

**COMMENTS AND RESPONSES REPORT 2
(DRAFT BASIC ASSESSMENT REPORT REVIEW PHASE: OCTOBER 2018 – NOVEMBER 2018)**

**PROPOSED CAPACITY IMPROVEMENTS TO THE N3 FROM HAMMARSDALE TO
PIETERMARITZBURG, KWAZULU-NATAL**

BASIC ASSESSMENT 5 (DEA reference 14/12/16/3/3/1/1966): Proposed Capacity Upgrades to the N3 from Lynnfield Park (Km 30.6) to Gladys Manzi (Formerly Murray) Road (Km 6.1)

Comments were received from the following stakeholders (alphabetical) during the Draft Basic Assessment Report Review phase:

Title	Surname	First Name	Organisation
Mrs	Dlamini	Barbara Ruth	Private Landowner
Mr	Hadebe	M.N.	Msunduzi Municipality
Ms	Hadebe	Thami	Transnet Pipelines DBN
Mr	Isaaks	P.C.	Private Landowner
Ms	Jackson	Debra	Private Landowner
Mr	Janneker	Shawn	Department of Economic Development, Tourism and Environmental Affairs, uMgungundlovu District Office
Ms	Long	Pandora	PMMBT
Mr	Malaza	Sabelo	Department of Environmental Affairs
Mr	Millard	Brian	I&AP
Mr	Mkhize	G.S.	Mkhambathini Municipality
Ms	Moodley	K.	Department of Agriculture, Forestry and Fisheries
Mr	Nzimande	Vitus T.	Obethole Business Solutions/ Private Landowner
Mr	Pentopoulos	Michael A.	BEST VEST 166 CC
Ms	Ramjatan	Asha	Umgeni Water
Mr	Rigby	Dave	BEST VEST 166 CC
Mrs	Schmid	Michéle	KZN Department of Transport
Mrs	Van Zy	J.D.	Private Landowner

No	Date	Name and Organisation	Comment/ Issue Raised	Response
1	30 September 2018	Thami Hadebe Servitude Management Transnet Pipelines DBN	<p>PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 3 (N3) FROM HAMMERSDALE TO PIETERMARITZBURG</p> <p>Your Background Information Document dated 25 September 2018 has reference.</p> <p>Transnet Pipelines, a division of Transnet SOC Limited, has no objection in principle to the proposed capacity improvements to the N3 Freeway crossing the 0609, 6 mm across Umlaas Road in the vicinity of Dardanelles Interchange and across and parallel to the N3 at Lynnfield Interchange furthermore crossing the 0323,8 mm pipeline across the N3 south of the Sanctuary Interchange between Cato Ridge and Pietermaritzburg as indicated on the Hammarsdale - Pietermaritzburg Locality and Project/Site Layout Plans, subject to compliance with our standard crossing conditions and requirements (attached).</p> <p>If the proposed capacity improvements of the N3 will entail lane additions, pipeline protection would have to be extended over the additional lanes. At the Lynnfield Park Interchange our NMPP pipeline runs parallel to the N3 for quite a distance as depicted on the Google Earth images and that will require considerable attention to detail. Culvert boxes constructed around the pipeline are preferable form of protection as indicated by the attached typical culvert drawing.</p> <p>This authority is valid for thirty six (36) months from the date of this letter. If this proposal has not been actioned within the specified period, an extension of time must be requested 2 months before the validity period expires.</p> <p>CONDITIONS</p> <p>Prior to commencement of the work it is required that a representative of Transnet Pipelines be present to indicate the position of the pipeline(s) and to undertake any work on Transnet's pipeline(s) that may be necessary. In this connection</p>	<p>SANRAL is in communication with Transnet Pipelines concerning the relocation of sections of pipelines in the vicinity of the Lynnfield Park Interchange.</p> <p>In terms of this submission, it is recorded that no attachments accompanied the submission. However, given that SANRAL and Transnet are in communication, this is not considered problematic.</p> <p>SANRAL is well aware of Transnet Pipelines' conditions and Transnet Pipelines' is well aware of SANRAL's conditions where sections of the pipelines traverse SANRAL servitudes.</p>

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			<p>our Servitude Supervisor, Ms Judith Maluleka must be contacted at (031) 3614510 or 083 446 0535 (& Mr Pieter Venter at 083 284 0962) at least 14 days before the date on which you wish to commence the work in the vicinity of the pipeline.</p> <p>Arrangements will also be made to visit the site periodically whilst the work is in progress. Should the work be undertaken without Transnet Pipelines' representative being contacted as mentioned above, Transnet Pipelines reserves the right to request that you expose the pipeline at your cost in order that an examination can be made for possible damage.</p> <p>The attached standard crossing conditions and requirements for typical culvert conditions, underground services, surface improvements and fencing/boundary walls must be complied with.</p> <p>An Excavation Permit shall be issued by Transnet Pipelines' Servitude Supervisor to the competent person of the applicant's Contractor, should excavation work be required within or in close proximity of Transnet Pipelines' servitudes.</p> <p>Heavy plant or mechanical driven equipment (for example, excavator) shall not be used in the pipeline servitudes. All excavations must be done by hand. Hand-held compactors shall be used in the servitude area.</p> <p>It is imperative that our representative must be contacted before work commencement to determine our pipeline levels and also assist you with our pipeline related information. It is also important that our representative must witness and approve all the crossings/works. Please be informed that in the event of damage of our pipeline/s, repair costs will be to your account.</p> <p>On completion of the work you are required to return a copy of this letter to our office, duly endorsed and signed by your site representative as well as Transnet Pipelines' representative that the work was satisfactorily completed and conditions adhered to.</p>	

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2	26 October 2018	<p>Mr Sabelo Malaza</p> <p>Chief Director: Integrated Environmental Authorisations</p> <p>Department of Environmental Affairs</p>	<p>ACKNOWLEDGEMENT OF RECEIPT OF THE BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 3 (N3) WITHIN THE MKHAMBATHINI AND MSUNDUZI LOCAL MUNICIPALITIES IN THE KWAZULU NATAL PROVINCE</p> <ol style="list-style-type: none"> <li data-bbox="663 352 1442 603">1. The Department confirms having received the Draft Basic Assessment Report for the abovementioned project on 24 October 2018. You have submitted these documents to comply with the National Environmental Management Act, 1998 (Act No. 107 of 1998) Environmental Impact Assessment Regulations, 2014 published under Government Notice R982 in Government Gazette No. 38282 dated 04 December 2014, as amended ('the EIA Regulations, 2014'). <li data-bbox="663 639 1442 922">2. You are hereby informed that the Basic Assessment Report (BAR) template was removed from the Departmental website and that the submission of a BAR in the form of a template will no longer be accepted by the Department. You are hereby informed that the Draft BAR submitted with your Application for Environmental Authorisation will be accepted as is. However, all future Basic Assessment Process applications must comply with the requirements contained in Regulation 19 and Annexure 1 of the EIA Regulations, 2014. <li data-bbox="663 959 1442 1209">3. Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested and Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority. <li data-bbox="663 1246 1442 1369">4. Further note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been 	<ol style="list-style-type: none"> <li data-bbox="1473 352 1599 379">1. Noted. <li data-bbox="1473 639 2136 730">2. Noted. The BAR is not in the form of a template and adheres to the regulatory requirements as shown in Tables 1 and 2 of the BAR. <li data-bbox="1473 959 2159 1050">3. Noted. The draft reports were circulated for public and authority review after submission of the Application to DEA. <li data-bbox="1473 1214 1599 1241">4. Noted.

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			<p>granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.</p> <p>5. All documentation delivered to the physical address contained in this form must be delivered during the official Departmental Office Hours Which can be found on the Department's website www .environment.gov.za .No faxed and e-mailed applications; including applications delivered to Security Office or applications placed in the Departmental Tender Box will be accepted.</p> <p>6. You are hereby reminded of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p> <p>7. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p>	<p>5. Noted.</p> <p>6. Noted.</p> <p>7. Noted.</p>
3	29 October 2018	Pandora Long Chairperson PMMBT	Thanks so much for referring our proposal and for sending the database. If you register those four organisations then we will be able to reach a wide group of people. I'm surprised that there are no registrations from along Pope Ellis Drive. Looking forward to hearing SANRAL's response.	This matter relates to plant search and rescue which the Mpushini Conservancy would like to undertake along sections of the N3, prior to the commencement of construction. Item 4 below deals with registration of I&APs.
4	29 October 2018	Pandora Long Chairperson PMMBT	<p>Please could you check if the following conservation organisations are registered on your database as I&APs and if not please register them.</p> <ul style="list-style-type: none"> • PMMBT (Preservation of the Mkondeni Mpushini Biodiversity Trust). • MPELA (Mpushini Protected Environment Landowners Association). • Lower Mpushini Valley Conservancy. • Upper Mpushini Conservancy. <p>I have attached a map of the area that we represent. We would like to submit a proposal to relocate the Aloes in the center median and on side slopes that will be affected to the Lower</p>	<p>The conservation organisations mentioned are registered on the database.</p> <p>The maps and information sent through regarding Mpushini are noted. The Mpushini Protected Environment and EKZNW's C-Plan (Critical Biodiversity Areas) are shown in</p>

