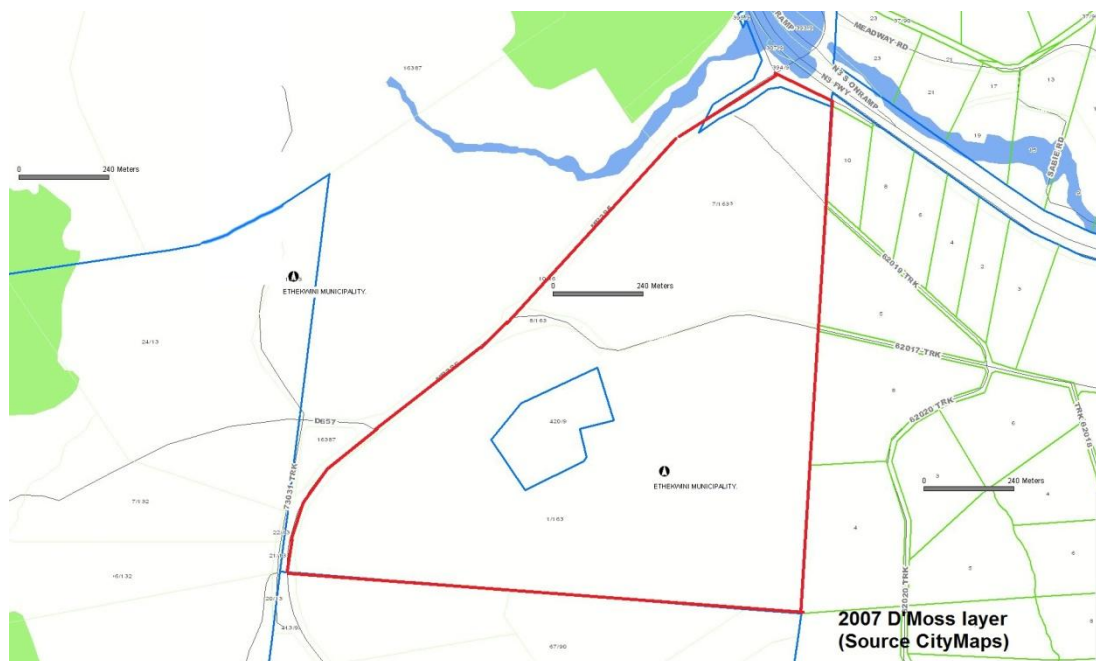
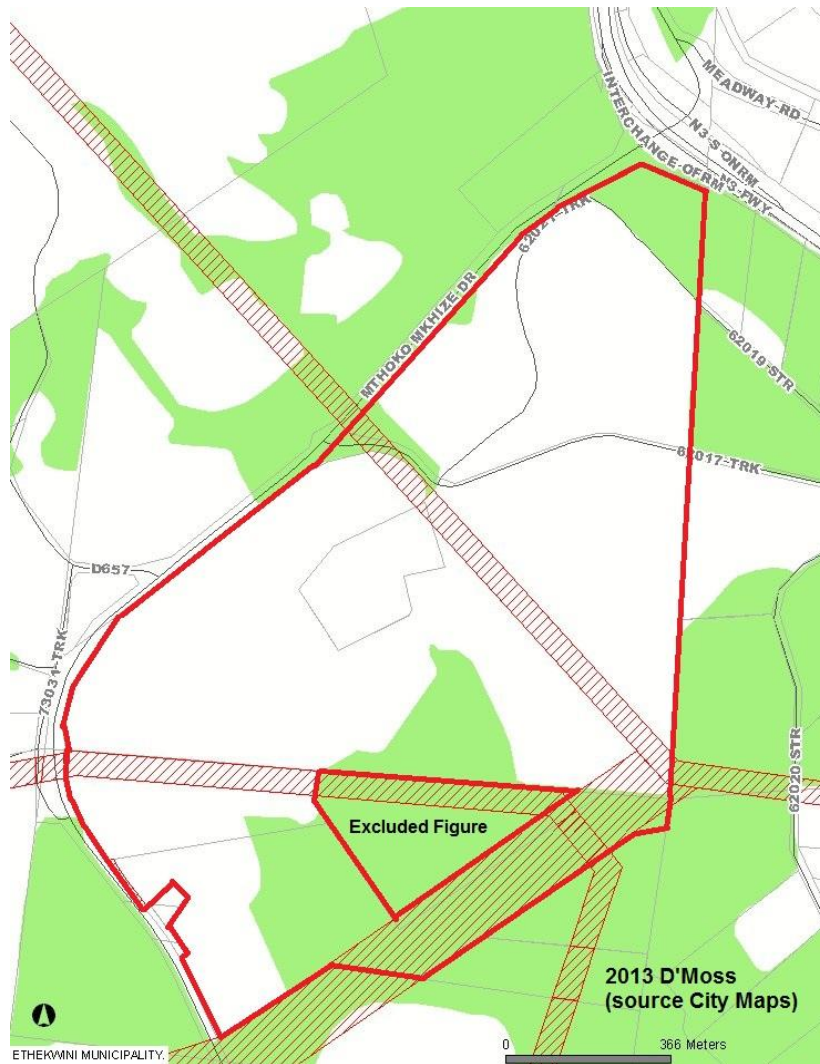


Figure 32007 D'Moss layer

At the time of the initiation of this project (2006/2007) the eThekweni Municipality Environmental Planning and Climate Protection Branch (EPCPD) D'Moss layer did not include any sections of this site as being relevant for D'Moss consideration. In subsequent years the D'Moss layer was extended significantly, through desktop studies and the improvement of land classes included in the dataset, in the Outer West in order to ensure that the opportunities for securing biodiversity assets were maximised. This resulted in the inclusion of grassland areas along the N3 border and any vegetated areas being included. These are further clarified in the land class layer where quality and priority value for protection are recorded but not obviously represented on the generic D'Moss layer.



**Figure 4** 2013 D'Moss layer

EPCPD have been engaged to ensure integration of Open Space management with Municipal objectives.

#### **8.4 AGRICULTURE**

“The KwaZulu-Natal Department of Agriculture and Environmental Affairs (KZN DAEA) has a concurrent constitutional function with the National Department of Agriculture, Forestry and Fisheries (DAFF) to safeguard and effectively manage the use of agricultural land in order to protect such land, so that it remains available for food production. It further has to minimize conflict with or interference from other land uses so as to protect the long-term viability of farming units with special reference, but not limited to, high potential, irrigated and unique agricultural land. The view of KZN DAEA, which follows the international policy trend, is that high value agricultural land is a scarce, non-renewable and threatened resource which must be conserved for food production purposes, whilst concurrently addressing the

need for economic growth and development in the Province (KZN DAEA 2012:3).”

In order to fulfil their mandate to protect and ensure sustainable use of scarce, non-renewable natural resources such as land with high agricultural potential KZN DAEA have classified at a desktop level agricultural potential land in KZN into categories. This classification provides baseline information (to be verified by project specific specialist reports) for decision making.

The applicant site falls entirely within Category E (land capability VII & VIII) which is regarded as land with limited to very low potential for agricultural production (KZN DAEA 2012:23). A proposed change of land use within this category will therefore most likely be supported, unless otherwise motivated by the relevant authorities (KZN DAEA 2012:24).

## **8.5 CULTURAL**

The heritage impact study undertaken for the original proposal did not identify the area to be of any specific cultural significance.

It will be necessary to make application for the graves found to be relocated.

28 (1) (c) a description of any feasible and reasonable alternatives that have been identified;

28 (1) (j) a description of identified potential alternatives to the proposed activity, including advantages and disadvantages that the proposed activity or alternatives may have on the environment and the community that may be affected by the activity;

## 9 ALTERNATIVES IDENTIFIED

The consideration of alternatives in Environmental Impact Assessment serves primarily to ensure that any development proposal delivers a sustainable outcome, aligned with structured planning principles and with the lowest possible negative environmental and social impact and the highest positive social and economic benefit.

The evaluation of alternatives in this project has been informed by the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) 2010 alternatives guideline. The guideline defines alternatives as follows:

“Alternatives”, in relation to a proposed activity, means different means of meeting the general purposes and requirements of the activity, which **may** include alternatives to –

- (a) the property on which, or location where, it is proposed to undertake the activity;
- (b) the type of activity to be undertaken;
- (c) the design or layout of the activity;
- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

It should be noted that the only alternative which *must* be considered and assessed in addition to ‘preferred alternative’ (the developer’s most desirable option) is the ‘no-go option’ (option of not implementing the activity). Other alternatives should be identified and investigated and then feasible and reasonable alternatives should be comparatively assessed.

Alternatives identified for assessment include the no-go option (Alternative 1), the Agricultural option (Alternative 2), the preferred alternative showing maximised development potential (Alternative 3), and an alternative site layout comprising areas which may need further land use consideration (Alternative 4). Although several alternative sites and alternative servicing options were considered by the developer in his feasibility study prior to the commencement of this EIA process the detailed description of alternatives has been limited to the 4 alternatives to be comparatively assessed. No alternative sites have been described as the applicant site is now owned by



the proponent having been purchased after the completion of a thorough feasibility study.

### 9.1 ALTERNATIVE 1 – THE NO-GO OPTION OR STATUS QUO (OPTION OF NOT IMPLEMENTING THE ACTIVITY)

The applicant site is presently primarily a sugar-cane farm (having been part of greater landholding) traversed by electrical powerlines in servitudes, and two small holdings.

Sugar-cane farming activities have been abandoned on this tract of land as cane farming on this portion is no longer considered viable. The 3 small holdings (Ptn 420, 460 & 461) are not operating at economically efficient levels and options for retaining them as viable smallholdings are limited.

The alternative of maintaining the status quo i.e. –an abandoned sugar farm and smallholdings known as the no-go option, will be evaluated in the Environmental Impact Assessment (EIA) Phase.



Figure 5 Alternative 1 – No go option

## **9.2 ALTERNATIVE 2 - AGRICULTURAL OPTION**

The current use of land surrounding the applicant site, at this point in time, still generally consists of small holdings. Many of the sites are vacant or abandoned and overgrown with alien plants and weeds or are vandalised. The few that are occupied are used for diverse activities ranging from horse riding establishments to mosques and a small textile factory.

Active farming is not at all evident as the agricultural potential of the area is not high as noted in the provincial land class cover (Category E). Many of the existing farms are abandoned.

The Agricultural Option looked at the potential for use of the land for alternative crops (other than sugar cane) or subdivision of the applicants land into small holdings.

