



# **Comments and Responses Report – Issues Trail as part of the Public Participation Process for the Eastbury Trunk Sewer Line Project**

*A Report for the BA Process: DM/0045/2014*

Updated August 2014

## DOCUMENT DESCRIPTION

**Client:**

eThekweni Metropolitan Municipality

**Project Name:**

Basic Assessment Process for the Proposed Upgrade to the Eastbury Trunk Sewer, KwaZulu-Natal

**Royal HaskoningDHV Reference Number:**

T01.DUR.000343

**Authority Reference Number:**

DM/0045/2014 and KZN/EIA/0001528/2014

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**Location:**

Durban

**Review and Approval:**

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## **PURPOSE OF THE DOCUMENT**

Public participation is a process that is designed to enable all interested and affected parties (I&APs) to voice their opinion and/or concerns, which enables the environmental assessment practitioner to evaluate all aspects of the proposed development, with the objective of improving the project by maximising its benefits while minimising its adverse effects. I&APs include all interested stakeholders, technical specialists, and the various relevant organs of state, who work together to produce better decisions. A comprehensive public participation process has been undertaken as part of the Basic Assessment process for the proposed Eastbury Trunk Sewer Project, in support of the Application for Environmental Authorisation and a summary of the issues raised and responses in relation to these issues is provided in this Issues Trail. This Issues Trail provides a summary of concerns raised by I&APs. A full record of the public participation process and stakeholder / I&AP correspondence is available at Royal HaskoningDHV offices. The issues have been arranged into groups of similar issues, and are listed within each group in the date order in which they were received. The name, affiliation and date of the commentator are also indicated.

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ISSUE/COMMENT	RAISED BY	RESPONSE
<b>1. Comments from Department of Water Affairs</b>		
<p><u>Comment on the Background Information Document (BID):</u> This Department requests the location of the proposed activity and its proximity to environmentally sensitive areas (water resources, wetlands, drainage lines etc.) to be clearly indicated on a 1:50 000 topographical map with a legend.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	<p>The comment is noted. Such a map is provided in the draft Basic Assessment Report (BAR) which has been circulated to your Department for review and comment.</p>
<p><u>Comment on the BID:</u> If the proposed activity falls within a 500 m radius from the boundary of a wetland, the applicant must apply for a water use licence for Section 21 (c) and (i) water uses of the National water Act , 1998 (Act 36 of 1998). Should any activity be identified as a possible Section 21 (c) and (i) water use, the applicant must delineate the watercourse and riparian habitat using this Department's guideline: <b>"A practical field procedure for identification and delineation of wetlands and riparian areas"</b> (DAAF, 2005) and indicate the proposed activity location in relation to the riparian area, the 1:50 and 1:100 year flood lines on a map of appropriate scale.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	<p>Kindly note that in response to the Water Use Authorisation requirements, we wish to inform you that a pre-application meeting was held with Sibusiso Mathonsi at the DWA on 5<sup>th</sup> June 2014 at which he advised that the application would be subject to a General Authorisation (GA) as the proposed sewer line is to be upgraded within the road reserve. This approach was confirmed with Shaun Naidoo at the DWA on 9<sup>th</sup> July 2014. Consequently, we will be submitting the required documentation for a GA shortly.</p>
<p><u>E-mail response to response:</u> Reference is made to your e-mail, dated 17<sup>th</sup> July, in response to the water use authorisation for the Eastbury Trunk Sewer Pipeline Project. This Department would like to apologise for the miscommunication with regards to the necessary authorisation that was discussed in the meeting on the 5<sup>th</sup> of June 2014. The wetland assessment, attached in the Draft Basic Assessment Report, indicates the presence of a wetland. Please note that it is this Department's requirement that any development taking place within a 500 m radius of a wetland boundary should be authorised under Section</p>	<p><b>Department of Water Affairs</b> 13.08.2014</p>	<p>The GN provided is acknowledged. It is our interpretation that a water use licence (WUL) is required as per Section 21 (c) and (i) of the NWA in the event that proposed infrastructure impedes or diverts water in a watercourse and/or alters the bed, course or characteristics of water in a watercourse. This development does not trigger these water uses and therefore it is our interpretation that this project is subject to a GA. Further discussions have been</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
21 (c) and 21 (i) of the National Water Act 1998 (Act 36 of 1998), read together with General Notice (GN) 1199 (December 2009). Attached is a copy of the relevant Government Notice. Please do not hesitate to contact this Office should you have any comments or queries.		held between our organisation's Ashwin Seetal and Coleen Moonsamy at the DWA in this regard. It has been agreed that an application for a GA will be submitted to the DWA for decision-making.
<p><u>Comment on the BID:</u></p> <p>This Department requires information regarding general and hazardous waste material generated during the construction phase, including the classification of waste i.e. general or hazardous, disposal methods, etc.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	This comment is noted. Further detail with regard to waste generated during the construction phase is provided in the draft BAR as well as the draft Environmental Management Programme (EMPr) which has been circulated to your Department for review and comment.
<p><u>Comment on the BID:</u></p> <p>Wastewater, sewage treatment and its disposal including the provision of temporary toilets for construction workers must be indicated in the Report, as well as mitigation measures to protect surface and groundwater from possible contamination.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	This comment is noted. Further detail with regard to waste generated during the construction phase is provided in the draft BAR as well as the draft EMPr which has been circulated to the DWA for review and comment.
<p><u>Comment on the BID:</u></p> <p>The storage of any material , chemicals and fuels that pose a threat to surface and design of storage areas including bunding of the storage areas. This should include spill contingency plans for the construction phase of the project.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	This comment is noted. Further detail with regard to the storage of material, chemicals and fuels during the construction phase is provided in the draft BAR as well as the draft EMPr which has been circulated to your Department for review and comment. In addition, a spill contingency plan is provided in the final EMPr.
<p><u>Comment on the BID:</u></p> <p>Information relating to pipeline construction, watercourse crossings location of pipelines i.e. aboveground or underground.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	This comment is noted. All pipes will be underground.
<p><u>Comment on the BID:</u></p> <p>An EMPr must form part of the Report to be submitted to this office.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	This comment is noted. A draft EMPr has been included with the draft BAR submitted to your Department for review and comment.

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<p>This office awaits a copy of the BAR in order to provide more detailed comments. This reply does not grant exemption from the requirements of any applicable Act, Ordinance, Regulation or Bylaw.</p>	<p><b>Department of Water Affairs</b> 25.06.2014</p>	<p>Noted. The draft BAR has been submitted to your Department for review and comment.</p>
<p><u><i>Comment on draft BAR:</i></u></p> <p>The Wetland Assessment, dated June 2014, is noted. The specialist study indicates that the Wetland Functionality was not determined during the study. Please note that a Wetland Functionality forms part of the Section 21 (c) and (i) WUL Application (WULA) for the proposed activity.</p> <p>It is this Department's requirement that any development taking place within 500 m radius of a wetland boundary should be authorised under <b>Section 21 (c) and (i)</b> of the National Water Act 1998 (Act No. 36 of 1998) (NWA), read together with GN 1199 (December 2009). Any activity conducted within 500 m of a wetland without authorisation from this department will constitute non-compliance in terms of the NWA, and legal action can be instituted.</p> <p>All licence application forms as well as supplementary forms can be obtained from this department's website, <a href="http://www.dwa.gov.za">www.dwa.gov.za</a> under WULA. The following supporting documents are required for a Section 21 (c) and (i) WULA:</p> <ol style="list-style-type: none"> <li>a. Licence application forms for section 21 (c) and (i) water uses;</li> <li>b. Section 21 (c) and (i) water use supplementary questionnaire;</li> <li>c. Legal map;</li> <li>d. Master Layout plan;</li> <li>e. Design Drawings;</li> <li>f. Environmental authorization reports (EIA, BAR, etc.) &amp; Record of Decision;</li> <li>g. Environmental Management plan;</li> <li>h. Proof of public participation including minutes;</li> </ol>	<p><b>Department of Water Affairs</b> 16.07.2014</p>	<p>The comment is noted. Kindly note that as the proposed project does not traverse the wetland or any watercourse, a wetland functionality assessment has not been undertaken, only a wetland delineation report. As such, a WULA is not being applied for, but rather a GA application is being made.</p> <p>The Department's requirements are noted.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
i. Detailed stormwater management plan; j. Design report for water routing structures; k. Geohydrological investigation report; l. Geotechnical investigation report; m. Work method statement; n. Riparian / wetland delineation and functionality assessment; o. Riparian / wetland management and rehabilitation plan; p. Management and rehabilitation plan (watercourse, rivers, etc.); q. Monitoring programme; r. Section 27 Motivation; and s. R114.00 licencing fee is payable once the applicant is notified by this department to do so.		
<p><u>Comment on the draft BAR:</u>            Page 9 of the report indicates that solid waste will be disposed at the Buffelsdraai Landfill site. This DWA has the following comments in this regard:</p> <ul style="list-style-type: none"> <li>• Safety disposal certificates must be kept on record.</li> <li>• All waste generated from this project must be disposed of in a suitable manner so as not to cause any surface and groundwater pollution or a health hazard.</li> <li>• The recycling of suitable material (i.e. glass, paper, plastic, etc.) is encouraged by this department, provided it is properly managed.</li> </ul>	<p><b>Department of Water Affairs</b>            16.07.2014</p>	<p>The comments are noted and have been included in the EMPr.</p>
<p><u>Comment on the draft BAR:</u>            Soil erosion control on site must be prevented at all times, i.e. pre-, during- and post- construction activities. Erosion control measures to be implemented in areas sensitive to erosion such as near water supply points, edges of slopes, etc. These measures could include the use of sand bags, hessian sheets, retention or replacement of vegetation.</p>	<p><b>Department of Water Affairs</b>            16.07.2014</p>	<p>The comments are noted and have been included in the EMPr.</p>



