

**COMMENTS AND RESPONSES REPORT 2 FOR BA1
(DRAFT BASIC ASSESSMENT REPORT REVIEW PHASE: OCTOBER 2018 – NOVEMBER 2018)**

**PROPOSED CAPACITY IMPROVEMENTS TO THE N2 & N3 WITHIN THE ETHEKWINI
METROPOLITAN MUNICIPALITY, KZN**

BASIC ASSESSMENT 1: Capacity Upgrades to the N2 (Solomon Mahlangu to south of Umgeni Rd I/C), including expansion of EB Cloete and Solomon Mahlangu Interchanges, and the N3 (EB Cloete to Paradise Valley) including provision of temporary access for construction below Westville and Paradise Valley viaducts.

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

Title	Surname	First Name	Organisation
Mrs	Biyela	Mamzile	Landowner
Ms	Brauteseth	Melanie	Councillor: Ward 18
Mr	Hadebe	Thami	Transnet Pipelines DBN
Mr	Hardman	Gary Paul	Landowner
Ms	Hlongwane	Ndmsa	Landowner
Mr	Horsfield	William A	The William Alexander Horsfield Trust
Mr	Lawrenz	Jonathan	eThekwini Electricity
Mr	Leech	Michael	Landowner
Mr	Lloyd	Grant	His Church
Mr	Ndlela	Sanele	YoSazi Investments Management (Pty) Ltd
Mr	Malaza	Sabelo	Department of Environmental Affairs
Ms	Malnleka	Zandile G.	Landowner
Mrs	Mazibuko	HC	Landowner
Ms	Mbhele	Precious	eThekwini Sanitation Services
Mr	Msibi	M V	Landowner
Ms	Moroka	Nomalungelo	Human Settlements – Planning
Ms	Reddy	Judy	KZN Dept. Transport
Mr	Tshitwamulomoni	Stanley	Department of Environmental Affairs
Mr	Singh	Keval	JG Afrika (Pty) Ltd
Ms	Sontangane	Nandipha	Department of Agriculture, Forestry and Fisheries
Mr	Stewart	Terry	On behalf of eThekwini Parks, Leisure and Cemeteries
Mr	Strydom	Gavin	Landowner
Ms	Van Rensburg	Diane	On behalf of eThekwini Development Planning, Environment & Management Unit

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1	5 July 2018	Keval Singh Engineering Geologist JG Afrika (Pty) Ltd	<p>With regards to the relocation of the pipeline, please can the conceptual relocation route of the pipeline be made available by Transnet.</p> <p>Your notice makes mention of expansion on the south east side of the Solomon Mahlangu Interchange which is approx. 600 m from my property, so I would like to know if the relocation has any bearing on my property or the immediate vicinity as they are far apart.</p>	<p>Drawings were provided to Mr Singh, showing the concept of the relocation of the two pipelines in relation to the Solomon Mahlangu I/C and surrounding land. It was also indicated that SANRAL/Transnet are appointing a specialist firm to manage the relocation of the hydrocarbon pipelines and that during detail design, there may be some changes to the concept design. The intention is to undertake the relocation of the pipeline under the main contract for the upgrade of the interchange (Edwin Swales).</p>
2	30 September 2018	Thami Hadebe Servitude Management Transnet Pipelines DBN	<p>PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 2 (N 2) & NATIONAL ROUTE 3 (N3) WITHIN ETH EKWINI METROPOLITAN MUNICIPALITY</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 N2 & N3 Freeways crossing the 0406, 4 mm and 0323, 8 mm pipelines across the N2 at the Solomon Mahlangu Interchange and Stockville Road Interchange south of Mariannahill Plaza and the fibre optic cable affected at the EB Cloete Interchange between Durban and Hillcrest, eThekweni as indicated on the eThekweni Metropolitan Municipality 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 N2 & N3 Freeways will entail lane additions at the Solomon Mahlangu and Stockville Road Interchanges, pipeline protection would have to be extended over the additional lanes. Culvert boxes constructed around the pipeline are the preferable form of protection as indicated by the attached typical culvert drawing. An optic fibre cable will be affected at the EB Cloete</p>	<p>SANRAL is in communication with Transnet Pipelines concerning the relocation of sections of pipelines in the vicinity of the Solomon Mahlangu 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> <p>Liaison between SANRAL and Transnet will be ongoing through the relocation of the pipeline.</p> <p>The validity of the 36 months authority has been noted.</p>

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			<p>Interchange which may necessitate relocation or enhanced protection and accessibility.</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 two 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.</p> <p>In this connection our Servitude Supervisor, Mr Pieter Venter must be contacted at (031) 3614523 or 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,</p>	

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			<p>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 to 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>	
3	4 October 2018	Mrs HC Mazibuko Landowner	<p>Consent for Proposed Capacity Improvements to N2, and N3 national routes and the relocation of a section of Transnet fuel pipeline</p> <p>Account Number : In the Name of : Mrs HC Mazibuko Property Description : Remainder of Erf 1436 Pinetown Extension 29</p> <p>We are pleased to advise that Standard Bank has no objection to your request, subject to our rights being protected and on the following conditions:</p> <ol style="list-style-type: none"> a) Request for consent of Proposed Capacity Improvements to N2 and N3 national routes and the relocation of a section of Transnet fuel pipeline approved subject to Local Authority approval. b) The bank is not committing to finance new development. c) No buildings to be demolished without the Bank's consent. d) The building must comply with SBSA minimum specifications, should there be any further development. e) Please note that the bank holds the right to withdraw or 	<p>It is assumed that Mrs Mazibuko approached Standard Bank for advice should her property be acquired by SANRAL. Standard Bank's response applies to Mrs Mazibuko and not SANRAL. This information has been forwarded to SANRAL's land acquisition team.</p> <p>In the event that property fences/walls need to be demolished, SANRAL will consider either compensating the landowner or rebuild by SANRAL's appointed contractor. The necessary permissions, if and where applicable, will be obtained by the contractor in consultation with affected property owners.</p> <p>In addition, there will be consultation by the MAJV team during the design phase, prior to construction, to determine the extent of the relocation of fences etc.</p>

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			amend the given consent.	
4	9 October 2018	Mr Jonathan Lawrenz eThekweni Electricity	HV Operations has main power carrying lines bringing in the bulk of Durban Metro's supply which crosses the N2 and N3 in multiple locations.	SNA identified these power lines during design. The service owners were contacted and made aware of the affected power lines. These power lines will have to be relocated if affected by the road upgrade. This relocation will be undertaken in consultation with the relevant service owner. Ideally for SANRAL, an MOU with the relevant service owners should be drawn up and the service owner to undertake the relocation of the service
5	9 October 2018	Nomalungelo Moroka Principal Project Officer Human Settlements, Planning	I will comment on the BAR and should there be need to, comment on the WULA application. Do not hesitate to forward it to me.	It should not be necessary for Human Settlements, Planning, to comment on the submissions to register water uses, as these deal primarily with existing crossings on the N3 and at interchanges.
6	10 October 2018	Mr Grant Lloyd Pastor at His Church	His Church will require information on the impact on Drake Road, Pinetown. We run two schools from our facility as well as numerous community activities. How will the upgrades affect traffic access and flow?	The design engineers are still awaiting survey results, after which they will contact Mr Lloyd directly to provide details, further to the interaction that SNA has had with other I&APs from His Church.
7	12 October 2018	Mr William A Horsfield The William Alexander Horsfield Trust	We are affected indirectly by this phase. We will be affected directly from Mariannhill to Hammarsdale and will comment fully then.	Noted.
8	12 October 2018	Mr. M V Msibi Landowner	This is a surprise to me as you ask me to complete the assessment form when I sent one on 24/08/2016 and you promised to come back to me but not until now. It seems like you do this when you have no work to do and you are not serious.	The Basic Assessment Report 1 (BAR) has indeed taken some time to complete since the project was first announced in August 2016, for reasons associated with detailed design considerations. However, in the interim, the EAP has kept registered I&APs notified

