

**COMMENTS AND RESPONSES REPORT 2
(DRAFT BASIC ASSESSMENT REPORT REVIEW PHASE: 13 MARCH 2019 - 12 APRIL 2019)**

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

BASIC ASSESSMENT 4 (DEA reference 14/12/16/3/3/1/2009): Proposed Capacity Upgrades to the N3 from the Cato Ridge Interchange (Km 19.4) to Lynnfield Park (Km 30.6)

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

Title	Surname	First Name	Organisation	Method
Mrs	Brandsma	F.E.	Property Owner	Email
Ms	Britz	Sonya	Mkhambathini Local Municipality	Email
Ms	Broodryk	Carien	National Chicks	Email
Mrs	Eliot	Edith	Conservation (Conservancies) KZN	Comment Sheet
Mrs	Evans	Anne-Louise	I&AP	Viewing register (BA5)
Ms	Govendor	Karen	Department of Agriculture, Forestry and Fisheries	Email
Mr	Hadebe	Minenhle	Msunduzi Local Municipality Environmental Management Unit	Email
Mr	Hadebe	Thami	Transnet	Letter, Email
Mr	Haffejee	A	Property Owner	Email
	Halimen	JD	I&AP	Viewing register (BA5)
Mr	Hardman	Gary	Property Owner	Comment Sheet
Mr	Ireland	Mark	Maritzburg Golf Club	Comment Sheet
Mrs	Jackson	Debra	Land Owner	Comment Sheet
Mr	Khomo	Mandisa	uMgungundlovu District Municipality. Development Planning Section	Email
Mr	Lovemore	Rob	Hillcrest Development Partnership	Email
Mr	Malaza	Sabelo	Integrated Environmental Authorisations Department of Environmental Affairs	Email
Mrs	Mandry	Linesha	Property Owner	Email
Mr	Millard	Brian	Private	Email
Mr	Mkhize	G.S.	Mkambathini Municipality	Email
Mrs	Mtshali	Thokozile	I&AP	Viewing register (BA5)
Mrs	Ngubane	Thandeka	I&AP	Viewing register (BA5)
Ms	Norton	CB	eThekwini Land Use Management Branch Development Planning, Environment and Management Unit	Email
Mr	Rampershad	Rishi	Telkom Wayleaves	Email
Ms	Reddy	Judy	Department of Transport	Email
Ms	Rees	Kathryn	Property Owner (deceased) represented by Austen Smith	Email

Mr	Sibisi	Nathi	Amathunzi Project	Email
Mrs	Spain	Mercia	Property Owner	Email
Mr	Stock	David	National Chicks	Comment Sheet
Mr	Strydom	Gavin	Cedar Point Trading 20 (Pty)Ltd	Comment Sheet
Mr	Tshitwamulmomi	Stanley	Biodiversity Conservation Directorate, Department of Environmental Affairs	Email
Mr	van de Merwe	Divan	EXM Advisory Service	Email
Ms	Whitely	Gael	I&AP	Viewing register (BA5)

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1.	28 September 2018 Email	Mr Divan Van de Merwe	<p>Thank you for our discussion earlier. As mentioned EXM represents our client that has business interests within and near the proposed developments, specifically the Cato Ridge area. We are trying to ascertain to what extent these upgrades will affect these interests and therefore request you to please supply us with the following:</p> <ol style="list-style-type: none"> 1. Shape files of the proposed upgrades and details on the upgrades planned. 2. The Basic Assessment. <p>Could you also please assist with the following queries:</p> <ol style="list-style-type: none"> a) What are the current timeframes and status of your approval process and how is the construction timeframes? b) Was the economic impact on existing business near the upgrade assessed, specifically related to negative impacts, if any? 	<ol style="list-style-type: none"> 1. Mr van der Merwe was registered as an I&AP and requested to send through his property details so that the relevant design plans can be forwarded, should the drawings in BAR4 not suffice. 2. There are two BA reports that have relevance to the Cato Ridge area, viz: <ul style="list-style-type: none"> • