

## Background Information Document

Basic Assessment for the Proposed Development of Residential Flats in Precinct B on Erf 3195, Cape St Francis, Kouga Municipality, Eastern Cape

June 2018

### CEN Integrated Environmental Management Unit

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#### Purpose of the Background Information Document

The purpose of this Background Information Document (BID) is to provide stakeholders with the opportunity to register as interested and affected parties in the environmental assessment process and to obtain their initial comments on the proposed development of residential flats in Precinct B on Erf 3195, Cape St Francis, Kouga Municipality, Eastern Cape.

The purpose of the environmental assessment is to identify potential impacts associated with the proposed project and to recommend measures to avoid or reduce adverse impacts and enhance beneficial or positive impacts.

The environmental decision making authority is the Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT) in accordance with the Regulations published in Terms of Chapter 5 of the National Environmental Management Act, 1998.

If you would like to participate in the process please register yourself and or your organization as an interested and affected party. Submit issues that you feel need to be addressed in the assessment by completing the response form or in a letter or by email to:

**Dr Mike Cohen / Irma van der Merwe  
CEN IEM Unit  
36 River Road  
Walmer  
Port Elizabeth  
6070**

[steenbok@aerosat.co.za](mailto:steenbok@aerosat.co.za) / [irma@environmentcen.co.za](mailto:irma@environmentcen.co.za)

**All comments must be submitted within 30 days of the date of this notice. Comments must be received by 23 July 2018.**

**Date of Notice – 19 June 2018**

## **1. Proposed Project**

### **1.1 Proposed Project Description**

CEN Integrated Environmental Management Unit has been appointed by Market Demand Trading to undertake the necessary environmental assessments for the proposed development of residential apartments/units and related infrastructure on Erf 3195 within Precinct B of the Port St Francis Development, in Cape St Francis, Kouga Local Municipality.

The proposed activity entails the development of residential apartments, basement parking and related infrastructure on Erf 3195, Port St Francis. The proposed residential development will be developed in three phases, which will altogether entail 52 residential units and a development footprint of approximately 3310 square metres.

The applicant will be applying for an Environmental Authorisation for the proposed development of residential apartments/units and related infrastructure on Erf 3195 within Precinct B of the Port St Francis Development, in Cape St Francis, Kouga Local Municipality, in terms of the Environmental Impact Assessment Regulations, 2014, published in Government Notice R.982 of 4 December 2014. This application will be done in terms of activities listed in Government Notice Regulation (GNR) 324 and 327, published in terms of Section 24(5) of the National Environmental Management Act, 1998 (Act No 107 of 1998) as amended. The proposed activities require that a Basic Assessment Report (BAR) be submitted to the Eastern Cape Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT).

### **1.2 Locality**

The proposed site is situated on Erf 3195 in the Port St Francis Development, precinct B, and falls within the jurisdiction of the Kouga Municipality, Eastern Cape. The site is situated within 100 metres of the highwater mark and is accessible from Alikreukel Avenue and Captains Reach, respectively. Currently the site is vacant and vegetated, and surrounded by built-up residential dwellings to the north and east, with open vegetated areas to the south and south-west.



Figure 1: Locality Map

## 2. Environmental Assessment Process

### 2.1 Identified Listed Activities in Terms of the EIA Regulations

The Minister of Environmental Affairs has in terms of sections 24 and 24D of the National Environmental Management Act, 1998 (Act No. 107 of 1998, NEMA), listed the activities that require an environmental assessment.

In terms of the Environmental Impact Assessment Regulations, 2014, made under section 24(5) and 44 of the National Environmental Act and published in Government Notice No. R. 38282 of 2014 the following activities require to be subjected to an assessment.

Listed activity	Description
<p><b>Listing Notice 2 (GNR 327) Activity 17:</b>            Development –            (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is greater;            In respect of-            (e) infrastructure with a development footprint of 50 square metres or more-            But excluding-            (dd) where such development occurs within an urban area.</p>	<p>The proposed project entails the construction of residential units within 100 metres of the highwater mark of the sea. The development footprint will exceed 50 square metres.            Due to the proposed site not being surrounded entirely by built-up areas, it may be considered to be outside an urban area.</p>
<p><b>Listing Notice 2 (GNR 327) Activity 19A:</b>            The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-            (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater</p>	<p>The proposed project entails the construction of residential units within 100 metres of the high-water mark of the sea. More than 5 cubic metres of soil will be excavated.</p>
<p><b>Listing Notice 3 (GNR 324) Activity 12:</b>            The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance</p>	<p>The proposed project entails the construction of residential units within 100 metres of the high-water mark of the sea. The proposed site is situated within a terrestrial CBA as mapped by the ECBCP, 2007. More than 300 square metres of vegetation will be cleared. Currently the property is zoned as Special</p>

<p>management plan.</p> <ul style="list-style-type: none"> <li>a. Eastern Cape</li> <li>ii. within critical biodiversity areas identified in bioregional plans.</li> <li>iii. within the littoral active zone or 100 metres inland from the high water mark of the sea, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas.</li> </ul>	<p>(Kouga Municipality SDF, 2015). The proposed site is surrounded by built-up residential dwellings to the north and east, with open vegetated areas to the south and south-west.</p>
<p><b>Listing Notice 3 (GNR 324) Activity 23</b> The expansion of</p> <ul style="list-style-type: none"> <li>(ii) Infrastructure or structures where the physical footprint is expanded by 10 square metres or more.</li> </ul> <p>Where such expansion occurs-</p> <ul style="list-style-type: none"> <li>(a) If no development setback line has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</li> </ul> <p>Excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <ul style="list-style-type: none"> <li>a. Eastern Cape <ul style="list-style-type: none"> <li>i. Outside urban areas:</li> <li>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</li> </ul> </li> </ul>	<p>The proposed project entails the expansion of the Port St Francis Development. The site is situated within 100 m of the high-water mark, and within 32 metres of a watercourse. It could be argued that the site is outside an urban area. The site is situated within a CBA as mapped by the ECBCP.</p>

### 3. Basic Assessment Process

The Basic Assessment Process identifies and assesses potential impacts, then provides mitigation measures to reduce the anticipated negative impacts. Appropriate public participation process is undertaken as part of this process. The Basic Assessment ends with recommendations for authorisation and under what conditions.

#### 3.1 Some Identified Potential Issues/Impacts

Potential beneficial and adverse impacts will be identified as the environmental investigation progresses. All identified issues will be subjected to an assessment in order to determine its significance and whether additional investigation will be required. The following issues have been identified during a preliminary investigation.

- Soil erosion
- Biodiversity Impacts
- Socio-economic impacts

### **3.2 Description of Tasks in Basic Assessment Process**

- Notification of the intended application for Environmental Authorisation is sent to identified stakeholders, landowners and adjacent landowners prior to submission of the application for Environmental Authorisation to the competent authority, namely the DEDEAT for this project.
- An application for Environmental Authorisation is submitted to the competent authority.
- Public participation starts announcing the proposed project. Newspaper advertisements are placed and site notices are placed. Registration of IAPs begins.
- Background information documents are also sent to identified stakeholders and registered IAPs
- A Basic Assessment Report is compiled that considers inputs from stakeholders, IAPs and specialists, in terms of:
  - Potential impacts of the activity on the environment;
  - Whether the impacts can be mitigated, and if so to what extent; and,
  - Whether there are any other significant issues/impacts to be investigated.
- Once the Basic Assessment Report is compiled, it is then submitted for a 30 day review period to registered IAPs and stakeholders. This enables you to comment on the Basic Assessment Report and accompanying Environmental Management Programme.
- Your comments are incorporated and the reports are then finalised.
- These final reports are submitted to the DEDEAT for consideration.
- The DEDEAT reviews the documents and decides whether the project can proceed or not, their decision is known as an Environmental Authorisation.
- A copy of the EA is made available to you to consider, along with the reasons for the decision made. If you disagree with the decision, you are provided with information on how to lodge an appeal.

### **3.3 How do You Participate**

Every proposed project and/or development has the potential to significantly affect the natural and social environments, both at, as well as surrounding the proposed development site. While some of the impacts will have an adverse impact on the environment others will have a beneficial impact.

For this reason it is imperative that you as an interested and/or affected party (I&AP) comment on the proposed development and raise issues or concerns that you feel need to be considered during the proposed planning and implementation process.

This can be done by completing the attached registration form and submitting it to the contact details below. All of your comments will be addressed and included in the Basic Assessment Report.

Upon submission of the registration form to CEN IEM Unit, you will be registered as an I&AP, and be included on an I&APs database which will ensure that you receive future project information.

**Please provide comments on the BID within 30 days of its distribution. Comments must be received by 23 July 2018.**

**Registered IAPs will also be given 30 days to review the Basic Assessment Report and provide comments.**



# CEN IEM UNIT

36 River Road, Walmer, Port Elizabeth 6070

Fax 086 504 2549

Email [steenbok@aerosat.co.za](mailto:steenbok@aerosat.co.za)

## Registration / Comment Sheet

### Environmental Assessment for the Proposed Development of Residential Flats in Precinct B on Erf 3195, Cape St Francis, Kouga Municipality, Eastern Cape

I wish to register as an Interested and / or Affected Party and request that the following issues receive attention during the assessment process

**Closing Date for Comments: 23 July 2018**

Name of Respondent: \_\_\_\_\_

Organisation / Company: \_\_\_\_\_

Address: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Tel Number: \_\_\_\_\_

Email: \_\_\_\_\_

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Please use additional sheets as necessary

Signature: \_\_\_\_\_

Date: \_\_\_\_\_