The initial outcome indicates that this would not constitute the best practicable optimisation of the land as:

- No other alternative crops appear viable, and
- A number of the surrounding sites are already small holdings many of which are abandoned or unmaintained

Both Alternatives 1 & 2 would appear a poor use of the applicant's site when viewed in the context of the nodal development programme and social integration objectives, as the applicant site is located in an identified development corridor.

## **9.3 ALTERNATIVE 3 - PREFERRED ALTERNATIVE - LIGHT INDUSTRIAL, WAREHOUSING AND LOGISTICS PARK AND ASSOCIATED INFRASTRUCTURE**

The proposed activity as shown on the layout plan below indicates the preferred option for which authorisation is being requested. This is the developer's first choice in layout options as it maximises the development option for the site and accommodates the following development objectives:

- The creation of a new non-polluting Precinct with all services necessary to enable modern and efficient Light Industrial, Warehousing and Logistics activities
- The provision of large platform areas that are specifically required by modern facilities
- The rehabilitation of key sensitive environmental areas
- The spread of the huge infrastructure spend required to develop the precinct over the maximum available land to facilitate viability



- The optimisation of the use of land and service infrastructure upgrades to unlock development potential in the area

To accommodate the possible future upgrade to the N3/MR385 interchange, a portion of the already small grassland will likely be required by SANRAL. The remaining piece of grassland is unlikely to be sustainable as grassland and will therefore be incorporated into the developable area to make efficient use of the infrastructure to be installed.

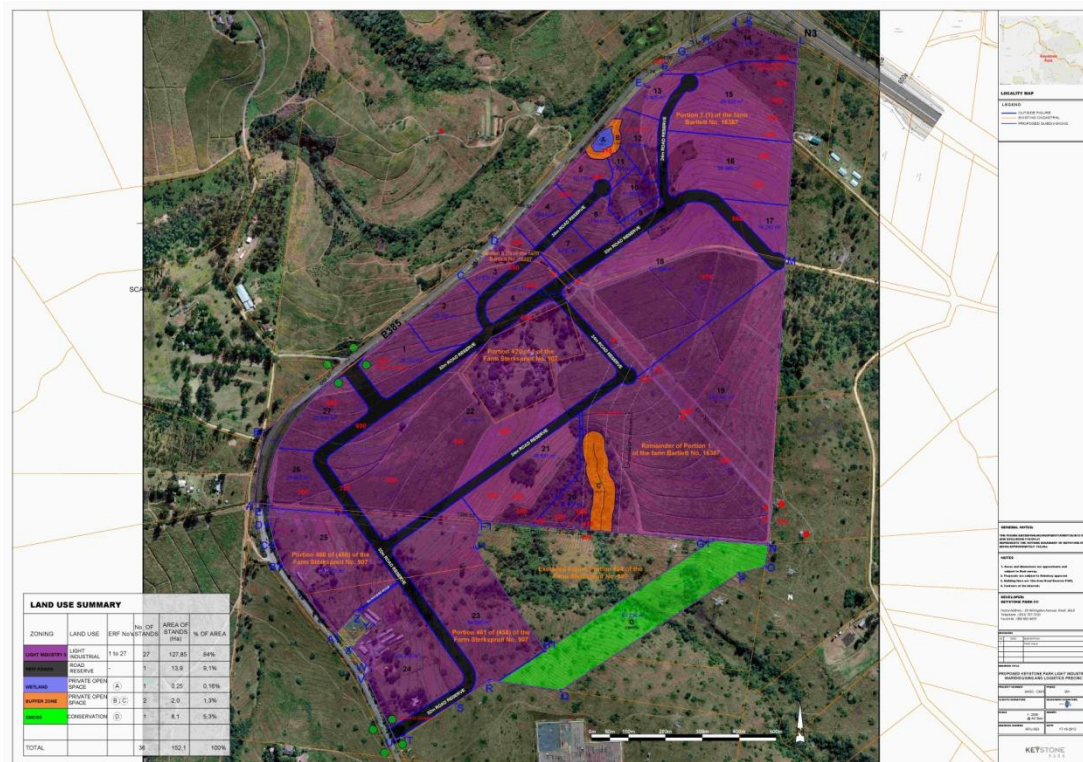


Figure 6 Alternative 3 – Preferred Alternative – Light Industrial, Warehousing and Logistics Park

#### 9.4 ALTERNATIVE 4 - ALTERNATIVE LAYOUT LIGHT INDUSTRIAL, WAREHOUSING AND LOGISTICS PARK AND ASSOCIATED INFRASTRUCTURE - POST SCOPING LAYOUT ADJUSTMENTS TO ACCOMMODATE STAKEHOLDER REQUIREMENTS

Alternative 4 proposes an alternative layout for the Light Industrial, Warehousing and Logistics Precinct to be presented post scoping discussion with conservation authorities, Eskom, and the respective roads departments. Any necessary adjustments to the preferred alternative will be shown. A specific alternative layout plan will be evaluated in the EIA phase should requirements for adjustments arise from the Scoping phase.

## 9.5 ALTERNATIVES : PRELIMINARY ADVANTAGES AND DISADVANTAGES

Table 3 Alternatives: Preliminary Advantages and Disadvantages

Alternative	Advantages	Disadvantages
Alternative 1 – No-go option	<ul style="list-style-type: none"> <li>• No change to sense of place</li> </ul>	<ul style="list-style-type: none"> <li>• Approximately 111Ha of the land will remain derelict in the short term as it is no longer being farmed as part of the greater Bartlett Estate</li> <li>• No development therefore no new job opportunities</li> <li>• The potential of unlocking opportunities in the vicinity of the Hammarsdale and Mpumulanga would not be realised</li> <li>• The Nodal Development and social integration objectives of the Municipal IDP may be compromised along the MR385</li> </ul>
Alternative 2 – Agricultural Option – Alternative crops or small holdings	<ul style="list-style-type: none"> <li>• The sense of place will only change marginally</li> </ul>	<ul style="list-style-type: none"> <li>• Further deterioration of the land to the poor state of many of the surrounding properties.</li> <li>• The potential for unconventional unauthorised rural land uses is increased</li> <li>• No development therefore no new job opportunities</li> <li>• The potential of unlocking opportunities in the vicinity of the Hammarsdale and Mpumulanga would not be realised</li> <li>• The Nodal Development and social</li> </ul>

Alternative	Advantages	Disadvantages
		integration objectives of the Municipal IDP may be compromised along the MR385
Alternative 3 – Preferred Alternative – Logistics and Light Industrial Park – maximised land use	<ul style="list-style-type: none"> <li>• Improved social integration by positive economic and social impact through job creation and the provision of business opportunities in closer proximity to existing residential areas as promoted in the DFA, PDA soon to be effective Spatial Planning and Land Use Management Act (SPLUMA 2013)</li> <li>• Aligned with SIP's/PSDF/PGDS development corridors</li> <li>• Aligned with IDP nodal development and social integration objectives</li> <li>• Maximisation of benefits of land use change and economic viability of anticipated infrastructure spend</li> <li>• Potential for Infrastructure upgrades to unlock the potential of the surrounding area</li> <li>• Potential for the new economic activity to act as a catalyst for redevelopment in the nearby Hammarsdale / Mpumalanga area and stimulate associated employment opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>• Changed sense of place and visual character of the node</li> <li>• Loss of low potential (Category E) agricultural land</li> <li>• Loss of small portion of good quality grassland</li> <li>• Increase in traffic – especially large vehicles</li> <li>• Loss of a small area of low grade and alien infested forest</li> <li>• Loss of small drainage feeders (that become redundant with the new platforming of the old sugar farm and smallholdings).</li> <li>• Loss of small portions of desktop D'Moss (land class to be confirmed)</li> </ul>

Alternative	Advantages	Disadvantages
Alternative 4 – Alternative layout - Logistics and Light Industrial Park – post scoping layout adjustments to accommodate stakeholder requirements	<ul style="list-style-type: none"> <li>• Improved access to this land parcel</li> <li>• Improved social integration by positive economic and social impact through job creation and the provision of business opportunities in closer proximity to existing residential areas as promoted in the DFA, PDA soon to be effective Spatial Planning and Land Use Management Act (SPLUMA 2013)</li> <li>• Aligned with SIP's/PSDF/PGDS development corridors</li> <li>• Aligned with IDP nodal development and social integration objectives</li> <li>• Maximisation of benefits of land use change and economic viability of anticipated infrastructure spend</li> <li>• Potential for Infrastructure upgrades to unlock the potential of the surrounding area</li> <li>• Potential for the new economic activity to act as a catalyst for redevelopment in the nearby Hammarsdale / Mpumalanga area and stimulate associated employment opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>• Changed sense of place</li> <li>• No of larger sites reduced from preferred alternative</li> <li>• Maximisation of return on infrastructure spend potentially reduced</li> <li>• Loss of low potential (Category E) agricultural land</li> <li>• Increase in traffic – especially large vehicles</li> </ul>

## **10 DESCRIPTION OF THE AFFECTED ENVIRONMENT**

### **10.1 DESCRIPTION OF THE PHYSICAL ENVIRONMENT**

#### **10.1.1 NATURAL ENVIRONMENT**

##### **10.1.1.1 CLIMATE**

The climate exhibits temperatures averaging 18° with occasional frost.

The mean annual rainfall as indicated in the Agricultural Potential Report prepared by Mvelo Development prepared for the Bartlett Estate Phase 1 application is recorded at 767mm for the Bioresource Unit, with actual records from the Bartlett Estate since 1984 showing an average of 784.7mm.

##### **10.1.1.2 TOPOGRAPHY**

A large portion of the site is gently undulating with steeper contours on the northern side. A small valley exists on the southern border of the property.

##### **10.1.1.3 GEOLOGY**

The geology is described by GeoZone GeoServices as underlain by colluvial, alluvial, and residual soils which overly weathered sandstone of the Natal Group. A detailed Geotechnical report will be provided in the EIR.

##### **10.1.1.4 VEGETATION**

The site is primarily under sugar cane. Johan Bodenstein of INDIflorea cc has been appointed to undertake a vegetation assessment which will be provided in the EIR

##### **10.1.1.5 HERITAGE AND CULTURAL ASPECTS**

A Heritage Impact Assessment has been undertaken by eThembeni Cultural Heritage in terms of the Kwa-Zulu Natal Heritage Act No 10 of 1997.

Two historical archaeological (Late Iron Age) sites both of low heritage significance for their scientific value were identified. The potential for both sites to be destroyed as a result of the development is acknowledged, however it was noted by the assessor that the benefits of the proposed development would outweigh the impact on the known heritage resources.

