



Background Information Document (October 2016)

PROPOSED WESTFIELD ESTATE RESIDENTIAL DEVELOPMENT OF REMAINDER OF PORTION 18 FARM LOT 69 No. 917

ENVIRONMENT IMPACT ASSESSMENT IN TERMS OF THE NATIONAL ENVIRONMENT MANAGEMENT ACT AND WATER USE LICENSE APPLICATION IN TERMS OF THE NATIONAL WATER ACT

1. Context

Indiflora cc Environmental Services (EAP) on behalf of Hulett Development Company (Applicant) is conducting a Basic Assessment Process in respect of an application to the Department of Economic Development Tourism and Environmental Affairs (DEDTEA) for authorization to undertake certain scheduled activities (listed below) resulting from the proposed development of a 36.93 hectare residential estate on the remainder of portion 18 Farm lot 69. No 917. An application for a Water Use License will be submitted to the Department of Water and Sanitation in terms of the National Water Act (Act36 of 1998).

The application for authorization requires the undertaking of the minimum of a *Basic Assessment process* and compilation of a *Basic Assessment Report (BAR)* prior to the approval of such residential development in terms of Government Notices R982, R983 and R985, dated 8 December 2014, of the National Environmental management Act, Act 107 of 1998 (NEMA).

The Water Use License Application will be for Section 21 (b), (c) and (i) of the National Water Act (Act 36 of 1998).

This document highlights relevant information for all interested and affected parties (I&AP's) associated with the BAR and provide further information on technical issues related to the project.

2. Locality Plan of Proposed Activity

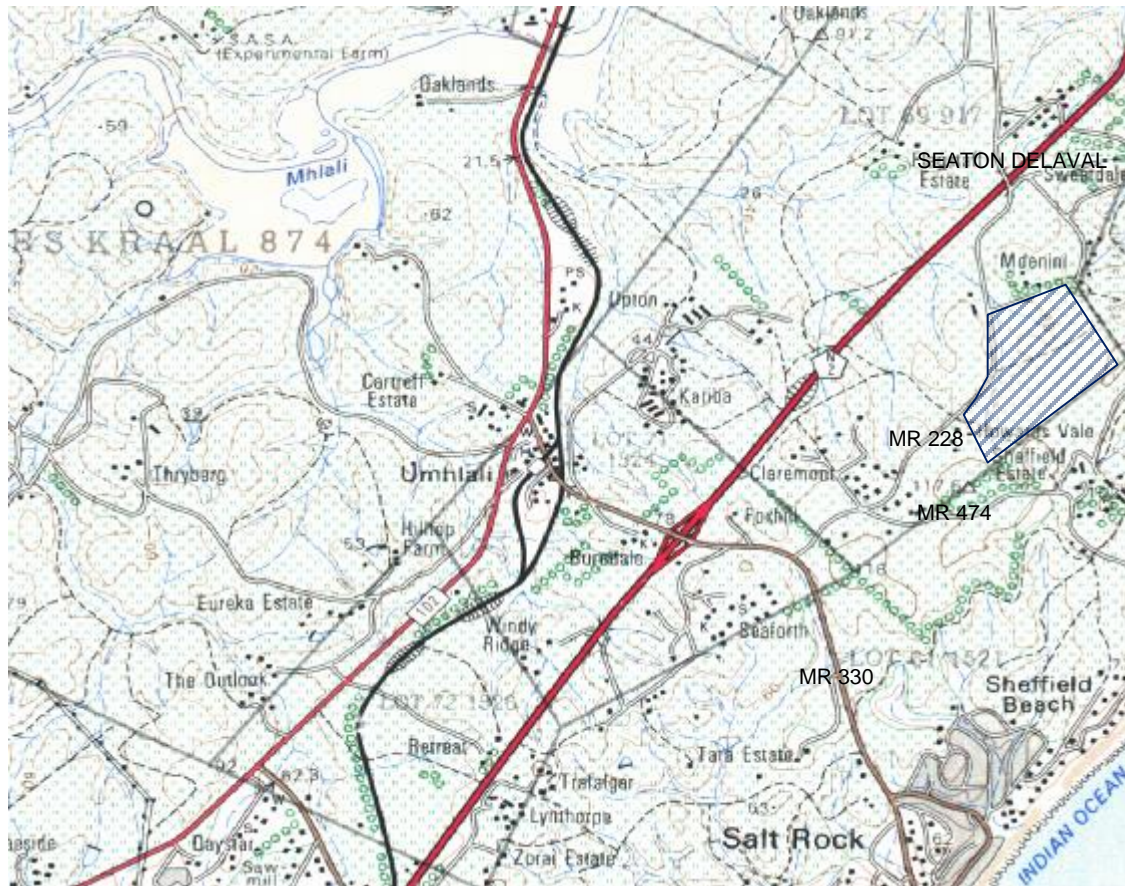


Figure 1: The location of Westfield Estate is indicated by the hatched shape

3. Description of the Proposed Activity

The developer, Hulett Development Company, is proposing to develop a 36.93 hectare residential estate, including:

