



**Comments and Responses Report – Issues Trail as
part of the Public Participation Process for the Tinley
Manor Southbanks Coastal Development**

A Report for the EIA Process: DM/0030/2012

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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 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 EIA process for the proposed Tinley Manor Southbanks Coastal Development 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 from a particular stakeholder, 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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Appendix A: Comments Received

1 Comments, Questions, Concerns raised by Department of Economic Development, Tourism and Environmental Affairs


ISSUE/COMMENT	RAISED BY	RESPONSE
1.1 Comment on Environmental Scoping Report		
<p>The Environmental Scoping Report (ESR) which was submitted in terms of the Environmental Impact Assessment (EIA) Regulations (2010) and received by the Department on 18 January 2012 refers. The report has been reviewed by this Department and has been found to be acceptable.</p> <p>However, the following must be included in the Final Environmental Impact Report (EIR):</p> <ol style="list-style-type: none"> The Estuarine Impact Assessment A study on cumulative impacts on the estuary Hydrological study A cumulative Traffic Impacts Assessment It is essential that the Ilembe District Municipality comments on the development as the key stakeholders in the project <p>It is noted that the eThekweni Municipality is in the Interested and Affected Parties (I&APs) database. The Department is not certain about the involvements since it falls outside of their area of jurisdiction, kindly advise this office about their interest as they have already commented on the draft scoping report.</p>	<p>Ms. N. Ngidi, Department of Economic Development, Tourism and Environmental Affairs Date – 24/02/2012</p>	<p>An Estuarine Impact Assessment will be done as part of the EIA Phase. Cumulative impacts on the estuary will be assessed as part of this study.</p> <p>Hydrological impacts will be assessed as part of the wetland assessment to be done.</p> <p>Furthermore, a Traffic Impact Assessment will also be done as part of the EIA Phase.</p> <p>The Ilembe District Municipality will be sent a copy of the draft EIR for review and comment. Every effort will be made to obtain their comment.</p> <p>The eThekweni Municipality has requested to be registered as an I&AP even though the proposed project is outside their jurisdiction due to the proposed development being close to their boundary and the potential of cumulative impacts on the Municipality.</p>
1.2 Comment on Environmental Impact Assessment Report		
<p>The above mentioned report received on 25 February 2016 and the additional information received on 07 April 2016 has reference.</p>	<p>Ms. K. Maritz, Department of Economic Development, Tourism and Environmental Affairs</p>	<p>Noted.</p>
<p>The report and additional information has been reviewed by the Department and has been rejected for the following reasons:</p>		<p>Noted.</p>
<p>Page 11, Listed activities triggered according to Listing Notice 1, 2 and</p>		<p>The List of Activities applied for has been updated and the required</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>3 of the EIA Regulations 2010; please identify only the activity that will be triggered.</p> <p>For example: Activity 16 (LN1) which states: The construction or earth moving activities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the or a estuary, whichever is the greater, in respect of:</p> <ul style="list-style-type: none"> (i) Fixed or floating jetties and slipways; (ii) Tidal pools; (iii) Embankments; (iv) Rock revetments or stabilising structures including stabilising walls; (v) Buildings of 50 m² or more; or (vi) Infrastructure or structures covering 50 m² or more. <p>If all the activities are likely to be triggered, please detail how these activities will be triggered, alternatively, remove those activities that are not applicable.</p>	<p>Date – 08/06/2016</p>	<p>detail provided in <i>Error! Reference source not found.</i> as well as a comparison of the activities applied for in terms of the EIA Regulations (2010) and the “now applicable” EIA Regulations (2014) in Appendix E.</p> <p>Furthermore, the application for EA has been revised accordingly and will be submitted to the KZN EDTEA with the amended final EIAR.</p>
<p>Activity 9 (LN1), please confirm pipeline diameters and the maximum diameter of the pipeline. Details of the pipeline servitudes (trench depths and widths) in sensitive areas and non-sensitive areas must be detailed.</p>		<p>The List of Activities applied for has been updated and the required detail provided in <i>Error! Reference source not found.</i>. Pipeline diameters are provided in <i>Error! Reference source not found.</i> and <i>Error! Reference source not found.</i></p> <p>Furthermore, detail of all pipeline infrastructure in sensitive areas (i.e. those crossing wetlands) are provided in <i>Error! Reference source not found.</i>. The working servitudes will be to a maximum of 10 m on either side of the approved trench depth in sensitive areas and 20 m in non-sensitive areas.</p> <p>The trench depth and widths vary depending on the size of the pipeline. Maximum trench depths will be 2 m and maximum trench widths will be 5 m.</p>
<p>Activity 11 (LN1), please include all triggers.</p>		<p>The List of Activities applied for has been updated and the required detail provided in <i>Error! Reference source not found.</i> as well as a comparison of the activities applied for in terms of the EIA Regulations (2010) and the now applicable EIA Regulations (2014)</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
		<p>in Appendix E. Furthermore the application for EA has been revised accordingly and will be submitted to the KZN EDTEA with the amended final EIAR.</p>
<p>Activity 13 (LN1), please provide all details related to this activity, a detailed inventory and the capacity that will be required.</p>		<p>This Activity is no longer applied for and the List of Activities applied for has been updated accordingly in <i>Error! Reference source not found.</i> as well as a comparison of the activities applied for in terms of the EIA Regulations (2010) and the now applicable EIA Regulations (2014) in Appendix E. Furthermore the application for EA has been revised accordingly and will be submitted to the KZN EDTEA with the amended final EIAR. Activity 13 is not deemed applicable as the volume of hazardous substances stored on site during the construction phase at any given time will not exceed 80 m³. Any storage of hazardous substances during the operational phase (e.g. fuel filling stations) will be applied for by the end-use Developer – that is, they will be considered as amendments to the documentation at hand or stand-alone applications to EDTEA with separate EAs.</p>
<p>Activity 14 (LN1), all details of the development in the coastal public property must be provided.</p>		<p>This Activity is no longer applied for and the List of Activities applied for has been updated accordingly in <i>Error! Reference source not found.</i> as well as Appendix E. Furthermore the application for EA has been revised accordingly and will be submitted to the KZN EDTEA with the amended final EIAR. Activity 14 is not deemed applicable as there is no development proposed in the coastal public property. That is, given the sensitivity thereof this area is deemed a ‘no go’ area from a development point of view.</p>
<p>Activity 28 (LN1), please provide more detail on how this activity is triggered.</p>		<p>This Activity is not applicable and has been removed.</p>
<p>Activity 39 (LN1), it is unclear why expansion activities have been</p>		<p>This Activity is applied for the expansion and/or culvert upgrades of</p>

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<p>applied for considering that the site is currently undeveloped with no infrastructure on the site, please provide clarity on the application of this activity and further details.</p>		<p>existing sugarcane roads.</p>
<p>Activity 56 (LN1), it is not clear why this activity is being applied for, please provide all relevant details related to this activity.</p>		<p>Following consultation with the KZN EDTEA (c/f Appendix A), this Activity is no longer applied for and the List of Activities applied for has been updated accordingly in <i>Error! Reference source not found.</i> as well as Appendix E.</p> <p>Furthermore the application for EA has been revised accordingly and will be submitted to the KZN EDTEA with the amended final EIAR.</p> <p>It is noted that the Tinley Manor Development will be done in two phases (i.e. Phase 1 being Tinley Manor Southbanks, and, Phase 2 being Tinley Manor Northbanks). However, these applications will be handled separately as they are viewed as two separate developments.</p> <p>Furthermore, the proposed Tinley Manor Beach Enhancement Project is also viewed as an independent development.</p> <p>Note that Tinley Manor Southbanks itself will be developed in sub-phases, however, one consolidated application is applied for (application at hand), and therefore, this Activity is not deemed applicable.</p>
<p>Activity 5 of GNR 545 (LN2), please provide more information on how this activity is triggered.</p>		<p>This Activity is potentially applicable for the Water Use Licence. The Department of Water and Sanitation have indicated that a Section 21 (g) “disposing of waste in a manner which may detrimentally impact on a water resource” – application is required for the potential overflow of the sewer pump stations on the site.</p>
<p>Activities 6, 12, 13 and 26 (LN3), it is unclear how these activities are triggered / applicable. Provide all relevant information related to these activities must be provided, all sensitive geographical areas must be identified and details on these areas must be provided.</p>		<p>These Activities are not applicable and have been removed, however Activity 4 of Listing Notice 3 has been applied for and reasons for the inclusion of this Activity provided.</p>
<p>Page 39-45 speak of the wetlands that are on the site, however there is no identification of the wetlands that will be crossed and to what</p>		<p>A layout plan illustrating the location of each wetland crossing as well as the co-ordinates of each crossing and the dimensions is</p>

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<p>extent these wetlands will be impacted. A layout plan must show all the crossings of the wetlands, as well as the dimensions and the co-ordinates related to these crossings.</p>		<p>provided in <i>Error! Reference source not found.</i>, <i>Error! Reference source not found.</i> and <i>Error! Reference source not found.</i> and Appendix F.</p>
<p>Page 51 has reference, 4.13.3, roads, please provide a clear map showing the route for accessing the site during the construction period.</p>		<p>Access to the site during the construction phase will be via the P228. A map illustrating the construction phase access is provided as <i>Error! Reference source not found.</i>.</p>
<p>In light of the above mentioned, has the Sheffield Manor Estate been identified as an I&AP, and other estates / home owners along the route of the P228, who will be affected by the proposed development and construction process?</p>		<p>Additional consultation with estates and home owners along the P228 has occurred, and all parties have been provided an opportunity to comment on the amended EIAR. Feedback on this additional consultation will be included in the final amended document submitted.</p>
<p>Further, would the road be upgraded prior to the commencement of construction of Tinley Manor Southbanks?</p>		<p>The P228 is under the authority of the KwaZulu-Natal Department of Transport (KZN DoT). The Applicant and Traffic Engineers have engaged with the KZN DoT and comment has been received and included in Appendix H.</p> <p>The KZN DoT have acknowledged the need to upgrade the P228 and have further indicated that the KwaDukuza Municipality will commence with assessing all neighbouring developments which also require the upgrade of the P228. Relevant contributions will be collected from all Developer's and the upgrade of the P228 will then proceed.</p> <p>It is noted that the upgrade of the P228 is outside the scope of this assessment and has not been applied for as part of this assessment as the KZN DoT will be undertaking the upgrade.</p> <p>It is further noted that the Traffic Impact Assessment (TIA) recommends the need for the upgrade of the P228 to service the Tinley Manor Southbanks as well as associated neighbouring developments. The upgrade of the P228 is not recommended solely for the Tinley Manor Southbanks. Therefore, the Applicant for this application cannot commit to the timing of the upgrade of the P228. However, the Applicant is committed to paying the required contributions timeously.</p>

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		<p>Furthermore, the impacts associated with the use of the P228 in it's present stage have already been assessed in an Analysis of Construction Traffic Report prepared by Aurecon as part of the TIA and in this amended EIAR. A Traffic Management Plan is also included.</p>
<p>Page 59, the EAP is reminded that the development is adjacent to the N2 not the N3, effect the changes throughout the document.</p>		<p>The EAP and specialist team regret this oversight. All references to the "N3" have been corrected to the "N2" in this document and associated specialist studies.</p>
<p>Page 70, the land use zones speak of a private resort, however no details are provided in terms of size of the development and the proximity of the resort to the coast. Furthermore, there are no details provided regarding beach access from the resort. All details related to the development within sensitive areas, i.e. Wetlands, the estuary and the coastal zone must be detailed. Address this.</p>		<p>The size of the resort is 12 ha with a Floor to Area Ratio (FAR) of 0.250.</p> <p>The resort is located approximately 200 m away from the coast (<i>Error! Reference source not found.</i>).</p> <p>Access to the beach will be via pedestrian access only, via elevated boardwalks. Two (2) emergency vehicular accesses are proposed, however, these access points are controlled (i.e. security booms will be implemented to prevent public access). Both accesses will utilise existing sugarcane road alignments / footprints and no new roads are proposed to be established.</p> <p>The location of the pedestrian boardwalk access and emergency vehicular access is presented in <i>Error! Reference source not found.</i>, <i>Error! Reference source not found.</i>, <i>Error! Reference source not found.</i> and <i>Error! Reference source not found.</i>.</p> <p>The relevant specialists have assessed the impacts of the accesses in sensitive areas and these findings are presented in this amended EIAR.</p>
<p>The details of the 11 land use zones have been omitted, i.e. the site area, please provide all relevant details related to the description of all sites.</p>		<p>Details of all 12 land use zones are provided in <i>Error! Reference source not found.</i> and Section <i>Error! Reference source not found.</i>.</p> <p>Note the roads are now included as a specific land use zone.</p>
<p>Page 77 has reference, project alternatives, these alternatives are not in line with the EIA Regulations (31)(2)(g)-(i). Alternatives must be described according to the requirements of the EIA Regulations 2010. Please note that the alternative, Construction Management</p>		<p>Alternatives considered are presented in Section <i>Error! Reference source not found.</i>. These alternatives include:</p> <ul style="list-style-type: none">  Layout Alternative One – Coastal and Development Access Alternatives;


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<p>Alternatives, presented in the EIAR is not considered a feasible and reasonable alternative and therefore cannot be considered an alternative. Please refer to the definition of alternatives in the EIA Regulations, 2010 and make the relevant changes.</p>		<ul style="list-style-type: none"> ✦ Layout Alternative Two – Stormwater Management Facilities Alternatives; ✦ Layout Alternative Three – Irrigation Dam Alternatives; ✦ Layout Alternative Four – ‘Area 9’ Alternatives; ✦ Alternative Activity – Alternative Source of Irrigation Water as follows: <ul style="list-style-type: none"> ○ Potable Water; ○ Use of Sheffield WWTW Borehole; ○ Abstraction from the Umhlali River and Estuary; or ○ Use of treated wastewater from the Sheffield WWTW; and ✦ Consideration of the No-Go Alternative. <p>Construction Management Alternatives are now not presented as an Alternative in Section 4, but rather presented as potential mitigation options in Section 8.3.20.</p>
<p>Page 79, the last paragraph speaks of elevated wooden boardwalks, however, no details related to the boardwalks are provided in the EIAR. All details related to the boardwalks within all sensitive areas must be detailed as well as construction methods, impacts and mitigation measures must be identified. Address this.</p>		<p>A locality map illustrating the location of the boardwalks is presented in <i>Error! Reference source not found.</i>, <i>Error! Reference source not found.</i>, <i>Error! Reference source not found.</i> and <i>Error! Reference source not found.</i>.</p> <p>The boardwalks (deemed a less intrusive / impactful option) are proposed in sensitive areas (i.e. along Umhlali Estuary and within Coastal Dune Forest) to promote conservation and sustainable pedestrian access to these pristine environments and the coast.</p> <p>The impacts associated with the installation and maintenance of these boardwalks, as well as proposed mitigation measures are presented in Sections <i>Error! Reference source not found.</i> and <i>Error! Reference source not found.</i>.</p> <p>These mitigation measures are further included in the EMPr (Appendix B). A proposed construction method is also presented.</p>
<p>Page 162, The Environmental Impact Assessment, potential impacts and significance, the impacts identified are not considerate of the type of the entire development proposal. The impacts identified are very limited. The mitigation measures presented are very basic and do not</p>		<p>This identification, assessment and rating of impacts as well as the proposed mitigation measures have been revisited.</p> <p>The revision is presented in Section <i>Error! Reference source not found.</i>.</p>

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<p>cover foreseeable possible impacts related to the construction and operation of a development of this scale. It is also questioned with great concern, as to how mitigation measures are rated, when mitigation measures presented are statements and provide no mitigation. While it is understood that the conditions in the EMP and the impacts that have been identified in this section do overlap, sound mitigation measures must be presented in this section that consider the impact and the receiving environment. Understanding of the impacts related to the development and the receiving environment is imperative to adequately assess the impacts and rate them accordingly. Please address this section in depth.</p>		
<p>Page 165, bullet 2, this is not a mitigation measure and cannot be assigned a score as it is not quantifiable. Address this.</p>		<p>This bullet has been removed.</p>
<p>Page 168, under the aspect of surplus fill material stockpiles, bullet 3 under mitigation, this mitigation measure is not in line with the aspect and impact, remove and reconsider.</p>		<p>This bullet has been removed.</p>
<p>Bullet 4, this is unclear, address this.</p>		<p>This bullet has been re-worded.</p>
<p>Bullet 7, state what measures these are.</p>		<p>The required measures have been elaborated on.</p>
<p>Page 171, under aspect development of hardened surfaces, bullet 1 under mitigation measures, give examples of what land disturbances are being referred to and how they should be managed.</p>		<p>The bullet has been amended to explain that land disturbances refer to the clearance of land for earth-works and installation of services. Appropriate stormwater management during the construction phase has been provided, including how the phasing of land disturbances should occur, along with immediate rehabilitation and re-vegetation, where appropriate.</p>
<p>Page 172, under impact: Alteration of surface water resources due to land use changes, this impact requires further discussion and identification of impacts as well as mitigation measures to be provided.</p>		<p>This impact has been removed from the Hydrology Section (Section Error! Reference source not found.) as the alteration of surface water resources due to land use changes (i.e. loss of wetland area to accommodate the development footprint) is assessed in detail in the Wetland Section (Section Error!)</p>

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<p>Page 172, under aspect: Abstraction of water from the Umhlali River; this mitigation measure is insufficient and in its current state cannot be rated as a medium impact; there must be accurate identification of impacts associated with this aspect and impact.</p>		<p><i>Reference source not found.</i>) that follows.</p> <p>The impact of abstracting water from the Umhlali River has been revisited.</p> <p>Due to the high significance rating and due to the specialist recommendation, the proposed option to abstract water from the Umhlali River has been aborted and is not proposed further. Therefore, the rating of this impact under this Section has been removed. However the rating of impacts associated with abstraction of water from the Umhlali River itself is still detailed in the Estuarine Specialist Report (Appendix C).</p>
<p>Page 172, under cumulative impact, bullet 2, how will there be improved wetland functionality? Address this.</p>		<p>The installation of swales, stormwater management facilities and wetland rehabilitation interventions, as proposed in the SMP, will result in appropriate flows on water into the wetland system, thereby improving the wetland functionality. However, it is accepted that improved wetland functionality is not a mitigation measure in this instance and has been removed.</p>
<p>Page 173, bullet 14 of mitigation measures, this mitigation measure must include the following: demarcation of sensitive areas and restricting movement in these areas, as well as treating them as no-go zones, any persons found in these areas must be fined according to the fine structure in the EMPr.</p>		<p>This is now included.</p>
<p>Page 174, bullet 9, this mitigation measure must read: the infilling of wetlands (unless where required for the necessary infrastructure) and estuarine habitat, and any other methods to reduce such environments is not supported. Provide further mitigation measures for construction within these sensitive areas.</p>		<p>The revised wording is captured.</p> <p>Additional mitigation measures for the construction of boardwalks within sensitive areas is also included. These include:</p> <ul style="list-style-type: none"> ✦ Materials must consist of either treated wood, poly-prop or 'eco-wood' options to ensure the maintenance of the landscape character as far as possible and to ensure durability; ✦ The optimal width of the boardwalk must be 1.5 m minimum; ✦ Design of access (ramp and/or stairs) onto the beach, as well as the decks, must take cognisance of the dynamic nature of the beach sand and be able to accommodate variation in heights;

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		<ul style="list-style-type: none"> ✦ Any protected trees, as well as the unnecessary clearing of any coastal vegetation, must be avoided; ✦ Rubbish bins must be provided along the route; ✦ Informative and education signage can be installed to educate users; and ✦ The construction methodology must be appropriate to the site and local conditions of the proposed boardwalks. Specific method statements must be submitted by the contractor(s) for approval by the ECO, prior to construction. Examples of inclusions in the construction methodology include: <ul style="list-style-type: none"> ○ Clearance of vegetation should be kept to a minimum and preferably cleared by hand, if possible; ○ Follow previously disturbed and transformed existing sugarcane-harvesting contour paths; and ○ Stainless steel screws should be used.
<p>Page 174 / 175, under operational phase, potential impacts, under mitigation measures, bullet 1 and 2, these are not adequate mitigation measures, address this. It is not clear why impacts as a result of increased nutrient loads, have not been identified as a direct and cumulative impact, and why no mitigation measures are presented in the EIR. This section on the impact identification is considered flawed and the impact rating of low is incorrect. This section must be reconsidered, all possible impacts associated with the WWTW the direct and cumulative impacts must be identified and mitigation measures provided in this section and the EIR.</p>		<p>The authorisation and construction of the Sheffield WWTW was approved through a formal EIA process, wherein the impacts associated with discharging treated waste water to the Umhlali Estuary were assessed.</p> <p>A Water Use Licence Application (WULA) initiated by Sembcorp Siza Water is also in progress.</p> <p>Based on stringent water restrictions, Sembcorp Siza Water is seeking to reclaim as much water as possible from the incoming effluent for reuse. However, controlled discharge into the estuarine environment is expected and will obviously be considered in the WULA.</p> <p>The impacts of treated waste water on the estuarine environment have been assessed in the study. Specific mitigation measures have been provided in consultation with a Wastewater Treatment Specialist for implementation at the Sheffield WWTW. However, management of the WWTW and implementation of these measures remains the responsibility of Sembcorp Siza Water and is in no way</p>