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			<p>Mpushini Valley.</p> <p>I have attached a map of the Conservancy areas and Mpushini Protected Environment, as well as the Ezemvelo Systemic Conservation Plan which indicates our area has an 'irreplaceability' ranking.</p> <p>We don't have our own funds to do the relocation, although we will seek the funding. We do have the expertise from the Aloe expert Peter Poulsen of Rocky Wonder Aloe Nursery to help undertake this work, my own expertise, as well as the ability to obtain the necessary permits from Ezemvelo KZN Wildlife.</p> <p>The Aloes would form part of a public legacy, appropriately sited so that they can both serve to augment biodiversity benefits as well as be available for visitors to enjoy as part of a living legacy. The Lower Mpushini Valley hosts an annual Aloe Festival where the public are invited to visit the area, enjoy its beauty and learn more about the beautiful biodiversity in the valley.</p> <p>Our area was proclaimed the first community Protected Environment in KZN in 2011. We have a 99 year contract with Ezemvelo to conserve the area on behalf of the children of SA. Please let me know what steps I need to take in order to motivate and substantiate our proposal.</p>	<p>the mapping of sensitive areas in the vegetation specialist report and BAR.</p> <p>Plant Rescue and Relocation (along with the required permits) will be undertaken prior to vegetation clearance. SANRAL supports submissions of this nature, which should consider not only Aloes but any other noteworthy/conservation worthy species from SANRAL's existing and future (extended) road reserve.</p> <p>Ms Long has been provided with contact details for the submission of a proposal to SANRAL.</p>
5	29 October 2018	Pandora Long Chairperson PMMBT	<p>Here are the contact details. Each organisation has a different focus but we work together to protect the biodiversity of this area. We are all members of the Lower Mpushini Valley Conservancy, except for Mrs. Schutte who is in the Upper Mpushini Conservancy & all our properties are declared as part of the Mpushini Protected Environment (there are 27 in total), as are the other persons properties on your database. The significance is that the N3 does fall within the 5 km buffer, which triggers listing notice 3. Because you are doing a full EIA anyway, I don't think that is relevant. But what is important is to know that there are conservancies on both sides of the N3 and the Mpushini Protected Area forms a non- contiguous area that we are working on expanding. We are in a biodiversity hotspot with an</p>	<p>The contact details have been received and the organisations have been registered on the database.</p> <p>Various items from Listing Notice 3 are triggered by the N3 project, including activities conducted within Critical Biodiversity Areas and within Biodiversity Stewardship sites, or within 5 km of protected areas. Widening of the N3 does directly affect part of the Mpushini Protected Environment north west of the Lynnfield I/C, where additional road reserve will be required. Other activities will fall within 5 km of the Mpushini Protected Environment. SANRAL, through this Basic Assessment Process, is applying for environmental authorisation to undertake these</p>

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			<p>'irreplaceability' score on the Ezemvelo KZN Systematic Conservation Plan. I have attached some maps to make it clearer.</p> <p>PMMBT (Preservation of the Mkondeni Mpushini Biodiversity Trust) Pandora Long 072 692 8124 pandoral@mweb.co.za</p> <p>MPELA (Mpushini Protected Environment Landowners Association) Chairlady – Nicole May 083 677 7711 nicole@toprocks.com</p> <p>Lower Mpushini Valley Conservancy – Chairperson Keith Brown – 082 653 3504 hollandm@netactive.co.za</p> <p>Upper Mpushini Conservancy – Chairlady – Stefanie Schutte – 082 488 6712 stefanie@sdc.co.za</p>	<p>activities. This includes a process of consultation with affected parties. SANRAL will seek, through the environmental process and mitigation measures carried through design, preconstruction, construction and operations, to minimise environmental impacts. These mitigation measures are documented in the relevant specialist reports, BAR and EMPr.</p>
6	29 October 2018	Brian Millard I&AP	<p>Draft Basic Assessment Report 5: National Route 3: Proposed Upgrades from Lynnfield Park to Gladys Manzi Road (Murray Road)</p> <p>1. Thank you for the Basic Assessment Report 5 notice, received on Tuesday 23 October 2018, for the above proposed upgrades of National Route 3. A copy of the Report was accessed at the Msunduzi Municipal Library.</p> <p>2. The following was noted:</p> <p>a. DETAILED DESIGN It is noted that "detailed designs are still in progress". This may require additional comments when the designs are completed and ready for implementation. Residential properties, with particular reference to proposed interchanges, will need to be aware of the proposals.</p> <p>b. BLASTING The anticipated blasting may not only be the responsibility of the blasting company but also those who are involved in the implementation of the project. The blasting will require strict control and safety.</p>	<p>1. Noted.</p> <p>2a SANRAL's land acquisition team engages with all property owners where land is to be acquired. Further engagement will be undertaken, should refinements to design have a material bearing on affected properties.</p> <p>2b Noted. The Contractor is responsible for ensuring the necessary measures are put in place within the blasting footprint of influence, both prior to and after blasting. .</p>

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			<p>c. LIBERTY MALL BY-PASS It is noted that the design of the proposed bypass of the Liberty Mall is less advanced than the proposed upgrades of National Route 3 (N3). The bypass is considered an important aspect of any proposed upgrades and an integral solution to the N3 improvements.</p> <p>d. ADDITIONAL INFORMATION AND PLANS Costs are always an important aspect when preparing reports. It is important that plans (drawings) or other information be made available when requested by an individual interested party. This will enable the interested party to fully appreciate the proposal and the implications. Costs cannot be the deciding factor.</p> <p>e. APPENDIX F – TRAFFIC MANAGEMENT PLAN It is noted that the “Traffic Management Plan” emphasises the control and safety of traffic during construction. This aspect does not always receive the necessary attention and cannot be over-emphasised. The safety of the travelling public is important.</p> <p>3. Thank you for the opportunity to comment.</p>	<p>2c Noted. Due to the nature of the realignment, a full EIA process is required. Critical issues being considered include avoidance of sensitive areas as well as the capital outlay due to topography. Options are currently being considered for the concept stage and a preferred route to take through to preliminary design.</p> <p>2d With a database of thousands of interested parties, these N3 projects do not budget for provision of a plethora of full hard copy engineering plans to I&APs. Where there is a very specific environmental issue that requires drilling down to detailed design plans in order to come up with an environmental solution at site level, then hard copies can be made available to directly affected parties. For general comment, drawings and plans are available electronically and in the hard copies of the BA documents circulated for public review.</p> <p>2e Noted. Final Traffic Management Plans are required to be submitted by the Contractor for signoff by the project engineer.</p> <p>3. Noted.</p>
7	2 November 2018	Mr. P.C. Isaaks & Mrs. JD Van Zyl Private Landowner	Are you prepared to pay for the windows that get broken when trucks tyres blowout? And the swimming pool that cracks because of the continuous heavy vibrations caused by the traffic on the N3?	<p>SANRAL is required to provide a national road that meets required technical and safety standards. Unfortunately, SANRAL cannot take responsibility for bad drivers, unroadworthy vehicles and heavy vehicles that are overloaded. This is the responsibility of the vehicle owners and traffic authorities.</p> <p>The widening of the road may result in the source of vibrations passing closer to residences. However, the improved road surface should reduce vibrations as it is usually a rough or uneven road surface which causes vibrations. Regular maintenance and ensuring that uneven surfaces are repaired will help reduce vibrations.</p>

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8	9 November 2018	Dave Rigby BEST VEST 166 CC	<ol style="list-style-type: none"> 1. Effects of removal of access to our property and approved development at the Lion Park interchange (Portion 603 of 885). 2. Effects of provision of right of way over our property to our neighbouring properties. 3. Effects of removal/expropriation of portion of land from our property on the value of the remaining extent of our property. 4. Effects of traffic, noise pollution, safety & security on our properties in respect of proposed servitude over our property. 	<p>Points 1-3. The design of the N3 Lynnfield Park I/C affects the edge of Best Vest's property lying adjacent to the R103 (which is situated on the north east side of the existing I/C). Associated with this property are development rights and an Environmental Authorisation (EA) for such development. The proposed moving of Best Vest's current entrance to the R103, the construction of a farm road (right of way) from neighbouring properties across Best Vest's property, and the expropriation of land to provide space for the widening of the R103 approach to the upgraded I/C, will result in a loss of land for Best Vest and a physical encroachment of road infrastructure to the front of their property. To determine the effects of SANRAL's proposed changes will require Best Vest to revisit their proposed development plans to see how best to accommodate the changes. Amendments to Best Vest's development plans/design may, depending on their nature, require Best Vest to apply for an amendment to their existing EA. This work will incur time and cost. In terms of the South African National Roads Agency Limited and National Roads Act 7 of 1998, Best Vest's current access is in a "building restriction area". Best Vest is required to obtain approval from SANRAL for any access within 500 m of a point of intersection with a national road. According to SANRAL, Best Vest has not obtained such approval from SANRAL. SANRAL's property acquisition team is currently engaging with Best Vest on these matters. Refer to Section 4.5 of the BAR and to the responses to related issues provided in items 9(a-d) and 10.</p> <p>4. Impacts in respect of the proposed ROW: -Traffic- The current traffic through BAR circle is approx. 28 vehicles per day (two trips per day). The new traffic is approx. 44veh/day. The new road is designed for the 44veh/day. -Noise pollution: The proposed ROW is within 300 m of the N3 and is in proximity to the R103, both of which generate noise. Traffic using the private ROW will be of a</p>