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				<p>about the status of the project.</p> <p>Mr Msibi's initial comments submitted on 29 August 2016 have been captured and addressed (see Comments and Responses Report (Appendix E3 of BAR1)). The issues raised (noise and security) are also dealt with under the relevant subheadings of the BAR.</p>
9	13 October 2018	Mr Michael Leech Landowner	I am in receipt of your mail in this regard and note with concern that nothing is reflected regarding present noise pollution levels. Also, what is proposed to combat the rise in noise along this stretch of upgrade to comply with the regulations?	<p>For information on noise levels and proposed mitigation, please refer to (amongst others) the following sections of the Basic Assessment Report (BAR1):</p> <p>3.2.10 3.3.5 4.4 5.3.3 6.4 8.3.3 8.4.2 9 10 Appendix D Appendix F</p> <p>Please also refer to Item 18.</p>
10	17 October 2018	Precious Mbhele eThekweni Sanitation Services	A number of our existing sewers cross the two freeways at various positions and these sewers will be affected by the proposed road upgrades. We request that the engineering consultants involved in the project contact us in order to understand the extent of the widening, timing of the works and how our sewers will be affected by the upgrades. Hence, discuss the way forward.	<p>SNA identified these sewers during design. The service owners were contacted and made aware of the affected sewer lines. These sewer lines will have to be relocated if affected by the road upgrade.</p> <p>This relocation will be undertaken in consultation with the relevant service owner.</p> <p>Ideally for SANRAL, an MOU with the relevant service owners should be drawn up and the service owner to undertake the relocation of the service.</p>
11	19 October	Mr. Gary	Please forward all correspondence to Gary Paul Hardman	The project database was updated accordingly.

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	2018	Paul Hardman Landowner	Email - garypaulhardman@gmail.com as Mr Ronald Terrence Hardman is deceased.	
12	19 October 2018	Mrs Ndmsa Hlongwane Private Landowner	We are not clear on what or how the improvements on the N2/N3 will affect us. We need more clarity.	A Google Earth image was sent to Mrs Hlongwane showing that her property is adjacent to the road reserve. In this area, SANRAL's upgrades will be confined to the existing road reserve. The general impacts of the project on adjacent land owners and infrastructure are discussed in Chapter 8 of the draft BAR, with management measures specified in the Environmental Management Programme (Appendix F of the BAR).
13	29 October 2018	Gavin Strydom Landowner	Thank you for the draft report BA 1. It appears from the map noted as Figure 1 on page 6 that the upgrade will also commence from Cato Ridge to Pietermaritzburg at some point. Please advise when this section of the upgrades will occur and if you have any details to share at this point.	<p>The upgrades between Hammarsdale and Cato Ridge are being dealt with under the following Basic Assessments, which will be available for public review during the course of 2018 & 2019. You have been registered as an I&AP and will receive relevant information during the course of the environmental assessment processes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Basic Assessment 3. Capacity Upgrades to the N3 from Hammarsdale to Cato Ridge. <input type="checkbox"/> Basic Assessment 4. Capacity Upgrades to the N3 from Cato Ridge (Km 19.4) to Lynnfield Park (Km 30.6). <input type="checkbox"/> Basic Assessment 5. Capacity Upgrades to the N3 from Lynnfield Park (Km 30.6) to Gladys Manzi Road (Km 6.0). <input type="checkbox"/> Basic Assessment 6. Capacity Upgrades to the N3 from New England Road I/C (Km 8.8) to Twickenham Road Underpass (Km 16.5). <p>BA5 is already in the public domain and the documents can be accessed on ACER's website</p>

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				www.acer africa.co.za – under the ‘Current Project’ tab and then under ‘Proposed N3 Capacity Upgrades – Batch 2 Projects’ (Basic Assessment 5: Lynnfield Park to Gladys Manzi Road).
14	2 November 2018	Judy Reddy Manager: Road Infrastructure Development & Management KZN Department of Transport	RE: National Road 3: Proposed Capacity upgrades: EB Cloete Interchange to Paradise Valley (including N2 Solomon Mahlangu Interchange and sections of N2 North and South of EB Cloete interchange) 1. Your letter dated 9 October 2018 refers. 2. The application was received 9 October 2018. 3. You are advised that the application is in the process of being investigated and that you will be advised accordingly of this Department’s comments. 4. When communicating with this office, please quote the abovementioned file reference.	Noted.
15	6 November 2018	Sabelo Malaza Chief Director: Integrated Environmental Authorisations Department of Environmental Affairs	COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY UPGRADES TO THE N2 (SOLOMON MAHLANGU INTERCHANGE (1/C) TO SOUTH OF UMGENI ROAD I/C), INCLUDING EXPANSION OF THE EB CLOETE AND SOLOMON MAHLANGU INTERCHANGES AND THE N3 (EB CLOETE TO PARADISE VALLEY) INCLUDING PROVISION OF TEMPORARY ACCESS FOR CONSTRUCTION BELOW WESTVILLE AND PARADISE VALLEY VIADUCTS, ETHEKWINI METROPOLITAN MUNICIPALITY, KWAZULU-NATAL PROVINCE The draft Basic Assessment Report (BAR) received by this Department on 09 October 2018 refers. The Department has the following comments on the abovementioned application: 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. ii. If the activities applied for in the application form differ from those mentioned in the final BAR, an amended	i. Listed activities are detailed in section 1.4 of the BAR and mapped in Figure 3. ii. The activities applied for in the application are the same as those listed in the BAR.

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			<p>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.</p> <p>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.</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>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 and on the community that may be affected by the activity as 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 details of -</p> <ul style="list-style-type: none"> <i>i.</i> the EAP who prepared the report; and <i>ii.</i> the expertise of the EAP to carry out EIA procedures; 	<p>iii. Comments received on the draft BAR are recorded in this Comments and Responses Report and where relevant, addressed in the final BAR. Comments received are in Appendix E7.6 of the BAR.</p> <p>iv. Proof of notifications and requests for comments are in Appendix E11.</p> <p>v. Noted. Please refer to Table 2 and Chapter 6 of the BAR.</p> <p>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.</p> <p>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.</p> <p>viii. Please refer to Chapter 4 of the BAR.</p> <p>ix. Please refer to Appendix G of the BAR.</p>

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			<p>must be submitted.</p> <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 environmentally 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>The EMPr must include the following:</p> <p>i. All recommendations and mitigation measures recorded in the BAR and the specialist studies conducted.</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 SANRALs 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 the EMPr).</p> <p>i. 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.</p>

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			<p>ii. An environmental sensitivity map indicating environmentally sensitive areas and features identified during the assessment process.</p> <p>iii. 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.</p> <p>The EAP must provide detailed and written motivation if any of the above requirements is not required by the proposed development and not included in the EMPr.</p> <p>Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter 11, 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> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as</p>	<p>ii 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.</p> <p>iii 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> <p>Heritage. The Heritage Specialist Report and Draft Basic Assessment Report were uploaded to the SAHRIS website and the prescribed fee paid to Amafa. ACER has followed up numerous times with Amafa, to submit comment.</p> <p>Two (2) electronic copies (1 CD and 1 USB) and two (2) hard copies of the Final BAR will be submitted to DEA.</p> <p>Noted.</p>