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		<p>transferred to THD. All the operational conditions of the WWTW must be added to the EMPr for the Tinley Manor Southbanks once these are made available (i.e. via the pending WULA for the Sheffield WWTW).</p>
<p>As mentioned above, include impacts related to the increased nutrient loads as a direct result of the development on the Umhlali Estuary must be included in the impact assessment and rated.</p>		<p>The authorisation and construction of the Sheffield WWTW was approved through a formal EIA process, wherein the impacts associated with discharging treated waste water to the Umhlali Estuary were assessed. As indicated previously, a WULA initiated by Sembcorp Siza Water is also in progress. The controls linked to that process are discussed in the rebuttal to 2.20.11 above.</p>
<p>Page 175, under the above mentioned section, the second aspect, which states, inadequate stormwater management and water contamination, as well as mitigation measures provided. Bullet 1, this mitigation measure must be reconsidered. Details on this mitigation measure must be prevented.</p>		<p>Detailed mitigation measures for stormwater management relating to the estuary are now presented.</p>
<p>Page 175, under cumulative, disturbance and utilisation of the estuary as a result of an increase in the number of people. A management plan must be considered as a mitigation measure to manage impacts caused by the utilisation of the estuary. The applicant, land owner, HOA whichever the case is must be responsible for implementation and monitoring of the management plan. This plan will be separate from the recommended Estuary Management Plan and will deal with issues as a direct result of the increased use of the estuary, which is not occurring currently. This should include management of the structures within 50-100 metres of the estuary, pollution, management of the proposed boardwalk structures, etc.</p>		<p>The authorisation and construction of the Sheffield WWTW was approved through a formal EIA process, wherein the impacts associated with discharging treated waste water to the Umhlali Estuary were assessed. As indicated previously, a WULA initiated by Sembcorp Siza Water is also in progress. The controls linked to that process are discussed in the rebuttal to 2.20.11 above. Mitigation measures for the protection of the estuary during the operational phase are included in the EMPr (Appendix B). Furthermore, as agreed with the KZN EDTEA (refer to minutes in Appendix A), the EMPr requires that a Conservation Management Plan for the management of the open space area (including the estuary) is compiled prior to the operational phase commencing. This is also a recommended condition of the EA.</p>
<p>Page 176, 9.3.6 Wetlands; the aspects and impacts that have been identified in this section are not representative of the potential impacts</p>		<p>This section has been revisited. Additional impacts have been identified and assessed and</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>that could occur during construction. These impacts identified must be reconsidered, what will be the impacts associated with the construction within the wetlands? Specify these impacts and provide mitigation measures that are reasonable and implementable. Detail the infrastructure that will be crossing the wetlands and specify ROW servitudes (trench depths and widths) for construction within the wetlands. Detail the possible impacts that are related to the flora and fauna that possibly occur in these areas and provide mitigation measures.</p>		<p>appropriate mitigation measures presented in <i>Error! Reference source not found.</i> and <i>Error! Reference source not found.</i>.</p>
<p>The cumulative impact identified in the above mentioned section, especially bullet 2 is inadequate. A wetland management plan should be implemented during the operational phase which will ensure continued protection and proper functioning of the wetlands, which the applicant / land owner will be responsible for implementing and monitoring.</p>		<p>Refer to the Wetland and Open Space Rehabilitation Plan (Appendix B 4), Section 12 which includes a Wetland Management Plan and Monitoring Programme.</p>
<p>Page 179, 9.3.7 Biodiversity, this section has a lack of impacts related to the development during construction phase. Address this.</p>		<p>Additional impacts and mitigation measures are provided in <i>Error! Reference source not found.</i>.</p>
<p>Page 179, 9.3.8 Coastal, aspect 2, and mitigation measures that follow this aspect. Bullet 1, there must be no construction camps within dune forests and coastal zones. All sensitive areas must be buffered and treated as no-go zones, the construction camps must be located a distance away from these areas.</p>		<p>This has been added to the mitigation measure. A no-go map is included in the EMPr and Section 10.</p>
<p>Page 180, under 9.3.8 coastal, under impact, bullet 4, has no mitigation measures, address this.</p>		<p>Mitigation measures now provided.</p>
<p>Page 180, under mitigation measures, bullet 5 must specify that dumping is prohibited.</p>		<p>This change has been made.</p>
<p>Page 180, under the above mentioned section, bullet 10, there must be no discharge of any pollutants into the aquatic or coastal environment, detail how this must be ensured.</p>		<p>The following mitigation measures have been added:  Stormwater design needs to ensure that stormwater run-off from the new hardened surfaces is cleaned and that flows are attenuated prior to reaching the coastal zone. Means of 'scrubbing' and removing sediment, litter and debris from the run-off must be implemented, such as silt and "trash / litter"</p>

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		<p>traps. The developer proposes to enhance the vegetation along several drainage lines and restore certain wetland areas to capitalise on the natural ecosystem services of filtration (i.e. 'polishing' of contaminants) and flood control (i.e. slowing flow velocities and promoting percolation) prior to entering the estuary.</p> <ul style="list-style-type: none"> ★ The location of one of the proposed pump stations adjacent the no-development setback line is proposed to be mitigated via the construction of an overflow pond. A stand-by generator must be installed at the pump station and must be maintained in correct working order. It is acknowledged that the infrastructure proposed complies fully with these requirements.
<p>Page 180, under the above mentioned section, bullet 15 of mitigation measures speaks of the market gardens, this is not detailed in the project description, if this is not part of the development, this must be removed.</p>		<p>Market gardens were proposed in earlier iteration of the development concept which is no longer proposed. All references to the market gardens have now been removed.</p>
<p>Under the above mentioned section, page 182, operational phase, aspect 2, and the related impact. The mitigation measure presented is not aligned with the impact identified. Address this.</p>		<p>The mitigation measures have been amended as follows:</p> <ul style="list-style-type: none"> ★ Public access to the beach via boardwalks, pedestrian pathways and emergency vehicular access must be provided for (this has been done). ★ A private beach is prohibited.
<p>Page 185, 9.3.12 Visual. Bullet 3, this mitigation measure is questioned, dense vegetation and lower lying areas (wetlands/ drainage lines) are considered to be a sensitive area and therefore construction camps within this vicinity will have adverse impacts, reconsider this mitigation measure.</p>		<p>The mitigation measure is re-worded to read as follows: Locate the construction camp and storage areas in zones of low visibility i.e. behind dense bush or in lower lying areas (note: constraint related to proximity to watercourses). However, construction camps cannot be located within 50 m of watercourses, or within areas of sensitive vegetation. The ECO must approve construction camps prior to establishment.</p>
<p>Page 185, bullet 5 must read: areas of dense vegetation on the boundaries of the development site must be left intact to ensure natural screening of the site.</p>		<p>This change has been made as recommended.</p>

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Page 186, under the above mentioned section, the following mitigation measure must be added: the site must be screened with the use of shade cloth to reduce the visual impact of a construction site.		This change has been made as recommended.
Page 186, operational phase aspects and impacts. The mitigation measure provided is inadequate. This mitigation measure must read: the character of the site will be permanently altered, however, the site will be enhanced by the rehabilitation of the wetlands, dune forest etc. ensuring a sustainable development, while conserving sensitive features like the estuary, coastal forest and other naturally occurring features.		This change has been made as recommended.
Page 186 cumulative impacts – under mitigation measures – architecture point 1, this mitigation measure is contrary to the information presented in the project description on page 69, which states that the height of buildings will be 6 storeys high. Address this.		This has been revisited in both the amended EIAR and the revised Visual Assessment. The mitigation measure allows for a 6 storey building as proposed in the planning report.
Page 187, 9.3.13, Traffic, construction phase, mitigation measures. Bullet 1, this is not a mitigation measure as there are only 2 possible routes to the site and both these routes utilise the main roads, i.e. the N2 and the R 102. Address this.		This mitigation has been removed as there is only one entrance to the site via the P228 for the first phase of the construction.
Page 187, bullet 3 and 4, these are not mitigation measures and are not of an environmental nature, remove them.		These have been removed.
Page 190, under 9.3.14, Socio - economic and Health cumulative impact, eTM is made reference to. It is assumed that this is making reference to eThekweni Municipality. If this is the case, the EAP is reminded that the Local Municipality is the KwaDukuza Municipality and Ilembe Municipality is the District Municipality in which this project falls in. As such it is unclear what the first aspect is making reference to. Address this.		The reference to the Municipality has been corrected. The aspect/impact has been revisited.
Page 191, Table 9-18: Tinley Manor South banks stormwater attenuation facilities impacts – Revised Option (outside wetlands). The impacts and mitigation measures identified are not representative of the possible impacts that may occur during construction. What are these impacts and what are the mitigation measures? Some of these		Additional impacts and mitigation measures have been presented in Error! Reference source not found. and <i>Error! Reference source not found.</i>

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<p>impacts could be: (i) excavation within wetland buffers, which will impact temporarily on the functionality of wetlands, (ii) heavy machinery within the wetland buffers (what are the impacts of this), (iii) possible pollution of the wetlands, (vi) possible encroachment by heavy machinery into wetland areas, (v) exceeding the width of the ROW, (vi) possible contamination flowing into wetlands, (vii) erosion, etc. Identify mitigation measures to the impacts identified above.</p>		
<p>Page 197, under Wetlands, it is noted with great concern that there has been no mention throughout the EIAR the loss of wetlands and to what extent and motivation for the encroachment into these wetland areas. It is also noted that there is mention of an off-set for the loss of wetlands which is mentioned in the EIAR (page 211) and the comments and responses report. However, there is no such document provided in the EIAR neither is there any information presented in the EIAR regarding off-sets as a result of the loss of wetlands. If there is a loss of wetlands, what ratio will be lost? This Department requests documentation that is referred to in this comment found on page 41 of the comments and response report.</p>		<p>The Wetland and Open Space Rehabilitation Plan referenced in the Comments and Responses Report was submitted in the final EIAR as Appendix B4. This Plan included the wetland areas to be lost, off-set calculations and rations for off-sets. This quantification is now provided in the amended EIAR in Section Error! Reference source not found.</p>
<p>The impacts related to the WWTW has not been identified or mitigated in the EIR. The Estuarine Assessment notes that there will be an increase in nutrient loads once the development is connected to the WWTW. This is a direct and cumulative impact on the Umhlali Estuary, its functioning and health of the system. All impacts related to the WWTW must be analysed by a specialist and mitigation measures presented. The EMP must be updated to include all conditions related to the WWTW.</p>		<p>The authorisation and construction of the Sheffield WWTW was approved through a formal EIA process, wherein the impacts associated with discharging treated waste water to the Umhlali Estuary were assessed. A WULA initiated by Sembcorp Siza Water is also in progress. The controls linked to that process are discussed in the rebuttal to 2.20.11 above.</p>
<p>The change in layout has not been discussed in the EIAR, there are areas that were previously not earmarked for development that will now be developed, as discussed in the Tinley Manor South: Addendum Vegetation Report Comparing 2015 &. 2016 Layouts and Associated Impacts, dated, February 2016, prepared by Kinvig and Associates. Discuss all changes that have occurred and the reasons</p>		<p>The final EIAR included a Section entitled 'Changes to the Concept Plan' in Section 10.2. Changes to the Concept Plan were detailed in this section, including reasons for the changes and the impacts of the change on each of the specialist areas (as extracted from the specialist reports). This section is retained in the amended EIAR and now details the</p>

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for those changes.		changes from the final EIAR to the amended draft EIAR. However, due to the lengthy nature of this report, this Section has been moved forward and is now presented in Section Error! Reference source not found. titled 'Amendments to the Concept Plan.' Consequently, each specialist's assessment of the implications of the amendments to the Concept Plan to their respective discipline, is presented in Section Error! Reference source not found.
The following comments are related to the EMPr. The EMPr has been reviewed and has been rejected for the following reasons: Words like avoid, should, appropriate, adequate/ly, regularly, convenient, necessary, needs to, ensure, suitable/y, may, will be, etc. are words that are open to interpretation and cannot be audited. For the purpose of auditing, the EMPr must issue instructions that must be carried out by respective parties. Therefore, when issuing an instruction the word must is to be used rather than should or may, as this can be interpreted in various different ways. The word must clearly states that the action has to be taken, failing which, it would be a contravention of the EMPr and conditions of the environmental authorisation. Please address this issue throughout the EMPr.		The entire EMPr has been revised and the requested changes made.
Phrases like as soon as possible, take special precautions, adequate care is taken, take preventative measures, in a safe and responsible manner, are phrases that cannot be used in an EMPr. They are not quantifiable and are ambiguous and therefore must be removed from the EMPr.		The entire EMPr has been revised and the requested changes made.
When stating an activity must take place regularly, give a timeframe for this to occur within.		The entire EMPr has been revised and the requested changes made.
Page 44, under 7.7.1 Site Establishment, point 7 and 8 cannot be audited, reword.		These points have been reworded.
Point 10 of the above mentioned section must read: The construction camp is to be located a minimum horizontal distance of 100 metres from any wetland, 500 metres away from the Umhlali Estuary, behind the development setback line and above the 1:100 year flood line. The		The requested change has been made.

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site camp must be located on a disturbed site that does not require the removal of vegetation, i.e. Indigenous trees.		
Point 11 of the above mentioned section must read: Drainage on the camp site must be designed to prevent the standing / ponding of water or sheet erosion from taking place.		The requested change has been made.
Page 45, under 7.7.3 Access, point 2 reword.		The point has been reworded.
Point 3 of the above mentioned section, all sensitive areas must be no-go areas and treated as such, unless authorised for rehabilitation purposes in line with the rehabilitation plan. These areas must be cordoned off and correct signage prohibiting entry must be displayed. Address this condition and all conditions related to no-go areas.		The requested changes have been made.
Point 5 of the above mentioned section must read: drainage and erosion protection in the form of cut off berms or trenched must be provided around the site and where there is a potential for erosion.		The requested change has been made.
Page 46, under 7.7.4 Fires, point 1, will be must be changed, this condition must read: no open fires or uncontrolled fires are permitted on site. Make these changes throughout the document.		The requested changes have been made.
Page 46, under 7.75 vehicle maintenance yard, point 1, heavy machinery and construction vehicles are to be parked and not stored in a vehicle maintenance yard which must be illustrated on the construction camp layout map.		The word stored has been replaced by parked.
Point 3 of the above mentioned section, remove the statement 'such a facility must consider water recycling or water reuse options' this condition cannot be audited.		The requested change has been made.
Page 50, under 7.9 General and Hazardous Substances and Materials, point 6, please state what these preventative measures are.		This is reworded to state that drip-trays must be emptied to prevent overflow and spillage.
Page 51 of the above mentioned section, point 24, state where this must be disposed of.		All paint products must be disposed at a hazardous landfill facility.
Page 51, point 25 of the above mentioned section, reword this condition, it cannot be audited.		The cumulative combined capacity of hazardous substances stored on site must not exceed 80 m ³ at any given time unless applied for and authorised by the KZN EDTEA.
Page 52, under 7.10 Spills, incidents and Pollution Control, point 5, the		The requested change has been made.

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concrete mixing areas must be designated to prevent random concrete mixing areas. Address this condition.		
Page 53, under 7.11 Clearing and Protection of Fauna and Flora, point 3, provide the methodology for removal of the species, or state that a qualified botanist / vegetation specialist must assist with this process.		The requested change has been made to state that a qualified ecologist must be present and oversee the relocation.
Page 53, point 10 of the above mentioned section, reword.		The condition has been reworded as follows: <i>The introduction of alien plant species to the site is prohibited. Alien invasive species must be removed as per the Alien Invasive Eradication Programme contained in the Wetland and Open Space Rehabilitation Plan.</i>
Page 53, point 12, reword this condition and specify how disposal must be done.		The requested change has been made.
Page 53, point 15 of the above mentioned section, this condition must read: the removal of indigenous/ endemic shrubs and small trees must be identified by a qualified botanist / vegetation specialist prior to the commencement of construction. If there are species which require removal or relocation, these must be marked and relocated by a biologist or vegetation specialist. The rescue and relocation plan must be detailed and included in the EMPr.		The condition now reads: <i>The removal of indigenous / endemic shrubs and small trees must be identified by a qualified ecologist specialist prior to the commencement of construction. If there are species which require removal or relocation, these must be marked and relocated. The relocation must be overseen by the ecologist.</i>
Page 56, under 7.13 Soil Management, 7.13.1 Topsoil, bullet 4, reword this condition, this appears like it permits an entire area to be stripped.		The point now reads: <i>Only areas that are to be impacted upon by construction and any significant vehicular movement are to be stripped of topsoil.</i>
Page 57, the above mentioned section, bullet 8 reword this condition, it cannot be audited. Bullet 9, this condition must read: the topsoil must only be handled twice, once when stripped and stockpiled and the second time for rehabilitation purposes. Bullet 11, please specify what training this condition is making reference to. Point 6, reword this condition. Page 57, 7.13.2 Subsoil, point 4 reword.		Bullet 8 - The condition has been removed as it is not practical and cannot be audited. Bullet 9 has been reworded as requested. Bullet 11 now reads - <i>Training on the required separation stripping and handling of topsoil must be undertaken with relevant site-staff.</i> Subsoil point 4 now reads - <i>Training on the required separation stripping and handling of subsoil must be undertaken with relevant site-staff.</i>
Page 59 shows Figure 7-2 location of surplus fill material site. It is unclear where the location of these sites is, as the legend is not		Figure 7-2 has been removed as this site is now earmarked as a Community Facility. The EIR and EMPr now state that Surplus Fill

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<p>specific. Further, ensure that the legend is legible. Address this matter. Page 60, under 7.13.4.1 Site Establishment, Management and Erosion Control, point 5 bullet 2, soil resources must not be located in sensitive areas, including buffer zones, if the area is not developed there are various locations that these stockpiles can be placed.</p>		<p>Material Sites must be approved by the ECO and must be located within the approved development footprint (i.e. on land that is authorised for transformation) and 50 m away from watercourses and 500 m away from the Umhlali Estuary.</p> <p>Section 7.13.4.1, Point 5, Bullet 2 – Noted. The EMPr prohibits the stockpiling of soil within open spaces, however, provision has been made for the re-use of soil as part of the Soil Management Framework Strategy. This Condition has been re-worded to make this clearer and to state that the KZN EDTEA’s approval is required prior to any such activity.</p>
<p>Page 61, point 8, bullet 3, reword this and state what 'other manner' can be used.</p> <p>Page 80, under 7.15.2 Dust control, point 4 and 7, this condition cannot be audited, reword or remove. Point 9 of the above mentioned section, reword this condition.</p> <p>Page 81, under 7.16.1 General waste, point 11, this condition must state: the contractor must ensure that all general waste is disposed of at a licensed waste disposal facility. The rest of that condition in its current state, cannot be audited.</p>		<p>Page 61, point 8, bullet 3 – This bullet now reads: <i>Slopes must thereafter be vegetated as the preferred means of erosion control. Note that stockpiles are only permitted to be left un-vegetated if they are to be moved within 6 months. If left un-vegetated such stockpiles must be subject to erosion controls as detailed in the Soil Erosion and Sedimentation Control Plan (Section 7.14) so as to enforce no wind erosion impacts.</i></p> <p>Section 7.26.2, Point 4 and 7 – This condition has been removed.</p> <p>Point 9 now reads: <i>Construction activities are to be contained to reasonable hours during the day, and not during periods of sunrise and sunset.</i></p> <p>Section 7.16.1, Point 11 – The rest of the condition has been removed.</p>
<p>Page 83, 7.17.1 Water pollution Management (including ground water and soil contamination), point 3, this condition cannot be audited, reword.</p> <p>Point 4 of the above mentioned section, state how disposal must occur.</p> <p>Point 7, state how soon after any disturbance these areas are to be rehabilitated.</p> <p>Point 9 must read: abstraction of water from the permitted watercourses can only commence once the water use license has</p>		<p>Point 3 now reads: <i>Chemicals or hazardous substances must not contaminate the soil or ground water on site.</i></p> <p>Point 4 – re-worded to state that disposal must be done at a ROSE facility.</p> <p>Point 7 – a timeframe of 7 days has been stipulated.</p> <p>Point 9 – the requested change has been made.</p>

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<p>been received from the Department of Water and Sanitation.</p> <p>Page 83, Under 7.17.2 River and Estuary management, point 1, this must read: no construction is permitted below the 1: 1 00 year floodline or recommended 10 m amsl contour (whichever is intercepted first from the point of development), as these areas are susceptible to erosion during storm events, flooding and natural backflooding of the estuary. This may result in damage / loss of property and negatively impact on estuarine functioning (detailed below). The rest of this condition can remain unchanged.</p> <p>Page 83, 7.17.2 River and Estuary Management, point 2 must read: the buffer / conservation area must include the entire Umhlali Estuary (i.e. below the 5 m amsl contour), as well as the remaining area below the hazard line.</p>		<p>The requested changes have been made.</p>
<p>Page 84, point 6 of the above mentioned section, please state how often these visits must be.</p> <p>Page 84, point 9 must read: there must be no untreated effluent or wastewater discharged into the Umhlali Estuary under any circumstances.</p> <p>Page 84, point 10, state how often this must be done and why.</p> <p>Page 84, point 12 is incomplete, address this.</p> <p>Page 84 point 16, clearly state under what circumstances the grass buffer strips must be implemented.</p> <p>Page 84, point 17, remove this condition, it cannot be audited.</p>		<p>Point 6 – Now stipulated to be weekly inspections.</p> <p>Point 9 – This will be reworded as requested.</p> <p>Point 10 – This will be a requirement of the Water Use Licence and now reads as follows: <i>Monitoring of in situ turbidity and total suspended solids pre-construction and during construction is required by the DWS and must be done on a quarterly basis.</i></p> <p>Point 10 – This point has been removed as it cannot be monitored or audited. It is a design requirement which has been factored into the formulation of the Stormwater Management Plan.</p> <p>Point 12 – This has been removed for the same reasons put forward for the removal of Point 10.</p> <p>Point 16 – Grass buffer strips are required as part of the Open Space area in the no-go areas. Therefore, this condition has been removed as it is covered in the rehabilitation sections.</p> <p>Point 17 has been removed as requested.</p>
<p>Page 84, Under 7.17.3 Coastal Management, point 1, state what the setback line and limited development line distances are.</p> <p>Page 85, point 4 of the above mentioned section, this condition must read: There must be no access to the coastal dune forest during</p>		<p>Point 1 - Clarification is provided in the amended EIAR and clearly illustrated in Section Error! Reference source not found. It should be noted that specific distances between the proposed coastal setback line and limited development lines are modelled and are</p>

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<p>construction. This area must be cordoned off and treated as a no-go zone.</p> <p>Page 85 point 5, this condition is questioned, as according to the Layout plan there will be no development within the vicinity of the coastal dune forest, therefore it is unclear why there will be a removal of vegetation. Address this.</p>		<p>therefore not consistent. These are included in the amended layout and have fully informed the location of the proposed development. As a uniform distance for these lines cannot be provided in the EMP, the setback line and limited development line is included in the 'no-go areas' for which reference to the relevant map has now been made in this point.</p> <p>Point 4 now reads: <i>There must be no access to the coastal dune forest during construction. This area must be cordoned off and treated as a no-go zone, unless approved for the installation of boardwalks, pedestrian pathways and/or emergency vehicular access.</i></p> <p>Point 5 – the condition is removed.</p>
<p>Page 85, point 7, these conditions must be reconsidered as per the information requested in point 2.12 of this letter.</p> <p>Page 85, point 10 is questioned, are there antelope within this vicinity?</p> <p>Page 85, point 11 must read: The discharge of stormwater must be controlled to avoid any erosion to the dunes.</p> <p>Page 85, under 7.17.4 Wetland Management, bullet 1, these access roads referred to in this condition must be identified on a layout map and all impacts associated with the crossings presented in the EIAR as well mitigation measures. Thereafter conditions related to those impacts must be included in the EMP. Address this matter.</p>		<p>Point 7 has been revisited.</p> <p>Point 10 – this condition is removed.</p> <p>Point 11 – reworded as requested.</p> <p>Section 7.17.4, Bullet 1 – This section has been revisited in its entirety and a bullet brought forward to replace bullet 1 which stipulates the wetland areas to be impacted on and the wetland areas to be classified as no-go areas. Reference is made to the wetland crossing map and tables (with co-ordinates) which are now appended to the EMP. All impacts are assessed in the EIAR.</p>
<p>Bullets 3 - 5 these are design matters and do not have anything to do with the impacts related to construction within the wetland areas, the contractor does not have a responsibility to ensure that the designs are as specified in these conditions, this is the responsibility of the engineering team doing these designs. The contractor is responsible for matters related to construction only and not design. Address this.</p> <p>Page 86, Bullets 6 and 7, these conditions must be reconsidered.</p> <p>Page 86, point 3, cannot be audited, reword.</p>		<p>Bullets 3-5, the design requirements have been removed as the design has taken cognisance of these requirements.</p> <p>Bullets 6 and 7 – These conditions have been reconsidered and removed.</p> <p>Point 3 – The condition has been removed.</p>
<p>Page 86, point 5 cannot be audited, reword.</p> <p>Page 86, point 6, it is unclear what this condition aims to achieve,</p>		<p>Point 5 – The condition is not implementable and has been removed.</p>