The landowner's awareness of the existence of two grave sites has been recorded.

A permit for the destruction of the sites is required to be obtained by the developer, and cognisance is to be taken of the requirement for any contractor to stop work immediately and notify AMAFA should any heritage resources, as defined in the Act, be discovered during the course of development activities.

### **10.1.2 BUILT ENVIRONMENT**

The applicant site being largely a disused cane farm and three small holdings accommodating farmsteads per site, stables, a horse riding establishment, a bottle store and ancillary buildings, chicken and goat runs is located in a built environment consisting primarily of;

- road infrastructure comprising the N3 bordering the site in the north;
- the MR 385 (M50/Mthoko Mkhize Drive) bordering the site along the north western and south eastern boundary's;
- the Royal Substation, Hammarsdale to the south
- an eThekweni water reservoir on the north western boundary
- several small holdings and a mosque east of the site (Cliffdale properties)
- tracks 62017 and 62021 traversing the site;
- Emerald Road providing access to the 'key hole' property owned by Morningtide Investments; and
- The de-commissioned Hammarsdale shooting range, a cane farm and a small textile factory to the northwest
- Small holdings and horse riding establishments along the D657 to the west

Service infrastructure including water pipelines and substantial electrical infrastructure in the Eskom servitudes also traverse the site.

See aerial photo at Appendix 1.

#### **10.1.2.1 INFRASTRUCTURAL SERVICE PROVISION**

A range of specialists has been appointed to investigate the infrastructural service capacity and requirements.

##### **10.1.2.1.1 WATER**

Aurecon are investigating the proposed water demand and the municipal capacity to supply.

##### **10.1.2.1.2 SANITATION**

GOBA are investigating the proposed sewer reticulation requirements and capacity of the sewage works serving the area.

The impacts of all options will be evaluated in the EIA phase.

##### **10.1.2.1.3 STORMWATER**

Aurecon are investigating the stormwater management requirements.

All designs will limit post development run off to pre development levels as required.

No development will take place in the 1:100 year floodlines.

#### **10.1.2.1.4 ROADS**

Access Roads comprise the N3 and the MR 385 (M50/Mthoko Mkhize Drive). Access points will be confirmed through negotiation with the Department of Transport (KZN DOT) and the eThekweni Traffic Authority (ETA) during the EIA Phase.

Aurecon have been appointed to undertake a detailed Traffic Impact Assessment which be provided during the EIR phase.

Early indications are that the existing N3 interchange is operating at a poor level of service. The project envisages these being rectified in the short term. These minor upgrades are expected to cater for the increased traffic flows of the project for several years probably until the development reaches between 70 and 75% of completion. Hereafter it is expected that substantial additional capacity will need to be provided. The project will be programmed to align with the required road upgrade implementation.

#### **10.1.2.1.5 SOLID WASTE**

All solid waste from the development will be disposed of at a registered landfill. Durban Solid Waste is the service provider responsible for Solid Waste Management in the eThekweni Municipal area. They have indicated that they have capacity to accept the waste anticipated from this development.

#### **10.1.2.1.6 ELECTRICITY**

Gary Wilson has been appointed to study the electricity requirements of the proposed project and to interact with Eskom with regards both electricity supply, any possible line deviations and the proposed site layout.

A full report will be provided in the EIR



28 (1) (g) a description of environmental issues and potential impacts, including cumulative impacts, that have been identified;

## **11 ENVIRONMENTAL ISSUES**

### **11.1 IDENTIFICATION OF POSSIBLE IMPACTS ON THE ENVIRONMENT**

#### **11.1.1 PHYSICAL ENVIRONMENT**

##### *Alteration of landscape appearance*

The appearance of the landscape will be altered by the replacement of sugar cane covered hills with buildings spread over ±152Ha. The architectural guidelines of the development will cover ways to mitigate and soften the visual impact as much as possible.

#### **11.1.2 BIOLOGICAL ENVIRONMENT**

##### *Potential interruption of open space corridors*

The applicant site is to a large extent bounded or already bi-sected by natural cut off points such as the MR 385 and the N3 and as such no open space corridors form part of or are impacted by the site.

##### *Loss of vegetation to building footprint*

The bulk of the development footprint will occur on existing sugar cane land.

##### *Loss of agricultural land*

The development occurs on Category E agricultural land.

#### **11.1.3 SOCIAL ENVIRONMENT**

##### *Influx of workers to the area during the construction phase*

The influx of construction workers into an area during the construction phase of development initiatives is always a concern to existing residents. The impact is positive in terms of temporary job creation for the unemployed, but can be considered negative if worker behaviour is not properly managed by the developer and his contracting companies. Mitigation measures will need to be examined and carried through to the Construction Environmental Management Programmes (CEMPr's). The development of the light industrial, warehousing and logistics precinct is anticipated to generate 3500 job opportunities in the construction phase. (Metro Ezasegagasini 21 December 2012).

##### *Increased job opportunities for local people in the short and long term*

The development proposal has the potential in the operational phase for the creation of approximately 5000 job opportunities once fully developed (Metro Ezasegagasini 21 December 2012). The increased number of jobs, substantially



more than those provided by the existing sugar-cane farming operation, will be welcomed in the region. Every additional job opportunity contributes cumulatively to upward economic and social upliftment.

#### **11.1.4 ECONOMIC ENVIRONMENT**

*Increased attraction of economic development in the area*

The proposal to establish Keystone Park, is a substantial economic development in itself valued at over R5 billion.

It also has the potential to be the catalyst of further economic development in the Hammarsdale Region.

The project has been identified by the Municipality as a strategic support project to the Mpumulanga Town Centre.

Local multiplier effects will be stimulated by attraction of business to the area.

The establishment of Keystone Park is anticipated to trigger multiplier effects.

### **11.2 IDENTIFICATION OF POSSIBLE CUMULATIVE IMPACTS**

The following potential cumulative impacts have been identified for evaluation in the Impact assessment phase of the process.

#### **11.2.1 CUMULATIVE TRAFFIC IMPACTS**

The Traffic Impact Assessment being prepared by Aurecon will cover the anticipated cumulative traffic impacts.

#### **11.2.2 CUMULATIVE LAND USE AND PLANNING IMPACTS**

Keystone Park is the development of a new precinct.

The development is in accordance with the municipal credible IDP and SDF and is supported by the municipality as it realises their long term objective of creating employment opportunities in Hammarsdale

The identification of growth corridors also meets the planning objectives of densification and the reduction of urban sprawl, in addition to directing the concentration of infrastructural service provision to corridor/nodal areas which is economically beneficial.

#### **11.2.3 CUMULATIVE IMPACTS ON THE VEGETATION**

The applicant site is presently primarily an abandoned sugar cane farm. The loss of cane has been evaluated in agricultural specialist study by Keith Snyman &

Associated and is not considered to be significant as it is no longer economically viable. This will be assessed in the EIR.

Very limited areas of natural vegetation occur on the site and the potential for extensive impacts on the vegetation is minimal. Small pockets of grassland, which are already fragmented from the system, will be lost, the extent to which this will impact on biodiversity will be considered in the EIA phase.

#### **11.2.4 CUMULATIVE IMPACTS ON SURFACE WATER**

The potential for increased surface run off resulting from the anticipated increase in hardened areas and roofs and the concomitant potential cumulative impact will be evaluated during the Environmental Impact Assessment.

#### **11.2.5 CUMULATIVE VISUAL IMPACTS**

The alteration of the visual setting of any area identified as a primary growth corridor is inevitable. The extent to which the impact of the altered visual perception can be managed will determine the significance of the cumulative visual impact.

The distant view across the valley from the Inchanga hillside may be affected, i.e. elevated properties may look down onto an altered landscape.

The most obvious change will be adjacent the MR 385. Locals using the MR 385 will experience a visual alteration for the length of the development.

#### **11.2.6 CUMULATIVE IMPACTS ON PUBLIC SERVICES**

The area is currently characterised by its poor infrastructure. The development of the Keystone Park requires substantial infrastructural spend. It is anticipated that this quantum improvement to infrastructure will benefit the local community and will be the catalyst to further economic development in the area.

Keystone Park will place a load on the water, sanitation, electrical, stormwater disposal and solid waste management infrastructure much of which is currently non-existent in the immediate locale.

The specialist reports to be contained in the EIR will deal with the infrastructure required.

#### **11.2.7 CUMULATIVE SOCIAL AND ECONOMIC IMPACTS**

A significant beneficial economic impact is anticipated due to the benefits of the job opportunities generated, as well as the local economic stimulation to be gained from the development of the Precinct at this point on the corridor between Durban and Pietermaritzburg.

Multiplier effects associated with the 'draw card' approach of providing an attractive gateway to the Mpumalanga node as envisaged by the developers has the potential to stimulate interest in the area and act as a catalyst for local economic growth.

Whilst the social impact of economic stimulation and improvement is always viewed as a positive by the unemployed, there is potential for growth to initiate other changes in the social aspects of local residents eg. the change in sense of place, alteration of semi-rural environment to more urbanised etc.

28 (1) (f) an identification of all legislation and guidelines that have been considered in the preparation of the scoping report;

## 12 LEGISLATION AND GUIDELINES

The following list of legislation and guidelines have been considered in the preparation of the scoping report.

### 12.1 LEGISLATION

All listed Acts and Regulations must be considered 'as amended' – i.e. the latest applicable date

**Table 4 Legislation considered**

<b>Title of legislation, policy or guideline</b>	<b>Administering Authority &amp; Date</b>	<b>Comment and Consideration</b>
The Constitution of South Africa, Act 108 of 1996 as amended	Department of Justice and Constitutional Development	Applicable in respect of all actions of the citizens of the country
National Environmental Management Act (NEMA) Act 107 of 1998 and the National Environmental Management Amendment Act, Act 8 of 2004	DEA & DAEA	Primary legislation influencing the preparation of this scoping study and EIA
National Environmental Management: Air Quality Act (NEM:AQA), Act 39 of 2004	DEA	No listed emissions are anticipated from this development proposal, however the provisions of the Act have been considered in the preparation of the scoping report
National Environmental Management: Waste Act, (NEM:WA) Act 59 of 2008	DEA Hazardous Waste DAEA General Waste	No waste licences are required in terms of this application, however the provisions of the Act have been considered in the preparation of the scoping report

<b>Title of legislation, policy or guideline</b>	<b>Administering Authority &amp; Date</b>	<b>Comment and Consideration</b>
National Environmental Management: Biodiversity Act, (NEM:BA) Act No 10 of 2004	SANBI Nationally and Ezemvelo KZN Wildlife in KZN	South Africa has ratified the International Convention on Biological Diversity, which commits the country, including Kwa-Zulu Natal, to follow a strategy for the conservation, sustainable use and equitable sharing of the benefits of biodiversity, making this Act applicable to all proposed development applications. Regulations for the management of certain alien invasive species are also made under this Act
National Water Act, Act 36 of 1998	Department of Water Affairs	Fundamental legislation applicable to all water use nationally
Water Services Act, Act 108 of 1997	Department of Water Affairs	Enabling legislation for water service providers
Conservation of Agricultural Resources Act, (CARA) Act 43 of 1983	Department of Agriculture Forestry and Fisheries	Regulations regarding alien invasive species are effective under the Act, and the landowners of the applicant site are obliged to address the alien vegetation present on the property in terms of the requirements of the regulations
National Forests Act, Act 84 of 1998	Department of Agriculture Forestry and Fisheries	Vegetation constituting a natural forest requires a licence application to be issued by DWAF prior to the removal, cutting, trimming of any trees. To this extent licences will need to be obtained for the disturbance of any indigenous vegetation for the establishment of the proposed development
Subdivision of Agricultural Land Act, Act 70 of 1970 (repeal act assented to but not yet proclaimed)	National Department of Agriculture	Any land falling outside of a formal town planning scheme requires the permission of the Department for subdivision or change of land use. The properties making up this application site are agricultural properties requiring the Department of Agriculture's permission for their subdivision and change of land use
National Heritage Resources Act, Act 25 of 1999	South African Heritage Resources Agency	Any development that may impact on heritage resources is required to consider the provisions of this Act and obtain

Title of legislation, policy or guideline	Administering Authority & Date	Comment and Consideration
	(SAHRA)	<p>permission from the Heritage Authority, including:</p> <p>The construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;</p> <p>Any development or other activity which will change the character of a site exceeding 5000m<sup>2</sup> in extent involving three or more existing erven or subdivisions thereof which have been consolidated in the past 5 years;</p> <p>The rezoning of a site exceeding 10 000m<sup>2</sup> in extent. .</p>
KwaZulu-Natal Heritage Act, Act 4 Of 2008 (previously KwaZulu Natal Heritage Act, Act 10 of 1997)	AMAFA aKwaZulu Natali Assented to 5 December 2008, Commencement 12 February 2009	<p>Notice to the council and their permission is required in respect of</p> <p>The construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;</p> <p>The construction of a bridge or similar structure exceeding 50m in length</p> <p>Any development or other activity which will change the character of any area of land or water exceeding 10 000m<sup>2</sup> in extent involving three or more existing erven or subdivisions thereof which have been consolidated in the past 5 years;</p>
Restitution of Land Rights Act, Act 22 of 1994	Regional Land Claims Commission 2 December 1994	According to the enquiry made no land claims have been lodged over any of the properties making up the applicant site.
KwaZulu Natal Provincial Roads Act, Act 4 of 2001	Kwa-Zulu Natal Department of Transport	Written notice to the Minister (in charge of roads), who may approve or refuse subdivision of land, or change in land use, is required for any developments adjacent provincial roads and within 500m of the intersection of a provincial road. Upgrades to the provincial route MR 385 are likely to be necessary

Title of legislation, policy or guideline	Administering Authority & Date	Comment and Consideration
The National Roads Act, Act 7 of 1998 (previously Act 54 of 1971)	South African National Roads Agency Limited	Written notice to the Minister (in charge of roads), who may approve or refuse subdivision of land, or change in land use, is required for any developments adjacent National Routes. Title deed restrictions requiring permission from the National Transport Commission will be removed as part of the application. Furthermore upgrades to the National Route intersection on/off ramps at the MR 385/N3 Interchange are likely to be necessary to facilitate this development.
Planning and Development Act, (PDA) Act 6 of 2008		<p>The purpose of the Act is to provide for the adoption, replacement and amendment of schemes, to provide for the subdivision and consolidation of land; to provide for the development of land outside schemes; to provide for the phasing or cancellation of approved layout plans for the subdivision or development of land; to provide for the alteration, suspension and deletion of restrictions relating to land; to establish general principles for the permanent closure of municipal roads or public places; to provide for the adoption and recognition of schemes, to provide for compensation in respect of matters regulated by the Act; to establish the KwaZulu-Natal Planning and Development Appeal Tribunal; to provide for provincial planning and development norms and standards; and to provide for matters connected therewith.</p> <p>No development may take place contrary to title deed restrictions registered against the title deed of the land. Title Deeds have been examined to establish whether or not there are any restrictions precluding the proposed development which would need to be removed as part of the PDA application formalising the development if authorised.</p>

<b>Title of legislation, policy or guideline</b>	<b>Administering Authority &amp; Date</b>	<b>Comment and Consideration</b>
The Local Government : Municipal Systems Act, Act 32 of 2000	Assented to - 14 November 2000 Commencement -1 March 2001	The Act deals with the principles, mechanisms and processes enabling municipalities to function. Of key significance is the requirement set out for Integrated Development Planning (IDP)
Spatial Planning and Land Use Management Act, Act 16 of 2013 (SPLUMA)	Assented to - 2 August 2013 Commencement – to be advised	This Act provides the framework for spatial planning and land use management in the Republic and sets out the functioning of the relationship between spatial planning and land use management systems and other kinds of planning; It further unpacks the national, provincial and municipal requirements for spatial development planning associated with the Municipal Systems Act. Although not having yet commenced the Act is listed here as it influences the requirements of several other Acts applicable to this application
Land Survey Act, Act No. 8. of 1997	Surveyor General	Any subdivision, consolidation, sectional title, registration or removal of servitudes etc will be undertaken by the professional Land Surveyor to give effect to any development approvals granted and facilitate access to title.



## 12.2 GOVERNMENT NOTICES

Table 5 Government Notices considered

Title of legislation, policy or guideline	Administering Authority	Date:	Comment and Consideration
GN R543, 18 June 2010	DAEA	2 August 2010	Regulations under NEMA setting out the procedure for Environmental Impact Assessment and Reporting in respect of listed Activities – <i>APPLICABLE</i>
GN R544, 18 June 2010	DAEA	2 August 2010	Listing Notice 1 , Activities subject to Basic Assessment in terms of NEMA - <i>APPLICABLE</i>
GN R545, 18 June 2010	DAEA	2 August 2010	Listing Notice 2, Activities subject to Scoping/Environmental Impact Assessment in terms of NEMA - <i>APPLICABLE</i>
GN R546, 18 June 2010	DAEA	2 August 2010	Listing Notice 3, Activities subject to Basic Assessment in identified geographic areas in terms of NEMA - <i>APPLICABLE</i>
GN 718, 3 July 2009	DAEA for non- hazardous waste and DEA for hazardous waste	3 July 2009	Category A and Category B Listing Notices in terms of Section 19(1) of the National Environmental Management : Waste Act <i>NOT APPLICABLE</i>
GN 248, 1 April 2010	DEA	31 March 2012	List of Activities which result in atmospheric emissions which have or may have a significant detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions or cultural heritage <i>NOT APPLICABLE</i>

## 12.3 GUIDELINES

**Table 6 Guidelines Considered**

<b>Title of legislation, policy or guideline</b>	<b>Administering Authority &amp; Date</b>	<b>Comment and Consideration</b>
Integrated Environmental Management Guideline Series 5 Companion to the Environmental Impact Assessment Regulations 2010	Department of Environmental Affairs Notice 805 of 2012 (GG 10 October 2012)	Guidelines to provide clarity on aspects of the environmental impact assessment (EIA) Regulations of 2010, as related to the concepts of integrated environmental management (IEM)
Integrated Environmental Management Guideline Series 7 Public Participation in the Environmental Impact Assessment Process	Department of Environmental Affairs Notice 807 of 2012 (GG 10 October 2012)	Public Participation Guidelines to assist practitioners and authorities achieve Integrated Environmental Management as required by NEMA
DEA&DP (2010) Guideline on Alternatives, EIA Guideline and Information Document Series. Western Cape Department of Environmental Affairs & Development Planning (DEA&DP).	DEA&DP	Guidelines under consideration to assist practitioners and authorities achieve Integrated Environmental Management as required by NEMA
Policy Principles and Guidelines for control of development affecting Natural Forests	DAFF & EKZNW	Guidelines for control of development affecting natural forests
Integrated Environmental Management Guideline Series 9 Draft Guideline on Need and Desirability in Terms of the Environmental Impact Assessment (EIA) Regulation 2010	Department of Environmental Affairs Notice 792 of 2012 (GG 5 October 2012)	The guideline provides information and guidance for applicants, authorities and interested and affected parties on requirements for the consideration of need and desirability in terms of the National Environmental Management Act, 2008 (Act No.107 of 2008), the Environmental Impact Assessment Regulations, 2010, the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) and National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

- 28 (1) (h) details of the public participation process conducted in terms of regulation 27(a), including—
- (i) the steps that were taken to notify potentially interested and affected parties of the application;
  - (ii) proof that notice boards, advertisements and notices notifying potentially interested and affected parties of the application have been displayed, placed or given;
  - (iii) a list of all persons or organisations that were identified and registered in terms of regulation 55 as interested and affected parties in relation to the application; and
  - (iv) a summary of the issues raised by interested and affected parties, the date of receipt of and the response of the EAP to those issues;
  - (k) copies of any representations, and comments received in connection with the application or the scoping report from interested and affected parties;
  - (l) copies of the minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants; and
  - (m) any responses by the EAP to those representations and comments and views;

### **13 PUBLIC PARTICIPATION**

A public participation process is underway as required in terms of Section 27(a) of GN R543 the details of which are set out under the following headings :

- Steps taken to notify potentially interested & affected parties of the application
- Proof that notice boards, advertisements, and notices notifying potentially interested and affected parties of the application have been displayed placed or given
- A list of all persons or organisations that were identified and registered in terms of Regulation 57 as interested and affected parties in relation to the application
- A summary of the issues raised by interested and affected parties, the date of receipt and the response of the EAP to those issues
- Annexures in support of the Public Participation process are attached at Appendices 2 - 5

#### **13.1 STEPS TAKEN TO NOTIFY POTENTIALLY INTERESTED & AFFECTED PARTIES**

##### **13.1.1 WRITTEN NOTICES**

Keystone Park (portion of the previous Bartlett Estate Phase 1 landholding) is located within the eThekweni Municipality which is a Metro.

The competent authority in respect of the National Environmental Legislation in KwaZulu Natal is the Department of Agriculture and Environmental Affairs, South Region.