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				<p>low volume. However, the proposed ROW passes very close to (less than 10m) the homestead on Best Vest's property and passing vehicles may cause sporadic disturbance to occupants.</p> <p>-Safety and Security – The ROW is across private land and is not a through road, and will be used mainly for the private use of a few properties. SANRAL proposes to hand the road over to the municipality for their continued maintenance. If the municipality does not agree, then the road will be a private access. With the high crime levels in the country, any increase in ease of access for the general public can increase the risk of crime on the affected properties.</p>
9a	9 November 2018	Dave Rigby BEST VEST 166 CC	<p>We object to the proposed interchange designs for several reasons which are listed.</p> <p>EFFECTS ON ACCESS TO BEST VEST PROPERTY</p> <ol style="list-style-type: none"> 1. The design affects our access to the property we own. The proposed access is not acceptable as we have spent 9 years in the planning process to obtain an EIA and development rights for the property. 2. Your proposal makes provision for a right of way over our 	<p>Mr Rigby's (representing Best Vest) objection to the designs of the proposed Lynnfield Park I/C is noted. Responses directly from SANRAL's engineering team are provided below. SANRAL's engineering and property teams have, and continue to, engage with Best Vest on the matters raised below.</p> <p>EFFECTS ON ACCESS TO BEST VEST PROPERTY</p> <ol style="list-style-type: none"> 1. The access to Best Vest's property is not approved by SANRAL. Any developer within 500mm of a national road access point needs to obtain approval from SANRAL. The landowner has been advised by SANRAL to submit a SPLUMA application for SANRAL approval/rejection, which has not yet been received. SANRAL's proposed access point is positioned such that it takes into consideration safety and congestion on the R103 as well as the MR477/R103 intersection which is to be re-designed. The access proposal provided by SANRAL also caters for the Ultimate upgrade option and new road reserve on the Lynnfield Interchange, which will cater for all traffic movements and minimal distances from terminal ends (refer to Section 4.5 of the BAR).

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			<p>property to serve our immediate neighbours and those beyond. This brings the proposed road unacceptably close to our homestead and farm infrastructure, as well as infringing on our development plans which have been disclosed since 2007.</p>	<p>2. With the N3 widening, the current underpass west of the Lynnfield Interchange will be compromised in terms of vertical clearance. The existing services and the alignment of the access road make any improvement required for the vehicular access very limited. Therefore an alternative access road off the R103 was proposed from the eastern side. The proposed right of way (ROW) was selected as the preferred alternative SANRAL, after consideration of different options, which are discussed in Section 4.5 of the BAR. These issues have been discussed with the affected land owners on various occasions¹. Regulations require of SANRAL to provide “an access”. Designs have been undertaken such that there is minimal impact of the access road to Best Vest’s proposed development, albeit that this proposed development has not been approved by SANRAL. Development layout plans were requested from Best Vest, so as to limit the impact on their proposed development. However, only a pdf layout was received. The proposed ROW affects a portion of the parking area. With sufficient design information from Best Vest, the proposed ROW can be re-designed to have a minimal impact.</p>
9b	9 November 2018	Dave Rigby BEST VEST 166 CC	<p>EFFECT OF PARTIAL TAKING OF LAND (PROVISION OF RIGHT OF WAY) The portion of our property required for the proposed widening of the R103 and the provision of a servitude road to afford other properties access is not acceptable for several reasons:</p> <p>1. This area is our “shop window” and access to our development. The access to the property provides convenience and suitability for the development. The area also constitutes a large part of the parking facility for the retail development and infringes on the secondary access and egress to the property. All these details are shown on the</p>	<p>EFFECT OF PARTIAL TAKING OF LAND (PROVISION OF RIGHT OF WAY)</p> <p>1. It was brought to the attention of the affected landowners that SANRAL has not received their SPLUMA application. While SANRAL was notified of the proposed development via the EIA process, the landowner is also required to submit a SPLUMA application, which has not yet been received. SANRAL,</p>

¹¹ Meetings have been held between the design engineers and affected property owners on various occasions viz. 27 July 2016; 28 June 2017; 01 Feb 2018; 20 Nov 2018.

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			<p>a dual carriageway and be a tar road of a specified standard. The question also needs asking as to who will be responsible for the maintenance of this road? Will it be a public road or a servitude and if so there are several other issues to address. Would there be an access to our development off this road? Who would pay for the new traffic impact assessment etc.?</p> <p>4. In respect to the dwelling on our property (which would only be demolished on completion of our phased development) there would have to be acceptable noise abatement structures and security barriers erected. At present, the R103 road is distant enough from our improvements, but the proposed road infrastructure will make noise, safety & security and litter an issue.</p> <p>5. The Close Corporation purchased the property in 2006 specifically to develop. We consulted with the local municipality and confirmed the property fell within an opportunity node, being located close to the interchange. Due to the complexity of the EIA application it has taken nine years to get approval for the development at great cost to the members of the CC. It is therefore our contention that as the proposed interchange upgrade renders the balance of the property valueless from a development perspective; the entire property should be purchased by the road authority (SANRAL). It is noted that SANRAL has recently purchased property in the immediate vicinity owned by Rainbow Chickens (Portion 187 of Vaalkop & Dadelfontein 885) – a large percentage of which is unusable. How can they then come to us with the approach that they only want a portion of the property, and as a consequence of that action, destroy the value of the remaining piece?</p>	<p>to contribute, as Government funding cannot be used beyond design requirements. The existing access to the Bar Circle underpass currently consists of a 3 m wide single seal road. The new proposed access road (detail design) allows for a 6 m wide, single seal access road. The traffic currently does not support the suggestion of Best Vest. A ROW will be registered on properties. SANRAL proposes to hand the road over to the municipality for their continued maintenance. If the municipality does not agree, then the road will be a private access. All developments must follow the normal processes and approvals.</p> <p>4. SANRAL may consider relocating this dwelling further away from the road, if impacted. Noise mitigation measures in the form of an open graded asphalt surfacing will be considered to reduce the noise impact. Open graded allows for reduced surface water flow and aquaplaning. Open graded also provides substantial reduction noise. It generally consists of a single size stone allowing for sufficient voids in the surfacing.</p> <p>5. The land owner has previously failed to engage with SANRAL to put forward this as an option. SANRAL can only negotiate with the landowner if they complete the required forms (Land owners Consent). On these forms permission is granted to enter into negotiations and conditions, requests etc can be listed on these forms. SANRAL only received this form in June 2018 from Best Vest. This remains an option and SANRAL shall assess it thoroughly to ensure that Government funding is well spent. The landowner is required to engage SANRAL's service provider (MAJV) to assess this. The purchase of the adjacent property by SANRAL has no link to the property under discussion.</p>