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<p>please reword to provide a clear indication of what is required.</p> <p>Page 86, point 19 must read: the full length of works must not be stripped of vegetation at once. The contractor must submit a clearing and earth-works plan to the SHE officer and the ECO for approval prior to construction occurring. This plan must indicate how clearing and earth-works are going to progress across the site. This can be done in a phased approach. Ground cover removal must follow this plan and there must be no deviation from the plan unless approved by the ECO.</p>		<p>Point 6 now reads: <i>A row of silt fences, sandbags, shade cloth or snow fencing must be established along the wetland buffer edge prior to construction commencing to prevent sedimentation and/or pollution entering the wetland. These silt fences and sandbags must be checked weekly and maintained and must only be removed once vegetation has successfully colonised following the rehabilitation period.</i></p> <p>Point 19 has been reworded as requested.</p>
<p>Page 86, point 22, remove this condition. It is the responsibility of the EAP to provide conditions to ensure the protection of wetlands and sensitive features on site. It is the responsibility of the contractor to ensure compliance with these conditions in the EMPr and therefore, not the responsibility of the Contractor to come up with these protection mechanisms. Therefore, the EAP must provide implementable conditions in the EMPr to ensure that wetlands and sensitive areas are protected. Address this point.</p> <p>Page 89, Under 7.18 Stormwater Management, point 4, 'where possible', cannot be audited, reword.</p> <p>Page 89, point 5, this condition is unclear, reword.</p>		<p>Point 22 has been removed.</p> <p>Section 7.18, Point 4 – 'where possible' has been removed.</p> <p>Point 5 now reads: <i>The final SMP must be approved by KwaDukuza Municipality prior to implementation.</i></p>
<p>Page 89, point 8 and 9 cannot be audited, reword.</p> <p>Page 93, Under 7.20 Noise, point 9, this cannot be audited, reword.</p> <p>Page 94, points 12 and 13 of the above mentioned section, these conditions cannot be audited, reword.</p> <p>Page 94, Under 7.21 Heritage, point 3, this condition cannot be audited, reword.</p>		<p>Point 8 and 9 – both points have been reworded.</p> <p>Section 7.20, Point 9 – This condition has been removed.</p> <p>Points 12 now reads: <i>Loitering by labour is prohibited. The Contractor must provide an adequate eating and rest area for labourers within the construction camp away from neighbouring communities to prevent noise nuisance.</i></p> <p>Point 13 now reads: <i>Construction activities are to be contained to daylight hours Monday to Saturday unless consent has been obtained from the ECO and neighbouring landowners have been provided with prior warning.</i></p> <p>Section 7.21, Point 3 now reads: <i>The contractor must prevent any person from removing or damaging any such article and must</i></p>

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<p>Page 100, Under 7.31 River and Estuary Management, point 6, this condition is questioned considering it is within the Operational phase and it is questioned if there would be an EO still in the employ of the applicant.</p> <p>Point 7, this is a construction condition, please move it to construction.</p> <p>Point 14, according to the information provided in the EIR, this concept is no longer an option, therefore remove this condition.</p>		<p><i>immediately, upon discovery thereof, inform the Construction Engineer.</i></p> <p>Point 6 – This requirement is now the responsibility of the Management Association which will be established to manage open space areas.</p> <p>Point 7 – This is retained as the EAP believes that the formalisation of sports grounds within the open space can occur during the operational phase and whilst permitted in the open space area, cannot be located within the estuarine boundary.</p> <p>Point 14 – This point has been removed.</p>
<p>Point 21, remove this condition, this is outside the scope of study, there has been no details related to jetties in the EIR.</p> <p>Point 24, remove this condition, this is not part of the operational conditions.</p> <p>Page 101-102, under 7.32 Coastal Management, point 3 this condition must be removed.</p> <p>Point 4, this condition is not applicable as there is no development proposed within the dune system, remove.</p>		<p>Point 21 – The condition has been removed.</p> <p>Point 24 – The condition is retained as water will be required during the operational phase for irrigation of the open space areas. Water from the Umhlali River is prohibited for this. However, the condition now reads: <i>The abstraction of water from the Umhlali River / Estuary for irrigation of the open space is prohibited.</i></p> <p>Section 7.32, Point 3 – The condition is retained by reworded to focus on the maintenance requirements during the operational phase.</p> <p>Point 4 – The condition is removed as requested.</p>
<p>The comments from the Department of Agriculture, Forestry and Fisheries (DAFF), dated, 19 May 2015, requested a 50 metre buffer for protection of the Coastal Dune Forests, to which the EAP deems unnecessary. The EAP is reminded that DAFF is the competent authority for forests and therefore their requirement of a buffer of 50 metres around the coastal dune forest must be implemented. The requirements of specialists are merely recommendations and the opinion and requirements of the National Department takes precedence over a recommendation. As a result, it is an instruction from this Department that the layout is revised to include the 50 metre buffer requirement from DAFF, unless discussions are held with DAFF and DAFF agrees to a deviation in the buffer requirement. A letter from</p>		<p>A letter from DAFF stating that a 40 m buffer is acceptable has been obtained and included in Appendix H.</p>

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<p>DAFF must be included in the EIAR should this be the case. Address this.</p>		
<p>The Traffic Impact Assessment (TIA), titled Tinley Manor Southbanks – Traffic Impact Assessment, dated 21 January 2016, prepared by Aurecon, has reference. Clarity is required on the following matters:</p>		<p>Noted.</p>
<p>On page 45 of the TIA, the report makes reference to Seaton Delaval being previously known as Sheffield Manor. This information appears to be incorrect, as a development by the same name already exists and is a fully operational residential estate.</p>		<p>The reference to “Sheffield Manor” was a typing error. The report has been amended accordingly.</p>
<p>Has the above mentioned estate, Sheffield Manor, been considered in this TIA and the traffic volumes originating from this estate?</p>		<p>Since the Sheffield Manor development is complete and operational, the traffic generated by the Sheffield Manor (as it exists) forms part of the background traffic volumes and therefore these traffic volumes were captured in the traffic counts that were carried out.</p> <p>As such, it can be confirmed that the traffic volumes from the Sheffield Manor were included in the traffic analyses undertaken in the TIA.</p>
<p>Section 9.1 speaks of the change in traffic patterns with the introduction of the Sheffield interchange. However, this section fails to include patterns of lifestyle, where amenities are located, the distance to these facilities from the proposed development and the traffic generated as a result. Please address this.</p>		<p>The TIA was based on the manual developed by the National Department of Transport titled Manual for Traffic Impact Studies (RR93/635) which states that the road network must be analysed for the typical AM and PM peak hours only for this particular type of development scheme. In accordance with this manual, the focus of this TIA was the typical peak hours and not the off-peak periods of the day or week when the so called “lifestyle trips” are made to places.</p>
<p>Recommendations made in the TIA is limited to the proposed Sheffield interchange which is unacceptable, as there are various other factors that will contribute to the generation of traffic that has not been identified and that the construction of the Sheffield interchange will not resolve.</p>		<p>The trip generation rates used in this TIA for the proposed development scheme has been directly extracted from the Manual for Traffic Impact Studies (RR93/635) mentioned above. This TIA has been approved by the KZN Department of Transport (refer to Appendix H) who have raised no objection to the trip generation rates and the methodology used in the TIA since these calculations</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
		<p>were undertaken strictly in accordance with the above mentioned manual.</p> <p>In addition, Aurecon has subsequently analysed the traffic volumes that will be generated by the construction phase of this project. This analysis revealed that the constructional traffic will not have any detrimental or negative impact on the road network.</p> <p>The analyses of the construction traffic and findings thereof have been encapsulated in <i>Technical Note 1: Analysis of the Construction Traffic for the Tinley Manor Southbanks Development</i>.</p>
<p>Interventions must be detailed for the following areas:</p> <ul style="list-style-type: none"> a) P228; b) Salt Rock Road (P330) and the P228 intersection; c) Hard surfacing and upgrading of the identified roads; d) New Sheffield Interchange. 		<p>The phasing of the Tinley Manor Southbanks Development, along with the traffic generated by the surrounding major proposed developments has been taken into account to develop a proposed phasing plan to upgrade the external road network in the 5 year development scenario, the 10 year development scenario and the 20 year development scenario.</p> <p>The summary of this phasing plan has been provided in <i>Technical Note 3: Proposed Phasing Plan for the Upgrade of the External Road Network for the Tinley Manor Southbanks Development</i>.</p>
<p>The Tinley Manor South Sank Development Site Development Plan, dated February 2016, prepared by The Markewicz Redman Partnership, Urban Planners and designers, has reference. Page 15 of the report under 4.3.3 Services and Infrastructure, this section speaks of the reuse of greywater for irrigation purposed within the proposed development. There have been no details regarding this presented in the EIAR. If reuse of greywater is an option for implementing in the development, all details related to this must be provided in the EIR.</p>		<p>This section has been amended and the reference to greywater removed.</p> <p>All proposals relating to provision and use of water are now contained within the Engineering Services Report (Appendix C11) and presented in the amended EIAR Section Error! Reference source not found.</p>
<p>Page 22 of the report contains incorrect information; the N2 is the national highway in proximity of the site not the N3.</p>		<p>All incorrect references to “N3” have been removed and replaced with “N2”.</p>
<p>This study does not have conclusions or any references, it is assumed that the report is therefore incomplete. The report must be completed and submitted to this Department.</p>		<p>Conclusions, recommendations and references have been added.</p>
<p>Kindly provide a phasing plan for the entire development. Such plan</p>		<p>A Phasing Plan is provided in Sections Error! Reference source not</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
must clearly depict the various phases, the timing of such phases and the bulk service requirements for each phase.		<i>found. and Error! Reference source not found. and in the Engineering Services Report (Appendix C11) as well as in Appendix F.</i>
The above mentioned report received on 25 February 2016 and the additional information received on 07 April 2016 has reference.		Noted.

2 Comments, Questions, Concerns raised by KwaDukuza Municipality

ISSUE/COMMENT	RAISED BY	RESPONSE
2.1 Comment on Environmental Scoping Report		
The department has viewed the draft Environmental Scoping Report and noted activities to be undertaken and identification of environmental issues to be assessed. The department has no objections with the application. We are looking forward to receiving the Environmental Impact Report with specialist's studies and information.	Hazel Dlamini, KwaDukuza Municipality Date – 07/11/2011	The comment is noted. The draft EIR will be sent to the KwaDukuza Municipality for additional comment.
2.2 Comment on Environmental Impact Assessment Report		
Comments not received from KwaDukuza Municipality despite numerous attempts to obtain these.		

3 Comments, Questions, Concerns raised by Ilembe Municipality

ISSUE/COMMENT	RAISED BY	RESPONSE
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ISSUE/COMMENT	RAISED BY	RESPONSE
3.1 Comment on Environmental Impact Assessment Report		
<p>Based on the assessment of the draft EIR submitted, this Municipality does not have any objection to the proposed activity, subject to the following:</p> <ul style="list-style-type: none"> - The proposed layout should attempt to incorporate all natural features and pockets of indigenous vegetation occurring on site in the form of the open space system. The open space plan should attempt to protect and enhance the ability of the ecological features on site in order to continue to provide the ecological services and to regenerate ecological function of the site from within the site and beyond. Furthermore, the open space plan should incorporate all the seepage areas and should allow for the movement of species within and beyond the site. - The Integrated Coastal Management Act, compels Municipalities to develop the Estuary Management Plans for all estuaries. Umhlali Estuary occurs on the proposed site and this estuary is one of the core estuarine systems to be protected accordingly. The proposed development should allow for the development of estuarine management plan and this plan will be managed by the KwaDukuza Municipality. - In light with the abovementioned, a development coastal setback line must be indicated for the proposed development in order to achieve the objectives of the iLembe Environmental Management Framework. - An alien invasive species eradication plan should be developed to deal with alien plant species on site. - Should there be a need for the removal, relocation or pruning of any protected plants species to accommodate the proposed development an approval to do so must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) prior to the implementation of such activity. 	<p>Ilembe Municipality Date – 17/06/2015</p>	<p>The environmental assets on the site formed the basis of the planning of the site with due consideration afforded to these features. Only where absolutely unavoidable (such as with linear infrastructure such as roads), will environmental features be impacted on. A Wetland and Open Space Rehabilitation Plan will be compiled as part of the Water Use Licence Application (WULA).</p> <p>The development of an Estuary Management Plan is the responsibility of the Municipality and not the Private Developer. However, the Developer is willing to engage with the Municipality on a potential Public-Private Partnership for the long-term management of the Estuary.</p> <p>Coastal risk and potential sea level rise has been assessed and a coastal development set-back incorporated into the design applying the currently accepted draft methodology.</p> <p>A plan to remove alien invasive species will form part of the long-term Wetland and Open Space Rehabilitation Plan to be compiled as part of the WULA.</p> <p>Noted. The appropriate licences/permits will be obtained prior to the removal of indigenous vegetation or protected trees.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<ul style="list-style-type: none"> - Taking into consideration, the topography of the site and agricultural practises, the proposed site has a potential for soil erosion. Therefore, soil erosion controlling methods must be developed by the applicant to deal with soil erosion. In addition, the developer must develop plans to deal with the siltation that has already occurred and taking place on site. - The developer is encouraged to implement the objectives of Waste Management Act, 2008 (of waste minimisation, reuse and avoidance). This must be included in the Environmental Management Programme (EMPr) to be submitted to the Department. - It is not clear whether, there are communities currently accessing the coastal property via the proposed site. Should the area be used by communities to access the coastal area, the developer should consider creating a public coastal access for the local people. - To deal with the graves found on site, the family members and the Amafa must be consulted prior to commencement of any activity on site, including site preparation. - A rehabilitation plan, aiming at rehabilitating the critical natural features on site must be developed and included as part of the EMPr. This plan should take into consideration the recommendations of the Draft Environmental Impact Assessment Report and the specialist studies undertaken for the development. - Alternative means of energy should be explored for the proposed development. 		<p>An erosion control and sedimentation plan is included as part of the EMPr.</p> <p>The draft EMPr has been submitted to the Municipality for review and comment which outlines the waste hierarchy and measures to promote the reuse of waste, where appropriate.</p> <p>Currently no communities access the coast over the privately owned agricultural land. Coastal access is being facilitated with this application. There will be beach access from the public amenity resort node as described in the EIR.</p> <p>Noted.</p> <p>Wetland and Open Space Rehabilitation Plan will be compiled as part of the Water Use Licence Application (WULA).</p> <p>The primary source for electricity supplied by KwaDukuza Electricity (purchased from Eskom) will not change in the foreseeable future, however greater emphasis will be placed on reducing the reliance on this primary source via demand side management, where the use of solar and PV panels will be encouraged and where economical and unobtrusive mini wind generation turbines. Emphasis will also be placed on LED lighting and other forms of energy saving devices. The developer will prescribe the use of solar heating panels and other energy efficient methods of building</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>It will be the responsibility of the developer to make sure that the proposed development complies with all other planning tools applicable to the proposed site including any other legislation, applicable in the undertaking of proposed development.</p>		<p>- minimum standards will be included in the sale agreement</p> <p>The comment is noted.</p>

4 Comments, Questions, Concerns raised by Department of Water and Sanitation

ISSUE/COMMENT	RAISED BY	RESPONSE
4.1 Comment on Background Information Document		
<p>Management of solid waste generated during the construction phase and post construction phase needs to be addressed.</p>	<p>Department of Water and Sanitation Date – 31/10/2011</p>	<p>Noted. Detailed specialist studies and planning will be done in the EIA phase. Furthermore, waste management will be addressed in the EMPr which will be compiled during the EIA phase.</p>
<p>Management of any hazardous waste material generated pre- and post-construction needs to be addressed.</p>		<p>Noted. Detailed specialist studies and planning will be done in the EIA phase. Furthermore, waste management will be addressed in the EMPr which will be compiled during the EIA phase.</p>
<p>Identification of any environmental sensitive areas and water resources such as wetlands, streams, rivers, etc. as well as possible pollution impacts and mitigation measures of such water resources needs to be addressed.</p>		<p>The comment is noted. Detailed specialist studies and planning will be done in the EIA phase and the requested plans/ specialist studies will be addressed at this stage. Furthermore, these issues will also be addressed in the EMPr which will be compiled during the EIA phase.</p>
<p>Stormwater management plan/system including the preventions of erosion and sedimentations needs to be addressed.</p>		<p>The comment is noted. A stormwater management plan will be compiled during the EIA phase and presented as part of the EMPr.</p>
<p>Sewage treatment and disposal i.e. wastewater management needs to</p>		<p>Noted. Detailed specialist studies and planning will be done in the</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
be addressed. This should also include the type of toilet facilities to be provided for construction workers.		EIA phase. Furthermore, sewage and ablutions will be addressed in the EMPr which will be compiled during the EIA phase.
Spill contingency plans needs to be addressed.		The comment is noted. A spill contingency plan will be compiled during the EIA phase and presented as part of the EMPr.
Environmental Management Plan needs to be addressed.		An EMPr will be compiled during the EIA phase.
Geo-hydrological Investigation needs to be addressed.		Geotechnical investigations will be done during the EIA phase. It is not expected that detailed geohydrological investigations will be required for the nature of this development.
The removal of any indigenous tree needs to be authorised by DAFF.		The comment is noted. Should the vegetation assessment identify any indigenous trees or vegetation that require a permit/licence prior to removal, these will be obtained.
Mr Norman Ward from the Water Resources Management Section of this Department must be contacted in order to obtain the necessary authorization (licence, etc.) should there be any alteration to the bed, banks, course or characteristics of a watercourse or any impedance of diversion of flow of a water course as well as any abstraction and/or storage of water.		The comment is noted. It is expected that a Water Use Licence Application (WULA) will be required for the proposed project and the Department of Water and Sanitation (DWS) will be engaged with to confirm the specific requirements of this submission.
Please note that according to this Department's guidelines entitles "A practical field procedure for identification and delineation of wetlands and riparian areas." (DAAF, 2005), there must be 20 meter buffer from the edge of the temporary wet zone of the wetland to the edge of any structural development.		Cognisance will be taken of this during the detailed planning of the site.
4.2 Comment on Environmental Scoping Report		
Alternative types of sewage treatment and disposal options must be identified, investigated and evaluated. The Best Practical Environmental Option (BPEO) must then be determined.	Department of Water and Sanitation Date – 08/12/2011	Noted. This will be considered in the planning. It is noted that there is presently an underutilised existing Sewer Treatment Works adjacent to the development which can accommodate sewage.
Such a system must not result in the creation of any unacceptable health hazards or pose a problem to the environment (includes surface and groundwater). Prevention of contamination of any water source is important and requires attention by the relevant specialist.		Noted. Detailed specialist studies and planning will be done in the EIA phase. Furthermore, appropriate mitigation will be addressed in the EMPr which will be compiled during the EIA phase.
A full Geotechnical report needs to be conducted.		Noted. This will be done during the EIA Phase.

ISSUE/COMMENT	RAISED BY	RESPONSE
Stormwater management plan/system including the prevention of erosion and sedimentation.		The comment is noted. A stormwater management plan will be compiled during the EIA phase and presented as part of the EMPr.
An Environmental Management Plan needs to be drawn.		An EMPr will be compiled during the EIA phase.
All wetlands must be delineated according to this Department's guideline entitled "A practical field procedure for identification and delineation of wetlands and riparian areas." (DWAF, 2005). Please note that no development should occur within the wetland and its associated buffer.		A Wetland Assessment will be done during the EIA Phase. Cognisance will be taken of this during the detailed planning of the site.
Information regarding 1:100 year floodlines. This must be clearly demarcated on a map.		Comment is noted.
A comprehensive layout showing the following: - Position of the development in relation to the wetlands and other water courses in the vicinity of the site with flood lines clearly demarcated. - The various hydromorphic zones and their associated buffers.		Comment is noted. This will be presented during the EIA Phase.
Spill contingency plans for the construction phase of the project.		The comment is noted. A spill contingency plan will be compiled during the EIA phase and presented as part of the EMPr.
Management of any hazardous/contaminated waste material.		Noted. Detailed specialist studies and planning will be done in the EIA phase. Furthermore, waste management will be addressed in the EMPr which will be compiled during the EIA phase.
All specialist studies must take into account the potential cumulative impact of the proposed development and surrounding development on the environment.		The comment is noted. Specialist studies will be done during the EIA Phase and cumulative impacts on the estuary will be assessed as part of these studies.
4.3 Comment on Environmental Impact Assessment Report		
No comment received despite numerous attempts to obtain these.		

5 Comments, Questions, Concerns raised by Department of Agriculture

ISSUE/COMMENT	RAISED BY	RESPONSE
5.1 Comment on Environmental Scoping Report		
<p>By assessing this property on its own merit, the provincial Department of Agriculture, Environmental Affairs and Rural Development: Land Use Regulatory Component would like to object to the proposed development for the reasons outlined as follows:</p> <ul style="list-style-type: none"> - The land in question is 480 hectares which is significantly large agricultural land from being converted to non-agricultural activities. - The area that is planted with sugarcane is 331 hectares and that means the farm constitutes a viable agricultural unit. - The soils that are found in the farm are sandy soils along the beach side corridor and red soils on the opposite side, and the sugarcane that is produced in these soils is in a very good condition since it is well maintained. - Since the farm has no irrigation system available for sugarcane production it relies on rainfall which is the moderate limiting factor for agricultural production but the climatic conditions are considered favourable due to optimum rainfall and cool temperatures and it can permit good yields for a wide range of adapted crops throughout the year. - The land in question is characterised by moderate to high steep sloping terrain with an average gradient of more than 30 percent which is not an ideal slope for agricultural operation but is suitable for sugarcane production. - The proposed property yielding an average between 50 to 60 tons cane per hectare which at present sugar prices gives a miller excellent margins. - The development of this farm may result in fragmentation of agricultural land. It may encourage other farms to also develop their farms which may affect the restring of agricultural land from being utilised for non-agricultural purposes. 	<p>Department of Agriculture, Environmental Affairs and Rural Development: Land Use Regulatory Component Date - 05.12.2011</p>	<p>A detailed Agricultural Potential Assessment was conducted for the site and the findings can be found in the ESR. In summation, the study found that most of the existing sugarcane fields can function as economically viable production units for the medium term, provided high standards of management are maintained. However, the assessment indicates that the soils on the site present some agronomic challenges. In the medium to long term, sugarcane farming will become progressively less viable, even when considering milling margins. Furthermore, the estate does not have access to irrigation water, nor is there any likelihood of new irrigation permits being issued. Due to slope, permeability and soil shallowness, these estates cannot make full use of the abundant rain experienced. Therefore, the class of land is subject to severe cultivation restrictions. In view of the high predominance of low quality soils together with no irrigation water, the long term economic viability of the North Coast Corridor as sugarcane producing units is questionable. This will however be further addressed in the EIA Phase.</p> <p>It is also noted that large sections of sandy soils are exposed where no sugarcane is able to grow.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
5.2 Comment on Environmental Impact Assessment Report		
The property descriptions do not match the information on the 2014 SG cadastral dataset.	Department of Agriculture,	The comment is noted and property descriptions will be updated.