Other key stakeholders and Interested and Affected Parties were identified notified as set out below:

### 13.1.1.1 STAKEHOLDERS (INCLUDING NGO'S)

Stakeholders were selected from a standard data base record of the normal commenting authorities (eg. EKZNW, DWA Water Quality, DAFF, Local Authority, District Municipality, Councillor, Ratepayers Association etc.), as well as additional stakeholders identified by interaction with Local Authority, professional team and the landowner.

Keystone Park cc, the developer, and respective members of the professional team have held extensive meetings with key stakeholders outside of the formal EIA process, especially the eThekweni Municipality as the planning authority to determine a suitable development plan for the site.

The following stakeholders, were e-mailed and hand delivered, or posted, copies of the Background Information Document in February 2013.

**Table 7 Background Information Document Distribution to Stakeholders**

Department/Organisation
Manager Impact Assessment DAEA
Assessing Officer DAEA
EIA Co-ordinator WESSA
Development Planning EKZNW
DWA Water Quality
Assessing Officer DAFF Indigenous Forest Management
Cllr Dennis Shoji - Ward 4
Ratepayers Association
Macro Planning Department of Agriculture
National Department of Agriculture
AMAFA
Eskom Distribution
Eskom Transmission
SANRAL
KZN DOT Infrastructure Development & Planning
Land Claims Commission
eThekweni Municipality

**Table 8 Draft Scoping Report Distribution to Stakeholders (to be updated in Final Scoping Report)**

Department/Organisation
AMAFA
COGTA - Planning & Development
CONOMIRRA - Ratepayers Association
DAEA – Directorate Land Use: Macro Planning
DAFF Indigenous Forest Management
DMR
DWA Water Quality
EKZNW - Development Planning
eThekweni Municipality (4 printed copies 4 CD's)
KZN DOT Infrastructure Development & Planning
National Department of Agriculture
SANRAL
Public Copy – Hillcrest Library
Public Copy – Cato Ridge Library
Docs available on web @ <a href="http://balancedenviro.co.za/">http://balancedenviro.co.za/</a>

### 13.1.1.2 ADJACENT LANDOWNERS & INTERESTED AND AFFECTED PARTIES

A list of adjacent landowners has been compiled and their contact details obtained via Windeed, the Municipal Rates register and with the assistance of local knowledge and the previous registered interested and affected parties register.

A list of all persons or organisations that were identified and registered in terms of Regulation 57 as interested and affected parties in relation to the application is provided below.

**Table 9 Adjacent Landowners and Interested and Affected Parties (copies of correspondence at Appendix 4)**

<b>Name</b>	<b>Group</b>	<b>Interest</b>
Jill Moore	I & AP	Registered in response to newspaper advert
Nora Choveaux	I & AP	Mkondeni Mpushini Biodiversity Trust (PMMBT)
Bianca Torre	I & AP	
Colin Kelly	I & AP	
Julie Knatten	I & AP	Western Rural Community Forum
Roland Pardey	I & AP	Previous owner Emerald Hill
Elmarie De Bruyn	I & AP	Inchanga Conservancy and Neighbourhood Watch
Lauren Heslop	I & AP	Huntersfield Estate
Julie Harper	I & AP	Huntersfield Estate
Etienne Olivier	I & AP (Bartlett Application)	Hillandale Conservancy
Cyril Dold	I & AP	Smallholding owner
David Baksa	I & AP/Surrounding landowner	Okusha Equestrian Centre Ptn 460 Sterkspruit 907
Nadine Parker	I & AP	Leckhampton Valley
Mark Norris	I & AP	Leckhampton Farm
Colette Norris	I & AP	Leckhampton Farm
Monique Olivier	I & AP	Leckhampton Valley
Yacoob Gafoor	I & AP	Registered in response to site sign
Tony Webb	I & AP/Surrounding landowner	Twin Streams Farm Ptn 6 of Erf 13282 Leckhampton
Gary & Sandi Edwards	I & AP	Adjacent and Previous landowner Rem of Ptn 2 & Ptn 10 of Erf 13282 Leckhampton Ptn 5 and Rem of Erf 16387 Bartlett

Robbie Dawson	I & AP	Surrounding landowner
Guy Nicolson	I & AP	Consultant working in the area
Jeremy Ridl	I & AP	Resides close by
Hugh Christie	I & AP	Inchanga Conservancy
TC Chetty	I & AP	Representing neighbouring property owners
Welcome Kuboni	Adjacent landowner	Rem Erf 2 Cliffdale
Pierre Zwanepoel	Adjacent landowner	Rem Erf 3 Cliffdale
Sukhlal Ramdass	Adjacent landowner	Erf 1 Cliffdale
ParkBro Prop Pty Ltd	Adjacent landowner	Erf 20 Cliffdale
Visuvanathan Pillay	Adjacent landowner	Erf 21 Cliffdale
Eskom Finance Co	Adjacent landowner	Erf 22 Cliffdale, Ptn 423, 432, 434, 435, & 436 of Sterkspruit 907
Marion Schreiner	Adjacent landowner	Ptn 459 Sterkspruit 907
Bridle Ridge (Pty) Ltd	Adjacent landowner	Ptn 7 of Erf 13282 Leckhampton
M A Dawson	Adjacent landowner	Rem of Erf 13282 Leckhampton
Heilgard Jacobs	Adjacent landowner	Rem of Erf 117 Drummond
Paul de la Beaujardiere (locally known as Pierre Pitot)	Adjacent landowner/included property	Ptn 461 Sterkspruit 907
Umgeni Water	Adjacent landowner	Ptns 416, 417, 421 & 422 Sterkspruit 907
RSA – KZN DOT	Adjacent landowner	Ptn 413 & 418 Sterkspruit 907
Neville Pretorius	Surrounding landowner	Ptn 118 Sterkspruit 907
Hammarisdale Oils cc Rem of 68 Sterkspruit 907	Surrounding landowner	Rem of 68 Sterkspruit 907

## 13.2 NEWSPAPER ADVERTISEMENTS AND SITE NOTICES

Newspaper advertisements were placed in English in the Highway Mail and Natal Mercury of the week ending 4 January 2013 (See Appendix 2).

Notice Boards were displayed on the MR 385 adjacent the lay-by approximately 200m from the N3 MR385 (M50/Mthoko Mkhize Drive) intersection and at the intersection of the Emerald Road with the MR 385 (M50/Mthoko Mkhize Drive).





**Photo 1 – Notice Board Emerald Road/MR385 Intersection**



**Photo 2 - Notice Board Emerald Road/MR385 Intersection**



**Photo 3 – Notice Board on MR 385 at Lay-By**



**Photo 4 – Notice Board on MR 385 at Lay-By**

A second notice was placed in the Mercury and Highway Mail in the week ending 7 June 2013 indicating the inclusion of the Baksa property Ptn 460 (of 458 of the Farm Sterkspruit 907, and Ptn 8 (of 1) of the Farm Bartlett No 16387, a portion of Emerald Drive, as well as the potential trigger of additional listed activity GN545 7(helipad)



**Photo 5 – Repost site Sign for inclusion of Additional properties and activity MR385 Lay-By**



**Photo 6 - Repost site Sign for inclusion of Additional properties and activity MR 385/Emerald Road intersection**

A third notice was placed the Mercury of 25 October 2013 and in the Highway Mail of the week 30 October 2013 indicating the inclusion of Ptn 461 (of 458 of the Farm Sterkspruit 907 and the potential triggers of additional listed activities GN



544 24 (conversion of zoned open space) and GN545 18 (design of road associated physical infrastructure). Notice of a public meeting to be held on 20 November 2013 was also given.



**Photo 7 – Repost site Sign for inclusion of Ptn 461, additional activities and notice of public meeting at MR385 Lay-By**



**Photo 8 – Repost site Sign for inclusion of Ptn 461, additional activities and notice of public meeting at MR 385/Emerald Road Intersection**



**Photo 9 – New site sign at Ptn 460 entrance**



**Photo 10 - New site sign at Ptn 461 entrance**

Updated Notice Boards were displayed as per photos above on the MR 385 adjacent the lay-by approximately 200m from the N3 MR385 (M50/Mthoko Mkhize Drive) intersection and at the intersection of the Emerald Road with the MR 385 (M50/Mthoko Mkhize Drive). Additional notices were placed at the entrances to Ptns 460 and 461 of Sterkspruit 907 .

