



**agriculture
& environmental affairs**

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

FAX

Enquiries: Ms. K. Sookraj	Telephone: 032 – 473 7500	Private Bag X10691 KwaDukuza 4450
Reference: DC29/0020/09	Fax: 032 – 551 5787	

MESSAGE

Fax to	Rooyal Haskonning DHV		
Attention	Kushela Naidoo	Total pages	4 (incl. cover)
	Novashni Moodley		
Fax no	031 – 719 5505	Date	16 April 2013
Regarding	Addendum Report for the Compensation Industrial Business Estate		

GIBELA UMKHUMBI OLWA NOBUBHA



agriculture
& environmental affairs

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

Directorate: Environmental Services

Enquiries: Ms. K. Sookraj
Imibuzo :
Navrae :

Telephone: 032 – 437 7500
Ucingo :
Telefoon:

Private Bag : X10691
Isikhwama Seposi: KwaDukuza
Privaat Sak : 4450

Reference: DC29/0020/09
Inkomba :
Verwysing:

Fax : 032 – 551 5787
iFeksi :
Faks :

Date :
Usuku : 11 / 04 / 2013
Datum :

Royal Haskonning DHV

P O Box 55

Pinetown

3600

Attention : Mr. Kushela Naidoo / Ms. Novashni Moodley

Telephone : 031 – 719 5500

Fax : 031 – 719 5505

Cc: Bheki Shongwe, Tongaat Hulett Developments Fax: 086 – 679 9243

Dear Sir/Madam

RE: DC29/0020/09 REJECTION OF THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF THE COMPENSATION INDUSTRIAL BUSINESS ESTATE, WITHIN KWADUKUZA MUNICIPALITY.

The above mentioned report which was received by this Department on 24 January 2013 has reference.

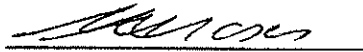
1. The report has been reviewed and is hereby rejected. The reasons for rejection are based on the following:
 - 1.1 The layout plan has taken into consideration the comments made by EKZN Wildlife in their email dated 12 November 2012. EKZN Wildlife requests a buffer zone of 30 metres in width around wetlands and watercourses, however the layout plan only makes allowance for a 20 metre buffer.

- 1.2 The layout omits the location of service infrastructure i.e. water, sewage, telephone and electricity infrastructure, as well as location of pump stations. Please address these concerns in a revised layout.
 - 1.3 It must be brought to your attention that the Detailed Land Use Paper which is found in Appendix A3 is illegible and letters from words are omitted.
 - 1.4 The Detailed Land Use Paper refers. The report speaks of different zones indicated in different colours for the types of land uses permitted. Is the Detailed Land Use Paper linked to the layout plan in any way and if so why are these areas that have been identified in the report, not included in the layout plan?
 - 1.5 Appendix D is omitted from the report. *- Electricity Service Level Agreement*
 - 1.6 Comments from the Department of Transport is outstanding, please provide these to this Department. *- Discussed & requested assistance in this regard from DABA.*
2. The EMPr is rejected as it does not comply with EIA Regulations, GNR 543 (33). The following is brought to your attention:
- 2.1 Do not use words like suitable, avoid, appropriate, minimum, sufficient, should, etc. these are words within conditions in the EMPr which cannot be audited. It is ambiguous and is open to interpretation, and therefore un-auditable. Please address this.
 - 2.2 All conditions **must be** prescriptive in order to instruct the relevant parties to conduct the actions they are directed to undertake.
 - 2.3 Please state what phase of the project is the EMPr prepared for. Will there be there EMPr's for the different phases of the project?
 - 2.4 Please take note of condition 5 on page 13, regarding the burying of waste, **under no circumstances will there be ANY burying of waste.** All waste generated throughout the phases of the project must be taken to a registered landfill site. This includes garden waste.
 - 2.5 On page 14, point 1, under 4.7, please identify where are these control measures mentioned within the EMPr.
 - 2.6 On page 14, the last point, which Department is this referring to? Further, please be prescriptive and describe the "appropriate mitigation measures". The point of the EMPr is to provide these mitigation measures, rather than leaving it up to the contractor or other responsible parties to determine what is appropriate.
 - 2.7 Page 17, point 4 refers. Is there an estuary on site? Please clarify.
 - 2.8 Page 18, last point under the sub-heading of Storm water management refers. What is the "Department of Solid Waste"?
 - 2.9 Page 18, Wetland Management refers. Recommendations that were made in the wetland rehabilitation study is omitted.
 - 2.10 Include the management of the "eco regions" as explained in the addendum document.

- 2.11 Page 25, point 2, under the sub-heading Archaeological sites, please explain the "National Monuments Council". Who are they and how are they relevant considering the location of this proposed development?
- 2.12 Page 29, under Visual Monitoring, this condition is practically impossible to audit. How can one audit what some other person has seen? How will this be done? This is not a practical condition and therefore this must be considered logically, bearing in mind that this is a condition that will be audited.
3. Please address the areas of concern that have been identified above in order for the application to proceed further.

Should you have any queries with regards to this correspondence please do not hesitate to contact this Department

Yours faithfully



for: **Acting Head of Department**

Department of Agriculture and Environmental Affairs

11/04/2013