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>In so far as the report providing general information to this department against which decision of the agricultural potential and suitability of the property can be made, the Agricultural Potential Assessment is considered to fall short in the following areas:</p> <ul style="list-style-type: none"> - Soil survey data showing: Soil form, family, clay content and effective rooting depth, with survey observation points taken at the correct intensity and used to calculate land capability and agricultural land potential. - Soil maps showing survey sites and soil form, land capability and land potential mapping units; - Please refer to this department's 'Natural Resources Survey Specifications' guideline document attached, for details on survey methodology and further specification of our requirements. <p>As per our guideline document the survey must be undertaken and signed off by a registered professional scientist. (SACNASP Registration, number and surveyor details must be provided with the complete report). Failure to do so will result in the report not being acknowledged.</p>	<p>Environmental Affairs and Rural Development: Land Use Regulatory Component Date - 29.05.2015</p>	<p>The report provided in the draft EIR was conducted in 2010. A more recent Agricultural Potential Assessment has been undertaken which complies with these requirements and will be included in the final EIR. This report has been sent to your Department for additional comment (see comment below).</p>
<p>The following concerns relate to the application in terms of consideration of KwaZulu-Natal Policy Guidelines and Principles for the evaluation of applications for the subdivision of agricultural land:</p> <ul style="list-style-type: none"> - The fragmentation of land currently under single ownership which combined makes up a viable farming entity. - The proposed development will impact on agricultural land by setting precedence on the surrounding farms which are mainly producing sugar cane. - According to the KZN Agricultural Land Potential Categories Dataset (2015), these properties comprise land categorized as THREATENED, and regarded as high potential agricultural land. The use of this land for any purpose other than agriculture which would constitute a significant loss of high potential agricultural land 		<p>The landholdings is situated within the primary growth and development corridor of the Province as well as within the KwaDukuza Municipality's Spatial Development Framework as being residential in nature for development in the medium term.</p> <p>The comment that this would set a precedent for the surrounding farms is not valid as the site is surrounded by land that has development rights already in place – namely Seaton Delaval, Brettonwoods, Zululami and Palm Lakes.</p> <p>The land's location within the context of increasing urbanisation and need to provide for housing, economic and employment opportunities together with its prime location on the ocean dictates that there are more optimal and more needed uses to which the land should be put.</p> <p>It is further noted that since 2009/10, Tongaat Hulett has facilitated</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
		<p>the planting of over 38 000 hectares of unproductive land back to agriculture and is targeting a further 30 000 hectares over the next 4 years.</p> <p>Any 'loss' of Tongaat Hulett owned agricultural land is therefore insignificant in this context and it is submitted that there is no actual societal 'loss' but actually a substantial societal 'gain' with the provision of substantial new employment, substantial new rates and taxes together with new housing, tourist and environmental uses and activities.</p>
<p>Please be advised that the Provincial Department of Agriculture and Rural Development: Macro Planning: Land Use Regulatory Unit, objects to the proposed application and does not recommend granting environmental authorisation for the proposed project and will not support the release the land from agriculture.</p>		<p>Noted. This is understandable given the Department's mandate but this is merely an example of a silo'd government system that is lacking overarching strategic leadership and alignment around key objectives and what it is the best interests of the province.</p>
<p>The following comments and subsequent recommendations are guided by the Subdivision of Agricultural Land Act (SALA) No.70 of 1970 and Conservation of Agricultural Resources Act (CARA) No. 43 of 1983, and are based on documents provided by the applicant (in particular the Mottram and Associates Agricultural potential study report) to the Land Use regulatory Unit of the KZN Department of Agriculture and Rural Development.</p> <ul style="list-style-type: none"> - The Agricultural potential study report makes references to the KwaDukuza Municipality SDF, however, it does not specify the year in which the SDF was compiled and adopted by the Municipal council. It is therefore not possible to trace the source of the map presented in the report. The 2012 SDF of KwaDukuza Municipality, which was adopted and submitted to COGTA in July 2014, which would be the most relevant SDF, given that the Agricultural potential report was compiled in 2012,do not have a map similar to the one presented in figure 1of the report. - The Agricultural Potential study report has been compiled by a scientist who is not registered with the South African Council of 	<p>Department of Agriculture, Environmental Affairs and Rural Development: Land Use Regulatory Component Date - 29.06.2015</p>	<p>The Department of Agriculture has granted approval for the development in terms of Act 70 of 1970 of the Agricultural Land Act on the 21st August 2015 in which the Department states that they have no objection to the proposed development. The approval is attached to this report.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>Natural Scientific Professions (SACNSP) and it is not signed. It is the department's requirement that a registered specialist compile an agricultural potential study.</p> <ul style="list-style-type: none"> - The inclusion of sections 1.5 to 1.8 and 1.10, which have no bearing on the quality of agricultural resources in the affected properties and are by implications irrelevant to the objectives of the Agricultural Potential Study, can only suggest a biased view on the part of the consultant. - Section 1.4 gives a mean annual yield estimate of between 30 and 60 t/h over 8 years. However, the data records provided dating from 2004 to 2011, indicate that the lowest mean annual yield per hectare was 48 tonnes in 2010 and the highest mean annual yield was 71.5 tonnes in 2011. This incorrect estimation by the specialist seeks to create false perception that the productivity of the affected properties has deteriorated over time. - The claim that the Department of Water and Sanitation is unlikely to issue a water use licence is not by a proof of a previous attempted by the applicant to secure water use license. It is therefore unacceptable to list water as a limitation while no attempts were made to make water available - The application is for the subdivision of 480 ha of which 330 ha is under dryland sugarcane production. It is highly unlikely, if not impossible, for over 330 ha of agricultural land to have only one soil series (Clansthal) on such a landscape. - There is no soil map with sampling points and/or coordinates, which could be used to confirm the findings of this Agricultural Potential Study. - All figures in the report appears to have been copied or scanned from other documents and are of a general nature and are not specific to this study or the properties in question - Chapter 4 of the report indicates that crops are harvested within six months instead of the 14- 16 month, which implies that the 		

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>growth time has a significant impact on the poor yields reported. Please be advised that the Provincial Department of Agriculture and Rural Development: Land Use Regulatory Unit strongly objects to the subdivision of all the Properties that constitutes Tinley Manor North South.</p>		

6 Comments, Questions, Concerns raised by Department of Forestry and Fisheries

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>6.1 Comment on Environmental Scoping Report</p>		
<p>DAFF has got no objections with this development, however, do have the following recommendations:</p> <ul style="list-style-type: none"> - Coastal dune forest should be clearly demarcated and 50 m buffer should be maintained between the area to be developed and the coastal dune forest. - All natural forests and protected trees found in the developed area should not be disturbed, and 30 m buffer should be maintained between the area to be developed ad natural forests. - Alien invasive control plan should be in place. 	<p>Department of Agriculture, Forestry and Fisheries Date - 22.11.2011</p>	<p>Noted. The recommendations will be considered and incorporated into the EMPr where possible. A 50 m buffer in this case is however considered extreme and unnecessary as a 40 m buffer is deemed to be acceptable by the vegetation specialist.</p>
<p>6.2 Comment on Environmental Impact Assessment Report</p>		

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>The Department of Agriculture, Forestry and Fisheries (DAFF) appreciates the opportunity given to review and comment on the Draft EIR for the above mentioned development.</p> <p>With regards to the document received on the 27th March 2015 majority of the vegetation on the site comprise of sugarcane fields. Areas where sugarcane was previously planted and now uncultivated are currently dominated by indigenous pioneer species and alien invasive plants. However the remaining vegetation of significance is confined to the wetland areas on the site, steep slopes and primary dune area. These areas include the presence of Primary Dune and Coastal Dune Scrub/ Forests and protected trees in terms of the National Forests (NFA), 1998 (Act No.84 of 1998).</p> <p>The department reiterate and emphasis the comments previously issued for the draft scoping report dated 22nd November 2011 which stated that:</p> <ul style="list-style-type: none"> - Coastal dune forest should be clearly demarcated and 50 m buffer should be maintained between the area to be developed and the coastal dune forest. - All natural forests and protected trees found in the developed area should not be disturbed, and 30 m buffer should be maintained between the area to be developed and natural forest. 	<p>Department of Agriculture, Forestry and Fisheries Date - 19.05.2015</p>	<p>The comment is noted. The recommendations have been incorporated into the EMPr where possible.</p>
<p>In addition DAFF further recommends the following:</p> <ul style="list-style-type: none"> - The condition of the natural forests within the site should be improved by removing all alien invasive plants and by planting indigenous trees which are endemic to the area. - A conservation plan should be compiled by a botanist and submitted to the Department for review and approval. - The Body Corporate should appoint a botanical specialist to monitor the natural forests annually, make management recommendations and forward the reports to DAFF. - Upon the conclusion of any construction phase that has been undertaken, a rehabilitation initiative must be undertaken by an 		<p>Where appropriate, alien invasive species will be removed and open space areas rehabilitated as per the requirements of the Wetland and Open Space Rehabilitation Plan which is to be compiled as part of the WULA. The conservation requirements will be addressed as part of this plan.</p> <p>THD will appoint a Botanist as part of the Wetland Rehabilitation process and will be incorporated into the EMPr. Some of the responsibilities of the Body Corporate will be to manage the Open Space System, which includes the monitoring of vegetation in the Wetlands and the forests housed within the open space system.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>appointed landscaper/horticulturist and only indigenous vegetation should be planted.</p> <ul style="list-style-type: none"> - An Environmental Control Officer (ECO) should be present on site during all phases of construction, compile and forward reports to DAFF. - The Environmental Management Programme for this development should strictly be adhered to. 		<p>The comment is noted. Open space areas will be rehabilitated as per the requirements of the Wetland and Open Space Rehabilitation Plan which is to be compiled as part of the WULA.</p> <p>An ECO will be appointed and will compiled monthly ECO reports.</p> <p>The requirement is noted.</p>
<p>Following the telephonic discussions with the vegetation specialist (Dr. R. G. Kinvig) the Department is content to reduce the buffer zone from 50 m to 40 m between the development area and the coastal forest. This letter does not exempt you from considering other environmental legislation.</p>	<p>Department of Agriculture, Forestry & Fisheries Date – 04 July 2016</p>	<p>The comment is noted with thanks. The 40 m buffer to the Coastal Dune Forest will be respected.</p>

7 Comments, Questions, Concerns raised by Department of Transport

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>7.1 Comment on Environmental Scoping Report</p>		
<p>The Minister as the Controlling Authority as defined in the KwaZulu-Natal Roads Act No. 4 of 2001, has in terms of section 21 of the said Act, no objection to the proposed development subject to the following:</p> <ul style="list-style-type: none"> - In order for this Department to assess the application the following must in terms of the KwaZulu-Natal Provincial Roads Act No 4 of 2001 (Roads Act) be observed and indicated on: <ul style="list-style-type: none"> - a detailed to-scale development plan and - traffic impact assessment (TIA) submitted to this department for assessment and comment - the TIA must include the accumulative impact of all existing and approval development application on Main Road 228 from the Main Road 330 and Main Road 474 intersection through to the Main Road 228 and Main Road 467 intersection. 	<p>Department of Transport Date - 13.12.2011</p>	<p>Noted. A detailed TIA is planned for the EIA phase and will be undertaken. The TIA will be sent to the SANRAL for comment. See comments on the EIR.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>- As it is indicated that the potential for an interchange being developed at the Main Road 228 crossing over the N2. The comment from SANRAL are to be submitted to this office for assessment and comment.</p>		
<p>7.2 Comment on Environmental Impact Assessment Report</p>		
<p>No comment received from the DoT to date despite numerous attempts to obtain comments.</p>		
<p>7.3 Comment on the Amended Environmental Impact Assessment Report</p>		
<p>1. With reference to your Traffic Impact Assessment Report (TIA) Reference No.108498 dated 30 August 2016 and prepared by Aurecon Consulting Engineers for the abovementioned proposed TINLEY MANOR SOUTHBANKS DEVELOPMENT, I have to inform you that the Minister as the Controlling Authority as defined in the Kwazulu-Natal Roads Act No. 4 of 2001, has in terms of the said Act, no objection in principle to the proposed development and the proposals recommended in the TIA.</p> <p>2. The proposed development of TINLEY MANOR SOUTHBANKS DEVELOPMENT may proceed in terms of the Spatial Planning and Land Use Management Act No 16 of 2013 read with chapter 4 of the Kwadukuza Municipality Spatial Planning and Land Use Management By-laws.). However, prior to any development taking place, in terms of sections 20 and 21 of the Kwazulu-Natal Provincial Road Act No. 4 of 2001 detailed to-scale site development plans for the Technical College adhering to the following requirements are to be submitted for assessment and comment.</p> <p>2.1 In terms of section 13 of the Kwazulu-Natal Provincial Roads Act No. 4 of 2001, no buildings or any structures whatsoever, other than a fence, hedge or a wall which does not rise higher than 2,1 meters above or below the surface of the land on which it stands, shall be erected on the land within a distance of 15 meters measured from the road reserve boundary of Main Road 228.</p> <p>2.2 No service road or parking as required in the KwaDukuza Town Planning Scheme shall be erected on the land within a distance of 7,5 meters measured from the road reserve boundary of Main</p>	<p>Department of Transport, Date – 05.12.2016</p>	<p><i>Response from Aurecon (Traffic Engineers via letter):</i> Please see below our response to your letter for the above mentioned development Transport dated 5 December 2016. For ease of reference, we have numbered the responses in the same numerical order used in your letter.</p> <p>1. Thank you very much for approving the above mentioned development. Your favourable consideration in this regard is greatly appreciated.</p> <p>2. As requested, detailed plans for the Technical College that adhere to the conditions stipulates to paragraphs 2.1, 2.2, 2.3 and 2.4 in your letter will be submitted to the Department prior to commencing with any work on the site.</p> <p>3.1. The TIA was submitted to SANRAL for approval and we are awaiting a response from them. As a full interchange in the Sheffield Area formed part of the SANRAL's approval for the Seaton Deleval development, therefore it is envisaged that SANRAL will be still amenable to a new interchange in the Sheffield Beach area. Aurecon had a meeting with SANRAL late last year where approval in principle was given to Aurecon for the new interchange. We eagerly await their written comment.</p> <p>3.2.1 As requested by yourselves, the traffic generated by Blue Gum Estate development has now been included in the analysis, based on the TIA that was obtained from AF Planning. This TIA revealed that the Blue Gum Estate development will generate 204 two-way trips in the AM peak hour and 204 two- way trips in the PM peak</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>Road 228.</p> <p>2.3 The road reserve boundary of Main Road 228 shall be determined in consultation with this Departments Road Information Services, Head Office (Tel: 033-355 8600).</p> <p>2.4 The applicant's attention is drawn to the relevant stormwater clause contained in section 12 of the Kwazulu-Natal Provincial Roads Act No. 4 of 2001 and section 5 of the Roads Regulations, wherein it is advised that the disposal of stormwater emanating from the road reserve through the layout, or any stormwater emanating from the layout through the road reserve, shall be indicated on a detailed to-scale site development plan which is to be submitted to this Department for assessment and comments. The implementation of stormwater disposal, shall be undertaken in consultation with and to the satisfaction of his Departments Cost Centre Manager, KwaDukuza (Telephone: 032-4373800) during the development of the property concerned.</p> <p>3. On assessing the (TIA) there are a number of questions and matters that need to be investigated and included in the report.</p> <p>3.1 The first major factor that needs to be addressed is whether SANRAL would agree to a full Interchange at this location. Bearing in mind that the spacing between Salt Rock Interchange and the proposed Sheffield Interchange is approximately 2,6km apart, and the distance between the proposed Sheffield Interchange and the Tinley Manor Interchange is 5km. The report does not indicate approval from SANRAL; first and foremost this needs to be confirmed. If SANRAL do not give approval for the Interchange, the TIA will have to be withdrawn and reviewed taking into account the Salt Rock and Tinley Manor Interchanges.</p> <p>3.2 The report factors in the developments of Seaton Delaval, Nkwazi (now Springfield Estate) and Palm Lakes. It is this Departments view that the following factors should also be considered.</p> <p>3.2.1 No mention is made of the Blue Gum Estate development. It is this Departments view that this development should also be</p>		<p>hour. These additional trips were then modelled in AIMSUN which revealed that these additional trips will have no impact on the surrounding road network. The model for the proposed Sheffield interchange reveals the road network will operate at acceptable levels of service despite the inclusion of the traffic from the Blue Gum estate.</p> <p>3.2.2. As requested, the new TIA for Nkwazi (now Springvale Estate) was obtained from AF Planning and was compared to the old TIA for this development. The comparison showed that the previous TIA consisted of 1750 residential units, 7490m² of commercial and a 600 pupil primary school. As such, the old development scheme yielded a total trip generation of 1786 two-way trips in the AM peak hour and 1821 two way trips in the PM peak hour.</p> <p>The development scheme in new the TIA for the Springvale Estate only consists of a mere 110 residential units which only generate a paltry volume of a 110 two-way trips in each peak hour. The generated traffic volumes for the AM and PM peak hours will decrease by 1 676 two-way trips and 1 711 two-way trips respectively. This reduction of trips by the Springvale Estate will certainly improve the envisaged LOS on the overall road network in the future planning horizons. Furthermore, this huge reduction in trips from the Springvale Estate will certainly negate the impact of any slight increases in traffic by the other developments.</p> <p>The AIMSUN model for the proposed Sheffield Beach interchange confirmed that the surrounding road network will operate more efficiently with the reduced traffic volumes from the Springvale Estate. Since we analysed much higher traffic volumes on the overall road network, as a result of us using the old TIA for the Springvale Development, we are confident that our recommended road network improvements will suffice for the new generated traffic volumes for the study area which are significantly lower than the volumes analysed in our TIA for the Tinley Southbanks Development.</p> <p>3.2.3. According to the management of the Avon Peaking Plant, a maximum of 3 to 4 trucks a day deliver fuel to the plant which equates to less than 1 vehicle per hour and therefore this traffic from the Avon Peaking Plant which may opt to use the new interchange will have a negligible impact on the surrounding road network.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>factored into the report. The initial application in 2008 was for 26 Residential Units. An amended application has been made for 97 Single Residential Units, 48 Medium Density Housing Units, A Club House Facility and a Mixed Use Development Erf.</p> <p>3.2.2 Nkwazi Estate, now Springvale Estate, has a reduced number of single Erven. It is recommended that an approach to AF Planning and NDA consulting Engineers is made to obtain these development details.</p> <p>3.2.3 Another aspect of traffic which must be considered is the delivery of fuel to the Avon Peaking Power Plant situate on Main Road 103-1 where at present delivery trucks are travelling on Main Road 467 via the Tinley Manor Interchange. This will change once the proposed Sheffield Interchange is constructed as there was a request by the developers of the Plant to use the Sheffield I/C during the discussions regarding Seaton Delaval and Power Plant applications.</p> <p>3.2.4 In chapter 8 referring to Traffic Generation, no mention is made of traffic generated by the quarry on Main Road 228 which at present uses Main Road 467 and the potential traffic that will use Main Road 228 taking children to the Trinity House School at Palm Lakes.</p> <p>4. The diagrams for the intersection of Main Roads 228 and 474 in Chapters 6.3.4; 8.7.4 and 10.6.2 does not show through movement but rather a right turn movement into Melinda Lane. It is the intention of the Department that within its planning for the upgrade of the intersection to relocate the intersection approximately 70 meters to the north so as to form a T-junction.</p> <p>5. In view of the potential of this traffic on Main Road 228 there is a concern that the structure over the Mhlali River at the intersection of Main Roads 228 and 467 would not be able to sustain the impact of the traffic envisaged. This would need to be determined in consultation with the Departments Bridge Component. It is also this Departments view that Main Road 228 from the proposed Sheffield I/C through to its intersection with Main Road 467 should be upgraded to 4 lanes, 2 in each direction, and not only up to the proposed Technical College</p> <p>6. In response to the conclusion to the sharing of costs, it is not the norm for</p>		<p>Furthermore, these deliveries are made during the off-peak hours and therefore will have no impact on the peak hour traffic conditions. As such, it can safely stated these fuel trucks will not have any major impact on the traffic operations on the proposed Sheffield interchange.</p> <p>3.2.4. The Quarry is currently served by 2 access roads. One access road is on the P228. The quarry traffic from this access uses the P228 and P467. The other access road is off the R102. It is evident from the traffic counts undertaken at the P228/P467 intersection that the hourly volumes of heavy traffic using P228 is very low i.e. during the AM peak hour there are only 19 heavy vehicles entering P228 from P467 and only 15 heavy vehicles were observed exiting from P228 onto P467. Similarly, during the PM peak hour only 15 heavy vehicles were observed entering P228 from P467 and only 11 heavy vehicles were observed exiting from P228 onto P467. These low traffic volumes will have a negligible impact on the traffic operations on P228.</p> <p>Aurecon was involved in the development of the Trinity Palms School at the Palm Lakes development. As such, we are aware that the target market for this school is largely focused on the residents of the Palm Lakes development therefore majority of the trips to and from the school will be internal trips. Furthermore, given the long distance of this school away from other developments it is highly unlikely that the students will walk to school therefore the impact of the existing heavy vehicle traffic will be minimal on scholars in the area.</p> <p>4. Duly noted. Once the Department has completed the design for the upgrade of this intersection, please kindly forward the design to Aurecon such that our plans can be amended accordingly.</p> <p>5. As mentioned in 3.2.4, there will be a significant reduction in the traffic volumes that will be generated by the Springvale development onto P228. Therefore, there is no need to upgrade P228 to a 4 lane, 2 way road in the 20 year horizon on the section between the proposed Technical College and the P467.</p> <p>6. The heavy vehicles travelling to and from the quarry currently use this bridge and since there has been no reported structural integrity problems with this bridge, it is safe to assume that this bridge will suffice in the future.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>the Department to share in the upgrading of road infrastructure due to the development of residential Estates. These costs are generally borne by arrangement between the Developers and Municipality agreements. In the planning, design and the cost of the Road Infrastructure upgrades, the question of assistance from the Department can be requested but it may not be supported.</p> <p>7. Accordingly upon Municipal approval of the application of all Provincial Road upgrade designs and construction upgrades shall be undertaken in consultation with and to the satisfaction of the Departments Road and Bridge Design Components.</p> <p>8. As the property concerned is also affected by National Route 2-27, the matter must, in terms of the National Roads Act No.7 of 1998, be referred, by you, to the regional Manager Kwa-Zulu Natal, South African National Roads Agency Limited, P.O. Box 100410, Scottsville, 3209, for his consideration and recommendations and from whom you shall receive a reply in due course.</p> <p>9. All costs incurred, as a result of these requirements shall be borne entirely by the developer.</p> <p>10. This correspondence does not grant authorization or exemption from compliance with any other relevant and applicable legislation.</p> <p>11. In terms of section 22 of the Kwazulu-Natal Provincial Roads Act No. 4 of 2001 this approval is granted for a period of 18 months. Any amendment, rescission or lapsing of this application the application must be resubmitted to this Department for re-consideration</p>		<p>Should you have any queries with regard to our responses, please feel free to contact us.</p>
<p>With reference to your response dated 30 January 2017 to the Departments letter dated 5 December 2016 refers:</p> <ul style="list-style-type: none"> ▪ The content and recommendations are noted. In light of your findings regarding the concerns raised, this Department has no objections to the proposed Tinley Manor Southbanks Coastal Development and for road infrastructure upgrading planning to proceed. ▪ The Department is to be engaged in all planning matters pertaining to the design and road infrastructure upgrading of Main Road 228 and its impact on the N2-27. ▪ Accordingly upon Municipal approval of the application all road design and construction upgrade requirements determined in the 	<p>Department of Transport, Date – 24.02.2017</p>	<p>The Department’s letter is noted with thanks. Any upgrades to the P228 and N2-27 will need to be done by the KZN DoT and/or the SANRAL. All relevant stakeholders (including the KZN DoT) will be consulted at the appropriate time by the appropriate parties.</p> <p>It is further noted that the KwaDukuza Municipality will need to appoint an assessor to determine the required contributions by all Developer’s and THD will comply as required.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>consultation with the Department shall be implemented in consultation with and to the satisfaction of the Department Cost Centre Manager Stanger.</p> <ul style="list-style-type: none"> ▪ The KwaDukuza Municipality must assess or appoint an assessor to determine the required proportionate contribution for the funding of upgrading the road network, as was required in accordance with the initial Development Facilitation Act approvals. The determined funding must be paid to the KwaDukuza Municipality for the implementation of the road upgrades as determined in the TIA. ▪ As the property concerned is also affected by National Route 2-27, the matter must, in terms of the National Roads Act No. 7 of 1998, be referred, by you, to the Regional Manager Kwazulu-Natal, South African National Roads Agency Limited, P.O. Box 100410, Scottsville, 3209, for his consideration and recommendations and from whom you shall receive a reply in due course. ▪ All costs incurred, as a result of these requirements shall be borne entirely by the developer. ▪ This correspondence does not grant authorisation or exemption from compliance with any other relevant and applicable legislation. ▪ In terms of section 22 of the Kwazulu-Natal Provincial Roads Act No. 4 of 2001 this approval is granted for a period of 18 months. Any amendment, rescission or lapsing of this application the application must be resubmitted to this Department for re-consideration. 		