### 13.3 SUMMARY OF ISSUES RAISED BY INTERESTED & AFFECTED PARTIES

**Table 10** Comment Received on Background Information Document (Copies included at Appendix 3)

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
12 February 2013	DAFF – Enquiries Mr A. Mnyungula	<ul style="list-style-type: none"> <li>• Acknowledge Receipt of BID</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> </ul>
18 February 2013	Department Water Affairs  Enquiries Ms K. P. Methula	<ul style="list-style-type: none"> <li>• The following to be addressed in the environment impact report</li> <li>• Management of general and hazardous waste on site</li> <li>• Identification of any environmentally sensitive areas and water resources such as wetlands, streams, rivers, etc as well as possible pollution impacts and proposed mitigation measures to protect such water resources</li> <li>• Stormwater management plan/system including the prevention of erosion and sedimentation</li> <li>• Contingency measures that will be in place to ensure quick detection and repair of leakages and or breakages along the proposed sewer line</li> <li>• Measures that will be implemented to prevent possible erosion of banks along which the pipeline may run. Erosion is likely to result in</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> <li>• To be addressed in the environmental management programmes (EMPr's)</li> <li>• Eco-Pulse Wetland ecologists appointed</li> <li>• To be provided in EMPr's</li> <li>• Engineer to provide details</li> <li>• To be addressed in the EMPr</li> </ul>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>exposure of the pipeline, and thus a potential source of pollution</p> <ul style="list-style-type: none"> <li>• Sewage treatment and disposal i.e. waste water management</li> <li>• Information regarding the 1:50 and 1:100 year floodlines. This must be clearly demarcated on a map.</li> <li>• Wetland delineation and functionality assessment</li> <li>• Environmental Management Programme</li> <li>• In addition the following points need to be taken into consideration:</li> <li>• There must be a buffer of 500 metres from the edge of the temporary wet zone of the wetland to the edge of any structural development</li> <li>• Any development (structures, roads and other infrastructure) within a 500m radius of a wetland requires an authorization in terms of Section 21 of the National Water Act. DWA Office to be contacted for further details</li> <li>• The applicant may require an authorization</li> </ul>	<ul style="list-style-type: none"> <li>• To be included in the infrastructural services report, and Environmental Impact Report (EIR)</li> <li>• Engineers to provide</li> <li>• Eco-Pulse has been appointed to carry out a wetland delineation and functionality assessment</li> <li>• Draft to be provided in EIR and updated prior to construction commencing if environmental authorization is issued</li> <li>• Noted</li> <li>• Relaxation to be requested via rational design</li> <li>• Noted where necessary DWA will be contacted</li> <li>• Noted the EAP is liaising with Mr Ward</li> </ul>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>(eg. license, general authorization ,etc) from Mr Ward for any activity in the riparian habitat or 1:100 year floodline, whichever is the greatest distance from the watercourse. Development occurring within these areas is defined as section 21 (c) '<i>impeding or diverting the flow of water in a watercourse</i>' and (i) <i>altering the bed, banks course or characteristics of a watercourse</i>, water use in terms of the National Water Act, 1998 (Act 36 of 1998).</p> <ul style="list-style-type: none"> <li>• A “watercourse” in terms of the National Water Act, 1998 (Act 36 of 1998) is defined as: <ul style="list-style-type: none"> <li>(a) a river or spring;</li> <li>(b) a natural channel in which water flows regularly or intermittently;</li> <li>(c) a wetland, lake or dam into which, or from which water flows; and</li> <li>(d) collection of water which the Minister may, by notice in the Gazette, declare to be watercourse, and a reference to watercourse includes, where relevant, its beds and banks</li> </ul> </li> <li>• The civil designs, including specifications for any proposed dams must be forwarded to the dept for approval. Any dam which can contain, store or dam more than 50 000 cubic metres</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> <li>• Noted</li> </ul>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>of water and which has a vertical height of more than five metres must be subjected to a dam safety evaluation, and if applicable be registered as such with the Dam safety office of the dept. Contact Mt I Hoareau on 031 336 2700.</p> <ul style="list-style-type: none"> <li>• Further comments to be provided in response to Environmental Impact Report</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> </ul>
19 February 2013	<p>eThekwini Municipality Economic Development and Investment Promotion Unit</p> <p>Enquiries Peter Gilmore</p>	<ul style="list-style-type: none"> <li>• Economic Development Unit in full support of the development proposal. The industrial Precinct Plan complies with the Local Economic Development Strategy approved for this area and is supported by the city's Integrated Development Plan.</li> <li>• The Department is currently engaging with the developer on this project in a Memorandum of Agreement in the joint development of this precinct.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> <li>• Noted</li> </ul>
19 February 2013	<p>WESSA Coastwatch</p> <p>Enquiries Carolyn Schwegman</p>	<ul style="list-style-type: none"> <li>• Previous development recalled. Noted previously areas of ecological significance. Reduced development within transformed are although natural grassland is present.</li> <li>• Would like to consider the layout relative to the grassland and what measures will be put in place for its protection.</li> </ul>	<p>Noted</p> <p>Layout to be provided for consideration in Draft Scoping Report.</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<ul style="list-style-type: none"> <li>• Management of stormwater is of interest</li> <li>• Expect green building design principles to be adopted and from the outset ensure that budget is available for solar panels, rainwater tanks, and other resource conservation features.</li> <li>• Waste recycling to be considered at all stages of development</li> </ul>	<p>Stormwater Management Plan to be provided in EMPr</p> <p>Proposed Green building design principles to be indicated in EIR</p> <p>Waste recycling and waste management protocols to be included in EMPr</p>
25 February 2013	<p>DAFF – Department Agriculture Forestry &amp; Fisheries – Forestry Regulation and support</p> <p>Enquiries Mr A. Mnyungula</p>	<ul style="list-style-type: none"> <li>• Opportunity to comment appreciated</li> <li>• Dept requests that a vegetation specialist report for the whole area be included in the Environmental Impact Report to assist in determining the impact the development may have on the natural vegetation/ natural forests or protected trees under the National Forest Act, Act 84 of 1998.</li> <li>• Letter does not provide exemption from compliance with other legislation</li> </ul>	<ul style="list-style-type: none"> <li>• Vegetation Specialist Report prepared by Johan Bodenstein to be included.</li> </ul>
12 March 2013	eThekwini Municipality Sustainable Development and City Enterprises	<p><i>eThekwini Electricity Department.</i></p> <p>The Electricity Department has no objection, however please note:</p> <p>1.1. The applicant must consult eThekwini Electricity's mains records (held in the</p>	<p>Noted</p> <p>Appointed electrical engineer to confirm.</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
	Enquiries: Mrs Di van Rensburg	<p>drawing office at eThekweni Electricity Headquarters, 1 Jeff Taylor Crescent, for the presence of underground electrical services. In addition should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.</p> <p>1.2. The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.</p>	
		<p><i>Environmental Planning and Climate Protection Department.</i></p> <p>The Background Information Document covers all this Departments concerns at this stage, in terms of specialist report (wetland, vegetation assessment). This Department will comment further on the Basic Assessment Report.</p>	Vegetation and wetland specialist reports are in the process of being prepared.
		<p><i>Framework Planning Branch.</i></p> <p>This Branch supports the proposed application in principle as the proposed development aligns with the spatial intentions and role of the area as defined within the Outer West Spatial Development Plan (OWSDP) adopted by Council in November 2012. However, it should be noted that the commercial component in this area is</p>	<p>Noted.</p> <p>Details of commercial component to be provided and agreed with Framework Planning. Development controls to be reflected in town planning land use management controls</p>



DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>limited to a small scale and needs to be discussed and agreed upon with the Development Planning Department.</p> <p>Notwithstanding the above, the proposed development will impact on the infrastructure (Roads and Wastewater) of the area. Accordingly, the applicant needs to provide phasing for this development together with the required infrastructural upgrade at each phase of development to the satisfaction of the respective service providers.</p> <p>Furthermore, this Branch's support of the application is subject to other line Departments such as ETA (eThekweni Transport Authority), Waste Water and Environment Department's support of the application.</p>	<p>Infrastructural upgrading phasing schedule to be provided in EIR</p> <p>Proposal in circulation. Support or comment to be reflected in EIR report</p>
		<p><i>Land Use Management Branch.</i></p> <p>The properties concerned are outside of a town planning scheme and therefore have no land use zone. Development proposals in the area are considered in terms of the development guidelines defined in the Outer West Spatial Development Plan (OWSDP) adopted by Council. The proposed development is in line with the development guidelines and spatial intentions of the OWSDP and this Branch</p>	<p>Noted.</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>supports the proposed development from a land use perspective.</p> <p>This Branch does however wish to align with the comment from Framework Planning regarding the proposed “small commercial component” and the need for this Branch to fully understand the nature and scale of the retail component. This Branch therefore reserves the right to comment on this aspect further.</p>	<p>Details of commercial component to be provided and agreed with Framework Planning and Land Use Management. Development controls to be reflected in town planning land use management controls</p>
		<p><i>Economic Development Unit.</i></p> <p>The Economic Unit of the eThekweni Municipality is in full support of the above proposal. The Industrial Precinct Plan complies with the Local Economic Development Strategy approved for this area and is also supported by the City's Integrated Development Plan.</p> <p>This Unit is currently engaging with the Developers of this project in a Memorandum of Agreement in the joint development of this precinct.</p>	<p>Noted</p>
		<p><i>Geotechnical Engineering Branch.</i></p> <p>No geotechnical objection to development of this site.</p> <p>Ideally a geotechnical investigation should be carried out to provide details on the steep slopes</p>	<p>Noted</p> <p>Geotechnical report to be provided in EIR</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		(stability) and depth to hard rock (excavatability). Industrial sites typically require large, level, cut-to-fill platforms and if hard sandstone prevails across portions of the site, blasting may be required to achieve levels. The sandy upper soils are considered potentially moderately to highly erodible and a comprehensive Stormwater Management Plan must be in place.	The storm water management plan will be provided as part of the EMP.
		<i>Durban Solid Waste.</i> This Department would only comment once the applications for the construction of structures is submitted as this Departments interest is in whether suitable waste management systems are in place.	Noted.
		<i>eThekweni Transport Authority.</i> A Traffic Impact Assessment will be required.  Cognisance must be taken with regard to the Freight route that traverses through this site.	Noted. Traffic Engineer appointed.  Noted. Discussions with ETA indicate that the final route is as yet undetermined.
		SANRAL and KZN DoT will have to comment on this application.	Application has been circulated to SANRAL and KZN DOT. Comments to be included.
		<i>Coastal, Stormwater and Catchment Management.</i> This Department will need to see a Stormwater Management Plan	To be provided as part of the EMP
		<i>Water and Sanitation Department.</i>	

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>Currently there is existing adequate capacity at the Hammarsdale Treatment Works provided that the total daily discharge volume does not exceed 1200kl</p> <p>The following “Special Limits” apply ;</p> <ul style="list-style-type: none"> <li>• Chemical Oxygen Demand limit of 700mgO<sub>2</sub>/l</li> <li>• Electrical Conductivity limit of 70mS/m</li> </ul> <p>The following “Special Conditions” apply;</p> <ul style="list-style-type: none"> <li>• Only effluent from warehouses will be permitted and not wet industries</li> <li>• No internal washing of tankers, flow bins or drums are permitted</li> <li>• The installation of an on-line, continual monitoring electrical conductivity meter is required</li> </ul> <p>It is this Department’s understanding that the following bulk infrastructure will be required;</p> <ul style="list-style-type: none"> <li>• Rising sewer mains and pump stations to pump sewage to the top of the catchment at the south western corner of the site along MR385 (M50/Mthoko Mkhize Drive)</li> </ul> <p>Bulk gravity sewer from the top of the catchment down to the Hammarsdale Treatment Works.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted</p> <p>The bulk infrastructure requirements are under investigation by the appointed professional engineers for confirmation with the eThekweni municipality</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>With respect to the construction of all required rising mains and pump stations, the following requirements shall apply;</p> <ul style="list-style-type: none"> <li>• Construction of all rising mains and pump stations shall occur within the cadastral boundaries of the subdivision.</li> <li>• All construction costs associated with these rising mains and pump stations shall be for the developers account.</li> <li>• All maintenance costs associated with these rising mains and pump stations shall be for the account of the managing agents/body corporate of the industrial park.</li> </ul> <p>With respect to the construction of the bulk gravity sewer, outside the subdivision boundaries, the following requirements shall apply;</p> <ul style="list-style-type: none"> <li>• The preferred route of the bulk gravity sewer from the proposed development down to the Hammarsdale Treatment Works is an alignment that follows the bottom of the valley line located to the West of MR385 (M50/Mthoko Mkhize Drive). This option would free up sites located on the Western side of MR385</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>(M50/Mthoko Mkhize Drive) for future development.</p> <ul style="list-style-type: none"> <li>As the construction of the bulk gravity sewer, including any potential upgrading of existing sewers, is in advance of the Council's wastewater development programme;</li> </ul> <p>The developer is to provide two priced schedules of quantities – the first for the required future capacity, and the second for the capacity that would be required for this particular development alone.</p> <p>The developer will construct and/or upgrade existing infrastructure to Council specifications, but for the future capacity of the catchment as verified by this Department.</p> <p>The Council will contribute the difference between the two amounts on completion, or in agreed phases, when funds are available.</p> <p>After the infrastructure starts being used by the developer, the Council will refund the developer's portion of the costs in proportion to the take-up by the development of its total required capacity. Once paid in full, the infrastructure will be taken over by the Council. The extent of</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>the take-up by the development, and the payment of the refund, will be determined once a year.</p> <p>The developer shall be responsible for obtaining all required environmental authorizations, acquisition of all required servitudes and obtaining all required construction access and "Permission to Occupy" authorizations.</p> <p>All Sewer designs to be submitted to this Department for approval prior to commencement of project.</p> <p>On completion of the works, signed copies of the as-built sewer reticulation drawings, together with electronic copies of the drawings must be provided to this Department.</p> <p>This Department's Wastewater Networks Branch must also receive a copy of the design plans, be notified when construction commences and be given the opportunity to inspect the quality of construction and materials during construction.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
20 March 2013	EKZNW Dinesree Thambu	Acknowledge receipt of BID Apologies for no comment	Noted
24 May 2013	SANRAL Cas Landman	Acknowledge Receipt of BID Note Traffic Engineer Dave Kellock is in	Noted Noted



DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>consultation with Design and Construction Manager</p> <p>Note aspects that affect the development</p> <ul style="list-style-type: none"> <li>• Possibility of ramps being closed at Peacevale Interchange</li> <li>• Long-term upgrading proposals at Hammarsdale Interchange</li> <li>• Interim upgrading requirements should Keystone proceed</li> </ul> <p>At this stage no definitive design criteria of Key Ridge alignment or upgrade – outcome will affect ultimate requirements for Hammarsdale</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
27 May 2013	KZN DOT T10/2/2/2254/4 Roy Ryan	<p>With reference to letter dated 15 February 2013, Minister as the controlling authority as defined in the KZN Roads Act, 40 2001 ahs in terms of S21 of the Act no objections to the proposal as represented in the BID subject to the following:</p> <ul style="list-style-type: none"> <li>• Road reserve boundary to be determined in consultation with Department Road Information Services</li> </ul> <p>Applicant reminded of the following:</p> <ul style="list-style-type: none"> <li>• In terms of S10 of the KZN Roads Act no random access whatsoever to MR385 will be permitted</li> <li>• Only one access to MR 385 will be permitted, considering this an internal road network is to be considered</li> <li>• No service roads or parking as required in</li> </ul>	<p>Noted</p> <p>Noted Traffic Engineer, Engineer and Land surveyor to follow through</p> <p>Noted</p> <p>Noted</p> <p>Noted to be carried though to planning</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>the TP Scheme other than a fence, hedge or a wall which does not rise higher than 2,1 metres above the surface of the land on which it stands, shall be positioned within a distance of 7,5 metres measured from the road reserve boundary of MR385</p> <ul style="list-style-type: none"> <li>• In view of the proposed Keystone Park a detailed to-scale development plan of Ptn 7(of 1), Rem Ptn 1 both of the Farm Bartlett No 16387; and Ptn 420 (of 1) of the Farm Sterkspruit No 907, showing the buildings and only parking as required i.t.o. the TP Scheme must i.t.o. S21 of the Roads Act be submitted to the Dept for assessment and comment</li> <li>• Applicants attention to stormwater clause contained in S12 of Roads Act and S5 of the Roads Regulations wherein it is advised that the disposal of stormwater emanating from the layout through the development shall be undertaken in consultation with and to the satisfaction of the Dept Cost Centre Manager, Metro during the development of the property</li> <li>• Note that should there be Electricity Powerline Routing, on Main Roads, no single power transmission line, telecommunication line, or pipeline with a diameter less than</li> </ul>	<p>application</p> <p>To be provide in the EIA phase</p> <p>Noted</p> <p>Noted Engineer to follow through</p>

DATE	COMMENTATOR	ISSUE RAISED	EAP RESPONSE
		<p>100mm diameter should be place within a distance of 13metres of the of the road centreline. Nor in any addition, should they be more than 2 meters inside the road reserve boundary</p> <ul style="list-style-type: none"> <li>• All Structures and Services are to be approved and placed in consultation with and to the satisfaction of Cost Centre Manager</li> <li>• On receipt of a formal development application the Dept will comment further</li> <li>• Approval shall not exempt applicant from other provisions if law</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p>

### 13.4 PUBLIC PARTICIPATION APPENDICES

The following representations, and comments were received in response to the Background Information Document (DM/0071/2012) distributed. Copies are included at Appendix 3

**Table 11** List of Comments Received on Bid

<b>No.</b>	<b>Representation from Interested &amp; Affected Party</b>	<b>Date</b>
1	DAFF Acknowledge BID	12 February 2013
2	K.P. Methula – DWA	18 February 2013
3	Peter Gilmore - eThekweni Municipality Economic Development and Investment Promotion Unit	19 February 2013
4	Carolyn Schwegman – WESSA Coastwatch	19 February 2013
5	A. Mnyungula – DAFF	25 February 2013
6	KZN DOT – Acknowledge BID	5 March 2013
7	Di van Rensburg – Ethekeeni Municipality Sustainable Development and City Enterprises	12 March 2013
8	EKZNW	20 March
9	SANRAL	24 May 2013
10	KZN DOT	27 May 2013

12 March 2013 - Telephonic confirmation received from Sambulo Mngeni (072 319 7414 sambulom@nda.agric.za): Project to remain registered with National Department of Agriculture under Ref 2007 -11-0335.

**Table 12** List of Comments Received on Draft Scoping Report (to be updated in Final Scoping Report)

<b>No.</b>	<b>Representation from Interested &amp; Affected Party</b>	<b>Date</b>

- 28 (1) (n) a plan of study for environmental impact assessment which sets out the proposed approach to the environmental impact assessment of the application, which must include—
- (i) a description of the tasks that will be undertaken as part of the environmental impact assessment process, including any specialist reports or specialised processes, and the manner in which such tasks will be undertaken;
  - (ii) an indication of the stages at which the competent authority will be consulted;

## **14 PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT**

### **EIA/NO DM/0071/2012 KEYSTONE PARK PROPOSED LOGISTICS AND LIGHT INDUSTRIAL PARK, ASSOCIATED INFRASTRUCTURE AND ROAD UPGRADES PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT**

#### **INTRODUCTION AND PURPOSE**

This document sets out the Plan of Study for Environmental Impact Assessment as contemplated in Section 28(1)(n) of Notice R543 (18 June 2010) Regulations published in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998, for the proposed Keystone Logistics and Light Industrial Park, associated infrastructure.

The purpose is to outline how the Environmental Impact Assessment will be conducted by:

- Recording the issues identified by Interested and Affected Parties and stakeholders during the Scoping phase of the process.
- Indicating feasible alternatives to the project proposal including the preferred alternative and the 'no-go' option.
- Describing the tasks that will be undertaken as part of the process including specialist reports and studies.
- Describing the proposed method of assessing the environmental issues including the option of not proceeding with the activity.
- Providing particulars of the Public Participation process to be followed including an indication of the stages at which the competent authority will be consulted.

This Plan of Study framework highlights the issues already identified and outlines the process, timeframes and focus of the EIA.

The Scoping Report will be finalised after the comments from the public review period have been incorporated. Once additional comments and issues raised have been included and the report updated, the document becomes a Final Scoping Report and is submitted to the competent authority for consideration.

Once the Plan of Study for Impact Assessment is approved by the DAEA the other legislative processes such as obtaining planning approvals will run concurrently with the EIA.

#### **A. RECORD OF ISSUES RAISED TO DATE IN THE PUBLIC PARTICIPATION PROCESS UNDER THIS APPLICATION DM/0071/2012**

The scoping process aims to identify, record and examine issues raised by Interested and Affected Parties, and stakeholders

This Draft Scoping Report includes copies of all responses to the process thus far and the issues raised to date. It also includes comments from numerous meetings held by the developer and professional teams with various competent authorities. The issues have been considered, have been included in the terms of reference given to the respective professional teams working on the project and are summarised as follows:

- **PLANNING RELATED ISSUES**
- Extensive support has been received for the development of the Keystone Park precinct as a non-polluting node where warehousing, logistics and clean light industry could be established, as a Light Industry 3 zone/land use.
- Concern has been raised around the “service/commercial node” identified within the park. The extent of this small component to provide essential supplies to the precinct is to be clarified in the EIR.
- **TRAFFIC AND ROADS RELATED ISSUES**
- A comprehensive Traffic Impact Assessment is required to:
  - Determine estimated traffic volumes and movement patterns on a rational basis
  - Determine the current condition/service level of road infrastructure (with specific reference to the N3 interchange and the MR 385)
  - Determine solutions for the rectification of current traffic problems, and align the phasing of future improvements with the Keystone Park development potential load
  - Confirm the need for, phasing and design of 2 access points to align with the long term phased implementation of the proposed development
  - Deal with public transport requirements
  - Address issues relating to pedestrian movement

- **INFRASTRUCTURAL SERVICES RELATED ISSUES**

- Detail required regarding infrastructural service provision including water supply, sewage disposal, stormwater disposal, solid waste collection and electricity supply.
- Contingency measures to be detailed for the early detection of any possible leaks in any sewer lines.
- Rational design for stormwater management to be included in EIR and flood lines to be determined.
- DWA requirements for management of service infrastructure and erosion control to be addressed and provisions for monitoring included in EMP's.

- **CONSERVATION AND ENVIRONMENTAL ISSUES**

- Environmentally friendly design options to be incorporated.
- Indigenous plants required in landscaping.
- Alien invasives to be cleared in terms of CARA.
- Plant rescue operations to be conducted to preserve transplantable indigenous plants.
- Wetlands and riparian areas to be identified and buffered.
- Grasslands to be assessed for sustainable retention potential.
- Erosion and ground water pollution potential to be prevented and managed.
- Vegetation report required.
- Wetland delineation required.
- Geotech report required.

- **GENERAL ISSUES**

- Precinct design to incorporate 'green/sustainable' design principles/philosophies.