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			<p>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>	Noted.
16	7 November 2018	<p>Mr Sanele Ndlela</p> <p>Managing Director YoSazi Investments Management (Pty) Ltd</p>	<p>We at YoSazi Investments commend and support your initiative. It appears to be well thought and planned given the consideration of all parties (stakeholders) and other aspects affected by the project.</p> <p>We would like to wish you well in all your endeavours ahead and during the project to completion.</p>	Noted.
17	7 November 2018	<p>Zandile G. Malnleka</p> <p>Landowner</p>	<p>I, Zandile G. Malnleka, am in support of the proposed developments.</p>	Noted.
18	7 November 2018	<p>Mr Michael Leech</p> <p>Landowner</p>	<p>Further to correspondence in this regard, I wish to thank you for your assistance in steering me in the right direction.</p> <p>Issues have arisen from the installation of the electronic traffic boards along the M7 and the removal of the vegetation to do the installation without replacement. Further is the question of the subsidence in the road which has not been attended to after being reported. This has resulted in an increase in pollution particles and diesel related pollution being experienced all along Vivien Road especially where the M7 rises to meet the N3 (also along the whole length up to and including the Mariannhill Interchange).</p> <p>What is of concern is the fact that no tables reflecting the noise measurements at the beginning of construction and those that it is claimed where done recently are reflected.</p>	<p>M7/Vivien Road. Please note that Basic Assessment 1 deals with upgrades to the N3 between EB Cloete and Paradise Valley. The M7 and Vivien Road fall under Basic Assessment 2 (Paradise Valley to Key Ridge). Accordingly, Mr Leech's correspondence regarding issues with the M7 and Vivien Road will be further investigated and a response provided in as part of the Basic Assessment process and reports for BA2 (Paradise Valley to Mariannhill).</p> <p>Noise. As explained above, the noise impact assessment and specialist study in BA1 does not address Mr Leech's area of interest, which will be</p>

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			<p>What is there to hide? Nor is there a comparison made with accepted WHO noise standards.</p> <p>I find it unacceptable that a document such as this reflects the view that plant material will not address the noise pollution, only concrete deflection walls are needed. There is more than enough research available which proves that plant material can and will absorb/deflect noise as well as absorb the pollution particles and vehicle pollutants.</p> <p>It would have been better if they stated that insufficient space had been allowed for/budgeted for planting of noise absorption plant material.</p>	<p>addressed in Basic Assessment 2.</p> <p>With respect to comparisons with WHO standards, the specialist noise assessment in Appendix D of the BAR (for BAR1) discusses various standards and guidelines including WHO (refer to Section 1.1.1.2.2 of the noise specialist report).</p> <p>The effects of vegetation on sound attenuation have been the subject of much debate for a number of years. The common school of thought amongst acoustics practitioners is to suggest that trees and hedges are not effective noise barriers. However, there is increasing evidence that this is not always true and a significant noise reduction may be achieved through vegetation if present in sufficient density and depth. There are studies that indicate vegetation can assist in noise attenuation but to be effective on its own, may require a wide depth of planting (a band 10- 20 m, or more, depending on density). SANRAL's road widening is designed to cater for traffic growth to 2047 and requires all of SANRALs available road reserve, as well as additional land in some areas. Notwithstanding, SANRAL is in the process of appointing an acoustic design specialist to investigate the mitigation/.reduction of road noise using various methods. Viz, surfacing, walls, vegetation or even a combination of all. Alternative methods of noise reduction are being considered, such as voided asphalt surfacing, which proves to reduce noise levels.</p>
19	8 November 2018	Mrs Mamzile Biyela Landowner	Please provide clarity to us, as the land owners as to when the project will commence? We are in the process of building our home, on Fyfe Place Road. We would like to know whether we should continue with this project, i.e. how it will be affected by the roadworks on EB Cloete Rd. Please expand as well on the arrangements with regards to compensation of property and land owners affected by the	<p>Affect on Mrs Biyela's property. A map has been provided to Mrs Biyela, showing her property in relation to the proposed project, which will not be directly affected.</p> <p>Construction periods and start dates. Work on the three road contracts covered by this Basic Assessment</p>

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			road works (both during and after the construction phase). When will the project commence, and how long is it scheduled to run for?	<p>(BA) is anticipated to commence towards the end of 2019 and during 2020. Relocation of services and construction of temporary viaduct access roads is currently planned to be undertaken as the first phase of the construction. The estimated construction period on the EB Cloete contract is five years and is anticipated to commence before the end of 2019. The estimated construction period for the Solomon Mahlangu and Westville – Paradise Valley contracts is four years, anticipated to commence mid-2020.</p> <p>Compensation. Where land is to be acquired, SANRAL will negotiate directly with each land owner as part of the land acquisition process. The valuator takes into account individual circumstances and potential financial losses caused by acquisition. SANRAL will compensate land owners at a fair market value for the land they purchase and may compensate for financial losses in line with applicable legislation, viz. the Constitution, Section 25 (3) and Expropriation Act (Act 63 of 1975).</p> <p>Arrangements regarding property owners affected by the roadworks, during and after construction. Please refer to the Basic Assessment Report (Chapter 8) and the Environmental Management Programme (Appendix F) where potential impacts and mitigation measures are dealt with.</p>
20	8 November 2018	Melanie Brauteseth Councillor: Ward 18	I am concerned about the environmental impact on Paradise Valley.	The N3 Paradise Valley Viaduct runs overhead the Paradise Valley Nature Reserve. Widening of the viaduct requires increasing the supporting piers of the viaduct (bridge) which are located within SANRALs road reserve beneath the viaduct and affect the Umbilo River. To access the site during construction, a temporary access road will be required to be constructed through part of the Nature Reserve. The EAP, engineers and SANRAL representatives have engaged directly with eThekweni and Reserve

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				Management in order to identify the most suitable route. While there will be negative impacts on the Nature Reserve, which are identified and discussed in various sections of the Basic Assessment Report (particularly Chapter 8), these impacts will not be of high significance if the recommended mitigation measures are effectively implemented.
21	9 November 2018	<p>Stanley Tshitwa-mulomoni</p> <p>Acting Director: Biodiversity Conservation</p> <p>Department of Environmental Affairs</p>	<p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY UPGRADES TO THE N2 (SOLOMON MAHLANGU INTERCHANGE TO SOUTH OF UMNGENI ROAD}, INCLUDING EXPANSION OF THE EB CLOETE AND SOLOMON MAHLANGU INTERCHANGES AND THE N3 INCLUDING PROVISION OF TEMPORARY ACCESS FOR CONSTRUCTION BELOW WESTVILLE AND PARADISE VALLEY VIADUCTS, ETHEKWINI METROPOLITAN MUNICIPALITY KWAZULU-NATAL PROVINCE</p> <p>The directorate: Biodiversity Conservation has reviewed and evaluated the aforementioned report with its specialist's studies and recommends the following for implementation:</p> <ol style="list-style-type: none"> 1. A thorough Riparian Impact Assessment must be conducted and be submitted as part of the Final Basic Assessment Report. 	<ol style="list-style-type: none"> 1. A thorough Riparian Assessment has been undertaken (please refer to the Specialist Riparian Report in Appendix D of the BAR). In response to a question of clarification, the directorate: Biodiversity Conservation stated that they require: <ul style="list-style-type: none"> - Identified mitigation measures which correlate with the Plant Rescue, Protection and Maintenance Plans. The recommendations of the riparian specialist are provided in Sections 6 and 7 of the Specialist Riparian Report. These have been taken through as relevant, to the project specific EMPr and integrated with the Rehabilitation Plans for specific sensitive areas (and are appended to the EMPr). It is specified in the Wetland and Riparian Areas Rehabilitation Plan that "the plan is to be

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				<p>implemented in conjunction with other management plans appended to the EMPr, specifically focussing on plant rescue, erosion control, alien plant control, storm water management and revegetation of terrestrial areas". The environmental management plan for riparian areas must, therefore, be read in conjunction with the accompanying rehabilitation plans and procedures for various sensitive areas, as identified by the appointed specialists.</p> <ul style="list-style-type: none"> - A detailed layout plan overlaid with sensitive areas including a detailed legend and images of the relevant crossings (sensitive areas) are provided in the Specialist Riparian Report. In addition, more detail is provided in the Wetland and Riparian Areas Rehabilitation Plan, the Paradise Valley Viaduct Rehabilitation Plan and the Westville Viaduct Rehabilitation Plan, all of which form part of the suite of EMPr documents in Appendix F of the BAR. - A list of all the identified protected riparian species of conservation concern. The vegetation of riparian and wetland areas is described and assessed in the Vegetation Specialist Report (refer to section 5.3.2). Prior to construction, a plant rescue and relocation exercise will be undertaken. The guidelines for Plant Rescue and Relocation are provided in the Appendices to the EMPr which deal with sensitive areas' rehabilitation and which are to be read in conjunction with the Wetland and Riparian Areas Rehabilitation Plan. - The EAP is confident that the recommendations of the riparian impact assessment report, as integrated, and in conjunction with the other sub-plans of the EMPr, provide for the sufficiently thorough

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			<p>2. All protected and listed alien invasive plant species must not be removed or disturbed prior to permit approval from the relevant authorities.</p> <p>3. The development footprint must be minimized within the high sensitivity areas as far as possible.</p> <p>4. All disturbed and cleared areas must be re-vegetated with appropriate indigenous plant species.</p> <p>5. A "Plant and Rescue and Protection" plan which allows for the maximum transplant of conservation important species from areas to be transformed must be incorporated into the EMPr.</p>	<p>management of impacts on riparian and wetland areas.</p> <p>2. Permit requirements are referred to in the BAR (Chapters 2 and 8) and in the project specific EMPr (Chapter 3). Permit applications will be made prior to vegetation clearance as required. Note that 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 NEMBA Regulations and submitted to DEA.</p> <p>3. In addition to this being a common principle for mitigation identified in various sections of the specialist reports, the BAR and EMPr, this is also addressed in Appendices A1, A2 and A3 of the EMPr.</p> <p>4. In addition to this being a common principle for mitigation identified in various sections of the specialist reports, the BAR and EMPr, this is also addressed in Appendices A1, A2 and A3 of the EMPr.</p> <p>5. Plant Rescue and Protection guidelines are provided in the following documents:</p> <ul style="list-style-type: none"> • Project Specific EMPr Section 4(c). • EMPr Appendix A1: N2/N3 Sensitive Areas¹ Rehabilitation Plan (with plant rescue, plant translocation, alien invasive plant control, erosion control and soil management guidelines). • EMPr Appendix A2: Paradise Valley Viaduct Rehabilitation Plan (with plant rescue, plant translocation, alien invasive plant control, erosion control and soil management

¹ This also covers the area for realignment of a section of Transnet Fuel Pipeline to the south east of the Solomon Mahlangu I/C.

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			<p>The overall biodiversity objective is to minimize loss to biodiversity as far as possible. Therefore, in order to achieve this objective, the above mentioned recommendations must be adhered to.</p>	<p>guidelines).</p> <ul style="list-style-type: none"> • EMPr Appendix A3: Westville Viaduct Rehabilitation Plan (with plant rescue, plant translocation, alien invasive plant control, erosion control and soil management guidelines). <p>Agreed.</p>
22	18 November 2018	<p>Nandipha Sontangane</p> <p>Directorate: KZN Forestry Regulations and Support</p> <p>Department of Agriculture, Forestry and Fisheries</p>	<p>DRAFT BASIC ASSESSMENT REPORT (DBAR): COMMENTS FOR THE NATIONAL ROAD 3 (N3): PROPOSED CAPACITY UPGRADES: EB CLOETE INTERCHANGE TO PARADISE VALLEY (INCLUDING N2 SOLOMON MAHLANGU INTERCHANGE AND SECTIONS OF N2 NORTH AND SOUTH OF EB CLOETE INTERCHANGE).</p> <p>The Department of Agriculture, Forestry and Fisheries (DAFF) appreciates the opportunity given to review and comment on the DBAR for the above mentioned development. DAFF through the sub-directorate Forestry Regulations and Support is the authority mandated to implement and administer the National Forests Act, (Act No. 84 of 1998) as amended, by regulating the use of natural forests and protected tree species in terms of the said Act. The purpose of the Act is to promote sustainable forest management and the development of forests for the benefit of all.</p> <p>With regards to the document received on 26/10/2018 and the site inspection conducted on 01/11/2018, the natural vegetation found within the site comprise of KwaZulu-Natal Coastal Forests: Southern Mesic Coastal Lowlands Forest; Eastern Scarp Forests: Southern Coastal Scarp Forest; thickets; woodland; Riverine forests as well as protected tree species in terms of the NFA such as <i>Podocarpus</i> spp. The</p>	<p>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.</p>

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			<p>condition of these forests varies from good to intermediate to degraded ecological conditions.</p> <p>In terms of the NFA, "natural forests" means a group of indigenous trees (a) whose crowns are largely contiguous. In addition, "forests" include - (a) a natural forest, a woodland and a plantation; (b) the forest produce in it; and (c) the ecosystem which it makes up. Natural forests are protected in terms of NFA provisions. Such as, Section 3(3)(a) of the NFA states that: natural forests must 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. The term "exceptional circumstance" indicates situations that are unusual or rare. In this case it refers to capital projects of national and provincial strategic importance. Where forests are affected by such projects, it must first be proven beyond doubt that these are in the strategic national or provincial interest, and secondly that no feasible alternative is available. If unavoidable, an off-set agreement must be reached to compensate for the loss, and all feasible mitigation measures must be taken to minimize the impact (Policy Principles and Guidelines for Control of Development Affecting Natural Forests). In addition, KZN Northern Coastal Forest is endangered therefore, listed as a threatened ecosystem while Eastern Scarp Forests and Riverine forests are categorized as vulnerable therefore, listed as protected ecosystems in terms of NEMBA.</p> <p>The proposed upgrade will have a significant negative impact on sensitive vegetation including various types of natural forests. South African Coastal and indigenous forests are decreasing at a rapid rate, the isolated nature as well the natural fragmentation of these forests make them vulnerable to anthropogenic pressure and thus the conservation of these biomes is of great importance. Should the development be approved DAFF recommends that the conditions stipulated</p>	

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			<p>bellow should strictly be adhered to and incorporated in the Environmental Management Plan as well as the Environmental Authorization:</p> <ul style="list-style-type: none"> a) The disturbance of the natural forests should be restricted to the development footprint and working area. b) All the forested areas that do not form part of the development footprint as well as the working area and do not interfere with the normal functioning of the road must be avoided and retained even if they form part of the road reserve. c) All disturbed areas that are no longer in use should be rehabilitated using 100% indigenous trees which are endemic to the area. d) Construction sites and any temporary access roads should be successfully rehabilitated to their preconstruction state or better as soon as the construction activities and planning allow. Furthermore, clearing of natural forests for construction camp sites is not permitted. e) Rehabilitation should be conducted in a progressive manner (i.e. once construction in an area has been completed the area must be rehabilitated). The rehabilitation of the area with indigenous vegetation must coincide with the rainfall events and all alien invasive vegetation shall be removed. f) Indigenous vegetation must be rescued as much as possible and all transplantable trees ought to be transplanted to a suitable location. The vegetation rescue including transplanting during site establishment must be re-established under the guidance of qualified personnel. g) Existing tracks should be utilized as much as possible to minimize destruction of indigenous vegetation/forests. h) The forested area that will be impacted upon should be quantified in terms of hectares as well as the species that will directly be impacted upon. 	<ul style="list-style-type: none"> a) This is in the project specific EMPr section 5(l). b) This is in the project specific EMPr section 5(l). c) This is in the project specific EMPr section 6(a) and 6(b). d) This is in the project specific EMPr section 6(c) and 4(f). e) Refer to Section 5(m) and 5(q) of the EMPr regarding progressive reinstatement and control of alien plants. For practical purposes, reinstatement may not always coincide with rainfall events and the supplementary application of water may be required. f) Refer to Section 4(c) of the EMPr regarding Plant Rescue and Relocation, which is a requirement prior to construction and vegetation clearance. g) Other than the viaduct access track discussed in the BAR, access will be along existing roads. h) This will be done as part of the process of applying for a permit for cutting/removal of indigenous forest trees (where required).

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			<p>i) A rehabilitation plan should be compiled. Furthermore, the Environmental Impact Practitioner together with other competent authorities should identify suitable areas within and/or out of the construction areas that will be rehabilitated post construction. These areas should be clearly indicated in the report as well as the methods of rehabilitation/compensation.</p> <p>j) Prior to the commencement of any activities that will result to the disturbance of any natural forest and/or protected tree species in terms of the NFA, a tree licence application must be submitted to the DAFF office in Pietermaritzburg for reviewing and processing.</p> <p>The department supports the following conditions which are outlined in the vegetation assessment:</p> <ul style="list-style-type: none"> • Where construction occurs close to any sensitive areas of natural vegetation or any plants of high conservation value, these must be suitably and visibly demarcated and cordoned off by the ECO prior to, and during the construction phase. • Offset mitigation should be undertaken in the form of alien plant control within the remaining road reserve, and within nearby stands of natural forest, wetland and riverine vegetation; furthermore, the removal of aliens should be accompanied by planting of appropriate indigenous species. • A rehabilitation plan should be developed that will identify areas for alien plant control, areas for replanting with indigenous species and potential receiving areas for rescued plants. • The temporary road access to the area below the viaduct during construction should not go through the middle of Paradise Valley. • Temporary access tracks are rehabilitated as quickly as possible after construction ceases by removing excess 	<p>i) Refer to Appendix A1 and A2 of the EMPr. Areas outside of the construction areas that are to be rehabilitated (as proposed offsets) will need to be identified by the ECO and the eThekweni Environmental Planning and Climate Protection Department (EPCPD). This is an activity that will occur only once environmental authorisation has been issued and a contractor appointed.</p> <p>j) This requirement is stipulated in various sections of the BAR and in Section 3d of the EMPr.</p> <p>These are all addressed in the suite of documents comprising the EMPr.</p>

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			<p>imported material, ripping compacted soil, reinstating natural ground levels, implementing soil erosion controls and re-establishing a dense cover of indigenous vegetation appropriate to the plant community in which the road is located.</p> <p>Should any further information be required, please do not hesitate to contact this office. This letter does not exempt you from considering other legislations.</p>	
23	Signed 19 November 2018 (letter is dated 14 Nov 2018)	<p>eThekwini Development Planning, Environment & Management Unit</p> <p>Consolidated comments co-ordinated by Mrs D van Rensburg and signed by CB Norton, Manager: Land Use Management and TB Mbhele, Head: Development Planning, Environment and Management</p>	<p>RE: DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 2 (N2) AND NATIONAL ROUTE 3 (N3).</p> <p>With reference to the abovementioned Draft Basic Assessment Report please be advised that various Municipal Departments have had sight of the proposal and the following comments are submitted for your attention:-</p> <p>1. eThekwini Electricity Department</p> <p>The H.V. Operations is affected by the proposal and this Department will need to see plans, once available, and change in ground levels prior to construction. Further, please note:</p> <p>1.1. The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition, should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.</p> <p>1.2. The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.</p>	<p>1.1. Engagement will take place with eThekwini Electricity. The service, if affected, will either be protected or relocated, in agreement with the service owner.</p> <p>1.2. SANRAL will investigate if a wayleave agreement is in place for the service. The conditions will be enforceable regarding liability of costs. Generally if a service is within the SANRAL road reserve, it</p>

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				needs to be relocated at the cost of the service owner.
			<p>2. Environmental Planning and Climate Protection Department</p> <p>This Department has reviewed the Draft Basic Assessment Report (DBAR) and specialist studies for the above project and presents the following comment:</p> <p>General Comment</p> <ul style="list-style-type: none"> • This Department notes the strategic nature of this project and acknowledges that a construction exercise of this scale will invariably result in negative environmental impacts that cannot be avoided. • Similarly, the transformed and degraded nature of the receiving environment for much of the planned route is also acknowledged. • Given the above, this Department is satisfied with the steps presented to limit and avoid impacts to the majority of the receiving environment. The mitigation steps outlined in Section 8.6 of the DBAR, together with the specific recommendations made in the various specialist reports and appendices of the EMPr must be implemented. • It is suggested that KwaZulu-Natal Amphibian and Reptile Conservation, Nick Evans, be included as an additional reptile specialist to be kept on call for this project. Details include www.kznamphibianreptile.com or telephone 072 809 5806. <p>Paradise Valley Viaduct The development in and around the Paradise Valley Nature Reserve (PVNR) remains a concern for this Department. As stated in the report, the Environmental Planning and Climate Protection Department (EPCPD)</p>	<p>General comment is noted.</p> <p>The details of Nick Evans have been included in Section 8.6.4.1 of the Final BAR and Section 5(p) of the project specific EMPr.</p>

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			<p>and other role players have engaged extensively with regards to the best approach to accessing the crossing point and what steps must be taken to limit and avoid unnecessary or high impact disturbances.</p> <p>For the most part the report captures the agreed mitigation, however, further clarity is required regarding the following aspects of the planned upgrades within the PVNR:</p> <ul style="list-style-type: none"> • As detailed in previous engagements and minutes in the meeting of 4 December 2015, this Department has concerns over the placement of the bridge piers and specifically the positioning of the piers directly in the river bed. The existing piers are noted to be very close to and in some cases even encroach into the current river course already. This causes blockages during floods when debris builds up, the flood flows are also unnaturally deflected by the piers causing erosion of the banks. Concern was raised that the addition of further obstructions to the river base flow, as well as flood flows, will result in unwanted and unacceptable impacts to the local riparian zone and downstream habitats. • The DBAR does not include any engineering designs or drawings for the proposed crossing so it is unclear as to where these concerns have been acknowledged and the designs amended to avoid the impacts. • The specialist riparian study does not make mention of this potential impact and should piers be proposed in the river, this is an impact that was not assessed in the specialist study. • The abstraction of water for construction (\pm 250,000 l/day) from the Umbilo River within the PVNR is not supported. Alternative water sources will need to be sought for this component of the 	<ul style="list-style-type: none"> • The concerns raised regarding Paradise Valley Viaduct bridge piers, while not documented in detail in the main report of the BAR, were followed up and addressed in consultation with eThekweni representatives (see Appendix E6.3e). Following a hydrological and technical investigation of these matters by the design engineers, a report back and discussion session was held on 18 June 2018, attended by EPCPD, Paradise Valley Management, the EAP, SNA and SANRAL, where various agreements were reached which were circulated in the meeting minutes (Refer to Appendix E6.3e). An account of the findings and alternatives investigated have been provided in Section 4.4 of the BAR. • Designs are provided in Appendix A of the BAR. • This impact was not assessed in the riparian specialist study but has been investigated by the engineers and EAP, and included in the BAR as described above. • Water abstraction: The objection to abstraction from the uMbilu River within the PVNR is noted. Discussions regarding abstraction of water have been held with DWS and it is noted that water use

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			<p>project. It is noted that the specialist assessment is sparse on detail regarding the impacts of the planned abstraction from all systems affected and whether the watercourses can deliver the required volumes without being negatively impacted.</p> <ul style="list-style-type: none"> <li data-bbox="622 724 1292 815">• The recommendations made by the Crowned Eagle specialist must be implemented to avoid impacts to the resident breeding pairs. <li data-bbox="622 919 1292 1166">• This Department previously raised concern regarding the proposal to remove a number of large <i>Podocarpus</i> sp. trees along the temporary access route. Further detail is required as to what alternatives were considered with regards to avoiding the loss of these large specimens, particularly given that the access is a temporary one. 	<p>is restricted in the Umgeni catchment. SANRAL will not apply for water use licenses for abstraction for the road contracts. SANRAL is, however, Generally Authorised to abstract up to 2,000 m³ per annum from water courses on SANRAL's own properties, as per the General Authorisation for the taking and storing of water (GN 538, 2 September 2016). SANRAL will exercise this right should there be sufficient water at abstraction points that meet the water quality requirements, and should it be possible to abstract without being disadvantageous to downstream users and to comply with the provisions of the GA. This will be determined by the contractor prior to construction. SANRAL however, agrees to involve eThekweni in the identification of an abstraction point once the contractor is appointed.</p> <ul style="list-style-type: none"> <li data-bbox="1317 724 1977 879">• Recommendations have been made based on the information provided by the specialist. Please refer to Sections 8.6.4 and 8.6.4.1 of the BAR, and Sections 4(a) and 5(p) of the project specific EMPR (Appendix F of the BAR). <li data-bbox="1317 919 1977 1396">• During the construction phase, the final alignment for the temporary access track will be surveyed and walked through with the Contractor's ECO and PVNR Management, so that the route can avoid large specimens as far as possible. The route, however, must follow the correct gradients and the old track as far as possible, to avoid other environmental damage and needs to be signed off by the Engineer. Should it be necessary to remove specimens, the required permits will be applied for. It is recommended that SANRAL provide seedlings of similar species for replanting in adjacent areas which must be identified and agreed by PVNR. This will be preferable to waiting until the track is rehabilitated, as this may only be in several years

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			<p>This Department looks forward to receiving your considered responses to the issues above and will comment further on the Final Basic Assessment Report.</p>	<p>from now. However, once construction is complete, <i>Podocarpus</i> sp. should be used in the rehabilitation of the access track.</p> <p>Please refer to responses above.</p>
			<p>3. Land Use Management Branch</p> <p>The Land Use Management Branch, Inner West, has no objection to the proposal.</p> <p>The Land Use Management Branch: Outer West Region has no objection to the N2 and N3 capacity upgrades.</p>	<p>Noted.</p>
			<p>4. Strategic Spatial Planning Branch</p> <p>The Strategic Spatial Planning Branch (SSPB) has reviewed the abovementioned Draft Basic Assessment Report and has the following comments:</p> <ul style="list-style-type: none"> • According to the Spatial Development Framework (SDF 2017/2018) and the Central Spatial Development Plan (CSDP 2014/2015), the N2 and N3 national roads are significant at national and micro scale as these are corridors that focus on activities into Durban Metropolitan node and Sub Metropolitan nodes such as Pinetown, which facilitate economies of scale. At local level these corridors expedite the rapid movement of people and goods in an east-west and north south direction. • Furthermore, the proposed capacity upgrades are aligned to the Strategic Infrastructure Projects (SIP) as per the National Development Plan (2011). The proposed upgrades will reduce traffic congestion, accommodate further growth and improve road safety and efficiency. 	

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			<p>Therefore, this Branch raises no objection to the proposed upgrades on the N2 and N3.</p> <p>The Draft Basic Assessment Report is however subject to the following conditions:</p> <p>4.1. This Branch's support is subject to the applicant meeting all sector and provincial requirements.</p> <p>4.2. This support should not be deemed to be an approval of the eThekweni Municipality.</p> <p>4.3. This Branch reserves the right to comment further should the need arise.</p>	Noted.
			<p>5. Coastal, Stormwater and Catchment Management</p> <p>The report seems to down play the increase of stormwater runoff due to the proposed increase in hardened surface. There is no mention of possible attenuation that may be provided.</p> <p>This Department would require the increase in stormwater to be calculated so that it can be confirmed whether or not the increase in peak runoff is marginal (as implied) or not. This will clearly show what correct mitigation is required. Included in the calculations should not only be the increase in hardened areas but also the reduction in existing attenuation areas which presently exist within the existing medians of the freeway.</p>	<p>Stormwater runoff from the road surface is controlled within the road reserve and discharged via existing culverts. The flood peaks for all culverts were calculated including the design road surface. The effect of the widening was small enough that culverts did not have to be upgraded for hydraulic capacity. A few culverts were upgraded either because they needed replacement to suit the new geometry, or to meet SANRAL's new requirement of a minimum diameter of 900mm for cross-culverts.</p> <p>Space within the road reserve for attenuation is very limited, but wherever the road is in fill, water will flow along the grassed toe of the fill, which will allow for infiltration. Culvert entrances will also provide attenuation during extreme floods.</p> <p>Since there are existing concrete-lined drains within the grassed medians, any runoff within the median is already led directly to the grid inlets with negligible attenuation. The effect of the increased hard surface on flood peaks at culverts was also specifically analysed, and the effect was found to be small in relation to the entire catchment runoff.</p>
			<p>6. Parks, Leisure and Cemeteries</p> <p>No comment received.</p>	Responses to comment later received are provided in item 24 below.