8 Comments Questions Concerns raised by AMAFA

ISSUE/COMMENT	RAISED BY	RESPONSE
8.1 Comment on Environmental Scoping Report		
Amafa KZN Heritage, in terms of the KwaZulu-Natal Heritage Act No. 4 of 2008 as well as Section 38 (8), Chapter II of the National Heritage	AMAFA Date – 11.01.2012	Noted. A detailed Heritage Impact Assessment is planned for the EIA phase and will be undertaken.

ISSUE/COMMENT	RAISED BY	RESPONSE
Act no: 25 of 1999, requests a Heritage Impact Assessment since the proposed development area occurs in a highly sensitive area.		
8.2 Comment on Environmental Impact Assessment Report		
<p>THD has appointed eThembeni Cultural Heritage to obtain the necessary Amafa approvals for the area known as Tinley Manor Southbank. THD are in the process of compiling a Spatial Development Plan in order to facilitate proceeding with Environmental Authorisations for developing the proposed Tinley Manor Southbank Development area, KwaDukuza Municipality, KwaZulu-Natal. We acknowledge receipt of the application for Exemption from conducting a Full Heritage Impact Assessment. We note the reasons put forward in support of exemption from a full assessment of the area but cannot at this stage issue a final decision on the matter. It is noted that Paleontological studies have been commissioned as the area is underlain by sediments of a moderate to high paleontological sensitivity. Amafa will therefore be able to make a conclusive decision once we have received and reviewed the Paleontological report. Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	<p>AMAFA Date – 05.05.2015</p>	<p>Noted. A re-submission will be made. See additional comment and response below.</p>
<p>Tongaat Hulett Developments (THD) has appointed eThembeni Cultural Heritage to obtain the necessary Amafa approvals for the area known as Tinley Manor North and South Bank. THD are in the process of compiling a Spatial Development Plan in order to facilitate proceeding with Environmental Authorisations for developing the proposed Tinley Manor North and South Bank Development area, KwaDukuza Municipality, KwaZulu-Natal.</p> <p>We acknowledge receipt of the notification for development and the motivation for exemption from a full Phase 1 impact assessment submitted by eThembeni for the Tinley Manor South and North Bank. We also note the letter of motivation sent by Hlalelo Makwebo of Tongaat Hulett, to Amafa dated 14/07/2015. It is noted that the area of</p>	<p>AMAFA Date – 26.11.2015</p>	<p>Comment is noted and appreciated.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>development is a sensitive zone and would normally yield heritage resources of significance. We therefore largely concur with eThembeni Heritage Practitioner, Len Schalkwyk that Iron Age farming community settlements are known to occur ubiquitously within cane fields on the higher lying palaeo-dunes of the east coast littoral. It is noted that a field assessment by eThembeni conducted in March and October 2015 established that there is no primary context archaeological material or sites of any significance within the proposed area of development. Sections associated with human remains were also noted along with iron age cultural material in the form of iron age smelting slag, furnace fragments and potsherds that could not be ascribed to a specific iron age phase. The identified grave sites should ideally be left with a twenty metre (25 m) buffer from construction activities and be fenced pending engagement with the relevant Authorities and any identified family members having an association or interest in the grave.</p> <p>While the rocky shoreline would suggest exploitation of marine resources in the past ,the survey by eThembeni revealed no evidence of shell midden concentrations. Although this is the case, the developer is required to comply with the exclusion conditions of the Integrated Coastal Management Act (No.24 of 2008, as amended). It is also noted that the potential impact to heritage resources through implementation of the proposed Tinley Manor North and South Bank Spatial Development Plan is very low.</p> <p>According to the Heritage Practitioner, "the development area is located on deep Berea Formation Aeolian sands that overly Bluff Formation sandstone deposits below. No significant vertebrate fossils have been recorded from the Berea Formation (Wolmarans and Du Preez, 1986 in Groenewald, 2012). It is not anticipated that the proposed developments will impact on any potentially fossiliferous strata below the Berea Red Sands. Consequently, no further palaeontological assessment is justified (see attached report by Dr Alan Smith)." It is also indicated that any cretaceous layer in this zone</p>		

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>would be 10 m below the surface.</p> <p>Based on our reassessment of the application and the reasons put forward by eThembeni in the Exemption Motivation, Amafa heritage therefore has no objection within limits of the recommendations and mitigation measures outlined in the motivation report.</p> <p>You are also required to adhere to the below-mentioned standard conditions:</p> <p>Conditions:</p> <ul style="list-style-type: none"> - Amafa should be contacted if any heritage objects are identified during earthmoving activities and all development should cease until further notice. - No structures older than sixty years or parts thereof are allowed to be demolished altered or extended without a permit from Amafa. - No activities are allowed within 50 m of a site, which contains rock art. - Sources of all natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage legislation. <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>		

9 Comments Questions Concerns raised by Ezemvelo KZN Wildlife

ISSUE/COMMENT	RAISED BY	RESPONSE
9.1 Comment on Environmental Scoping Report		
The Integrated Environmental Management (IEM) Planning Committee for Ezemvelo reviewed the Draft Environmental Scoping and we will	Ezemvelo KZN Wildlife Date – 01.11.2012	Noted. An Estuary Impact Assessment will be conducted along with the other specialist studies listed during the EIA phase.

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>await the completed EIA report to offer official comments. Ezemvelo supports the proposed specialist studies to be undertaken; however Ezemvelo KZN Wildlife requires that an Estuary Impact Assessment study be undertaken to detail fully the potential impact the proposed development may have on the Umhlali estuary.</p>		
<p>9.2 Comment on Environmental Impact Assessment Report</p>		
<p>The Draft Environmental Impact Assessment (DEIR) for the abovementioned application has been reviewed by Ezemvelo KZN Wildlife's (Ezemvelo) IEM Planning Committee. Based on the information supplied, Ezemvelo's biodiversity concerns pertain to anticipated negative impacts of the proposed development on the Umhlali Estuary and sensitive habitats in around the proposed site. Given that the Sheffield Waste Water Treatment Works is currently operating below capacity, Ezemvelo is concerned that the proposed development would result in cumulative impacts to the receiving environment and Umhlali Estuary due to exacerbated amounts of sewerage waste.</p> <p>In addition to the above, given the absence of a layout map depicting the proposed infrastructure in relation to the sensitive features highlighted in the specialist studies, Ezemvelo is unable to make an informed and defensible decision as to whether the proposed mitigatory measures highlighted in the DEIR are sufficient to safeguard their ecological integrity.</p> <p>In lieu of the above and in order to inform defensible decision making regarding the proposed development, Ezemvelo recommends that:</p> <ol style="list-style-type: none"> 1. A service level agreement between the municipality and the applicant, is provided to Ezemvelo for review and comment. The agreement should provide confirmation as to whether the existing Sheffield Waste Water Treatment Works is sufficient to cope with the anticipated amounts of waste water arising from the proposed development. Should a new waste water treatment works be 	<p>Ezemvelo KZN Wildlife Date – 22.07.2015</p>	<p>Many thanks for your comments which have been received.</p> <p>Your concerns regarding the cumulative impacts associated with the Sheffield WWTW are noted and have been addressed.</p> <p>With regard to your comments/recommendations, please see below a response and request for further clarification where appropriate:</p> <ol style="list-style-type: none"> 1. The request for a Service Level Agreement is noted. The Applicant is in the process of sourcing this and such will be provided to EKZNV for comment once received. There is no proposal for a WWTW as part of this project.

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>required, information is required by Ezemvelo as to whether the infrastructure forms part of the current or a separate application;</p> <ol style="list-style-type: none"> 2. A superimposed layout of the proposed development in relation to the sensitive features in and around the proposed site, is provided to Ezemvelo to assist in informed and defensible decision making. The layout must include the sensitive habitats and associated buffers; 3. All proposed infrastructure are to be located outside of the 5 m contour line (i.e. the estuarine functional zone), in order to protect the estuary from potential negative impacts; 4. The “Wetland Functional, Ecological and Importance Assessment” (dated 6 March 2015), must be peer reviewed by a suitably qualified specialist in order to confirm if the proposed mitigatory measures are appropriate and sufficient, and 5. A combined comment from the estuarine and coastal impact specialists’ is required, in order to determine if the mitigation measures proposed by the environmental assessment practitioner, are appropriate to safeguard the estuary and coast from the proposed development. <p>Please note that this does not constitute Ezemvelo’s Final Comment. Final comment will be provided upon receipt and review of the Final Environmental Impact Report, which should address the points highlighted above. Should you require any clarity on the points raised, please do not hesitate to contact our offices.</p>		<ol style="list-style-type: none"> 2. Please refer to Figure 4-10; Figure 5-6 and Figure 5-16 of the draft EIR and Figure 2-5 of the draft EMPr. 3. It is noted that all infrastructure is located outside of this area. 4. Please can you provide clarity as to the reason as to why a Peer-review of the Wetland Report is requested? It is noted that the Coastal and Estuarine Reports were peer-reviewed as the respective specialists are from the same organisation as the EAP (Royal HaskoningDHV). However, the Wetland Specialist is from a different organisation (SiVEST), therefore, there is no legislative basis for this request. Please clarify. 5. Kindly note that Tandi Breetzke of Royal HaskoningDHV heads up the Coastal and Estuarine Specialist Unit at Royal HaskoningDHV. Whilst the Estuarine Specialist is Catherine Meyer, Catherine works under Tandi and the Estuarine Report was reviewed and approved by Tandi. Furthermore, Tandi reviewed the draft EIR and EMPr prepared by the EAP (Humayrah Bassa) and all three individuals are from the same organisation Royal HaskoningDHV. You will note that Tandi Breetzke signed off on the EMPr and this confirms that the recommendations forwarded in the EIR/EMPr are accepted by both the Coastal and Estuarine specialists. Therefore, please clarify the nature and extent of the comment requested under this point.
<p>With regards to your response in the email correspondence dated 03 August 2015 below:</p>	<p>Ezemvelo KZN Wildlife Date – 30.09.2015</p>	<p>Thank you for the response.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>1. Noted</p> <p>2. The sensitivity maps in the DEIR have been reviewed. However, the rationale for requesting one superimposed map, was to determine the proximity of the development blocks to the different habitats and ecosystems in and around the proposed site. The maps provided in the DEIR are zonation maps and in addition, the text of the figures in the sensitivity maps are unclear making it difficult to review the buffers. It is highlighted that there is a degree of difficulty in producing one consolidated map given the various layers. As such, if a map cannot be provided, Ezemvelo would gladly accept a shapefile containing the various layers for review and comment.</p> <p>3. Noted</p> <p>4. Based on the information supplied, Ezemvelo was not satisfied that the mitigatory measures outlined in the report were sufficient to safeguard the ecological integrity of the wetland habitats in and around the proposed site. A peer review of the report was thus requested.</p> <p>5. A combined comment was requested in order to determine if the specialists were satisfied with the EMPr. Given that the specialists belong to the same consulting organisation and Ms.Breetzke has signed off on the EMPr as indicated below, Ezemvelo regards this as an acceptance of the mitigatory measures proposed.</p> <p>We trust that the above is sufficient in providing clarity with regards to your correspondence below. Should you have any queries, please do not hesitate to contact our offices.</p>		<p>Points (1), (3) and (5) are noted.</p> <p>With regard to point (2), please see attached the requested shapefiles as a map package.</p> <p>With regard to point (4), please provide further detail as to which aspects of the mitigatory measures proposed by the specialist Ezemvelo is not happy with. We would like this detail to provide the specialist an opportunity to defend and/or update their work before the additional time and expense associated with a peer review which will ultimately require the specialist to address a peer reviewer's concerns. Ezemvelo could just as easily indicate which aspects are of concern to you.</p> <p>We would appreciate your timeous response by the 9th October 2015, considering the time lapse since the comment period has ended.</p> <p>Your assistance will be greatly appreciated in this regard.</p>
<p>Apologies for the delay in response. With regards to below, please note that the shapefiles (map package) were not attached to your email.</p> <p>With regards to the wetland report, Ezemvelo is concerned that the development will result in direct impacts to the wetlands as well their buffer zones. The location of the wastewater system within the</p>	<p>Ezemvelo KZN Wildlife Date – 13.10.2015</p>	<p>Thank you for the response.</p> <p>Please see attached shapefiles – I hope you receive them this time.</p> <p>With regard to your concerns on the wetland report, it must be noted that there is no proposal for a new wastewater treatment works as part of this development. There is an existing</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>Umhlali Floodplain in particular is of concern, given the high present ecological state. The rationale for placing the wastewater system within this buffer is noted. However, it is Ezemvelo’s preference that an alternative location for this system is investigated. Should this be unavoidable, more detailed rehabilitation measures for the buffer zone for the Umhlali floodplain need to be provided.</p> <p>We trust that the above is sufficient for informed decision making, and look forward to reviewing the Final EIR.</p>		<p>wastewater treatment works which is not owned by, or operated by, the Applicant. The wetland specialist cannot comment on existing infrastructure but only the cumulative impacts of the development in relation to the existing infrastructure. Therefore, since the wastewater treatment works is existing and there is no proposal as part of this development for any modifications, extensions or expansions to the works, please advise on your specific concerns.</p>
<p>The shapefiles have been received, many thanks for this.</p> <p>With regards to the wastewater treatment plant, it is noted that according to page 41 of the “Surface Water Impact Assessment” report, there is an existing facility on the proposed site. However, it is also proposed that the wastewater system will need to be placed within the Umhlali Floodplain buffer for large portions of the site (page 41 under section 6.3). Please can you clarify this point as there is discrepancy with the points raised below.</p>	<p>Ezemvelo KZN Wildlife Date – 19.10.2015</p>	<p>As you have noted to them the wastewater treatment works are existing, and does not form part of the application. It must be noted that the wastewater system that EKZNV is referring to are the pipes and pumpstation that will be required for the sewer gravity main, and the positioning of these is unavoidable given the topography of the site. It must however be noted that the pipes and pumpstation have been kept outside of the wetland wherever possible, and that the buffer in question is currently under sugarcane, and will be rehabilitated as part of the open space system on site, but that the rehabilitation plan for this portion is, as you know, still to be finalised. Considering that the system will be a sealed pipeline, and pumpstation, and that it will be installed before the rehabilitation of the buffers takes place, but after removal of the sugarcane from this land, we feel that the mitigation proposed is sufficient. Please see attached the proposed rehabilitation plan.</p> <p>Please let me know if you require any additional information, or if EKZNV would like to meet with the wetland specialist to discuss further.</p>

10 Comments, Questions, Concerns raised by WESSA / COASTWATCH

ISSUE/COMMENT	RAISED BY	RESPONSE
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ISSUE/COMMENT	RAISED BY	RESPONSE
10.1 Comment on Background Information Document		
<p>The proposed Tinley Manor Southbanks Development, a mixed use development, presents opportunities to improve the status quo of ecosystems within the project area – their enhancement would contribute to developing natural resilience in the face of climate change and the associated predicted coastal impacts. We trust that coastal management will be addressed in some depth.</p>	<p>WESSA Date – 20.10.2011</p>	<p>A detailed preliminary coastal assessment has been conducted for the area and the recommendations from the beach assessment have informed the planning context. Further recommendations from the coastal specialist will continue to inform and guide the detailed planning of the site.</p>
<p>Ribbon Development – recognised as a negative result of poor planning in the past. It is not clear how perpetuation of contiguous coastal development will be avoided.</p>		<p>This issue relates to the design and nature of the development which is something that will be addressed and considered in the EIA Phase.</p>
<p>One of the biggest challenges to development, and particularly north of Durban, is service provision. While infrastructure may be in place for certain services such as potable water, the resource is not available and there appear to be no imminent plans for implementation which will change this. To this end it must be asked where the finite resources such as a water supply will come from? How waste will be treated and disposed of in a coastal environment already under severe stress as a receiving environment. Technology and practices are available which address basic service provision – waste management, water and electricity use – in line with sustainable practices.</p>		<p>The detailed planning for this has not been done as yet and will be considered during the EIA Phase.</p>
<p>The cumulative loss of agriculture land on the eastern seaboard is a concern. Climate data shows that while most of the country will become drier the east coast will likely get wetter and be the only area able to sustain agriculture.</p>		<p>The Agricultural Potential Assessment conducted for the site indicates that irrigation is a problem for this site. This, together with the topography of the site and the poor soil quality makes the site not suitable to long-term cane cultivation. Tongaat Hulett remain committed to making agricultural land available in other areas for sugarcane cultivation.</p>
<p>The BID states that “An Environmental Impact Assessment (EIA) is an effective planning and decision-making tool, which allows for the identification of potential environmental consequences of a proposed project, and its management through the planning process.” WESSA would be concerned with the EIA process used in isolation as an</p>		<p>Prior to the EIA being conducted, a detailed beach assessment, coastal assessment and planning study was undertaken for this site as well as two other sites in the area. Strategic planning and assessments are on-going.</p>

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<p>environmental planning tool. It is project specific and would not give due consideration to cumulative impacts and landscape level impacts, all of which will need to be considered.</p>		
<p>Stormwater management must consider the principles of Sustainable Urban Drainage Systems (SUDS).</p>		<p>Noted. A detailed stormwater management plan to be undertaken during the EIA Phase.</p>
<p>The proposed development seems to offer but more of the same in that the development concept is repeated up and down the coast. WESSA would like to see a full socio-economic study done based on audits of existing development in terms of the perceived deliverables, particularly numbers of work opportunities, these being long term opportunities which provide employee development; temporary construction work should not inflate numbers.</p>		<p>An appropriate and relevant socio-economic assessment will be conducted in the EIA phase. Examples of existing Tongaat Hulett developments will be utilised.</p>
<p>Public Meeting – Question regarding rehabilitation. The minutes of the public meeting, 12 October, record a question from the floor with regards reinstating vegetation now under cane. The response states that this cannot be done – so what will fill the areas presently under cane? Buildings, parks? WESSA is engaged in the public participation process for the proposed Renishaw Estate on the south coast where Crookes Brothers Ltd propose development nodes with reinstatement of large areas of land under sugarcane to secondary grassland. A rehabilitation plan has been prepared and is available in the draft EIR which is in the public domain. WESSA would strongly encourage THD to pursue similar measures.</p>		<p>There will be an extensive open space system designed as part of the development which will require rehabilitation from sugarcane- this will be detailed in the EIA Phase.</p>
<p>10.2 Comment on Environmental Scoping Report</p>		
<p>The report recognises the sensitivity of the coastal environment and water resources and the 6 m amsl contour around the estuary as a setback is supported, however, It may be required that the estuary is subject to more protective measures in line with recommendations and requirements of Ezemvelo KwaZulu-Natal Wildlife.</p>	<p>WESSA Date – 23.11.2011</p>	<p>Noted. A detailed estuarine assessment will be conducted in this regard.</p>