All comments made on the Draft Scoping Report will be incorporated into the Final Scoping Report prior to submission to DAEEA for consideration.



## **B. FEASIBLE ALTERNATIVES**

The feasible alternatives to be evaluated have been described Under Item 9 of the Draft Scoping Report and are listed again for ease of reference:

Alternative 1 – No –Go Option	The ‘no-go’ option – Status Quo – retain site for sugar cane farming
Alternative 2 – Agricultural Option	Alternative Crops or small holdings
Alternative 3 – Preferred Option	Logistics and Light Industrial Park and Associated Infrastructure – maximise land use
Alternative 4 – Alternative layout	Logistics and Light Industrial Park and Associated Infrastructure – post scoping layout adjustments to accommodate stakeholder requirements

## **C. TASKS TO BE UNDERTAKEN AS PART OF THE EIA**

### **SPECIALIST STUDIES**

The following studies in respect of the applicant site are being undertaken to inform the layout planning, they will be included in the Environmental Impact Report (EIR). There has also been substantial interaction by the developer with all the line departments of the relevant authorities to obtain their comment and support for the proposed designs and recommendations of the respective studies/reports. Once concluded and finalised, these reports will be included in the EIR.

### **PLANNING REPORT & LAYOUT PLANS**

Layout Plan

### **INFRASTRUCTURAL SERVICES**

Geotechnical Report by GeoZone Geo Solutions

Storm water Report by Aurecon

Water Supply Report by Aurecon

Sanitation Report by Hatch Goba

Electrical Report by Gary Wilson

### **VEGETATION**

The Vegetation Assessment Report, undertaken in December 2007 by J. Bodenstein of INDIf flora cc Environmental Services, to be updated.

## **CULTURAL HERITAGE**

Heritage Impact Assessment dated 3 December 2007 prepared by eThembeni Cultural Heritage, to be updated.

## **AGRICULTURAL POTENTIAL**

The original report on the Agricultural Potential of Phase 1 of the Bartlett Estate - Report No 0165 dated December 2007 prepared by Richard Hurt – Mvelo Development (no longer in the country) has been expanded on by Keith Snyman of Keith Snyman and Associates to meet the current requirements of the National Department of Agriculture and the provincial Department of Agriculture and Environmental Affairs in addition to undertaking the soil testing requested by the Department.

## **DETAILED TRAFFIC IMPACT ASSESSMENT**

A detailed Traffic Impact Assessment will be conducted by Aurecon. This will include meetings with the relevant traffic authorities, namely the eThekweni Transport Authority (ETA), KZN Department of Transport (KZN DOT), South African National Roads Agency Ltd (SANRAL).

Cumulative Impacts will require consideration and the traffic growth estimated and evaluated for the next 10 years from the base year.

Road geometry and the impact of the layout on the future access to the SANRAL land in the north western quadrant of the interchange will require examination in consultation with the engineers.

Road design will also be considered in association with the stormwater management plan to prevent impact on the road network.

## **WETLAND DELINEATION AND FUNCTIONAL ASSESSMENT**

The original Wetland Delineation Report dated 28 June 2006 prepared by Geosure has been superseded by a new report dated December 2012 prepared by D MacFarlane and A Texeira-Leite of Eco-Pulse.

A new wetland delineation exercise will be undertaken, by Eco-Pulse, an EKZNW approved service provider on the applicant site. The wetland report will include a functional assessment of any wetlands, to inform the impact assessment of the development proposal on the wetland system. Desktop studies indicate that there is one a very small degraded wetland area. The detailed specialist report will facilitate the application of appropriate buffers and the suitability of required storm water attenuation features.

All of the above studies will be finalised by the inclusion of mitigation measures to address anticipated impacts, and included in the Environmental Impact Assessment Report.

## **ENVIRONMENTAL MANAGEMENT PROGRAMMES**

Draft Construction Phase and Operational Phase Environmental Management Programmes will be compiled and included in the Environmental Impact Report.

These will be designed to mitigate as far as reasonably possible any negative impacts identified. They will contain guidelines, based on NEMA principles, the recommendations of the Scoping and EIA Reports, and the standard requirements of the relevant authorities (e.g. DWA, DAFF, EKZNW, eThekweni Municipality etc.) for the management of development activities, to ensure that all development activities are carried out in an environmentally responsible manner.

Should the development be authorised these plans will be updated to include any conditions of the authorisation. They will become legally binding on the developer and landowner, will require the appointment of an Environmental Compliance Officer (ECO) and will form the basis for environmental compliance monitoring and reporting.

## **D. PROPOSED APPROACH FOR EVALUATING ENVIRONMENTAL ISSUES AND ALTERNATIVES**

The objective of the Environmental Impact Assessment phase is to consider identified potential environmental impacts, both positive and negative, and evaluate these in terms of their significance

### **Impact Assessment Criteria**

The anticipated impact of the proposed development and the considered alternatives will be assessed according to the following criteria.

#### **Nature of the impact**

A concise description of the type of impact, positive or negative, the proposed development or considered alternative is anticipated to have on the environment will be provided. Each one will then be measured against the following:

#### **Probability**

This criterion/factor examines the likelihood of the impact occurring or the 'degree of certainty' (risk analysis study).

##### *Unlikely*

The possibility of the impact occurring is highly improbable

##### *Low*

The possibility of the impact occurring is very low, determined by the circumstances, the ability to devise adequate mitigation, or experiential knowledge

##### *Medium*

The possibility of the impact occurring is probable/quite likely therefore provision for mitigation should be made

##### *High*

The possibility of the impact occurring is highly probable, the impact would only be absent in extraordinary circumstances

##### *Definite*

The impact will definitely occur (supporting data exists to verify the likelihood)

#### **Extent/Scale of Impact**

This criterion considers anticipated spatial extent of the impact

##### *Footprint*

The anticipated impact is only likely to affect the immediate development footprint

#### *Site specific*

The anticipated impact is likely to affect the entire applicant site.

#### *Local*

The anticipated impact is likely to affect the immediate locality i.e. surrounding properties and transport routes

#### *District*

The anticipated impact is likely to be felt throughout the Local Authority area

#### *Regional*

The anticipated impact is likely to have a regional impact i.e. throughout Kwa-Zulu Natal

#### *National*

The anticipated impact is likely to have national impact i.e. outside the borders of Kwa-Zulu Natal

#### *International*

The anticipated impact is likely to have international impact i.e. be known about outside the borders of South Africa

### **Duration**

This criterion examines the period of time that the proposal or alternative is likely to impact.

#### *Short Term*

The impact is limited to the construction/implementation phase quickly or is reversible within 0 – 5 years

#### *Medium Term*

The impact will be reversible overtime or will be evident for 5 -10 years

#### *Long Term*

The impact will have an extended lifespan i.e. longer than 10 years

#### *Permanent (irreversible)*

The impact will extend beyond the lifespan of the development

### **Intensity**

This criterion examines the level of intensity/severity of the anticipated impact (positive and negative)

#### *Low*

Disturbance of only degraded areas with little conservation value.

Minor change in species occurrence. No natural resource damage anticipated. No alteration to social structure likely No/Unclear social or economic benefit likely.

### *Medium*

Disturbance of areas with potential for conservation or resource protection  
Change in species occurrence anticipated. Limited alteration to social structure likely. Social or economic benefit likely.

### *High*

Disturbance of pristine areas with high conservation value.  
Loss of rare or endangered species. Definite alteration to social structure  
Obvious/measurable social or economic benefit will occur.

## **Level of significance**

This criterion examines the anticipated magnitude/significance of the impact.

### *No impact*

Zero Impact

### *Low impact*

Impact is expected to have little real effect.

Adverse/negative impacts can be easily mitigated, little mitigation will be required, or both. Social cultural and economic activities of affected communities can continue unchanged.

Beneficial/positive impacts are likely to be more easily, more economically, more effectively and more quickly achieved by other means.

### *Medium impact*

Impact is real but not substantial.

Adverse/negative impacts can be feasibly and fairly easily mitigated. Social cultural and economic activities of affected communities may be changed but can continue even if in an altered form.

Beneficial/positive impacts are likely to require equal effort, cost and time as other means.

### *High impact*

Impact is meaningful and consequential.

Adverse/negative impacts cannot be offset by mitigation, or mitigation would be expensive and difficult. Social cultural and economic activities of affected communities would be disrupted or stopped.

Beneficial/positive impacts are of a substantial order.(i.e. preventing them from occurring would have a negative effect.)

The potential for mitigation to reduce negative impacts will then evaluated and factored in to the impact reporting to inform the final information to be supplied to the Department for consideration/authorisation.

28 (1) (n) (iv) particulars of the public participation process that will be conducted during the environmental impact assessment process;

## **E. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED DURING ENVIRONMENTAL IMPACT STAGE**

On approval of the Plan of Study for EIA by DAEA, specialist studies will be finalised. Once all specialist studies are complete a Draft Impact Assessment Report and associated Environmental Management Programmes will be compiled.

The Draft Environmental Impact Assessment (EIA) Report, Draft Construction Environmental Management Programme (CEMP<sub>r</sub>) and Draft Operational Environmental Management Programme (OEMP<sub>r</sub>) will be made available to stakeholders and Interested and Affected Parties for a 40 day comment period.

Circulation will include distribution of printed document copies to key stakeholders as per stakeholder list (see Appendices), notification of Interested & Affected Parties by e-mail or fax. Posting or e-mail notice of availability of documentation, posting of documentation on a website, placing of printed document copies in the Cato Ridge library, and at the Municipal offices in Delaware Road, for public inspection.

A public meeting will be arranged, advice to be provided to registered I & AP's to report back on the findings of the Impact Assessment process, and the possibility of mitigating any negative impacts to an acceptable level.

Once the public comment period is closed the comments will be collated and included into the Draft EIA and an Environmental Impact Statement prepared and included to create a Final EIA Report, which will be submitted to DAEA for consideration.

During the consideration period, the DAEA may accept the Final EIA as complete or may request additional information. Once accepted the authorisation period will commence.

28 (1) (o) any specific information required by the competent authority; and

28 (1) (p) any other matters required in terms of sections 24(4)(a) and (b) of the Act.



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## **APPENDIX 1      LOCALITY PLAN AND SURROUNDING LAND USE**

## **APPENDIX 2      NEWSPAPER ADVERTS**

## **APPENDIX 3      STAKEHOLDER COMMENTS IN RESPONSE TO BID**

## **APPENDIX 4      I&AP AND STAKEHOLDER CORRESPONDENCE**





## **APPENDIX 6      EAP CV**