ISSUE/COMMENT	RAISED BY	RESPONSE
<p><u>Comment on the draft BAR:</u></p> <p>It is imperative there is proper management of stormwater on the site during and after construction. After construction, the site should be contoured to ensure free flow of runoff and prevent ponding of water. Drainage must be controlled to ensure that runoff from the site will not culminate in off-site pollution or result in damage to properties downstream of any stormwater discharge.</p>	<p><b>Department of Water Affairs</b> 16.07.2014</p>	<p>The comments are noted and have been included in the EMPr.</p>
<p><u>Comment on the draft BAR:</u></p> <p>No forms of secondary pollution should arise from the disposal of sewage and refuse. Any pollution problems arising from the above are to be addressed immediately by the applicant.</p> <p>The use of temporary chemical toilets during the construction phase of the development must not cause any pollution to water resources as well as pose health hazard. The contents of these toilets must be emptied and safely disposed of.</p> <p>There must be no unacceptable impact on the quality of both surface and groundwater in the area. If pollution of any surface or groundwater occurs, it must be immediately reported to this department and the appropriate mitigation measures must be employed.</p> <p>The storage of materials, chemicals, fuels, etc., to be used during the construction phase must not pose a risk to the surrounding environment. Such storage areas must be located out of the 1:100 year floodline of any water resource and unauthorised access to these areas must be controlled. Temporary bunds must be constructed around chemical or fuel storage areas to contain possible spillages.</p> <p>It is important that any significant spillages of chemicals, fuels etc. during the construction phase are reported to this office and other relevant authorities.</p>	<p><b>Department of Water Affairs</b> 16.07.2014</p>	<p>The comments are noted and have been included in the EMPr.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>In the event of a spill, the following steps must be taken:</p> <ul style="list-style-type: none"> <li>• Stop the source of the spill;</li> <li>• Contain the spill;</li> <li>• All significant spills must be reported to this department and other relevant authorities;</li> <li>• Remove the spilled product for treatment or authorised disposal;</li> <li>• Determine if there is any soil, groundwater or other environmental impact;</li> <li>• Remedial action be taken if necessary, in consultation with this department; and</li> <li>• Incident must be documented.</li> </ul>		
<p><u>Comment on draft BAR:</u> The contents of the draft Environmental Management Programme (EMPr) titled “<b>Draft Environmental Programme for the Proposed Upgrade to the Eastbury Trunk Sewer Line</b>” (Appendix F, dated July 2014) is noted. Compliance to the approved EMPr must be audited regularly by the designated Environmental Control Officer.</p>	<p><b>Department of Water Affairs</b> 16.07.2014</p>	<p>The comment is noted.</p>
<p><u>Comment on draft BAR:</u> Notwithstanding the above, the responsibility rests with the applicant to identify any sources of pollution from his undertaking and to take appropriate measures to prevent any pollution of the environment. Failure to comply with the requirements of the NWA could lead to legal action being instituted against the applicant.</p>	<p><b>Department of Water Affairs</b> 16.07.2014</p>	<p>The comment is noted.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<b>2. Comments from the eThekwini Municipality</b>		