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<p>WESSA has raised the matter of services and resources and this important aspect is not considered in section 5 under General Description of the Study Area. While an infrastructural assessment will be undertaken (section 8.2.3: Plan of Study 8.2.3.2) we find that it is the availability of resources which is of primary relevance. Of particular interest is the provision of potable water, and the capacity of the wastewater treatment works to receive and treat effluent to the required standards. We would also expect the planning and design phase to consider measures for resource conservation and waste minimisation at every level.</p>		<p>Noted. Detailed planning will be undertaken in this regard and all services, including resource availability, will be addressed during the EIA Phase.</p>
<p>It is not anticipated that a visual assessment will be required. WESSA would like this to be reconsidered as we find that a complete change in land use would have significant visible impacts. Densities, building heights and design would need to be considered and particularly as the stated intention is to avoid ribbon development we would need to understand how the visual aspects of development between two developed nodes avoid contributing to ribbon development. The development could be seen as a continuation of the built up coastal strip.</p>		<p>A visual assessment will be done during the EIA phase.</p>
<p>Rehabilitation - Please refer to WESSA's letter dated 20 October with respect to a differing opinion on the rehabilitation of land cultivated to sugarcane.</p>		<p>Addressed above.</p>
<p>Strategic Plans Section 3.2.1 Spatial Development Framework discusses the alignment of the proposed development with municipal strategic plans and several plans are referenced. In this section the acronyms DPT and DMT are mentioned but are not explained. We trust that a comprehensive planning report will discuss in detail the several strategic plans said to support the development concept.</p>		<p>Noted. This will be undertaken during the detailed planning phase.</p>
<p>10.3 Comments on Revised EIA Phase Background Information Document</p>		

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<p>Thank you for keeping Coastwatch informed on the proposed Tinley Manor South Development. Our comment dated 23 November 2011 on the draft scoping report, sent in collaboration with WESSA's KZN Region (which is no longer in operation) refers and certain issues raised therein have on-going relevance to the proposed development. The outcomes of the environmental impact assessment are awaited before we provide further comment and we look forward to gaining insight to the proposed rehabilitation and conservation of the identified environmental systems (i.e. Umhlali River valley with riverine and estuarine systems, coastal dune system and associated remnant coastal forest, wetlands) and the opportunities presented to restore the environmental role of the site in order to benefit the wider system. How the proposed Southbanks Coastal Development meets the objectives of the Ilembe SDF which has recently introduced stringent environmental protection measures for any new development, and measures to avoid continuing the development of a solid coastal urban band (i.e. 'ribbon development') is also of interest. In addition, the current north coast water crisis highlights service and resource provision challenges for new developments and we trust that a 'business as usual' approach will be overlooked in favour innovative initiatives to reduce overall impacts.</p>	<p>Carolyn Schwegman Coastwatch Date – 09.03.2015</p>	<p>Thank you for your comment. The draft EIA Report will address your comments and will be sent to you for further comment.</p>
<p>10.4 Comment on Environmental Impact Assessment Report</p>		
<p>The draft EIR discusses a proposal by THD to develop the portion its land holdings south of the Umhlali river, this being the first of the THD projects being considered for its land holdings found both north (Tugela) and south of the river. The proposed Tinley Manor Southbanks Coastal Development (TMSCD) will provide for mixed use with tourist, residential and commercial nodes. The report outlines a development vision which strives for sustainable development by adopting a concept that contributes to and enhances the region, based on strong ecological</p>	<p>Carolyn Schwegman Coastwatch Date – 18.05.2015</p>	<p>The comment is noted.</p>

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<p>principles. The EIR provides an understanding of the area in terms of environmental, social, economic and cultural environment and it gives the broad context within which the environmental implications of/for development can be considered further. No fatal flaws which oppose the development have been identified and positive impacts that can be expected include restoration of wetland habitat for wetland specific species, restoration of wetland hydrological and geo-morphological functionality, restoration of wetland and riverine vegetation, including the Umhlali estuary and its environs, and protection of the sensitive coastal/dune environment. In principle Coastwatch supports the development concept.</p>		
<p>Although the developer, commendably, has sought a development layout that reduces encroachment and placement of services within sensitive wetland environments, and promotes connectivity of these features within the landscape with rehabilitation realising a significant increase in the delivery of ecosystem goods and services, the following issues are raised.</p> <ul style="list-style-type: none"> - Wetland Loss: Coastwatch understands that there will be some wetland loss (Wetland Report: <i>“The Tinley Manor South Site has significant access constraints and thus finding a zero or low impact access point is difficult. In all likelihood on-site wetland areas will be affected or even lost due to necessary road construction to open up the development opportunities contained on the site. Associated impacts can be mitigated by careful planning and resource loss will need to be offset by wetland rehabilitation on the remainder of the site”</i>). In addition, in the EIR Section 2. – <i>“As a result of the nature of the proposed development and the requirement for extensive platforming, portions of vegetation and portions of degraded wetland are required to be in-filled. As such a Section 21 (c) and (i) WUL will be required for the infilling of these wetlands”</i>. Loss of wetland area has not been quantified and, in undertaking any development, rehabilitation of wetlands on the 		<p>A general quantification of wetland loss has been undertaken using the current block layout, and the direct loss of wetland area using this layout equates to just under 3 ha, leaving just over 81 ha of wetland to be rehabilitated. However, this quantification is not considered accurate as the layout has not yet been refined and therefore the calculation of the final losses, and specifically the net loss of wetland if any, has not yet been calculated. This calculation will form part of the wetland rehabilitation plan that will need to be completed for the water use licence that will be required for this project.</p>

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<p>remainder of the site would be expected. It needs to be determined that there will be no nett loss of wetland area.</p>		
<p>Wetland Buffers: Specialist recommendations centre on the avoidance of wetlands and the associated buffer zones to prevent most impacts on the wetlands from taking place. The following is provided in the Wetland Report (SiVEST):</p> <ul style="list-style-type: none"> - Preventing Impacts to Wetlands and the Associated Buffer Zones –The final layout plan for the proposed development must take into consideration the wetland and associated buffer zones and where possible avoid these highly sensitive areas. Additionally, it is recommended that the wetlands and the associated buffer zones be designated as conservation of open space areas and managed as such. In doing so, impacts to the wetlands can be avoided in this instance. - Avoiding Impacts to Wetlands and the Associated Buffer Zones – The service plan layout must take into consideration the identified wetlands and buffer zones. All wetland and <u>associated buffer zone areas are to be regarded as no-go areas. No services are to be routed through or into the wetlands and the associated buffer zone areas</u>, with services crossing being contained to road ways and existing corridors of disturbance. (emphasis has been added). <p>The ‘trend’ of keeping infrastructure out of wetland buffers is followed throughout the EIR and its supporting specialist reports however, the stormwater plan, proposed agricultural activities and possibly infrastructure layout is not aligned with the recommended avoidance of buffer zones. The EIR states that placement of infrastructure within wetlands themselves has been avoided and suggests that use of buffers is acceptable. In commenting on a coastal development elsewhere in KZN Ezemvelo KwaZulu-Natal Wildlife states that use of wetlands/buffers highlights an archaic mind-set with respect to wetland</p>		<p>The comment is noted, and accepted constructively, however, it must be noted that the current layout represents a significant change from the original layouts, and as such, the impact on wetlands and buffers has indeed been minimised where possible. Regarding the use of biodiversity offsets, it is noted from the above response that the losses are estimated to be quite small, and the wetland to be conserved, and subsequently rehabilitated is in excess of 80 ha, thus allowing an offset ratio of roughly 1:27, which is an order of magnitude greater than the 1:3 offset ration that Ezemvelo KZN Wildlife would normally impose for any biodiversity losses. With regards to the calculation of buffer zones, the wetland study was undertaken before the recent guidelines for determining project specific wetland buffers was released. As such, the wetland rehabilitation plan that will be produced once a detailed design is available, will take projected land use, and current wetland unit functionality, into account and lead to the implementation of appropriate buffers to specific land uses.</p>

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<p>protection, applicable laws and best practice and states that it is best practice to site all service infrastructure outside of wetland buffers, which are put in place to ensure that the natural integrity of the wetland is protected. In instances where road crossings are unavoidable, an assessment of the impacts post mitigation are required to determine whether residual impacts are expected and whether a biodiversity offset is warranted.</p> <p>A uniform 30 m buffer has been set on all the wetlands, regardless of the land use adjacent to each, with stormwater attenuation structures and other activities within the buffer zone. Coastwatch submits that there is no “industry norm” or “one size fits all” regarding wetland protection/buffers and each system needs to be assessed as placement of different structures within the buffer of the different wetlands will result in different hydrologies (concentrations of water etc). Accepting a compromise would put the stormwater disposal points at the edge of the buffer with suitable dissipation measures in place. It would then need to be confirmed that each wetland is capable of accepting the infrastructure (or activities) and that the placement of volumes of water will not alter the systems substantially.</p>		
<p>Wetland Crossings: Coastwatch supports the requirement for services crossing and roadways being contained in existing corridors of disturbance.</p>		<p>The comment is noted.</p>
<p>Rehabilitation: Coastwatch fully supports the proposal/recommendation to rehabilitate each wetland by removing crops and undertaking appropriate re-vegetation to restore wetland habitat for wetland specific species and the restoration of wetland hydrological and geomorphological functionality following with maintenance of all wetlands and buffer zones as conservation areas.</p>		<p>The comment is noted. Wetland rehabilitation will be done according to the Wetland and Open Space Rehabilitation Plan which has been included as part of the final EIAR.</p>
<p>The proposed development may be beneficial for the ecological functioning and conservation status of the Umhlali Estuary as the design concept accommodates the preservation of the estuary and its supporting habitats, conditional upon the implementation of the</p>		<p>Comment is noted.</p>

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<p>mitigation measures should the development be approved. It is motivated that this could lead to achieving some form of conservancy status, with the greater goal of achieving formal protected area status in future, a vision wholly supported by Coastwatch. However, with respect to specific considerations, the following are raised:</p>		
<p>Existing weir: the EIR in Section 4.6.4 gives a description of the location of the weir and in Section 7.6.4 the purpose and impact of the weir on the estuary is provided. In the report it is mentioned that an opportunity exists to reverse the impacts of the weir among other activities that impacted negatively on the Umhlali estuary but no specific plan for the removal is provided in the EIR or other documentation. Coastwatch supports the removal of the weir as it will result in the restoration of a large portion of core estuarine area which will improve the resilience of the estuary.</p>		<p>The Applicant/EAP will engage with the DWS on the possibility of removing the weir, and should they support this, the requirements for the removal of the weir will be addressed as part of the WULA.</p>
<p><i>“No development will be constructed below the 1:100 year floodline or the recommended 10 m amsl contour (whichever is intercepted first from the point of development), as these areas are susceptible to erosion during storm events, flooding, and natural back flooding of the estuary.”</i> Further, the estuary report requires that <i>“apart from the existing WWTW, the entire sewer network must be located outside of the estuarine boundary”</i>. It needs to be confirmed that the gravity feed sewerage system is placed such that it is in no part at risk of flooding or natural back flooding, taking into consideration climate change predictions.</p>		<p>The entire gravity line will be placed such that it falls outside the 1:100 year floodline. Low crossings may be elevated in the form of pipe bridges.</p>
<p>Recreational Area: a recreational area is shown on the layout plan (shown in orange). It appears to be within the estuary boundary, although not within the property boundary (Fig. 4-2). It is also illustrated in Fig. 5-14 and described as a space for passive recreation i.e. picnics, bird watching and jetties for launching canoes. No specific plan or detail is provided on the proposed recreation area within the river floodplain/estuary.</p>		<p>The area indicated represents a sandy island with the estuary. Currently in THD land holdings, but constantly changing with the flow of the estuary and the erosion/ deposit of silt. The proposals aim is to ensure limited disturbance of the island, but allow for non-destructive/ compatible recreational opportunities. No detail plan exists at present, and any detailing of the proposal will include input from ecologists as part of the design process.</p>

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<p>Breaching Policy: the need for a Breaching Policy to be in place is mentioned in different sections of the documentation however no detail on any breaching controls or the legislated requirements pertaining to breaching is provided.</p>		<p>As the KZN conservation agent responsible for biodiversity, Ezemvelo KZN Wildlife previously managed the artificial breaching of estuaries via a then approved policy. Post 2000, an updated draft estuary breaching policy was developed but never adopted. This draft policy stated that interference of the mouths of lagoons and rivers in KwaZulu-Natal could only be undertaken when it was in the best interests of biodiversity conservation and of estuarine ecological health and productivity, and after due consideration of social, economic and other environmental issues. Given the complexities of estuarine management, the draft policy states that co-operative governance is required, as well as a Management Plan for each estuary, wherein responsibilities and decision-making processes need to be clearly defined and outlined.</p> <p>In addition, according to the National Environmental Management Act (Act 107 of 1998) Environmental Impact Assessment (EIA) Regulations promulgated in 2010, the movement of more than 5 cubic metres of material is deemed a Listed Activity (Listing Notice 1, Activity No.18), unless it is undertaken in accordance with a management plan approved by the competent authority.</p> <p>Breaching controls would be incorporated into this plan.</p>
<p>The following comments are raised in the peer review report of the estuary assessment and need to be considered by the relevant stakeholders:</p> <ul style="list-style-type: none"> - Water Quality: The author and reserve determination study (DWA 2014) state the overall impact of the WWTW will be highly negative. The final conclusion does not include this key outcome. - Buffer: The prescription of no development within 1:100 year floodline or 10 m contour is, when compared to similar assessments in or near estuaries, below average (and may compromise the mitigation of impacts) (Demetriades & Forbes, 		<p>Water quality – the impact of the WWTW will be a constant and increasing impact on the ecological integrity of the Umhlali Estuary; one which cannot be mitigated beyond a certain threshold (i.e. the approved discharge standards). It should be noted that the WWTW underwent its own impact assessment and was previously approved and is not subject to this application.</p> <p>Buffer - the proposed buffer is that recommended by Mather & Swart 2010 (<i>Report on the Establishment of a Coastal Setback Line for the Tongaat Hulett Properties</i>) was based on</p>

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<p>2009). Further justification may be required for the use of these parameters as the prescribed buffer. Of particular concern are those areas where the steepness of the site results in the 1:100 year flood line and the 10m contour being very close to the Estuarine Functional Zone (5m contour). In these instances the risks associated with increased runoff velocities, sedimentation and pollution from development will occur very close to the sensitive receiving environment with limited opportunity for protection.</p>		<p>sea-level rise predictions and proposed an “environmental buffer along the estuary”. This translates to an approximately 16 m – 257 m horizontal buffer distance, depending on the position of the 10 m amsl contour, and this is deemed reasonable. This is based on the extensive additional area (net gain) to be rehabilitated adjacent the estuary which would be lost should the buffer be translated to a horizontal buffer. The within-text reference to Ezemvelo KZN Wildlife relating to the buffer on pg. 28 is incomplete and cannot be validated, and should be removed/ disregarded.</p>
<p>Mitigation measures which fall outside the responsibility and control of the developer are proposed, measures critical to the health of the system. How will they be enforced?</p> <ul style="list-style-type: none"> - Water Quality. It is clear that the standard of the effluent discharged from the WWTW has a significant impact on the estuary and the Estuary Report provides mitigation that “<i>At a minimum, the discharge standards set for the WWTW as a condition of the Environmental Authorisation must be adhered to, as well as all mitigation and contingency measure identified as part of the EIA process for the WWTW.</i>” The Estuary Report comprehensively reports on the impacts of waste water treatment works on water quality, specifically in an estuary. - “<i>Maximum discharge from the WWTWs is not recommended and should be capped at a level to prevent exceedence of the natural flow volume for the estuary (MAR 56.31 x106m3)</i>”. - Increased volumes of freshwater input will affect mouth dynamics and functioning of the system. It would seem that in considering development of the area, and the required service infrastructure, impacts such as increased volumes released into an estuary of national significance has been overlooked. - “<i>Any abstraction from the estuary functional zone should be discontinued</i>”. 		<p>The responsibility is the Department of Water and Sanitation – for both the wastewater treatment as well as the estuary water quality. Tongaat Hulett is however more than willing to work with all stakeholders towards an objective of ensuring an appropriate quality of water is maintained in the estuary.</p>

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<p>- "It is vitally important that an Estuary Management Plan be developed for the Umhlali Estuary to regulate the use of resources and activities within the system, to minimize user conflict and to ensure sustained estuarine health. While this is a legislative requirement in terms of the Integrated Coastal Management Act (No 24 of 2008) (ICM Act), it is not the responsibility of the developer."</p>		
<p>In considering the impacts of the Waste Water Treatment Works on the estuary the specialist comments that "... <i>the estuary is predicted to deteriorate significantly when the WWTWs are operating at full capacity and maximum discharge, particularly due to the high nutrient load and water quality impacts.</i>" It is a serious concern that regardless of mitigation within the control of the TMSCD deterioration of a nationally important estuary is predicted. Clearly, the relevant authorities have not adequately considered the implications of development on the receiving environment and cumulative impacts need to be considered.</p>		<p>The EIA for the construction of the WWTW will have assessed the impacts of discharge and peak discharge on system. This report was not reviewed during the current estuary impact assessment for the TMSCD.</p> <p>The primary source of nutrient input will be the WWTW. The input from the development itself (excluding the works) will be comparatively less. The current impact report duly acknowledges and highlights the cumulative impacts of increased nutrient input on the system.</p>
<p>The development footprint in the eastern portion of the site is restricted by a development setback line and a limited development zone is provided for, as is public access to the coastal zone. The EMPr 7.32 (and elsewhere in the reports) requires that coastal access should not be restricted but should be in line with the carrying capacity of the coastal zone. How will the carrying capacity be determined (number of people at any one time?) and how will it be ensured that the carrying capacity is not exceeded?</p> <p>It is suggested that other areas could fulfil the need for active beach nodes however this is dependent on a public-private partnership outside the ambit of this EIA.</p>		<p>Reference should be made to the beach access and assessment report which details the regional, ecological and socio-economic assessment undertaken which will determine ecological and social carrying capacity. This is often dependant on facilities proposed /available (parking, ablutions, life-savings facilities etc.) and safe swimming areas. The latter is subject to a proposed more detailed morphological assessment.</p> <p>This is a difficult issue as the beach is a public environment and restricting access would be unconstitutional. Given the nature of the proposed access points however, there will automatically be a limitation on the numbers of beachgoers.</p>
<p>There are several references to an agricultural component i.e. market gardening but no detail is provided. In the EIR Section 5.1.5 the purpose of the "new bodies of water" will be to predominantly provide</p>		<p>It is envisaged that the gardens will be used for local food production by residence/ resorts. Guidelines will need to be established that detail ecologically sound and responsible</p>

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<p>water storage sources for agricultural purposes, as well as for interest in the landscape (A “further function” of the water bodies is to form part of the overall stormwater and flood risk management). Should the market garden activities be realised</p> <ul style="list-style-type: none"> - How will crops be watered at times of low rainfall i.e. when the water bodies/stormwater attenuation structures are dry? - Who is likely to take up the option of market gardening and how will control be implemented? (use of fertilisers, appropriate crops, wetland protection etc.) - Has the department of agriculture provided input for the activity? - What of an Agricultural Plan, with specialist input (regarding wetland functionality and stormwater management), which provides for use of wetland buffer areas for cultivation should it be considered appropriate? 		<p>implementation and working of the market gardens.</p> <p>Options for irrigation have been included in the EMPr but will be determined as part of the Water Use Licence Application and policed by overall management Association. Options of utilising the treated effluent from the nearby treatment works are also being explored.</p> <p>The Department of Agriculture has commented on the draft EIR but has not commented on this specific component.</p> <p>The EMPr (and specifically the Soil Management Framework Strategy) describes options for the use of wetland buffers for urban agricultural opportunities. However, the inclusion of agricultural opportunities will be identified and assessed during the production of the wetland rehabilitation plan that will be developed once detailed design of the development has been undertaken.</p> <p>The option of market gardening is something that is being provided for and which can be implemented by the future residents and management association of the development. Such activities will not be large scale and only for local subsistence.</p>
<p>It is felt that, in general, the proposed Tinley Manor Southbanks Coastal Development is presented as a development framework and further detail being required. Significant specific aspects are yet to be designed, such as access, and other plans on which the proposed development is critically dependent, such as the Tinley Manor launch site beach node and infrastructure upgrades still to be planned and implemented. While a phased approach for developing the site is to be adopted it is not only dependent on the market uptake (as suggested in the Engineering Services report) but on components which fall outside the control of THD. In order to achieve the stated aim of a sustainable development time frames need to be determined and this would include aspects such as rebuilding the resilience of the</p>		<p>This is not the case. The layout that has been provided and assessed in the EIR provides a very clear indication of the future development form and development proposals.</p> <p>There is furthermore no direct relationship between the Southbanks development and the Tinley Manor launch site beach node apart from the fact that the entire Tongaat Hulett landholdings around Tinley Manor has been considered and conceptualised in an integrated and holistic manner at a broad strategic level. The different components will however be developed independently.</p>

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ecosystems on the property to absorb impacts of the land use change.		
Potable Water: Upgrades to the existing infrastructure will be required to accommodate the anticipated increase in demand due to the Tinley Manor South Development. These upgrades will be implemented in a phased approach in line with the market take-up of the project (Engineering Services Report). This however overlooks the future strategic planning of upgrades to the water supply system of the whole regional area where the development is located (given in the EIR section 5.2.1). The upgrades would be outside the control of the developer, and projected timeframes are not given.		The Developer will contribute to upgrades as and when required. The project timeframes are dependent on market drive and demand.
Sewerage: Engineering Services Report – Wastewater generated by the development will be processed at the existing Sheffield WWTW located within the development and an additional 6 MI WWTW cell will be constructed to accommodate the development. The EIR, while recognising the need to expand the facilities (section 5.2.2), again fails to provide time frames.		Currently no expansion is necessary as other developments in the area have not yet been implemented. Project timeframes are dependent on market drive and demand.
Impacts Wetlands and Buffers – recommended mitigation is given as “Seasonal Scheduling of the Construction process – Construction must be scheduled to take place during winter when flows are lowest (preferably May and August). Is this realistically feasible?		Whilst effort is made to abide by these recommendations, due to the lengthy construction timeframes this is not always feasible. Wetland management during the construction phase is therefore monitored by the ECO with recommendations continuously being adapted as required.
Estuary Peer Review Report: It is critical that the mitigation measures prescribed in the estuarine assessment and this report are implemented at an early stage to ensure that ecosystem functioning is at an optimal level to buffer any negative impacts. Similarly, restoration and rehabilitation of wetlands.		Rehabilitation to the estuary and wetlands on site will be done as appropriate and as advised by the relevant specialists/ ECO on site.
The TMSCD proposes development of the resort nodes as Phase 1 thus putting immediate pressure on the coastal areas. What of the suggested development of the Tinley Manor launch site/beach node: “..., the close proximity of beach areas with significantly better		The planning of the north bank will make provision for this.