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			<p>7. Geotechnical Engineering Branch</p> <p>No further comment at this stage.</p>	Noted
			<p>8. Human Settlement: Planning</p> <p>No comment received.</p>	Noted. However, it is also noted that SANRAL and Human Settlements have engaged directly on the matter of informal settlements and occupation of land affecting the N2 and N3, starting in September 2016 and with the most recent meeting (at the time of writing this report) having been held on 25 October 2018.
			<p>9. eThekweni Transport Authority</p> <p>The Draft Basic Assessment Report (DBAR) for the Strategic Infrastructure Project (SIP 2) for the proposed capacity Upgrades to the N2 (from Solomon Mahlangu Interchange (I/C) to the South of Umgeni Road (I/C) including expansion of the EB Cloete and Solomon Mahlangu Interchanges, and the N3 (EB Cloete to Paradise Valley) including provision of temporary access for construction below Westville and Paradise Valley Viaducts refers.</p> <p>The application is Supported in Principle subject to the following:-</p> <p>9.1. Further engagement with SANRAL on the planned phasing for the proposed works is required.</p> <p>9.2. Pedestrian facilities at the upgraded interchanges would need to be considered.</p> <p>9.3. The Traffic Assessments for these upgrades would need to be forwarded to this Department.</p> <p>9.4. A Traffic Management Plan will be required for the phased construction programme.</p>	<p>9.1 SANRAL is in agreement and this was shared at a client workshop with ETA , on 1 October 2018.</p> <p>9.2 Pedestrian and public transport facilities have been considered at all the interchanges.</p> <p>9.3 This was previously submitted to the Department.</p> <p>9.4 All traffic will be accommodated within the N2 and N3 during construction. During construction, media statements will be released for motorists to consider alternative routes to reduce the anticipated delays. The major alternate routes are the M7, M19 and M13.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>9.5. The existing level of service and capacity must be maintained during construction.</p> <p>9.6. The traffic impacts of the diverted/re-routed traffic on the Municipal road network (due to construction and traffic management plans) must be assessed. Appropriate mitigation measures must be implemented.</p> <p>9.7. The N2/Solomon Mahlangu Drive (M7) interchange must take cognisance of this Department's proposal to widen Solomon Mahlangu Drive to 4 lanes in each direction.</p> <p>9.8. Pedestrian facilities, including a median barrier, must be considered between the EB Cloete Interchange and the M7/N2 Interchange.</p> <p>9.9. Traffic counts at key intersections in the vicinity of the proposed upgrades will be required prior to construction.</p> <p>9.10. Clarity is required with regard to connectivity to the Eden Road area.</p>	<p>The Contractor will be required to submit a Final Traffic Management Plan to the Engineer for approval, prior to construction.</p> <p>9.5 This may not be possible, as access on the N3 will be required for construction. A minimum of 2 to 3 lanes will be open to traffic.</p> <p>9.6 It will be up to the motorist to decide if they will consider use of alternative routes. SANRAL cannot be held liable for congestion on the adjacent road network.</p> <p>9.7 The upgrading plan of Solomon Mahlangu road ties into the plans of ETA for the road widening. The survey plans have already been shared with SANRAL.</p> <p>9.8 Both a median barrier and pedestrian walkways are being planned for. A separate pedestrian facilities contract will be let prior to the upgrading for construction of walkways.</p> <p>9.9 As part of the design of the interchanges, traffic counts were completed and can be shared.</p> <p>9.10 Meetings have been held between SANRALs engineers and officials from ETA, and comments from ETA have been taken on board to finalise the design in the Eden Road area.</p>
			<p>10. Environmental Health Department</p> <p>No objection to the above mentioned application subject to the following being complied with:</p> <p>10.1. Noise and Dust.</p> <ul style="list-style-type: none"> • Compliance with the NEMA (National Environmental Management Act): Air Quality Act and Dust Control Regulations, in that all reasonable steps to be taken to avoid dust/noise nuisances during the construction phase. • Compliance with Noise Regulation, no 	<ul style="list-style-type: none"> • Dust control is specified in C1006 (e) of SANRAL's Overarching EMP (in Appendix F of the BAR). • Noise will be managed as far as possible.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>noise nuisance or disturbance noise may be created during the construction phase.</p> <p>10.2. Water Supply.</p> <ul style="list-style-type: none"> • Safe potable water and ablution facilities to be provided for all workmen on site. <p>10.3. Construction waste.</p> <ul style="list-style-type: none"> • A plan is to be provided prior to construction on the removal of construction waste. <p>10.4. Storage.</p> <ul style="list-style-type: none"> • Measures to be taken to ensure safe storage of oil, diesel or any other chemicals on site during the construction phase to prevent leakages or spillages in the soil and nearby streams. <p>10.5. Compliance with eThekweni Public Health Bylaw.</p> <ul style="list-style-type: none"> • All measures must be taken to eliminate any public health nuisance that may occur during construction. 	<p>However, during construction, there may be periods where noise is unavoidable. Affected parties are to be notified by the contractor ahead of disturbing activities. Refer to C1006 (f) of SANRAL's Overarching EMP and the Noise Management Plan which is appended to the project specific EMP as Appendix E.</p> <ul style="list-style-type: none"> • Safe potable water and ablution facilities will be provided for all workmen on site in terms of project specifications. • The requirement to provide a plan prior to construction on the removal of construction waste will be written into the contract documents for the contractor. • Specifications for hazardous materials storage are provided in Section C1007 (d)(i) of SANRAL's Overarching EMP which forms part of Appendix F of the BAR. • The contractor will comply with the project specifications regarding environmental compliance and will be monitored through the regular ECO audits.
			<p>11. eThekweni Water and Sanitation Department</p> <p>A number of existing sewers cross the two freeways at various positions and these sewers will be affected by the proposed road upgrades. This Department requests that the engineering consultants involved in the project contact this Department in order to understand the extent of the widening, timing of the works and how this Department's sewers will be affected by the upgrades and to discuss the way forward. In this regard please liaise with Precious Mbhele, Phil Bosch and Gabriel</p>	<p>SNA identified these sewer services during design. The service owners were contacted and made aware of the affected sewer services. These services will have to be relocated if affected by the road upgrade. This relocation will be undertaken in consultation with the relevant service owner. Ideally for SANRAL, an MOU with the relevant service owners should be drawn up and the service owner to undertake the relocation of the service.</p>

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			Motilal, email precious.mbhele@durban.gov.za , phil.bosch@durban.gov.za and gabrielmotilal@durban.gov.za	
			12. Durban Solid Waste This Department has no requirements for this proposal.	Noted.
			13. Disaster Management No concerns from Disaster Management.	Noted.
			14. Fire Safety This Department has no objection to the proposed capacity upgrade subject to: 14.1. The site complying with petroleum product pipeline servitude in close proximity. 14.2. Full compliance with the road closure procedures and requirements to allow emergency services to respond in cases of emergency. 14.3. Full compliance with other applicable legislative requirements. Should you seek clarification on any of the above issues, please contact the writer on telephone: 031 - 3117136 or via e-mail: diane.vanrensborg@durban.gov.za . In addition, the Department requests that a copy of the Environmental Authorisation be emailed to the same address.	14.1 The engineers are in discussion with Transnet Pipelines for the relocation (by Transnet) of the petroleum pipelines at Solomon Mahlangu Interchange. SNA is not aware of any gas pipelines to be affected by their section (N2 and N3 from EB Cloete to Paradise Valley). 14.2 A minimum of two lanes in each direction shall be open to traffic at all times. As part of the traffic accommodation plans, provision will be made to facilitate unimpeded access to emergency vehicles. 14.3 There will be compliance with all legislative requirements by SANRAL and its appointed contractors. Noted.
24	14 November 2018	Mr Terry Stewart	DPM/EIA 736(C&IW) AND (IW&OW): DRAFT BASIC ASSESSMENT REPORT FOR THE NATIONAL ROAD 3	