<p><u>Comment on the BID:</u> This department has no objection.</p>	<p><b>eThekwini Municipality</b> Coastal Stormwater and Catchment Management 11.07.2014</p>	<p>Noted.</p>
<p><u>Comment on the draft BAR:</u> This department has no objection.</p>	<p><b>eThekwini Municipality</b> Coastal Stormwater and Catchment Management 15.08.2014</p>	<p>Noted.</p>
<p><u>Comment on the BID:</u> The upgrade of the sewer line is supported by Land Use Management. The alignment would preferably not stray from existing servitudes where crossing land owned by parties other than the Council.</p>	<p><b>eThekwini Municipality</b> Land Use Management 11.07.2014</p>	<p>The comment is noted. The alignment will remain within the existing road reserve which is on land owned by Council.</p>
<p><u>Comment on the BID:</u> This branch does not object to the proposed upgrading of the sewer line.</p>	<p><b>eThekwini Municipality</b> Framework Planning Branch 11.07.2014</p>	<p>Noted.</p>
<p><u>Comment on the draft BAR:</u> This branch does not object to the proposed upgrading of the sewer line.</p>	<p><b>eThekwini Municipality</b> Framework Planning Branch 15.08.2014</p>	<p>Noted.</p>
<p><u>Comment on the BID:</u> Disaster Management has no concerns regarding this proposal.</p>	<p><b>eThekwini Municipality</b> Disaster Management 11.07.2014</p>	<p>Noted.</p>
<p><u>Comment on draft BAR:</u> Disaster Management has no concerns regarding this proposal.</p>	<p><b>eThekwini Municipality</b> Disaster Management 15.08.2014</p>	<p>Noted.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p><u>Comment on the BID:</u> No comment at this point in the process.</p>	<p><b>eThekwini Municipality</b> eThekwini Water and Sanitation: Wastewater 11.07.2014</p>	<p>Noted.</p>
<p><u>Comment on the draft BAR:</u> During pre-construction/construction phase, suitable spill kits must be available on site to cater for accidental oil/fuel spillages or leaks that may result from pipe bursts. Refuse bin storage areas are to comply with Health Bylaws and National Building Regulations.</p>	<p><b>eThekwini Municipality</b> eThekwini Water &amp; Sanitation: Wastewater Pollution 15.08.2014</p>	<p>The comments are noted and have been included in the EMPr.</p>
<p><u>Comment on the draft BAR:</u> No objection.</p>	<p><b>eThekwini Municipality</b> eThekwini Water &amp; Sanitation: Wastewater Planning 15.08.2014</p>	<p>Noted.</p>
<p><u>Comment on the BID:</u> No Issues or comments received to date</p>	<p><b>eThekwini Municipality</b> eThekwini Transport Authority 11.07.2014</p>	<p>Noted.</p>
<p><u>Comment on draft BAR:</u> No comment.</p>	<p><b>eThekwini Municipality</b> eThekwini Transport Authority 15.08.2014</p>	<p>Noted.</p>
<p><u>Comment on the BID:</u> DSW has no requirements for this proposal.</p>	<p><b>eThekwini Municipality</b> Durban Solid Waste (DSW) 11.07.2014</p>	<p>Noted.</p>
<p><u>Comment on the BID:</u> Noise – The noise impact from plant, machinery and the associated activity on surrounding residential properties needs to be investigated and assessed.</p>	<p><b>eThekwini Municipality</b> City Health: Environmental Health</p>	<p>The comment has been noted and the significance of such impacts has been assessed in the draft BAR sent to your Department for comment. Additionally,</p>

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	Services 11.07.2014	appropriate mitigation measures have been included in the draft EMPr sent to your Department for review and comment.
<p><u>Comment on draft BAR:</u></p> <p>Noise – Section 13.4:</p> <p>There are various legal prescripts and standards that regulate environmental noise in terms of noise assessments, compliance monitoring and enforcement. Some of these include:</p> <ul style="list-style-type: none"> <li>▪ SANS 10103: 2008;</li> <li>▪ SANS 10328: 2003: Methods for environmental noise impact assessment; and</li> <li>▪ Noise control Regulation (Regulation 154) of the Environmental Conservation Act (Act No. 73 of 1998).</li> </ul> <p>It is important that a noise impact assessment be considered to assess the impact of the proposed activity on the surrounding community. Hence, the noise impact from plant, machinery and the associated activity on surrounding residential properties needs to be investigated and assessed.</p>	<p><b>eThekwini Municipality</b> City Health: Environmental Health Services 15.08.2014</p>	<p>A noise impact assessment has been deemed to not be required as the proposal is for a minor installation of a sewer line within an industrial area. The sewer line is also adjacent to a road with its related noise profile. This is a minor upgrade, combined with maintenance to an existing line.</p> <p>The installation (i.e. construction) will not exceed Noise Control Regulations and will be done during daylight hours.</p> <p>Noise during construction is unavoidable, but will be minimised and controlled by the controls of the EMPr.</p> <p>Noise during operation will be limited to minimal noise during maintenance operations.</p>
<p><u>Comment on the BID:</u></p> <p>Air Quality – The potential dust nuisance arising from the excavation, drilling and other associated activities and the impact on the receiving environments needs to be considered. Any dust nuisance generated will need compliance in terms of the National Dust Control Regulation (No. R827 dated 01 November 2013).</p>	<p><b>eThekwini Municipality</b> City Health: Environmental Health Services 11.07.2014</p>	<p>The comment has been noted and the significance of such impacts has been assessed in the draft BAR sent to your Department for comment. Additionally, appropriate mitigation measures have been included in the draft EMPr sent to your Department for review and comment.</p>
<p><u>Comment on the BID:</u></p> <p>Soil and Water Pollution – The potential pollution of watercourses by sand / sediment / dirt and other potential pollution sources such as fuel / oil / lubricant / chemicals used or arising from the proposed activity that may potentially impact soil, ground or surface waterways and potential impact</p>	<p><b>eThekwini Municipality</b> City Health: Environmental Health Services 11.07.2014</p>	<p>The comment has been noted and the significance of such impacts has been assessed in the draft BAR sent to your Department for comment. Additionally, appropriate mitigation measures have been included in the draft EMPr sent to your Department for review</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
from commissioning of the trunk sewer line needs to be investigated and reported on.		and comment.
<p><u>Comment on draft BAR:</u> Soil and Water Pollution – Section 2.1: The potential pollution of watercourses by sand / sediment / dirt and other potential pollution sources such as fuel / oil / lubricant / chemicals used or arising from the proposed activity that may potentially impact on soil, ground or surface waterways and potential impact from the commissioning of the trunk sewer line needs to be investigated and reported on. It is imperative that the EMPr provides specific details on how potential pollution arising from leaks and spills will be mitigated during construction and operational phase. The suggestion that eThekwini Water Pollution Branch will be notified merely authority and not mitigatory measures.</p>	<p><b>eThekwini Municipality</b> City Health: Environmental Health Services 15.08.2014</p>	<p>A spill contingency plan will be included in the final EMPr. This plan will be linked into the overarching Emergency Response Plan (ERP) of the construction team, and will be taken forward for any maintenance or emergency spillage that may occur in the future.</p>
<p><u>Comment on the BID:</u> Waste Management – A Waste Management Plan must be developed and implemented. This should incorporate the different categories of waste generated, projected volumes, waste reduction, re-use and recycling strategies, storage and disposal.</p>	<p><b>eThekwini Municipality</b> City Health: Environmental Health Services 11.07.2014</p>	<p>Waste separation and recycling of materials generated will be required in terms of the EMPr by the construction and future maintenance teams. All recyclables will be taken to eTM recycling drop-off sites for processing onwards.</p>
<p><u>Comment on the BID:</u> Although the proposed pipeline will be located within an existing servitude and along the road reserve, the total area of impact during construction will go beyond the actual footprint of the pipeline servitude. The total area of impact must be accounted for during the assessment and mitigations measures must be provided.</p>	<p><b>eThekwini Municipality</b> Environmental Planning &amp; Climate Protection Department 11.07.2014</p>	<p>This comment is noted and has been included in the draft BAR sent to your Department for review and comment.</p>