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			<p>6. We have invested considerable time and resources into this project with the expectation of a return on investment. This proposed interchange upgrade has now placed our investment at risk. How does SANRAL intend to compensate us for these losses?</p>	<p>6. As per the points above, the landowner should have submitted the SPLUMA application to SANRAL (which is yet to be done). SANRAL cannot compensate for projects still in the pipeline. An Environmental Authorisation on its own for a development is not sufficient if the developer has not obtained the relevant approval in terms of the SANRAL Act 7 of 1998.</p>
9c	9 November 2018	<p>Dave Rigby BEST VEST 166 CC</p>	<p>ACCESS POINT OFF THE R103</p> <p>The designated access point off the R103 (as proposed) is fatally flawed for a number of reasons;</p> <ol style="list-style-type: none"> 1. The road level of the existing road is estimated to be at least 15 m above ground level where the access road is proposed. This means that to attain an acceptable gradient the access road will have to be built up from below the level of the existing dam. This will entail the moving of many hundreds of thousands of cubic meters of earth before the construction of a road can begin. Prior to that the dam would need to be relocated. 2. The traffic approaching from the Lion Park side is usually travelling at between 80 -120 km an hour as they enter the bend passing the turnoff to Umlaas Road. This means that at the point when they arrive at the proposed access/egress, the likelihood of collisions/accidents will be heightened to unacceptable limits. It is therefore suggested that the proposed access/egress be moved to diagonally across from the existing turnoff to Umlaas Road. Although there are not significant volumes of traffic on this road at the moment, the proposed and continuing development along the Lion Park road will necessitate traffic control at this intersection. 3. The proposed relocation site of the dam is not acceptable to us and needs to be addressed. 	<p>ACCESS POINT OFF THE R103</p> <p>Unless the concerned landowner can provide a professional engineer's assessment of the access, SANRAL cannot accept such comments. The proposed access road has been designed following best practice and guidelines available.</p> <ol style="list-style-type: none"> 1. The level of the road is 8 m from final road level to ground level. The grade at the start of the road is 5.2%, which is well within the norms. 2. The R103 will be realigned and islands and right turn lanes to the properties will be provided. The speed zone from the MR477 to Lynnfield Park will also be reduced to 60 km/h. 3. This was a proposed position. The owner is welcome to suggest an alternative position for the dam.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			4. Should the proposed access road be constructed then an underpass would have to be included to allow Mr Bekker's cattle to traverse to the property on the other side of the R103. He currently uses the existing underpass and traverses over a portion of our property (on the dam wall) to get to his property. This is not a right of way or servitude, but by permission.	4. The cattle creep will be extended and additional land will be acquired to ensure access. Current access through the Best Vest property is by owners agreement only.
9d	9 November 2018	Dave Rigby BEST VEST 166 CC	<p>COMMUNICATION</p> <p>1. From our initial communication with the assigned project engineer, both Mr G Hardman and I have asked for a survey to be done and the proposed roads pegged to give us an idea where exactly the road will go. It is also queried why the municipality was not informed of the proposed interchange upgrade? The Town Planner would have informed them of the developments already in process and approved and they could have amended their design to incorporate these developments.</p> <p>2. Why have there not been any in-situ inspections with the affected landowners prior to the design proposal being completed? This could have resulted in a more acceptable proposal.</p> <p>3. We would appreciate constructive engagement from SANRAL and request someone from their office to come and see us to discuss the above issues.</p>	<p>COMMUNICATION</p> <p>1. There have been requests to the appointed surveyor for the access road proposal to be pegged on the property. The land owners were also advised that the survey work would prove abortive if done prior to a design option being finalised or agreed to in principle. Engagements have taken place with the Mkhambathini Municipality Town planner and Technical manager, informing them of the latest design proposal and all affected portions of land within the municipality's precinct.</p> <p>2. The landowners have been met with twice on site and once at a local venue to house all the affected landowners. Representatives of the Design Engineer and MAJV have been present at these meetings. Their comments have been taken note of and, where possible, have been incorporated into the designs.</p> <p>3. SANRAL has appointed NME as its representative. Generally, as SANRAL, we do not meet with landowners, except in scenarios where disputes cannot be resolved. All landowners were invited to the public meetings (held as part of the environmental assessment process) where they could meet representatives from SANRAL and discuss their concerns. SANRAL did meet with the affected landowners on Tuesday 20th November 2018 and explained its position in terms of the designs and why their suggested alternatives could not work.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
10	9 November 2018	Michael A. Pentopoulos BEST VEST 166 CC	<p>Ref: (Portion 603 of the Farm Vaalkop & Dadelfontein.) (Lion Park Interchange)</p> <p>Thank you for inviting us to participate with respect to the impact of the new highway and particularly in our case, the new off ramp at Lynnfield Park/Lion Park.</p> <p>Although we have not been formally advised of its desire to expropriate part of our land holding, we have been supplied with drawings showing that SANRAL plans to put a road through our property which will directly affect between two and three hectares and indirectly a further six to eight hectares.</p> <p>Our CC Bestvest 166 has spent the better part of nine years obtaining an EIA to commercially develop eight hectares of the property for amongst other uses a hotel and a commercial/retail centre. As part of the approval process we agreed to keep nineteen hectares of the property as a conservancy.</p> <p>If approval for the new off ramp and the provision of an access road through the prime part of the piece of the property for which the EIA was given, the following impacts should be considered:</p> <ol style="list-style-type: none"> Economic: The idea was for the development of a commercial and hotel centre to cater for the industrial park which is being developed across the N3 together with, at that time, a planned residential complex adjacent to the site. One can envisage this eventually developing into the type of centre on the Durban side of Harrismith which would provide an economic boost for the immediate area as well as providing many reasonably well paying jobs. 	<p>SANRALs appointed design engineers, NME, commenced engagement with Best Vest property owner(s) during June 2016. A meeting was held with affected landowners on 28 June 2017 at the Vine Church, where the proposed options for access were discussed including the potential impacts on Best Vest' property. All landowners were invited. As the matter has not been finalised, no formal expropriation notice has been issued. All measures to facilitate an acquisition process will be undertaken. Expropriation will be the last option.</p> <ol style="list-style-type: none"> Economic: It is acknowledged that the proposed Best Vest development may provide an economic boost for the immediate area. However, the widening of the N3 and the provision of an upgraded interchange at Lynnfield Park is part of a national strategic infrastructure program aimed at providing economic stimulus on a much bigger scale, for the country as a whole. A detailed assessment of the economic impact of the N3 upgrade on Best Vest's potential development, is outside the scope of this Basic Assessment. The N3 Lynnfield Park I/C will not necessarily foreclose on development options on this land. SANRAL's land acquisition team is currently engaging with Best Vest to determine the best way forward, including possible purchase of the property and/or appropriate compensation.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>2. Should the off-ramp together with the proposed access road be approved it is anticipated that the EIA would no longer be valid and an extensive and exhaustive new application would need to be filed, the outcome of which is uncertain.</p> <p>3. We have discussed with the consulting engineers the alternatives where access to the adjoining properties be provided via an already existing underpass on the N3 and have been advised that SANRAL have vetoed this without providing an adequate explanation. We have similarly been advised that a loop under the underpass would not be entertained because of cost considerations.</p> <p>4. Environmental: Should the road project be approved as is currently envisaged we will need to redesign our proposed complex to adjust for the loss of the frontal piece of our property.</p> <p>While we have expedited the final zoning because of the uncertainty or SANRAL's plans regarding our property we envisage that we will need to make application to compensate by encroaching on the land originally designated as a conservancy with all the attendant impacts on water runoff and retention, habitat destruction and access.</p> <p>5. From what we have been advised, the plan is to build a gravel access road to the adjoining properties with the attendant noise and dust pollution whereas a perfectly good tarred road, which serves the same purpose, currently exists, and is in use under the N3.</p>	<p>2. Should SANRAL's proposed upgrade require a material redesign of the Best Vest development, these amendments would need to be applied for. SANRAL has requested more detailed plans from Best Vest in order to propose a design that minimises impact on Best Vest's property. It is thus not a given that an extensive or exhaustive new application would be required.</p> <p>3. SANRAL has met with landowners previously and discussed the technical and financial constraints associated with extending the underpass. Please refer to Section 4.5 of the BAR for a description of the alternatives.</p> <p>4. Environmental: It is noted and acknowledged that a change in design to the proposed complex, which triggers new listed activities, may require an amendment application. The impacts on the designated conservancy can only be determined when amended designs are considered.</p> <p>5. The existing access to the Bar Circle underpass currently consists of a 3m wide single seal road. The new proposed access road (detail design) allows for a 6 m wide, single seal access road. This road is required to provide access to the properties on the east side of the I/C.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>6. Our plans have been known since we started our application in 2007 and we fail to understand why SANRAL did not make an objection prior to us embarking on this long and expensive process the knowledge of which was in the public domain.</p> <p>7. Immediate Economic Loss to Bestvest 166: Should SANRAL receive approval for its stated plans there would be immediate and irrevocable loss to the CC and its members.</p> <p>8. The approval of the EIA to commercially develop eight hectares of the site as outlined above considerably increased the economic value of the land. In the event that approval is given for the project to proceed, the current EIA would lapse and the value of the remaining portion would in effect revert to that of the other nineteen hectares which has been set aside as a conservancy.</p> <p>9. Whatever way there would be considerable economic damage to the members of the cc who purchased the property in good faith and since the time of purchase have expended considerable sums of money and hundreds of man hours conducting the various required studies and setting up and attending the public forums required by the process all of which SANRAL, as an interested party, should have been aware of and made their plans and/or objections known.</p> <p>10. I, and, my fellow member, Mr David Rigby are available for further discussion should you feel the necessity but we ask that this letter be part of the public record.</p>	<p>6. While SANRAL was notified of the proposed development via the EIA process, the landowner is also required to submit a SPLUMA application, which has not yet been received. SANRAL, therefore, has never committed to having the proposed development and the access where it is.</p> <p>7. This is a 'loaded statement'. Negotiations between SANRAL and Best Vest must be concluded prior to being in a position to understand the implications for each party.</p> <p>8. SANRALs proposed I/C does not foreclose on development on this land or nullify any existing Environmental Authorisation. It may however require amendments, which would need to be investigated.</p> <p>9. SANRAL's property acquisition representatives will continue to engage with Best Vest to determine what losses may be incurred and what merits compensation.</p> <p>10. The comments from Mr Pentopoulos and Mr Rigby of Best Vest, are included in this Comments and Responses Report, which forms part of the public record.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
11	16 November 2018	Debra Jackson Private Landowner	<p>Please ensure that I am registered as an interested and affected party for the N3 Capacity Upgrade.</p> <p>I would like to again formally object to expropriation on my property for an access route to neighbouring properties. I reserve my right to retain my original property access via the N3 subway which should be lengthened according to the original proposal by Nathoo Mbenyane Engineers (NME). As will be the other subway closer to the Ashburton off-ramp.</p> <p>I attach my previous objection sent to Nathoo Mbenyane Engineers in July. <u>Objection 9 July 2018</u></p> <p>I have given some more thought to your request for additional land to be taken for an access to my neighbour.</p> <ol style="list-style-type: none"> 1. I oppose this as I would lose further land and this would compromise my security; the current layout allows me to enjoy a good security as there is no thoroughfare going past me except for the small road from the subway to Bar Circle which is currently well managed. 2. Currently my neighbour has access to a public road so there would be no justification to expropriate me to give this access to her property through me. 3. I reserve my right to have the same access that we have had on this property since the N3 was built. I have no objection to a bridge access to be built in place of a subway. 4. I do not oppose land to be purchased at market value purely for the widening of the N3. <p>Please cancel the meeting; there is no point in me taking time out from work to communicate the above.</p>	<p>Ms Jackson's objection is noted. As has been explained by NME at previous meeting(s) with affected landowners, the lengthening of the N3 culvert ("subway") is not considered feasible, due to the proximity of a Transnet NMPP pipeline on the west of the N3 and the uMngeni water pipeline in the east. These two services will reduce the available clearance height of the subway, for farmers gaining access to their properties and is not sustainable in line with developments that may take place in the future. Various options have been considered and the most preferred option is that of having an access road.</p> <ol style="list-style-type: none"> 1. The ROW will mean a loss of further land, for which the land owner will need to be compensated. It is intended that the ROW become a municipal road, to be maintained by the municipality. Although the road is not a through road, will traverse private land and serve for mainly the use of a few properties, any increase in ease of access to the general public, can increase the risk of crime on the affected properties. 2. The current access to BAR Circle, is not a public road and is maintained by A Tait. 3. A bridge is one of the options that was considered but is not regarded as feasible. The N3 along this section is already on fill. Construction of a bridge will require a lot of additional fill material to provide sufficient height and the necessary clearance. More land will be required to accommodate the bridge. The bridge would also be unsafe as it would have compromised sight distance . 4. Noted.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
12	16 November 2018	<p>Asha Ramjatan</p> <p>Scientist: Water & Environmental Services</p> <p>Umgeni Water</p>	<p><u>Page 37 of the BAR states, <i>inter alia</i>, “The N3 carriageways and associated interchanges and immediate approaches will be widened. The roads cross numerous drainage lines, streams and rivers. Bridges and drainage structures in or near watercourses will need to be expanded to accommodate the expanded roads.”</u></p> <p>My comments are as follows (based on 8 water courses being affected):</p> <ul style="list-style-type: none"> • Where appropriate, the water courses should be monitored for key water quality variables before, during and after construction. <ul style="list-style-type: none"> ○ Some key water quality variables include (coliforms, <i>E. coli</i>, conductivity, colour, odour, turbidity, suspended solids, total organic carbon, pH, total phosphorus, soluble reactive phosphorus, ammonia, nitrate, iron, manganese, soap/oil/grease). ○ During construction the monitoring frequency should be at least monthly to ensure that the monitoring frequency is reasonably adequate to identify pollution to the water courses and apply mitigation measures to ensure that the water quality is not adversely impaired in the 8 water bodies. • Note: SASS monitoring is usually undertaken quarterly (and this alone will not provide adequate information to check impacts during construction). • <u>Table 16. Assessment of potential impacts</u>.... This table should be updated to include the impacts on water quality and quantity. • EMPr – this should be updated to include impacts and mitigation for water quality and quantity. 	<p>Umgeni Water’s comments are noted. Refer below to specific responses.</p> <p>Water quality monitoring. Refer to Section 8.6.3.1 of the BAR and 8(b) of the Project Specific EMPr. Where it is appropriate to monitor, a detailed monitoring program must be compiled by the ECO, and the required baseline measurements taken prior to construction.</p> <ul style="list-style-type: none"> • Table 16. This has been updated in the BAR. • EMPr/Impacts and mitigation for water quality and quantity: Refer to SANRAL’s overarching EMP C1006 (b, c and d) and the Project Specific EMPr Section 6(r) for control of water use and measures to prevent pollution of watercourses (and therefore negative effects on water quality). Good soil management and rehabilitation/revegetation post construction will also serve to prevent sedimentation of watercourses (and therefore negative effects on water quality). Where SANRAL affects watercourses, SANRAL is also required to comply with mitigation and conditions set by the Department of Water and Sanitation.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<ul style="list-style-type: none"> Page 123. 11 Recommendations of the EAP - should include water quality monitoring (monthly) and the requirement for the ECO to submit the results (in comparison to the baseline) to the authority. Page 67. Riparian and Wetland Area. <u>“Many of the waterways and wetlands present have been variably impacted by the road and associated drainage structures, by canalisation, and by urban and agricultural development.”</u> Yes, this is true, however Umgeni Water uses the water downstream and the water quality should not be adversely impaired. In addition, the wetlands should not be allowed to deteriorate any further. Page 72 – Note: Lyn Archer has not worked at Umgeni Water for many years. 	<ul style="list-style-type: none"> Recommendations of the EAP include compliance with the SANRAL EMP and site specific EMPr. The requirement to include water quality monitoring, where appropriate, is included in Section 8b of the Project Specific EMPr. Noted. Appendix B of the Project Specific EMPr addresses the rehabilitation of wetland and riparian areas. Prevention of negative impacts on water quality is addressed by many forms of environmental management, included in the suite of EMPr documents. Lyn Archer. Noted and corrected in Table 11.
13	16 November 2018	Mrs. Barbara Ruth Dlamini Landowner	I have the following concerns: Daily noise pollution 24/7 (the lanes that are going to be constructed will decrease our property. We are expecting compensation for that and the inconvenience. Our fences will be destroyed. Our house may crack due to the roadworks built next to our house. There will also be land pollution.	Mrs Dlamini’s concerns are shared by many other adjacent landowners and these issues are discussed and assessed in Sections 8 and 9 of the BAR. Mitigation measures to reduce these impacts are documented in the BAR and carried across as relevant, to the relevant documents comprising the Environmental Management Programme (Appendix F of the BAR).
14	20 November 2018	Debra Jackson Landowner	I am willing to sell land to widen the N3. I am not willing to sell land for an access road to other farms. Both my property and my neighbours (A. Tait of Bar Circle Ranch) already have an access via subway. I reserve my right to keep my current access.	Please refer to the responses under item 11.
15	20 November 2018	Ms. K. Moodley Senior Forester: Forestry Regulations & Support – KwaZulu-Natal Forestry Management	RE: COMMENTS FOR BASIC ASSESSMENT FOR THE PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 3 (N3), KWAZULU-NATAL: CAPACITY UPGRADES TO THE N3 FROM LYNNFIELD PARK (KM 30.6) TO MURRAY ROAD (KM 6.1) The Department of Agriculture, Forestry and Fisheries appreciates the opportunity given to review and comment on the Draft Basic Assessment Report (DBAR) for the above mentioned project. The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the	On SANRAL’s behalf, the EAP thanks DAFF for their attendance at a site visit and for their comments following review of the draft Basic Assessment Report. The general and supporting information provided by DAFF is noted and responses to various specific items are provided below.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
		Department of Agriculture, Forestry and Fisheries	<p>protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that “<i>natural forests</i> ²<i>may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits</i>”. This prescribes that no development affecting forests may be allowed unless “exceptional circumstances” can be proven. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act.</p> <p>Based on the information provided in the document that was received on the 26th October 2018 and the site inspection conducted on the 01st November 2018, DAFF concerns pertain to three areas of conservation importance i.e. the Ashburton Mixed Communities (site 1) which constitutes of indigenous species such as <i>Acacia robusta</i>, <i>Acacia natalensis</i> and <i>Cussonia spicata</i> species, Mpushini River (Site 2) which consists of riparian thicket and the <i>Spirostachys</i> Patch (site 3) (refer to figure 1). The proposed activity will impact on these areas thus the Department requires that the following conditions be strictly adhered to:</p> <p>(a) A suitable buffer should be maintained between the development site and all patches of sensitive areas of natural vegetation e.g. riparian habitat that have identified within the proposed project footprint and which will not be affected by the proposed activity. Furthermore, any vegetation occurring outside the road reserve which does not form part of the development footprint (green demarcation line on figure 1) and that does not interfere with the normal functioning of the road should not be disturbed.</p>	<p>It is noted and understood that references to Figure 1 and the three areas of conservation importance are the three sensitive sites shown in Figure 1 of the BAR.</p> <p>a) Section 4(a) and 4(b) of the project specific EMPr specifies that demarcated buffers must be established around identified sensitive areas (e.g. Protected Areas, Critical Biodiversity Areas in terms of provincial/municipal Conservation Plans, indigenous forest) as well as open water, aquatic habitats, riparian and wetland vegetation and riparian banks that are not within the footprint of the works.</p>