No	Date	Name and Organisation	Comment/ Issue Raised	Response
		<p>On behalf of – S Whitaker</p> <p>Acting Deputy Head : Parks, Leisure and Cemeteries</p>	<p>(N3): PROPOSED CAPACITY UPGRADES: EB CLOETE INTERCHANGE TO PARADISE VALLEY (INCLUDING N2 SOLOMON MAHLANGU INTERCHANGE AND SECTIONS OF THE N2 NORTH AND SOUTH OF EB</p> <p><u>Comments/Site Observations</u>: The comments provided cover only those portions of the Basic Assessment Report dealing with the N3 freeway affecting Paradise Valley Nature Reserve.</p> <p>Specifically section 8. 1 – 8.6 : “Description of environmental issues, potential impacts and suggested mitigations”</p> <p>Extensive interactions and site meetings have been held with SANRAL, the appointed EAP's, consulting engineers and the contractor in which various concerns were raised and which are reflected in section 8.</p> <p>1. Construction of temporary access road at PVNR using the historic access route from Entabeni Rd. This includes the proposed site camp and use of the old staff quarters and will require more detailed information regarding the impact on the Yellow Wood trees (<i>Podocarpus longifolio</i> and <i>Melittia grandis</i>) lining the route as well as the provision of temporary structures, hygiene and sanitation and provision of electricity and water. There are however concerns related to the extremely steep slopes between the temporary road and the waterfall and the protection of these slopes has not been dealt with in sect 8.</p> <p>2. Impacts on Umbilo water works. This has been noted together with the assurance that the area will be fenced /</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>1. Prior to finalisation of the design of the access route, the Engineer's and Contractor's environmental officers are to walk the route with PVNR and the Engineer, to inform final design, with the aim to ensure a properly engineered road with the necessary protection of steep slopes and to minimise the clearance of <i>Podocarpus longifolio</i> and <i>Melittia grandis</i>. The final route must be signed off by PVNR. This will be addressed in the construction tender document. Refer to Section 8.6 of the BAR and Section 2k of the Project Specific EMPr. Measures to ensure environmental protection and good housekeeping for Site Camp establishment and operation are provided in Section 4 and 5 of the Project Specific EMPr. Finer details must be discussed between the Contractor and PVNR prior to construction.</p> <p>2. The spillway area has previously been compromised/partially destroyed by the original track</p>

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			<p>screened off to prevent damage but the protection of the spillway area has not been mentioned.</p> <p>3. Impact on visitors and access to reserve by staff. The training and provision of access for reserve staff has been dealt with but the loss of 90% of the reserve to visitors South of the N3 viaduct, including the waterfall area for a two year period has not been adequately addressed. During site meetings it was suggested by the SANRAL representatives that construction could be phased so as to permit visitors to use the trails on one side of the valley only and then switching to the other side of the valley at the half way point in construction. It was also mentioned that assistance could be provided to stabilise the trails on the Northern slope and repair the old causeway at the site of the original dam wall. There is no mention of this in section 8</p> <p>4. The impact on flood levels and the potential erosion of the river banks and trails within the area affected by the viaduct widening were discussed at length but the proposed mitigations are not reflected in sect 8.</p>	<p>and has not been identified in the heritage report as requiring any particular mitigation in terms of the Heritage Act. No mention was made of discussion regarding protection of the spillway in the minutes of the meeting held on 18 June 2018.</p> <p>3.SANRAL has agreed to program construction to accommodate visitors on the trails. Refer to Section 8.2.4 of the BAR. The minutes of the meeting of 18 June 2018 state that half the area under bridge will at all times be available.</p> <p>Assistance regarding the trails on the northern slope and causeway are not directly referred to in the minutes of the meeting of 18 June 2018 and may require finalisation directly with SANRAL. As per the minutes of the 18 June 2018 meeting, the following is relevant:</p> <ul style="list-style-type: none"> i. Footpaths on eastern side currently in poor state. Maintenance and upgrade required to ensure access due to partial closure of area below bridge during construction. SANRAL agrees to include in their contract. ii. Some hiking trails will be inundated during flooding. Reserve Management to identify on their GIS maps. These trails will be moved to above the flood level under SANRAL contract. (Letter, paragraph 3, second last sub-paragraph). <p>4.The design of the piers and hydrological investigations to determine flood level impacts are discussed in Section 4.4 of the BAR. SANRAL has agreed to provide alternative hiking trails at the affected areas. Refer to Section 4.4 of the BAR.</p>

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			<p>5. The impacts of the increased water run-off from the freeway and viaduct which will be discharged into the reserve from the existing culverts has not been dealt with in the BAR.</p> <p>6. It was raised at the site meetings that a permanent reduction of light and water under the bridge spans will result from the widening and closure of the centre median and will result in the permanent loss of the existing forest habitat. The rehabilitation and replacement with a different habitat has not been dealt with in sect 8. If this is not done then the result will be a significant area which is permanently denuded of vegetation.</p> <p>7. The general impact on vegetation in construction area and along the access road has been dealt with but no mention is made of the impact on specific protected tree species (<i>Podocarpus longifolio</i> and <i>Melittia grandis</i>) within the affected area.</p> <p>8. The affect of the fence removal on land invasion, vagrancy, poaching and home invasions etc has been noted. The proposed erecting of a temporary fence during construction and a permanent fence post construction is also noted but during the time period of the contract the reserve Field Rangers will not be able to patrol this fence line properly to monitor illegal access.</p> <p>9. The proposal to erect artificial nest poles as a long term nesting site for the crowned eagles is noted and supported. The protection of other mammals, reptiles and plant species within the reserve from the construction staff has not been dealt with. It must be emphasised that these staff will have 24 hour access and there is a high risk of</p>	<p>5.The control of impact of increased water run-off has been discussed agreed to, by SANRAL. Refer to Section 8.4.3 of the BAR.</p> <p>6.This is noted and plants adapted to low light conditions will be used in rehabilitation. Refer to Section 8.6.2 of the BAR and 2(k) of the project specific EMPr.</p> <p>7.Refer to Section 8.6.2 of the BAR. Avoidance and protection of these species will be undertaken, as far as practically possible. These species will be used in rehabilitation. Refer also to the Project Specific EMPr.</p> <p>8.Security is to be maintained at Paradise Valley Nature Reserve, as agreed with Reserve Management. Refer to Section 8.3.11 of the BAR.</p> <p>9.Given that the project's negative impact will be on breeding success during the construction phase and not during the operation phase, it is recommended that timing the commencement of construction activities that would be unduly disturbing, to between February and June, be the first consideration. Breeding success during the construction period</p>

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			<p>poaching and illegal plant harvesting.</p> <p><u>Conclusion</u> : Although a sound working relationship has been established with SANRAL and most of the environmental concerns affecting Paradise Valley Nature Reserve have been addressed there are still items of concern as raised in points (1) – (9).</p> <p><u>Department's Decision</u> :</p> <ol style="list-style-type: none"> 1. The Parks, Leisure and Cemeteries department requires that the issues and concerns related to points (1) – (9) are addressed before any final comment can be provided. Specifically as regards points; 2. The protection of the steep slopes and vegetation between the temporary access road and the waterfall. 3. The protection of the lower end of the waterworks spillway must be addressed. 4. That either the access to the southern portion of the reserve and waterfall by visitors is provided or that financial compensation and off set is done. 5. The realignment and stabilisation of the trials adjacent to the river needs to be addressed. 6. The increased water runoff from the existing culverts has 	<p>must then be monitored. The need for the platforms should be established and assessed (with inputs from Dr McPherson, SANRAL and reserve management) once actual effects of construction are known via monitoring. Refer to Section 8.6.4 of the BAR. The risk of increased poaching and other threats to animals is acknowledged and needs to be closely monitored and controlled. Refer to Section 8.6.4.1 of the BAR and Section 5(p) of the EMPr.</p> <p><u>Conclusion</u> Please see below.</p> <p><u>Department's Decision</u> :</p> <p>This is noted, and these matters have been responded to in the points above. SANRAL is aware of these requirements and where applicable, they will be factored into the contract documents .</p>

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			<p>to be addressed with the provision of energy dissipaters and litter traps.</p> <p>7. The issue of the permanent change in the hydric and photolytic environment with the permanent loss of forest and post development rehabilitation has not been addressed.</p> <p>8. The concerns regarding the protected tree species (<i>Podocarpus longifolio</i> and <i>Melittia grandis</i>) need to be addressed.</p> <p>9. SANRAL will need to provide security guards to prevent illegal entrance to the reserve from the M13 and N3.</p> <p>10. SANRAL must implement measures to prevent poaching and illegal plant harvesting within the reserve and adjacent road reserve for the duration of the project.</p>	