- 94 free hold residential sites ranging in size between 1084m² and 2349m²,
- 1 free hold residential site of 6994m²,
- 1 High Density Development site (30 Units/Ha = 88 Units) where three stories will allowed on 28397m²,
- 3 Medium Density Development sites where 2 stories be allowed, in total 3.258 Ha:
 - 1 Medium Development (15 Units/Ha = 12 Units)
 - 1 Medium Development (15 Units/Ha = 20 Units)
 - 1 Medium Development 15 Units/Ha = 16 Units)
- A Mixed Use Development Site (8980m²) for multi-purpose retail and office
- Public Open Space inclusive of wetland (6.866 hectares)
- Green Belt of 2.249 hectares

- A Clubhouse facility site (4320m²)
- A site for a reservoir (916m²)
- Private roads

All on the remainder of portion 18 Farm lot 69. No 917



Figure 2: The layout of the proposed Westfield Estate

4. Environmental Legislation Requirements

In terms of GN R327, regulations promulgated under the National Environmental Management Act, Act 107 of 1998, (NEMA) the proposed development requires approval from the Department of Agriculture and Environmental Affairs for the undertaking of the following activities:

19	<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 of more than 5 cubic metres from-</p> <p>(i) a watercourse;</p> <p>(ii) the seashore; or</p> <p>(iii) 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</p>
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	excluding where such infilling, depositing , dredging, excavation, removal or moving- (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies.
27.	The <u>clearance of indigenous vegetation</u> exceeding 1 Ha but less than 20ha.
28	<u>Residential, mixed, retail, commercial, industrial or institutional developments</u> where such land was used for <u>agriculture or afforestation</u> on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.

In terms of GN R324, regulations promulgated under the National Environmental Management Act, Act 107 of 1998, (NEMA) the proposed development requires approval from the Department of Agriculture and Environmental Affairs for the undertaking of the following activities:

12. <u>The clearance of an area of 300m² or more of indigenous vegetation</u>	(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces: iv. <u>Within any critically endangered or endangered ecosystem</u> 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;
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5. Water Use License Application:

Application for a Water Use License in terms of the National Water Act (Act 36 of 1998) lists the following triggers:

NWA Section 21 Water Use	Description (DWAF, 2009)	Water Use Triggered	Relevance to the site
21(c): Impeding or diverting the flow of water in a watercourse	This includes the temporary or permanent impoundment or deviation to the flow of water in a watercourse by building structures in or across a watercourse for any purpose.	Yes	This water use is a requirement for any development within 500m of any wetland or within the 1:100 year floodline of a watercourse. The road crossings in this development will be established within a wetland/river channel and will impede flows to downstream areas, triggering this water use.
21(i): Altering the bed, banks, course or	This water use relates to any change affecting the resource quality of the watercourse (the area	Yes	This is a requirement for any development within 500m of any wetland or within the 1:100 year floodline of a watercourse.

Characteristics of a watercourse	within the riparian habitat or 1:100 year floodline, whichever is the greatest).		The construction of road crossings within a watercourse will trigger this water use.
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6. Servicing of the Development:

Water: Siza Water is the Water Service Provider for this development.

Sewerage: Sewerage will be by gravity to the Umhlali Waste Water Treatment Works.

Road access: Access will be off the district road P228.

Waste Management: A waste storage facility will be established at the entrance of the HDD and MDD so that Dolphin Coast Waste Management (DCWM) can pick up the waste. DCWM will pick up the waste of the remainder of the development at the kerb side of each development site.

Electricity: Eskom is the electrical service provider.

Telecommunication: Telkom is the service provider.

7. Aim of the Process

The aim of the Environmental Impact Assessment process is to provide the competent authority, The Department of Economic Development Tourism and Environmental Affairs (DEDTEA), with enough information to make an informed decision regarding any proposed development. This is achieved by informing and involving all potentially interested and affected parties (I&AP's), identifying potential impacts (both positive and negative) that the proposed development may have, and if necessary conducting specialist studies, and making recommendations based on the identified impacts and conclusions of the specialists.

8. Programme of Activities

The environmental process involves a series of activities which will be followed as listed below:

- Conduct necessary baseline studies.
- Preparation and circulate of a Background Information Document (BID)
- Communication with KwaDukuza Municipality regarding the proposed development
- Communication with other relevant departments and commenting authorities such as Ezemvelo KZN Wildlife (EKZNW), the Department of Water and Sanitation, Department of Agriculture Forestry and Fisheries (DAFF), KZN Department of Transport (KZNDOT) and the Department of Agriculture etc.
- Conduct specialist studies
- Notification of and consultation with stakeholders and Interested and Affected Parties (I&AP's)

- Compilation of a Draft Basic Assessment Report for circulation and comment by stakeholders and I&AP's
- Conduct additional specialist studies if required
- Compilation of a comments report
- Preparation of Environmental Management Plan
- Submit the Final Basic Assessment Report to DEDTEA
- Environmental Authorisation by DEDTEA

9. Invitation to Participate

In order to ensure that you are identified and registered as an interested and/or affected party, please submit your name, contact information and interest in the matter to:

Indiflora cc Environmental Services

PO Box 30657

Phone: 031 2611265

Mayville

Fax: 0867592740

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Email: johan@indiflora.co.za or
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If you have any queries or would like any additional information please contact:

Johan Bodenstein - 0825770889 or Ronel Niemann - 0827342395