² “Natural forest” means a group of indigenous trees-

- (a) whose crowns are largely contiguous; or
- (b) which have been declared by the Minister to be a natural forest under section 7(2); (xxviii)

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>(b) The temporary access at the Mpushini River should be restricted to a maximum corridor of 4 metres and should be rehabilitated immediately post construction.</p> <p>(c) As per vegetation specialist report protected tree species i.e. <i>Sclerocarya birrea</i> subsp. <i>caffra</i> which is nationally protected under the National Forests Act No.84 of 1998 have been identified within the proposed project footprint. A licence application should be forwarded to DAFF offices in Pietermaritzburg for review prior to the disturbance of indigenous trees that constitute a natural forest or protected tree species. It is recommended that protected trees that fall within the project footprint be transplanted, if this option is unviable then only may the trees be cut.</p> <p>(d) The existing road reserve or open areas should be utilised for stock piling activities.</p> <p>(e) The Environmental Control Officer (ECO) should monitor activities pertaining to vegetation clearing to ensure that clearance is kept to a minimum.</p> <p>(f) An effective long-term post-development alien plant control programme will also need to be implemented to preclude the threat of alien invasive plant species into the forest habitats.</p> <p>(g) Strict measures should be implemented, prohibiting the construction work force from any disturbance to the natural forest prior to the construction phase of the development.</p>	<p>b) The temporary access at the Mpushini River will be restricted to a maximum corridor of 4 metres and will be rehabilitated immediately post construction.</p> <p>c) Section 3(d) of the project specific EMPr specifies the requirement to apply for permits under the National Forest Act, Nature Conservation Ordinance and NEM: Biodiversity Act. Wherever possible, protected species will be rescued and relocated to a suitable site (for example, Mpushini Protected Area). Refer to Section 4(c) of the project specific EMPr for specifications on Plant Rescue.</p> <p>d) It is SANRALs intention to use the existing road reserve, or open areas on other land acquired by SANRAL, for stockpiling. Section 4(f) of the project specific EMPr specifies that Contractors' camps and stockpile areas are to be sited within existing disturbed areas.</p> <p>e) Minimising the footprint of construction is a key principle behind environmental management. Section 5(l) of the project specific EMPr emphasises this with respect to vegetation clearance.</p> <p>f) SANRAL has a long-term routine road maintenance plan which includes removal of undesirable vegetation, in terms of best practice and in accordance with the intention that declared invader species should be eradicated. Alien species are removed by SANRAL on an on-going basis in their road reserves, in response to site-specific conditions during construction and operation in accordance with the "SANRAL Plan for Monitoring Control and Eradication of Alien and Invasive Species, which was prepared in accordance with the NEM:BA Regulations and submitted to DEA.</p> <p>g) Noted. No unauthorised vegetation clearance/poaching will be allowed.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>(h) Indigenous trees should be planted in the landscaping phase of the development along the N3 route.</p> <p>(i) A licence application should be forwarded to DAFF offices in Pietermaritzburg for review prior the disturbance of indigenous trees that constitute a natural forest or protected tree species.</p> <p>(j) Mitigation measures outlined in the report should be strictly enforced by the Environmental Control Officer (ECO) in order to minimise the anticipated negative ecological impacts.</p> <p>(k) Kindly note, DAFF officials are permitted to monitor the site at any given time.</p> <p>This letter does not exempt you from considering other environmental legislations. Should any further information be required, please do not hesitate to contact this office.</p>	<p>h) Planting in the road reserve will make use of indigenous species which are suitable for road reserves and authorised by SANRAL.</p> <p>i) Noted. Refer to Section 3(e) of the project specific EMPr.</p> <p>j) A Contractor's environmental officer will be employed on site on a continuous basis to assist with and monitor environmental compliance. SANRAL's engineering representative shall appoint an environmental manager/officer to oversee compliance by the Contractor's environmental officer</p> <p>k) Noted.</p> <p>Noted.</p>
16	21 November 2018	Mr GS Mkhize Technical Services Manager Mkhambathini Municipality	<p>a. Please address impact on developments approved in the vicinity of the Lynnfield Park interchange – Northern sector.</p> <p>b. There appear to be discrepancies between the prepared road reserve shown on your maps and those supplied by SANRAL to the municipal offices. Which are the correct versions?</p>	<p>a. Best Vest has indicated that they have an Environmental Authorisation for a proposed mixed commercial and ecotourism development in the northern sector of the I/C. SANRAL is engaging with Best Vest on the matter (refer to items 9 and 10 above).</p> <p>b. Previous versions supplied by ACER may have since been updated. SANRAL's Engineer will provide the latest versions.</p>
17	22 November 2018	Mr Sabelo Malaza Chief Director: Integrated Environmental Authorisations Department of Environmental Affairs	<p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 3 (N3) FROM LYNNFIELD PARK (KM 30.6) TO GLADYS MANZI (FORMERLY MURRAY) ROAD (KM 6.1) WITHIN THE MKHABATHINI AND MSUNDUZI LOCAL MUNICIPALITIES, KWA-ZULU-NATAL PROVINCE</p> <p>The draft Basic Assessment Report (BAR) dated October 2018 and received by this Department on 24 October 2018 refer. This Department has the following comments on the abovementioned application:</p>	

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<ul style="list-style-type: none"> <li data-bbox="651 156 1451 279">i. Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description. <li data-bbox="651 284 1451 470">ii. If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms. <li data-bbox="651 475 1451 598">iii. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR. <li data-bbox="651 798 1451 920">iv. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. <li data-bbox="651 925 1451 1048">v. The Public Participation Process (PPP) must be conducted in terms of Regulation 39, 40, 41, 42, 43 and 44 of the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended). <li data-bbox="651 1053 1451 1208">vi. The final BAR must contain a comment and response report with all the comments provided during the PPP and the corresponding responses from the Environmental Assessment Practitioner (EAP) and Applicant to those comments. <li data-bbox="651 1212 1451 1369">vii. Please provide a full description of any identified alternatives for the proposed activity that are feasible and reasonable, including the advantages and disadvantages that the proposed activity or alternatives will have on the environment arid on the community that may be affected by the activity as 	<ul style="list-style-type: none"> <li data-bbox="1458 156 2184 215">i. Listed activities are detailed in Section 1.4 of the BAR and mapped in Figure 2. <li data-bbox="1458 284 2184 343">ii. The activities applied for in the application are the same as those listed in the BAR. <li data-bbox="1458 475 2184 758">iii. Comments received are recorded in this Comments and Responses Report and where relevant, addressed in the final BAR. Comments received are in Appendix E of the BAR. Please note that there are land acquisition negotiations/engagements between SANRAL and property owners, that must be (and are being) addressed outside of the EIA process. Negotiations around compensation are not within the scope of this Basic Assessment. <li data-bbox="1458 798 2184 857">iv. Proof of notifications and requests for comments are in Appendix E. <li data-bbox="1458 925 2184 984">v. Noted. Please refer to Table 2 and Chapter 6 of the BAR. <li data-bbox="1458 1053 2184 1208">vi. Two comments and response reports are submitted in Appendix E of the Final BAR. One contains comments in response to project announcement and the other contains comments in response to the draft BAR public review. <li data-bbox="1458 1212 2184 1369">vii. Alternatives associated with this in situ upgrade of the N3 are discussed in Chapter 4 of this BAR and have revolved mainly around iterations of technical design to ensure optimum effectiveness of the transport infrastructure within reasonable costs.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>per Appendix 1(2) (e) and 3 (1) (h) (i) of the EIA Regulations, 2014 (as amended).</p> <p>viii. Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 1 of the EIA Regulations, 2014 (as amended).</p> <p>ix. In accordance with Appendix 1(3) (1) (a) of the EIA Regulations, 2014 (as amended), the following details must be submitted:</p> <ul style="list-style-type: none"> • the EAP who prepared the report; and • the expertise of the EAP to carry out EIA procedures; <p>x. The final BAR must provide the four corner coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.</p> <p>xi. You are further reminded that the final BAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of BARs in accordance with Appendix 1 and Regulation 19(1) of the EIA Regulations, 2014 (as amended).</p> <p>xii. An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process must be included in the final BAR.</p> <p>xiii. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.</p> <p>The Environmental Management Programme (EMPr) to be submitted as part of the final BAR must comply with all the requirements in terms of the content of EMPs in accordance with Appendix 4 of the EIA Regulations, 2014 (as amended).</p>	<p>viii. Please refer to Chapter 4 of the BAR.</p> <p>ix. Please refer to Appendix G of the BAR.</p> <p>x. This is a linear development which is mapped on geo-referenced maps. GPS co-ordinates of the start, middle and end points are provided in Chapter 3 of the BAR.</p> <p>xi. Please refer to Table 1 of the BAR.</p> <p>xii. Sensitive areas are mapped and referred to in the relevant sections of the BAR.</p> <p>xiii. Sensitive areas are mapped with the project footprint overlain and referred to in the relevant sections of the BAR.</p> <p>EMPR. The EAP believes that the suite of documents comprising the EMPr, made up of SANRAL's overarching EMP for road construction activities and a project specific EMPr which captures mitigations which are specific to particular sites, including sensitive sites and riparian areas, contain the required information to comply with the content of EMPs specified in Appendix 4 of the EIA Regulations, 2014 {as amended}. (Refer to table of regulatory requirements in Appendix F of the BAR).</p>