<p><u>Comment on the BID:</u> Some portions of the servitude are within the 1:100 year flood line and its associated wetlands and riparian areas. Proper delineation must be done and suitable buffers must be determined.</p>	<p><b>eThekwini Municipality</b> Environmental Planning &amp; Climate Protection Department</p>	<p>The comment has been noted. A Wetland Delineation Report is included in the draft BAR sent to your Department for review and comment.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p><u>Comment on the BID:</u> Stockpile sites must also be investigated and recommendations of the most suitable sites for such stockpile areas made.</p>	<p>11.07.2014 <b>eThekwini Municipality</b> Environmental Planning &amp; Climate Protection Department 11.07.2014</p>	<p>The positioning of all stockpiles and other laydown areas will be determined by the ECO in consultation with the Engineer as part of the pre-construction planning process. All 'no go' areas will be delineated and marked and no materials will be allowed close to these marked areas.</p>
<p><u>Comment on the draft BAR:</u> Mitigation measures recommended on the wetland assessment study must be strictly adhered to. The external review letter by the Ecological Partnership dated 25<sup>th</sup> June 2014 is noted. This department is however of the opinion that the review letter lacks a critical review on the technical aspects of the report. The reviewer does not provide a specialist critique of the methodology of the followed in the report, findings of the assessment, or the recommendations made. The letter indicated that the report is found to be satisfactory. The review letter is making reference to the organization, layout and grammar and has left out the most crucial component of a peer review. It is recommended that the above is addressed before the final report is submitted for decision making.</p>	<p><b>eThekwini Municipality</b> Environmental Planning &amp; Climate Protection Department 15.08.2014</p>	<p>Mitigation measures presented in the wetland assessment report have been included in the EMPr. <u>The external reviewer has provided the following response to the eThekwini Municipalities comments:</u> The eThekwini Municipalities comments of 18<sup>th</sup> August, 2014, on The Ecological Partnership's external review of the Wetland Assessment report have reference. The document compiled by Royal HaskoningDHV's Mr. Paul da Cruz has shown to be of a high technical quality and there were few comments from a technical perspective. You are referred to the tracked change document which I rigorously compiled that explains recommended additions and other changes in the Eastbury wetland assessment report. This document will be submitted together with the Final Assessment Report in the final BAR to indicate the changes which have been captured. As a wetland specialist and specialist ecologist (terrestrial, riparian, aquatic, etc.), I am familiar with the study area and did not have to visit the area to validate the report findings and mitigation</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
		measures.
<b>3. Comments from DAFF</b>		
<p><u>Comment on draft BAR:</u></p> <p>Based on the information in the draft BAR dated 4<sup>th</sup> July 2014, construction activities are occurring on the western side of the road and could pose a risk to the integrity of the dense vegetation (forested area) occurring along the proposed sewer line route.</p> <p>In light of the above, DAFF will not object to the proposed activity, however recommends that:</p> <ul style="list-style-type: none"> <li>▪ The recommended measures of the wetland study (pg 18–19), are made conditions of the environmental authorisation.</li> <li>▪ Should there be a need to disturb indigenous trees within the forested area; a licence application must be applied of at DAFF offices in Pietermaritzburg.</li> </ul>	<p><b>Department of Agriculture, Forestry and Fisheries</b></p> <p>08.08.2014</p>	<p>The comments are noted and appropriate mitigation has been provided in the draft EMPr.</p>
<b>4. Comments from Ezemvelo KZN Wildlife</b>		
<p>The Basic Assessment Report (BAR) has been reviewed by the Ezemvelo KZN Wildlife (EKZNW) IEM Planning Staff. Based on the information supplied, and the interrogation of EKZNW's biodiversity databases, EKZNW does not anticipate that the proposed activity would result in significant negative impacts upon local biodiversity. Provided that the specialist recommendations and mitigation measures of the Wetland Assessment Report (Appendix D of the BAR, dated June 2014) are implemented and adhered to, with specific attention paid to the following recommendations:</p> <ul style="list-style-type: none"> <li>▪ The construction servitude or right of way be kept as narrow as possible along the stretch of the sewer line being upgraded that runs</li> </ul>	<p><b>Ezemvelo KZN Wildlife</b></p> <p>26.08.2014</p>	<p>EKZNW's comments are noted. The mitigation measures have been included in the EMPr and will be monitored by an ECO.</p>