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<p>opportunities for higher intensity recreation activity represents an opportunity, not only for proposed resort residents/visitors, but for the broader community to enjoy the benefits of the KwaDukuza coastal area, should the proposed public-private partnership be implemented at Tinley Manor Beach". Is this assured, and when?</p>		
<p>While addressed in the EIR through illustrations and maps (Figure 5-1, 5-10 and 5-11) no specific visual impact assessment has been undertaken. The proposed development which includes 3 – 6 storey buildings, with the more dense development being the 6 storeys on higher ground, needs to be shown in context of surrounding land uses, and in the change in land use.</p>		<p>A Visual Impact Assessment has been undertaken and will be included in the final EIR.</p>
<p>i. Coastal Water Discharge Permit (CWDP) in terms of the Integrated Coastal Management Act (ICM Act) (discharge to an estuary from the WWTW). ii. Water Use Licence Application as part of the One Environmental System. Please provide information on the above which may be required for activities affecting/affected by the proposed development.</p>		<p>The discharge from the WWTW is beyond the scope of this EIA.</p> <p>An Integrated Water Use Licence Application will be made for Section 21 (a), (b), (c) and (i) water uses. Potentially Section 21 (g) water uses may be required by the DWS, this will be confirmed at a pre-application meeting.</p>
<p>EIR Section 2. Environmental Legal Requirements: National Forest Act of 1998. The EIR states only that no trees in a natural forest may be destroyed without a licence according to Section 7. The Act, too, includes that natural forest must not be destroyed save in exceptional circumstances (NFA Section 3(3)(a)) and this would require the Department of Agriculture, Forestry and Fisheries to approve any development layout which may affect natural forest, prior to environmental authorisation being granted. A licence is not necessarily issued automatically on receipt of environmental authorisation.</p>		<p>The comment is noted. The DAFF will be consulted with should the development require the removal of any protected trees or indigenous vegetation.</p>
<p>A Wetland and Open Space Rehabilitation Plan (as recommended is outstanding).</p>		<p>The Wetland and Open Space Rehabilitation Plan will be compiled as part of the WULA and sent to Coastwatch for comment.</p>
<p>Estuary Management Plan. River and estuary management measures are set out in the EMPr (section 7.31) but what of an Estuary</p>		<p>An Estuary Management Plan is the responsibility of the Municipality.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>Management Plan required in terms of the ICM Act? This is a recommendation provided in the estuary report although it is not the responsibility of the developer.</p>		
<p>Consideration of measures for resource conservation and waste minimisation – A concept plan is presented in the EIR but specific approaches for alternative and innovative operations are not discussed. It is mentioned in the report that best practise approaches will be followed during the operational phase. It is stated that energy and water saving mechanisms will be put in place as well as carbon-footprint reduction options (Section 6.4).</p>		<p>Best practice principles have been used in concept development but a finer grain level detailing best practice principles of resource conservation and waste minimisation will need to be included in the further detailing of the proposal. The sales agreement will include prescribed minimum standards such as solar panels for water heating, energy saving light bulbs etc.</p>
<p>In conclusion, we find it positive that the Tinley Manor Southbanks Coastal Development proposes to see a number of tenants and end-use developers present on site who will legally need to comply with an Environmental Stewardship Programme as well as the specific requirements of the environmental authorisation, the EMP, all permits and/or licences, as well relevant Environmental Legislation applicable in South Africa. However the successful and sustainable implementation of the project will be significantly influenced by factors beyond the control of the developer, factors which cannot simply be overlooked.</p> <p>Thank you for the information and opportunity of comment on the proposed development.</p>		<p>The comment is noted. Careful planning and continued consultation will be put in place to address the long-term sustainability of the development.</p>

11 Comments, Questions, Concerns raised by SANRAL

ISSUE/COMMENT	RAISED BY	RESPONSE
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ISSUE/COMMENT	RAISED BY	RESPONSE
11.1 Comment on Environmental Impact Assessment Report		
<p>The above mentioned Draft Environmental Impact Assessment has reference.</p> <p>It is noted from the Traffic Impact Assessment that the traffic generated by the proposed Inkwazi and Palm Lakes developments were added to the traffic generated by the proposed Tinley Manor South Banks development.</p> <p>As far as the proposed new interchange is concerned the developer and surrounding landowners will have to fund the interchange if finally approved by SANRAL. SANRAL will not get involved in any disputes between parties on this aspect. Consultation with SANRAL with regard to the new interchange will have to take place on all aspects including the maintenance of the interchange and the diverging diamond interchange configuration option.</p> <p>There is no doubt that similar developments will follow and accumulatively the developments in the area will generate traffic which will require that interchanges in the area be upgraded similarly to the Ballito interchange.</p> <p>SANRAL cannot use public funds for upgrading of interchanges when developers and the Municipality are the only beneficiaries in the process. The Municipality must therefore have a strategic funding policy in place whereby funds can be generated to eventually upgrade off-site infrastructure including roads and National Road infrastructure. Recommendations of how funds can be generated by the Municipality to implement a Master Transport Plan for the area is available in the draft COTO document</p> <p>SANRAL will require a commitment from the Municipality in terms of funding future interchange upgrading at Salt Rock interchange.</p>	<p>SANRAL Date – 18.05.2015</p>	<p>Comments are noted.</p>

12 Comments, Questions, Concerns raised by other I&APs

ISSUE/COMMENT	RAISED BY	RESPONSE
12.1 Comments on Background Information Document or at Scoping Phase Public Meeting		
Concern regarding the care to be taken towards preserving the natural environment and beauty of the Umhlali River Estuary, both upstream and at the mouth.	Mr Chad Burtt Date - 26.09.2011	Specialist studies will be conducted on the estuary and other sensitive environments during the EIA phase and appropriate mitigation measures will be incorporated into an EMP to ensure that natural assets are preserved. In addition to this, preliminary studies have been done and a buffer has been created around the estuary and other natural assets in the preliminary concept plan in order to ensure its protection.
Conservation of the Umhlali lagoon and island, a delicate and natural riverine and ecosystem, recognised as one of the best in KwaZulu-Natal. This must be preserved.	Mr Henry Simpson Date - 26.09.2011 Mr Jeffrey Kaiser Date - 11.10.2011	
Concerned about the negative impact that this proposed project is going to have on the 0,5 km coastline, existing natural forest and 3,5 km river frontage on the Umhlali River which includes mangroves, marine, bird and animal life.	Mr Rakesh Maraj Date - 12.10.2011	
Environmental/ development issues affecting the riverine/ wetland system and preservation of sensitive pristine nodes on the coastal and riverine environment.	Mr Sunjay Bodasing Date - 12.10.2011	
Security threat to Tinley Manor Beach if present.		
Concerned about access to and from my property.	Mr Adrian Reynolds Dates - 27.09.2011; 12.10.2011; 28.11.2011	This will be considered in the detailed planning stage.
Concerned about continued access to and from the river mouth and the beach.		This will be addressed in the detailed planning stage.
I would like to know more about the blue zones on the concept plan. What kind of commercial development is envisaged and will there be another opportunity for the public to comment?		This is a public meeting at the scoping phase to introduce the stakeholders to the project. Once detailed planning has occurred, there will be another public meeting during the EIA phase in which you will be invited to. The blue areas are earmarked for commercial development.
Will the road to the right of the plan be open to the public?		Yes, it will be open to the public.
Question related to the concept plan – what is the water at the top indicated in blue?	Mr Mark Froman Date - 12.10.2011	The portions indicated in blue indicate mixed use development and not water.
Tony Markewicz mentioned a new interchange of the N2. Discussion with SANRAL will be necessary to get the off-ramp from the N2 and this off-ramp is crucial to the development. If the interchange does not happen, this development, in my opinion, will not take place. Also, are	Mr Louis van Zyl Date - 12.10.2011	The interchange of the N2 has been approved for another development and THD is effectively latching on to this so in probability the interchange will materialise. No road links have been planned over the river as yet, however, as it is early in

ISSUE/COMMENT	RAISED BY	RESPONSE	
there any plans to link Tinley Manor Beach to the proposed development by means of a bridge over the watercourses?		the planning process, we cannot confirm a 'yes' or 'no' to this question.	
Is water-borne sewerage planned?		Yes	
Electricity is a concern for the residents of Tinley Manor Beach. I am raising a question which was raised at the Civic Association meeting – will the power be coming out of the Tinley Manor portion because there is already a very poor power supply in the area. When the wind blows up, the power is gone so there needs to be careful planning with regards to power.	Mr Xavier Singh Date - 12.10.2011	There will be a full infrastructural assessment undertaken at a later stage and this will inform and determine the infrastructure required for this initiative.	
Will water be taken from the Tinley Manor water supply or will water be sourced separately?		A marina is not envisaged or planned as part of this specific development.	
Will there be any water-borne sewerage system? Chris Devan of Siza Water produces a report every quarter of a year. Will this development be connected up to the sewerage plant?		An EIA takes between 18-24 months and the planning process will follow thereafter. After that the development will be rolled out according to market demand.	
We have heard some talk of a marina. This needs to be settled. On the concept plan there are five stars indicating possible resorts. Is there going to be a marina or not?		Mr Dean Hammerich Date - 12.10.2011	We are not making any assumptions; an interchange is planned for the area.
Can you provide us with timelines of how phases will be implemented?			We will have to look into that.
I am excited about the development. I have a question with regard to the off-ramp. There needs to be commitment with regard to the off-ramp. In another development, 600 units were approved without approval for an off-ramp.	Mr Chad Burt Date - 12.10.2011	The setback line is based on a 6 metre contour for the estuary. The coastal setback line has been determined using numerous factors. Part of the estuary is below the 5 metre contour and this is based on Andrew Mather's sea level rise. A 6 metre contour has been provided to give access to the coastal zone and it is responsible. The estuary is regarded as part of the	
From the concept plan, there is a road circle going inland – are there any plans to link this road to the Trinity College School?			
What is the setback to the lagoon banks?			

ISSUE/COMMENT	RAISED BY	RESPONSE
Swimming beaches have been earmarked. Will there be access to the beach and is it envisaged that there will be modification to the lagoon to provide public access to this as at present it is not accessible?		coastal zone. There will be no manipulation the opening and closing of the estuary. And estuary management plan will be drawn up which will identify constraints and what is allowed to be done in that area.
Is there any initiative to reinstate vegetation which is now under cane?		No this cannot be done. Response 2015: A Wetland and Open Space Rehabilitation Plan will be compiled and appropriate species and methods for the reinstatement of vegetation will be presented.
There is an opportunity to correct some of the past wrongs here. Is Tongaat Hulett Developments going to allow for this in terms of the lease?	Ms Di Jones Date - 12.10.2011	Farmers will be allowed to continue farming until the development happens.
Is this a gated development township or will there be public access and will the residential areas be of higher density than the surrounding area?	Mr Mike Howard Date - 12.10.2011	We cannot really answer both questions right now as that detail of planning has not happened as yet. We ideally would not like a large gated development; much clearly security is a major issue that has to be addressed. The development will not be a gated estate but there may be individual components within the development that will be secured by developers/owners.
We would like to see it accessible to the public where we can walk our dogs, etc.		Cognisance will be taken of this during the planning of the site.
Why is the name of the project “Tinley Manor Southbanks Coastal Development”, does this indicate that the development is incorporating Tinley Manor Beach as part of you project?	Mr Xavier Singh Date - 12.10.2011	A portion of Tinley Manor Beach is incorporated into the development, between Tinley Manor and Sheffield Beach as indicated in the layout plan. The name is indicative to the location of the development which is on Tongaat Hulett’s Southbank’s landholdings in Tinley Manor.
Will the Island in the Umhlali River have any development on it?		This is not envisaged at this stage but cannot be confirmed definitively until the detailed planning is conducted during the EIA phase.
Are you going to change the town planning scheme of Tinley Manor		The zoning implications/requirements for the new development

ISSUE/COMMENT	RAISED BY	RESPONSE
Beach, regarding residential buildings – etc.?		will only be assessed once the EIA has been completed. The zoning status of existing properties within Tinley Manor will however not be affected.
Why is the answer to my question about the Development of a Marina answered as “Not yet” is there still an intention of having a Marina at any time?		There is no marina planned as part of this specific development proposal at this stage.
The Framework Planning Branch raises no objections to the proposal as there is no direct indication of conflict of uses emanating from the proposed development with the eThekweni Municipality Spatial Development Framework (SDF).	eThekweni Municipality Framework Planning Branch Date - 02.11.2011	The comment is noted.
While this Branch has no objection to the proposal, it is worthy to note that given the proximity of the eThekweni Municipality boundary, there should be some consistency in aligning with the development proposals that the Spatial Development Plans and approved Northern Spatial Development Plan has identified.	eThekweni Municipality Land Use Management Branch Date - 02.11.2011	The comment is noted.
No geotechnical objections as such but a few cautions. The eastern portion of the site is likely underlain largely by Berea type and recent dune sands which will be highly erodible once vegetation is cleared. There are also some easterly aspect slopes that look quite steep where stability will have to be considered. Inland is probably shale and again, stability should be assessed.	eThekweni Municipality Geotechnical Engineering Branch Date - 02.11.2011	Noted. A comprehensive geotechnical study is planned and will be conducted during the EIA Phase.
There are many drainage gullies in the valley lines and along the coastal belt which should be drained wetland cane production. Drainage lines and wetlands must be delineated and not be developed.		
The island in the Umhlali River up north is included in the development boundary. Based on experience of the Umgeni River, these larger islands appear stable because year after year they are in the same place on the orthophotos with well-established vegetation, but during the 1987 floods all the islands disappeared, only to re-form in much the same location as before, within a few months. This Branch would be very hesitant to develop anything on this Island.		
A comprehensive Traffic Assessment is required.	eThekweni Transport	Noted. A comprehensive TIA is planned and will be conducted

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	Authority Date – 02.11.2011	during the EIA Phase.
<p>The only concern with such a large development is that the waste generated would be correctly managed. Should the waste need to be disposed of within eThekweni Municipality (Buffelsdraai Landfill), which is unlikely, then Durban Solid Waste would need a few months' notice and some Indication of the volumes expected.</p>	Durban Solid Waste Date – 02.11.2011	Noted. The planning for this has not been done as yet and will be considered during the EIA Phase.
<p>This development falls within the Umgeni potable water supply area. Currently the demand of the Umgeni system exceeds the secured supply. Consequently, any increases in demand anywhere in the Umgeni Water supply area materially affects the water security of all other areas, including eThekweni's, within the Umgeni supply area. Therefore some organization is needed to resolve the issue of allocation of water to each of the users. This is part of the function of the Catchment Management Agency.</p>	eThekweni Water and Sanitation Date – 02.11.2011	Noted. The planning for this has not been done as yet and will be considered during the EIA Phase.
<p>Umgeni Water is not mandated to act as a Catchment Management Agency, and currently there is no Catchment Management Agency for the Umgeni supply area. Under these circumstances Department of Water and Sanitation (DWS) is responsible for acting as the Catchment Management Agency. To date guidelines or directives in this regard have been seen coming from DWS, and it is not believed that any development, that is going to increase demand, should take place within the Umgeni Supply Area until the allocation issue is resolved.</p>		
12.2 Comments on Environmental Scoping Report		
<p>Concerned about the Umhlali river itself with particular emphasis on the alien vegetation along the river banks.</p>	Mr Adrian Reynolds Date - 28.11.2011	Specialist studies will be conducted along the river and on the estuary during the EIA phase and appropriate mitigation measures will be incorporated into the EMP to ensure that this

ISSUE/COMMENT	RAISED BY	RESPONSE
		natural asset is preserved. In addition to this, preliminary studies have been done and a buffer has been created around the estuary and along the River in the preliminary concept plan in order to ensure its protection.
12.3 Comments on Revised EIA Phase Background Information Document and EIA Phase Public Meeting		
The development should not proceed until the road network in the area is upgraded.	Mr Arthur Starr Date - 27.02.2015	The TIA confirms that the long-term planning of Tinley Manor does see upgrades to the road network which will assist with traffic congestion in the future.
<p>Access -</p> <p>With reference to previous correspondence, I once again wish to confirm and register my rights:</p> <ul style="list-style-type: none"> - To access my land on the east side of the N2; - To travel to the Umhlali River mouth; and - To travel to the beach between the Umhlali River mouth and Christmas Bay – this is achieved by passing under the Umhlali River Bridge (N2), through the N2 subway near Cane Cutters and the Farm Hostel or via the cane haulage road (Hilo Road). 	Mr Adrian Reynolds Date - 27.02.2015	Access to your property will remain unhindered. Access to the Umhlali River mouth and the beach will be as per any member of the public with the intention to enable members of the public to be able to access the beach etc. via the central road spine through the development.
<p>Development –</p> <p>I further wish to register my intention to develop my property east of the N2. I require that provision be made for the access of transport and basic services including electricity, water and sewerage.</p>		The intention to develop your property is noted. Providing access for basic services and transport is the responsibility of the KwaDukuza Municipality and not Tongaat Hulett Developments. Where there may be synergies involved such would need to be discussed further around the details.
<p>Road 228 –</p> <p>Road 228 is inadequately maintained and is unable to cope with the current high traffic volumes. An additional problem is access onto the road between Umhlali and Salt Rock where peak hour traffic backs up past the Brettenwood Coastal Estate. These problems need to be addressed by widening and tarring Road 228 and by the construction of off- and on-ramps near to the existing N2 overpass. It is essential that this work be undertaken before the commencement of any development.</p>		The TIA confirms that the long-term planning of Tinley Manor does see upgrades to the road network which will assist with traffic congestion in the future.

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>The current proposed development crosses the road (P228) to the farm /small holding we live on (The Grange Farm), which is just after Adrian Reynolds turn off and adjacent to The animal farm.</p> <p>The proposed development also borders onto the approved Zululami Development which is planned to go ahead in the near future.</p> <p>My main concerns are:</p> <ul style="list-style-type: none"> - the road networks and impacts in terms of traffic flows and continuity of existing networks, linking the Sheffield Beach area from Colwyn Drive to the new proposed development area and back to the N2, as Zululami have made provision for this in their planning and also discussed this with KDM planning in the past; - Tarring of and connection of the P228 which is impacted by higher traffic volumes; - the proposed on/off ramps from the P228 to the N2 connecting Developments like the new development, Seaton Deleval and future developments impacting the p228; - Are you ensuring that the neighbouring sites will have beach access? <p>What are the planned upgrades impacting/linking the P228 to the N2 and have you approached or included the Local municipality and Zululami with regards to the future road networks, connecting and going North of Sheffield.</p> <p>I have copied this to certain directors of Zululami to follow up with you and council.</p> <p>Please acknowledge receipt of my mail and register me as an interested & affected party, please confirm that I have been registered as such and inform us as to when we can have site of the plans with answers to the above questions. (I would prefer e-mailed correspondence).</p> <p>Please let us know when the public participation meeting will be taking place, so that we may attend.</p>	<p>Pat Conway Date – 05.03.2015</p>	<p>Thank you for your interest in this project.</p> <p>You have been registered as an Interested and Affected Party (I&AP) on this project database. As an I&AP you will be notified of the availability of the draft Environmental Impact Assessment Report (which includes the Urban Planning Report and Traffic Impact Assessment) for your review and comment. You will also be notified of the date, time and venue of the public meeting to be held.</p> <p>Your specific concerns will be addressed in the Comments and Responses Report contained within the draft Environmental Impact Assessment Report.</p> <p>The TIA confirms that the long-term planning of Tinley Manor does see upgrades to the road network which will assist with traffic congestion in the future.</p> <p>There are no plans to disrupt any of existing road networks from a linkage perspective.</p> <p>Furthermore, there is no obligation on the applicant to provide beach access to neighbouring properties. General public access to the beach is being provided through the development.</p>
<p><u>Comments:</u></p>	<p>Chris Howie</p>	<p>Thank you for your interest in this project.</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<p>The current proposed development borders our property/future development known as Zululami and we have not received any written notice.</p> <p><u>Comments and Concerns are:</u></p> <ul style="list-style-type: none"> - Extension of the road networks and impacts in terms of traffic flows - Continuation and linking of the Old Sheffield Drive to the new network, which has not been discussed with us - Zelpy has not received any notice prior to one of our colleges living in the area making mention of the development and coping his e-mail to us - Access to the future network roads and link - Access to the beaches <p>We have included the Local Municipality in our e-mail as we have held conversations with them in the past and agreed to facilitate a servitude to connect the road network</p> <p>Please acknowledge receipt of my mail and register Zelpy 2084(Pty) Ltd as an interested & affected party, please confirm that we have been registered as such and inform us, as to when we can have sight of the plans with answers to the above questions.</p> <p>Plas copy e-mails to both the-mails listed above.</p> <p>Please inform as to when the public participation meeting will be taking place, so that we may attend.</p>	<p>Date – 06.03.2015</p>	<p>All neighbouring landowners were delivered Background Information Documents (BIDs) in their post boxes last week – please see attached images. Notices have also been placed on the perimeter of the site and surrounding areas –please see attached images. The project was also advertised in the local press in 2011, a public meeting was held at this time and BIDs were distributed to all neighbouring landowners in 2011.</p> <p>You have now been registered as an I&AP on this project database. As a registered I&AP you will be notified of the availability of the draft Environmental Impact Assessment Report (which includes the Urban Planning Report and Traffic Impact Assessment) for your review and comment. You will also be notified of the date, time and venue of the public meeting to be held.</p> <p>Your specific concerns will be addressed in the Comments and Responses Report contained within the draft Environmental Impact Assessment Report.</p> <p>The TIA confirms that the long-term planning of Tinley Manor does see upgrades to the road network which will assist with traffic congestion in the future.</p> <p>There are no plans to disrupt any of existing road networks from a linkage perspective.</p> <p>Furthermore, there is no obligation on the applicant to provide beach access to neighbouring properties. General public access to the beach is being provided through the development.</p>
<p>It is vitally important to preserve the Umhlali lagoon riverine system with no encroachment of buildings or development on or near the lagoon and island. This must remain a natural point of the impending development.</p>	<p>Cheryl Simpson Date – 17.03.2015</p>	<p>The comment is noted. It is reiterated that the proposed development Concept Plan is sensitive to the Umhlali Estuary and stringent protection measures are forwarded in the EMPr during the construction and operational phases.</p>
<p>The H.V. Department has no objection, however please note:</p>	<p>eThekwini Electricity</p>	<p>The comment is noted. It is further noted that the project is</p>