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			<p>The EMPr must also include the following:</p> <ul style="list-style-type: none"> • All recommendations and mitigation measures recorded in the BAR and the specialist studies conducted. • An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process. • Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants. <p><u>The EAP must provide detailed and written motivation if any of the above requirements are not required by the proposed development and not included in the EMPr.</u></p> <p>Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38(8) of the National Heritage Resources Act, Act 25 of 1999. Comments from SAHRA and/or the provincial department of heritage must be provided in the BAR.</p> <p>You are requested to submit two (2) electronic copies (1 CD and 1 USB) and two (2) hard copies of the BAR to the Department as per Regulation 19(1) of the EIA Regulations, 2014 (as amended).</p>	<ul style="list-style-type: none"> • Recommendations and mitigation measures recorded in the BAR and the specialist studies, have been, as applicable, carried across to the relevant sections of the Project Specific EMPr including the sub-plans in Appendices A-F of the EMPr. • Maps showing the location of environmental sensitivities and features identified during the assessment process, have been carried across as relevant to the EMPr, where specific mitigation measures apply to these areas. • Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmentally sensitive areas from construction impacts including the direct or indirect spillage of pollutants are provided in the relevant sections of the Project Specific EMPr including the sub-plans in Appendices A-F of the EMPr. <p>Heritage. The Heritage Specialist Report and Draft Basic Assessment Report were uploaded to the SAHRIS website and the prescribed fee paid to Amafa. The road design has taken into account heritage sites and has designed to avoid them. Comment is, however, still outstanding from the Heritage Authorities.</p> <p>Submissions: Two (2) electronic copies (1 CD and 1 USB) and two (2) hard copies of the Final BAR will be submitted to DEA.</p>

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			<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, which stipulates that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p> <p>Further note that in terms of Regulation 45 of the EIA Regulations, 2014 (as amended), this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the Regulations, unless an extension has been granted in terms of Regulation 3(7).</p>	<p>Noted.</p> <p>Noted.</p>
18	23 November 2018	<p>Mr. Vitus T. Nzimande</p> <p>Director</p> <p>Obethole Business Solutions/ Private Landowner</p>	<p>The proposal is highly appreciated as the traffic is increasing in the city and outskirts whereas the road lanes are not enough to accommodate the traffic flow, as a result people arrive late at working areas and there are more accidents during the peak hours. The other thing is that there will be many job opportunities created in our city Pietermaritzburg</p>	<p>Noted.</p>
19	23 November 2018	<p>Mr M.N Hadebe</p> <p>Sustainable Development & City Enterprises Department Environmental Management Unit</p> <p>Msunduzi Municipality</p>	<p><u>RE: PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 3 (N3) FROM HAMMARSDALE TO PIETERMARITZBURG: CAPACITY UPGRADES TO THE N3 FROM LYNNFIELD PARK TO MURRAY ROAD</u></p> <p>With reference to the Draft Basic Assessment Report for Environmental Authorization submitted on 24th of October 2018 for DEA REF NO 14/12/16/3/3/1/1966 the following comments are provided:</p> <ol style="list-style-type: none"> 1. The Report must give details about Msunduzi Ecosystem Services Plan (ESP) Findings. The Report must give details about Msunduzi Conservation Plan (C- Plan) findings. 2. The Report must give details about Msunduzi Spatial Development Framework (SDF) Findings. 	<p>The Draft Basic Assessment Report referred to is for the N3 Lynnfield Park to Gladys Manzi Road.</p> <ol style="list-style-type: none"> 1. Msunduzi ESP Findings: Refer to Section 5.5.8 of the BAR. Msunduzi C- Plan Findings: Refer to Section 5.5.8 of the BAR. 2. Msunduzi SDF Findings: refer to Section 5.1 of the BAR.

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			<p>3. The Msunduzi Spatial Development Framework requires a 30-meter precautionary buffer from the Mpushini Nature Reserve/ Mpushini Protected Environment.</p> <p>4. The Msunduzi Spatial Development Framework requires a 40-meter buffer from the Mpushini River.</p> <p>5. Provide wetland offset for any potential loss to wetlands.</p> <p>6. Based on the Msunduzi Strategic Environmental Assessment (SEA) and Environmental Policy, Msunduzi Municipality does in principle not support the cumulative loss ecological corridors, floodplains, wetlands and riparian areas.</p>	<p>3. 30-meter precautionary buffer from the Mpushini Nature Reserve/ Mpushini Protected Environment. Widening of the N3 is to occur adjacent to the Mpushini Protected Environment as indicated in Figure 2 of the BAR. A small amount of land acquisition is required here to extend the road reserve. The edge of the Mpushini Protected Environment in this area will thus be affected and it will unfortunately not be possible to implement a 30 m buffer from road works. The Project Specific EMPr including associated sub-plans stipulate mitigation measures for protection of biodiversity and especially in sensitive areas, including the affected parts of the Mpushini Protected Environment. Once construction and rehabilitation are complete, there will be road reserve between the N3 and adjacent property. SANRAL does not intend to widen the N3 any further in this area, after this proposed upgrade.</p> <p>4. 40-meter buffer from the Mpushini River. The N3 crosses directly over the Mpushini River already and as such there is no existing buffer between the river and the N3. Widening will occur at this crossing and so it will not be possible, during construction or operation, to maintain a 40 m buffer from the river. As specified in point 4 above, environmental management and mitigation measures are set out in the EMPr for all sensitive areas, including riparian corridors.</p> <p>5. Offset for any potential loss to wetlands. The riparian/wetland specialist report (Appendix D) does not specify any need for offsets.</p> <p>6. Cumulative loss of areas supporting biodiversity. Noted. SANRAL's design has minimised the use of additional land for widening, confining widening as far as possible to the median and existing road reserve. To meet required technical and safety standards, however, some additional areas are required.</p>

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			<p>7. For grassland areas fire management plans and open field burning protection measures for grassland burning must be considered.</p> <p>8. The Environmental Management Programme (EMPr) pre-construction phase must suitably address the relocation of fauna and flora.</p> <p>9. Alien vegetation must be monitored and removed on an on-going basis specified in the defects liability period by Developer/Contractor. Indigenous vegetation planting must continue on an on-going basis if it is required.</p> <p>10. The Draft Msunduzi South Eastern District Local Area Plan requires that open space cores are protected as areas of high biodiversity, including protected areas, wetlands, high priority habitats/areas, etc. This includes the major river systems of the Mpushini together with the Mpushini Protected Areas.</p>	<p>7. Fire management plans: SANRAL appoints a routine maintenance engineer for different sections of national road countrywide. Part of these responsibilities includes road edge and reserve vegetation maintenance. SANRAL does not encourage or allow burning in the road reserve as it causes extensive damage to road furniture like guardrail poles and road signs. Fire and smoke are also risk for motorists and for this reason, the maintenance team tries to keep the grass short by undertaking a fence to fence mow at the beginning of the winter months, normally at the beginning or middle of May, depending on conditions. If an adjacent land owner wishes to burn a fire break on their side of the road reserve, they need to make arrangements with the Routine Road Maintenance Contractor, who will then assist by preventing the fire from spreading into the road reserve.</p> <p>8. Relocation of fauna and flora. Refer to the BAR Section 8.6.2.1. Refer to the Project Specific EMPr Section 3(b), 4(c), 4(l), 5(p) and the Appendix A to this EMPr.</p> <p>9. Alien vegetation removal and control. Refer to the Project Specific EMPr Section 2(h), 5(a), 5(m), 5(q) 6(a), 8 and the Appendices A and B to this EMPr. Alien species are removed by SANRAL on an on-going basis in their road reserve, in response to site-specific conditions during construction and operation in accordance with the "SANRAL Plan for Monitoring Control and Eradication of Alien and Invasive Species, which was prepared in accordance with the NEM:Biodiversity Act Regulations and submitted to DEA.</p> <p>10. Noted. It is not possible to completely prevent loss of natural habitat with this Strategic Infrastructure Project. However, in the BAR and EMPr for this project, minimising the loss of biodiversity and protection of biodiversity of the affected areas adjacent to the N3 is a key focus.</p>