ISSUE/COMMENT	RAISED BY	RESPONSE
<p>adjacent to the area of residual hydromorphic;</p> <ul style="list-style-type: none"> <li>▪ No construction activities must take place within the 30 m buffer zone of the sensitive surface water features on the site;</li> <li>▪ Heavy machinery must not be allowed to enter the area of residual hydromorphic soils, and this area must be designated on site as a no go area;</li> <li>▪ No stockpiling of any material should occur in the area of residual hydromorphic soils; if this is unavoidable the ground underneath the stockpile should be lined with a geotextile or similar material;</li> <li>▪ Measures must be put in place to ensure that no silt from any stockpiles placed adjacent to the area of residual hydromorphic soils can enter the area of hydromorphic soils, e.g. soil beams, silt fences etc;</li> <li>▪ The riparian corridor of the stream to the west of Eastbury Drive must be maintained as a strict no-go area for construction workers and machinery; and</li> <li>▪ Should water need to be abstracted from the stream for construction, this must only occur if authorized by the Department of Water Affairs, and as directed by the project EMPr.</li> </ul>		
<p><b>5. Comments from AMAFA</b></p>		
<p>The eThekweni Municipality is proposing to upgrade the existing Eastbury Trunk Sewer Line as a portion of the trunk sewer along the alignment of Eastbury Drive in Phoenix, linking portions of Phoenix, Mount Edgecombe and Cornubia to the KwaMashu Wastewater Treatment Works (WWTW), has been found to be below the required capacity. In view of the exemption motivation that was received from eThembeni,</p>	<p><b>AMAFA</b> 27.08.2014</p>	<p>The comments and conditions are noted.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>there is no objection to this development. You are also required to adhere to the below-mentioned standard conditions:</p> <ul style="list-style-type: none"> <li>▪ AMAFA should be contacted if any heritage objects are identified during earth moving activities and all development should cease until further notice.</li> <li>▪ No structures older than sixty years or parts thereof are allowed to be demolished, altered or extended without a permit from AMAFA.</li> <li>▪ No activities are allowed within 50 m of a site, which contains rock art.</li> </ul>		

## **APPENDIX A: COMMENTS RECEIVED**

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