ISSUE/COMMENT	RAISED BY	RESPONSE
<ul style="list-style-type: none"> - The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf 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. - 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>Date – 20.03.2015</p>	<p>within the jurisdiction of the KwaDukuza Municipality.</p>
<p>This Department has reviewed the Background Information Document and presents the following comment – impacts associated with the Development on the Umhlali River and Estuary must be suitably assessed and mitigated. The health of the estuarine systems neighbouring the eThekwini Municipality plays an important role in ensuring the resilience of these systems to increasing development pressures associated with an expanding city. This Department will comment further during the Impact Assessment process.</p>	<p>eThekwini Environmental Planning and Climate Protection Department Date – 20.03.2015</p>	<p>The comment is noted. The draft EIA Report will be sent to your Department for review and further comment.</p>
<p>The Framework Planning Branch raises no objections to the proposal as there is no direct indication of conflict of uses emanating from the proposed development with the eThekwini Municipality Spatial Development Framework (SDF).</p>	<p>eThekwini Municipality Framework Planning Branch Date – 20.03.2015</p>	<p>The comment is noted.</p>
<p>No comment.</p>	<p>eThekwini Municipality Land Use Management Branch Date – 20.03.2015</p>	<p>Noted.</p>
<p>The proposed development is for residential purposes with limited commercial land use. Due to the nature of the usage and the proximity of the proposed development to the eThekwini Municipality, no cross-boundary environmental health impacts are anticipated to arise from the project. No objection is raised to the proposal.</p>	<p>eThekwini Health Department Date – 20.03.2015</p>	<p>Noted.</p>
<p>No comment.</p>	<p>eThekwini Transport Authority Date – 20.03.2015</p>	<p>Noted.</p>

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No comment at this stage. This Branch awaits the Drennan Maud geotechnical report referenced in the revised BID.	eThekwini Municipality Geotechnical Engineering Branch Date – 20.03.2015	The comment is noted. The draft EIA Report and specialist reports will be sent to your Department for review and further comment.
The only concern with such a large development is that the waste generated would be correctly managed. Should the waste need to be disposed of within eThekwini Municipality (Buffelsdraai Landfill), which is unlikely, then Durban Solid Waste would need a few months' notice and some Indication of the volumes expected.	Durban Solid Waste Date – 20.03.2015	Noted. Waste disposal will be the responsibility of the KwaDukuza Municipality.
Wastewater Networks: No comment. Pollution and Environmental Branch: No comment.	eThekwini Water and Sanitation Date – 20.03.2015	Noted.
A Stormwater Management Plan is needed.	eThekwini Coastal, Stormwater and Catchment Management Department Date – 20.03.2015	The comment is noted. A Stormwater Management Plan has been compiled and will be circulated with the draft EIA Report.
No comment.	eThekwini Disaster Management Date – 20.03.2015	Noted.
What is the timing of the interchange mentioned in the presentation? The timing is important as it needs to happen sooner rather than later to link with the 228 as the 228 does not have capacity for additional vehicles.	Pat Conway Date – 23.04.2015	The timeframes depend on the market demand for the development. The interchange is a regional function and not the responsibility of the development. Once portions of the development commence, the traffic counts will inform how future phases will need to be implemented.
Whose responsibility is the interchange?		This needs to be resolved with the local authorities.
What is Tongaat Hulett's programme for this development?		The EIA will need to be concluded and thereafter the Planning and Development Act (PDA) approval process will need to commence. Thereafter we will need to procure services for bulk services. This all takes time and is dependent on the market demand for the project. We are in the process of securing international investors for this development as well as for our other land holdings. We do not expect the development

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		<p>to commence for at least the next 3 years.</p> <p>This EIA process is underway under the 2010 EIA Regulations, however, any Environmental Authorisation (EA) issued will take cognisance of the recently promulgated 2014 EIA Regulations which will allow for a maximum of 10 years (5 years plus an allowance for an extension of another 5 years) after the issue of the EA for the development to commence.</p>
<p>You have presented that this development will not adopt a gated concept. Will there be pedestrian access?</p>	<p>Colin Marsh Date – 23.04.2015</p>	<p>Yes, there will be no restrictions for pedestrians – this includes access to the beach and (managed) estuarine access, including a potential boardwalk along the estuary edge. Whilst the development is not a gated estate there may be individual components within the development that are secured by developers/owners.</p>
<p>Will there be linkages from the South and to the North when the future Northbanks is developed?</p>		<p>The intention is to allow linkages to both the South and North neighbouring developments, however, this is beyond the control of the Developer. Accommodation in the layout has been made to allow linkages – if allowed.</p> <p>The KwaDukuza Municipality (KDM) is interested in these connections and will need to drive this initiative given it's regional role.</p>
<p>I am not sure if you are aware that a traffic survey was done along the coastal road and was shown that the coastal road is deemed to be a totally unacceptable intersection. These are rural roads and there are issues that they are at capacity and they are not maintained by the DOT or council. There are huge pot holes/sink holes and therefore the stated intersection is required sooner rather than later. There are diesel tanks going inland to the power station which creates challenges and must be considered. Timeframes are crucial.</p>	<p>Malcolm Hubner Date – 23.04.2015</p>	<p>Due to time restrictions we could not present the entire Traffic Impact Assessment (TIA) study that was undertaken this evening. However, careful attention and investigations have been undertaken over the years. Many of the issues raised have been identified and the necessary upgrades recommended. The existing issues are however the responsibility of the Provincial Department of transport and the municipality. The developer will however be engaging with all parties towards ensuring appropriate plans are put in place to deal with the additional traffic requirements.</p>
<p>Please can you clarify the net density as the net density along the river is considered to be too high which will be intrusive and have visual</p>	<p>Hannes Struwig Date – 23.04.2015</p>	<p>The net density confirmed as per presentation slides. The visual impacts will be mitigated with appropriate paint colours,</p>

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<p>impacts.</p> <p>Please clarify the parallel roads and whose responsibility this will be. We are concerned that if THD do not build these roads, no one else will.</p>		<p>materials and so forth.</p> <p>The parallel roads are a regional function and not the sole responsibility of Tongaat Hulett due to the regional function that it provides.</p> <p>Planning has been provided for these roads and appropriate servitudes have been allowed for.</p>
<p>In the presentation, it was stated that Tongaat Hulett has made additional land available for agricultural purposes. Where is this land, is it in South Africa or Mozambique?</p>		<p>Over 38,000 ha of unproductive land has been planet back to agriculture since 2009/10, all within KZN in deep rural areas and a further 30 000 hectares are targeted over the next 4 years. We have partnerships with the Ingonyama Trust to make land available for sugarcane and other agricultural practises in rural areas, close to the source where it is required most.</p>
<p>You have spoken about public access to the beach, will the same level of access be available to the Umhlali Estuary?</p>	<p>Adrian Reynolds Date – 23.04.2015</p>	<p>Not the same level of access. Access will be restricted to pedestrian access along boardwalks along the perimeter. Some areas requiring rehabilitation will not have access, however, the estuary as a whole will not be cut-off from the public.</p>
<p>I am a neighbouring landowner, owning the triangle piece of land on the border of the development. Will I have access to my property?</p>		<p>The area zoned in purple will have small service roads which can provide access. Smaller servicing roads within each block are allowed for in the detailed planning but are not shown at this time in the planning process.</p>
<p>The present access point located on the northern section only services THD. Is it possible to consider shifting this access point to allow wider access to surrounding farms?</p>		<p>We will have a look and consider this. This would need to be negotiated with SANRAL, DOT and the municipality as it has impacts on their mandates. There are also existing wetlands that may be impacted by moving the road from where it is already located.</p>
<p>Please would you set up meetings with the relevant decision makers (development planners, Roads Department etc.) and myself so that we can discuss these matters. I will assist by inviting other affected Land owners as soon as you have given me a date.</p>	<p>Adrian Reynolds Date – 29.06.2015</p>	<p>The queries below are town planning related issues and should be taken forward outside the EIA process. You are welcome to contact Tongaat Hulett Developments to discuss.</p>
<p>The slides have indicated the capacities of water and sewer for this</p>	<p>Di Jones</p>	<p>The source of water for irrigation and construction has not</p>

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development. Where will water be abstracted from as Tandi indicated that water will not be abstracted from the river and are there licenced boreholes on the site at present?	Date – 23.04.2015	been determined at this stage. Once the WULA commences, the source will be applied for. Several options will be considered including irrigating treated wastewater from the Wastewater Treatment Works (WWTW), utilising boreholes and so forth. There are no licenced boreholes that we are aware of on the site.
There is a weir on the river which is not operational. Can it be removed?		When the WULA is underway, we can request the Department of Water and Sanitation (DWS) to consider removing the weir.
Please provide clarity on the timelines for electrical supply to the area. We have been promised that the Sheffield Substation will be upgraded for many years. There is a concern that this not happening. There is a feeling that the infrastructure is fragile and in poor condition.	Colin Marsh Date – 23.04.2015	A contractor for the 33 kV line was appointed yesterday. It is expected to be completed by October 2015. Possible additional lines are potentially to be developed shortly as well.
12.4 Comments on Environmental Impact Assessment Report		
<p>Firstly I would like to thank you for the minutes forwarded from the public meeting held on the 23rd April 2015 and that I am in support of the proposed development.</p> <p>I would like to make 2 corrections on the Attendance page 1 to be noted and also comment on the network road, which I do not believe was adequately covered in the minutes of the meeting;</p> <ul style="list-style-type: none"> - Item 20, Chris Howie Represents the adjacent development spelt (Zululami) - Item 21, Surname is Conway, representing the Grange Farm situated on the P228 and shareholder of Zululami. <p>We discussed our concerns on the network and (lack of the linkage) on the coastal road design, to link Colwyn Drive from the old part of Sheffield linking to the new proposed Tineley Manor Southbank Coastal Development.</p> <p>I have marked the link with a blue star below, which shows the common boundary of the 2 developments in your block plan below. (I believe Jonathan Ellis was the gent sitting in front of me who interacted , saying that they would like to explore and meet on the</p>	Pat Conway Date – 08.05.2015	<p>Corrections are noted.</p> <p>Linkage opportunities have been further considered following these comments. The major constraint to any such linkages remains the existing status, characteristics and nature of the roads in Sheffield Beach, specifically Colwyn Drive. Providing such a linkage will have significant impacts on the road and intersections along it together with significantly increasing traffic usage on the road. It is furthermore unclear as to how the existing surrounding owners would feel about such a proposal which has not been part of the development</p>

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<p>subject/ possible link) and commented that I could assist in facilitating the meeting with Zululami Directors or representatives.</p> <p>We have discussed the possibility of a link with Council in the past, as I believe Zululami could provide a servitude to make provision for the link to complete the network & linking of the roads, the matter has been discussed with certain councillors/planners in the past and needs to be taken into consideration, as they indicated that they were keen to link the network of roads, this will also benefit surrounding developments and flow of traffic.</p> <p>I have discussed this with certain Directors of Zululami and would like to pursue the matter to ensure it is given proper consideration with all parties concerned and planning.</p> <p>If you look at the block plan from your presentation below, you will note that the development butts directly onto the boundary of Zululami, giving ample opportunity to achieve the link and continuation of the coast link road.</p> <p>I have spoken to Chris Howie, who was in attendance but had to leave the meeting early, Chris has indicated that he would like to attend a meeting to be set up with Your planning representative and council.</p>		<p>proposals to date.</p> <p>Access to Zululami requires further engagement as it is unclear as to whether or not Zululami is a gated estate or not. If it is a gated estate then it cannot be said that this will continue a network.</p> <p>It is also submitted that it is not best practise to plan for major roads close to the sensitive coastal strip and that subregional road networks should be planned for further inland. In this regard provision has been made to the west of the development for subregional road network linkages parallel to the N2.</p>
<p>Access to the Beach and Estuary:</p> <p>I refer once again to my previous correspondence regarding my rights to access the Beach and Estuary. It would appear that the public will be able to proceed no further than the end of the public spine road. The distance to the beach is excessive. I, together with all those who dwell on my properties have always enjoyed access to the Beach and Estuary. Please confirm that provision will be made to continue these rights to access the Beach and Estuary by using the entire road network as well as all the various parking lots etc. closest to the beach and estuary.</p> <p>Please ensure and confirm that the walkway along the fringe of the river and estuary will be accessible from my property (AC Reynolds Farm) and will be continuous all the way to the beach. Please ensure</p>	<p>Adrian Reynolds Date – 18.05.2015</p>	<p>Please refer to the previous response – access will be the same for all members of the public and local community.</p>

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<p>that there is a route around the sensitive areas so that it is continuous, thereby enabling access all the way to the beach. Kindly also ensure and confirm that there will be no obstruction along the river that would hinder or prevent access to and from the estuary and beach, by boat.</p>		
<p>Access to my triangular piece of land on the east side of the freeway: With reference to previous correspondence, I once again wish to advise that this property will, in future, be developed for high density residential accommodation and/or an office park. Kindly ensure that provision is made to accommodate farming activities until such time as this development takes place and thereafter to accommodate this development. Please forward me a detailed layout showing how this property will be accessed and what provision will be made for accessing electricity, sewerage, water reticulation etc.</p>		<p>Provision has been made for access to this private property. Contribution of improvement costs will have to be discussed and agreed.</p>
<p>The access point to and from Road 228 on the Northern Section of the Development: This access needs to be relocated to the point where the boundaries of Tongaat Hulett, AM Starr Family Trust and AC Reynolds Farm meet, about 100 meters to the North of the point indicate on your map. This point also serves as the access point for Seaton Delaval. Kindly include me as well as other adjoining property owners in all meetings and copy us with all correspondence relating to this matter so that we can be part of this decision making process.</p>		<p>Access is dictated by authority spacing requirements together with existing physical and topographical conditions including wetlands. Existing roads are also utilised wherever possible.</p>
<p>The proposed development appears to be well planned with much thought given to the maintenance of the ecological functioning of the site and the aesthetics of the area. I am particularly pleased to hear that the development will not be gated and the public will have access to the beach.</p>	<p>Mike Howard Date – 18.05.2015</p>	<p>The comment is noted.</p>
<p>I have studied your report carefully and ultimately came to the conclusion that all aspects and impact of such a huge and exciting development has been taken into consideration. Congratulations on an in depth study and I take it that all the questions and queries at the last meeting (re minutes) will be addressed.</p>	<p>Louis Van Zyl Date – 18.05.2015</p>	<p>Beach access will be provided and cannot be restricted. No consideration given at this stage for a pedestrian bridge</p>

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<p>Just 1 question from my side as a resident from Tinley Manor Beach: Are there plans or has consideration been given to link Tinley Manor Beach and this development via the beach or over the river with a possible pedestrian bridge to have access from both sides - in order to enjoy the beach and recreational facilities? Furthermore what would the timeframe be and the next steps to be taken to the next level. Lastly all the success with this new venture</p>		
<p>Know that the comment period has expired but would just like to establish if the Traffic Impact Assessment considered the number of vehicles from the Sheffield Manor Estate on the MR228 that is already congested?</p>	<p>Bruce Dale Date – 04.06.2015</p>	<p>In the analysis of existing conditions, we took into account everything between the Salt Rock/Sheffield Beach interchange on the N2 and the existing Tinley Manor interchange on the N2. In the future predictions, we took into account the following nearby developments:</p> <ol style="list-style-type: none"> 1. Seaton Delaval 2. Inkwazi 3. Palm Lakes
<p>Thank you for the response. Do you know what substation will be used to supply power. My property overlooks the sub-station on the corner of Seaton-Deleval and Sheffield Manor and hopefully any expansion will not create impacts on this area?</p>	<p>Bruce Dale Date – 05.06.2015</p>	<p>The first phase of the development will be supplied by the Sheffield Beach Substation where additional capacity will be created when the new 33kV feeder line from Shaka's Kraal has been installed. This substation is expected to be commissioned/energised by 2016.</p> <p>In the long term, a new Substation will be required to create the required capacity for the development.</p>
<p>The H.V. Department has no objection however please note;</p> <ul style="list-style-type: none"> - The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf 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. - 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>eThekwini Electricity Date – 19.06.2015</p>	<p>The comment is noted. It is further noted that the proposed project is outside the jurisdiction of eThekwini Electricity and falls within the KwaDukuza Municipality.</p>

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This Department will comment on the Final Environmental Impact Assessment Report.	eThekwini Planning and Climate Protection Department Date – 19.06.2015	The Department will be notified when the final EIR is available for public review and comment. <i>Since this comment, the eThekwini Planning and Climate Protection Department has submitted comment on the draft EIR. Please see comment further below.</i>
The Strategic Spatial Planning Branch raises no objections to the proposal as there is no direct indication of conflict of uses emanating from the proposed development with the eThekwini Municipality Spatial Development Framework (SDF).	eThekwini Framework Planning Branch Date – 19.06.2015	The comment is noted.
No comment received.	eThekwini Land Use Management Branch Date – 19.06.2015	Noted.
No further comment.	eThekwini Environmental Health Department Date – 19.06.2015	Noted.
A Traffic Impact Assessment will be required to assess this Development.	eThekwini Transport Authority Date – 19.06.2015	A TIA has been done and included in the draft EIR sent to your Department for comment but it is noted that the development is way outside of the eThekwini Municipality
No geotechnical objections in principle. Obviously the detailed geotechnical investigation identifying / confirming unstable land will guide the final town planning layout. Mention is made of possible sources of suitable roads making materials (notably dolerite); this will be a considerable cost saving if a source can be found on site.	eThekwini Geotechnical Engineering Branch Date – 19.06.2015	The comment is noted and all efforts will be made to re-use material on site as and when the detail becomes available.
As this development has little impact on the City Durban Solid Waste has no requirements, but note that solid waste management has not been mentioned in the presentation but due to its nature has high visual impact and can cause substantial problems and impact the environment if not properly managed. Refuse compactors have high rear axle loadings which if not designed for can destroy roads built to low specifications.	Durban Solid Waste Date – 19.06.2015	Refuse removal is the responsibility of the KwaDukuza Municipality.

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No comment.	eThekwini Water and Sanitation Date – 19.06.2015	Noted.
No comment.	eThekwini Coastal, Stormwater and Catchment Management Department Date – 19.06.2015	Noted.
No comment from Disaster Management.	eThekwini Disaster Management Date – 19.06.2015	Noted.
No comment.	eThekwini Fire Safety Date – 19.06.2015	Noted.
<ul style="list-style-type: none"> - The development does not directly impact on the Durban Metropolitan Open Space System (D'MOSS) since it is outside of eThekwini Municipal Area (EMA). - However, there are some sensitive environmental features that have been identified in the study area. These sensitive environmental features include Umhlali Estuary and River, Wetlands, the Primary Dune and the Coastal Dune Scrub / Forest; - The Conceptual Development Layout Plan has taken the Wetlands, the Primary Dune and the Coastal Dune Scrub / Forest into consideration such that there is negligible development impact on these environmental features. - Infrastructure such as road, bulk sewer and water pipelines does impact on these sensitive environmental features but those impacts are not significant. One of the unique environmental impact reduction measure that has been implemented is the location of the stormwater attenuation structures outside of the delineated wetlands. - Although the attenuation structures are located within the 30 metre wetland buffer, their impact is also not significant provided that the environmental features on the site are timeously rehabilitated as a 	eThekwini Planning and Climate Protection Department Date – 02.07.2015	<p>The comment is noted.</p> <p>Noted. Cognisance of these sensitive environments has been taken in the planning of the site and impacts on these environments have been assessed in the EIA Report.</p> <p>Rehabilitation will be done as quickly as possible and will be monitored by the ECO.</p>

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<p>mitigation measure in order to suitably manage the increased runoff from the development.</p> <ul style="list-style-type: none"> - The remaining sensitive environmental features must receive suitable rehabilitation and remain as Open Space. The Open Space must be suitably protected by either a Conservation Zone or a Conservation Servitude in order to ensure its protection in perpetuity. - Of concern with the proposed development are the impacts on Umhlali Estuary. The Umhlali Estuary must be understood in the context that the estuary forms part of linked estuary systems between the Durban Bay and large systems to the north (Richards Bay and St Lucia). The health of this “stepping stone” system is vital for the maintenance of biodiversity within the estuaries along KwaZulu-Natal eastern seaboard, hence eThekweni Municipality Coastline. Degradation of this system through habitat loss and the altering of water quality will negatively impact on the functionality and health of the systems within the EMA. All development proposed must ensure that no degradation occurs to the system. - The proximity of the development of Umhlali Estuary is a concern when the scale of the development is considered. This is further compounded since the proposed buffers to the estuary are too narrow, raising a concern that the buffer will not adequately protect and enhance the estuarine functional zone, especially in areas where there are steeper slopes. - In the areas with steeper slopes, direct runoff from the development will have minimal attenuation time before entering the estuarine system. Therefore the quality and quantity of runoff into the estuary is likely to negatively impact on the integrity of the system. - The proposed disposal of sewage effluent via the local waste water treatment works has not been suitably assessed in this application since there is no detail that has been provided to 		<p>A Wetland and Open Space Rehabilitation Plan will be compiled as part of the WULA.</p> <p>The development has acknowledged the importance of the Umhlali Estuary and its value as an environmental asset. Further, the development does not infringe on the estuarine functional zone. Nonetheless, negative impacts on the system are likely to occur and have been assessed. A stringent EMP for the development, containing recommendations from the wetland and estuarine specialist reports, must prevent any foreseeable degradation to the system and must be complied with. Monitoring of the system in terms of access and user activities and must be closely monitored.</p> <p>The 10 m contour is the proposed buffer. This allows for a net gain of buffer and rehabilitated area.</p> <p>Sustainable urban drainage techniques / ‘working with nature’ methods must be implemented as part of the stormwater management system. Stormwater run-off may not be discharged directly into the estuary and must pass through a process of polishing and attenuation.</p> <p>Discharge from the works is assessed in the estuarine specialist report. The approval of the local waste water treatment works was part of a prior application process. It is assumed that authorisation for its construction entailed consideration of water quality and quantity impacts on the</p>

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<p>indicate that the system can accept the planned volumes or the nutrient loads from the development. Therefore, an Ecological Reserve Determination would be required before any further Water Use are considered on the estuary system.</p> <ul style="list-style-type: none"> - The risk of altering the breaching dynamic of the estuary mouth must be considered as part of the assessment due to the additional sewage effluent to the estuary system; - The increased recreational uses on the estuary must also be assessed for their potential impacts on the estuary since this has not been addressed adequately. 		<p>estuary.</p> <p>Noted. Artificial breaching is acknowledged in the estuarine assessment. Artificial breaching is strongly not recommended. Rather the quality of the wastewater must be improved prior to considerations of artificial breaching. A Breaching Protocol must be developed to lay down stringent conditions for breaching.</p> <p>Noted. Recreational use has been included in the assessment and is believed to have been adequately addressed.</p>
<p>Further to our telephone conversation this morning regarding the informal clearing of Milk woods and coastal dune cover on Tinley Manor Southbanks site, I would appreciate the contact of the relevant person to follow up on this please?</p>	<p>Mr. Chad Burtt Date – 30.07.2015</p>	<p>The matter has been discussed with Tongaat Hulett Developments who are taking it up with the Farm Manager on the site. You will be contacted directly to discuss this matter further.</p>
<p>Telephonic request to be registered as an I&AP and to make the final EIAR available for public comment at a local library.</p>	<p>Mr. Paul Dutton</p>	<p>Registered and has been made available.</p>



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Appendix A

Comments Received