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			<p>11. The report must specify time frames for completion of rehabilitation measures on completion of the construction phase.</p> <p>12. Chemical toilets must be located at least 40 m from any riparian area/watercourses.</p> <p>13. Site construction camp must be located at least 40 m from any riparian area/watercourses.</p> <p>14. Copies of the rehabilitation plan/re-vegetation plan must be submitted to this Unit for approval prior to site works.</p> <p>15. The Municipal Climate Change Policy and Adaptation and Mitigation Strategy must be considered and measures implemented to reduce the carbon footprint and encourage the use of renewable energy resources. The Msunduzi Green building guideline must be taken into consideration during planning and design.</p> <p>16. Should the applicant require the above mentioned documents, they can be found on the Msunduzi Municipality website or alternatively the Msunduzi Environmental Management Unit can be contacted.</p> <p>17. Please note that under no circumstance should builders' rubble/waste material, builder's rubble or hazardous waste be dumped illegally. Waste must be recycled/re-used or disposed of at a registered landfill site.</p> <p>18. An Environmental Compliance Officer (ECO) must be appointed for the development and must register with this unit, providing their contact details and a proposed schedule of site visits, prior to the commencement of site works. It is recommended that site visits be conducted on a monthly basis. All audit reports are to be submitted to this Unit.</p> <p>19. Please ensure this unit is provided with an electronic and hard copy of the final Basic Assessment Report and Environmental Management Programme.</p>	<p>11. Prior to the Engineer issuing a Taking Over Certificate for the construction, all the rehabilitation has to be completed i.e. by the end of the construction period prior to the one year defects notification period.</p> <p>12. Chemical toilets must be located at least 40 m from any riparian area/watercourses. This is specified in Section 5(o) of the Project Specific EMPr.</p> <p>13. Site construction camps must be located at least 40 m from any riparian area/watercourses. A distance of 100 m is specified in Section 4(f) of the Project Specific EMPr.</p> <p>14. The Contractor's environmental officer will be made aware of this requirement.</p> <p>15. Noted. This will be encouraged amongst project staff wherever the opportunity exists.</p> <p>16. Noted.</p> <p>17. Builders' rubble/waste material. Refer to the SANRAL Overarching EMP Section C1007(a), (b), (c), (d), (f), and (i), and to the Project Specific EMPr, Sections 4(g), 4(p), 5(t), and 7.</p> <p>18. An Environmental Compliance Officer will be appointed for this development, and will be required to report to national DEA. However, copies of submissions can be forwarded to the Msunduzi Environmental Management Unit.</p> <p>19. Electronic copies of reports will be provided to the municipality.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
20	23 November 2018	<p data-bbox="434 161 618 347">Mrs Michèle Schmid Engineering Services: Road Control</p> <p data-bbox="434 384 607 475">KZN Department of Transport</p>	<p data-bbox="658 161 1422 284">It is noted that the closing date for comments is today, as this is only the Draft Basic Assessment, please find attached Departmental standard conditions for upgrading & re-alignments of Provincial Roads.</p> <p data-bbox="658 320 1379 379"><u>DEPARTMENTAL REQUIREMENTS FOR PROPOSED RE-ALIGNMENT OR UPGRADE OF PROVINCIAL ROADS</u></p> <ol data-bbox="658 416 1433 1362" style="list-style-type: none"> <li data-bbox="658 416 1433 507">1. The Minister as the Controlling Authority as defined in the Kwazulu-Natal Roads Act No. 4 of 2001, has no objection to the proposal, subject to the following. <li data-bbox="658 544 1433 762">2. Prior to development taking place, the REALIGNMENT OR UPGRADE shall be designed by a registered professional engineer, in consultation with this Department's Design Engineer: Transport, and the design thereof inclusive of a pavement design obtainable from the Design Engineer: Transport, Department of Transport Kwazulu-Natal, is to be submitted for approval. <li data-bbox="658 799 1433 954">3. Upon approval of the design, construction shall be done in consultation with and to the satisfaction of this Department's relevant Regional Cost Centre Manager; and a minimum of 10 working days' notice shall be given to the relevant Cost Centre Manager for the intention to commence construction. <li data-bbox="658 1023 1433 1362">4. <u>The following also requires to be taken into account when realigning:</u> 4.1 In order for the Department to ensure operational efficiency of the Provincial Road Network so as to ensure Road Safety is not compromised the Department maintains a level of control over Structures and Services, both within the declared or expropriated road reserve and in that portion of land immediately adjacent to the road reserve, known as the building restriction area, as defined in Section 13 (1) (a) & (b) of the Kwazulu-Natal Roads Act No. 4 of 2001. 	<p data-bbox="1464 161 2175 475">SANRAL notes the Standard Conditions of the KZN Department of Transport for upgrading and re-alignment of Provincial Roads. Upgrading and realignment of provincial roads associated with the N3 Interchanges is being undertaken in consultation with the KZN Department of Transport. Where required KZN DOT standards have been used.SANRAL had a meeting with KZNDot on 22/23 October for the N3 upgrading, where this project impact on the provincial roads was discussed. A separate submission will be made to Mr Nqobile Zondo of the DoT.</p>

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			<p>4.2 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 a Blacktop surfaced Main or District Road, or within a distance of 30 meters measured from the center line of a Gravel surfaced Main Road; or within a distance of 25 meters measured from the center line of a Gravel surfaced District Road.</p> <p>4.3 Service roads and parking as required in terms of the Town Planning Scheme (if there is one) may be positioned within the 15 meters building line but no closer than 7,5 meters measured from the road reserve boundary of a Provincial Road. The road reserve boundary of the Provincial road must be confirmed in consultation with this Departments Road Information Services Component (Tel: 033-355 8600).</p> <p>*Structures means any structure, erection or other improvement, aboveground or underground, whether permanent or temporary and irrespective of its nature or size, including but not limited to advertisements, any enclosures, fences, driveways, garden walls, golf course fairways, loading areas, parking areas, patios, signs, swimming pools, tennis courts, thatched shelters or utility service.</p> <p>4.4 The disposal of stormwater emanating from the road reserve through the layout, or any stormwater emanating from the layout through the road reserve must be shown on plan. Any requirements or amendments determined by this Department shall be implemented in consultation with and to the satisfaction of this Department's relevant Regional Cost Centre Manager, during the development of the property concerned.</p>	

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			<p>4.5 Accordingly, services must be positioned in consultation with and to the satisfaction of this Department's relevant Cost Centre Manager. Upon the acceptance of the position of the alignment or upgrade, etc. a formal application with the plans are to be submitted to the said Cost Centre Manager.</p> <p>4.6 Kindly be advised all bridge, causeway or culvert related enquiries need to be submitted to this Department's Engineering Services: Bridge Engineer Transportation, Infrastructure and Regional Services for comment or approval.</p> <p>5. In terms of the Kwazulu-Natal Provincial Roads Act No. 4 of 2001, the provincial road/s may require to be reassessed in order to be declared and re-declared in consultation with and by this Departments Road Information Services, (Tel: 033-355 8600); and Cost Centre Manager.</p> <p>6. Any approval by this Department does not exempt the applicant from the provisions of any other Act required in the approval thereof.</p> <p>7. Please be advised this correspondence is purely an informative response showing the standard Departmental conditions. This is not an approval letter nor does this not grant authorization or exemption from compliance with any other relevant and applicable legislation.</p>	
21	13 Dec 2018 (email)	Shawn Janneker Department of Economic Development, Tourism and Environmental Affairs, uMgungundlovu District Office	<p>RE: Q/2018/114/DC22&ETHEKWINI: PROPOSED CAPACITY UPGRADES TO THE N3 FROM LYNFIELD PARK TO GLADYS MANZI ROAD COMMENTS TO THE DRAFT BASIC ASSESSMENT REPORT.</p> <p>Your enquiry for comments received by the Department of Economic Development, Tourism and Environmental Affairs (herein referred to as "this Department") on 24 October 2018, refers.</p>	<p>Please note that EDTEA's comments were received 3 weeks after the closure of the comment period. The Points (1-5) are noted and are addressed in the suite of reports that comprise the BAR submission to DEA. Further submission of comments on the Final BAR must be submitted directly to the national Department of Environmental Affairs.</p> <p>Chief Director: Integrated Environmental Authorisations For Attention Mr Herman Alberts (case officer for DEA)</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>This Department has no objection to the proposed capacity upgrades to the N3 Highway however, the following must be noted:</p> <ol style="list-style-type: none"> 1. A portion of the proposed development falls within Msunduzi Municipality and the municipality's Environmental Management Unit must be contacted for comment with regard to the Environmental Management Framework (for sensitive areas as adopted by the competent authority) in terms of any triggers of the EIA Regulations 2014 (as amended). 2. Comments on the proposed upgrade must be obtained from all relevant units within the Msunduzi Local Municipality e.g. roads and traffic, environmental planning etc. 3. The Biodiversity Impact Assessment to be compiled must be informed by Ezemvelo KwaZulu-Natal Wildlife's Biodiversity Impact Assessment Guideline. 4. Please ensure that all specialist studies undertaken must meet the requirements of Appendix 6 of the EIA Regulations, 2014 (as amended). 5. Kindly provide a full description of the process followed to reach the proposed preferred alternative. 	<p>REF NO: 14/12/16/3/3/1/1962) Department of Environmental Affairs Private Bag X447, Pretoria, 0001 012 399 8815 Email: slekota@environment.gov.za Cc: HALberts@environment.gov.za Cc: EIAAdmin@environment.gov.za</p>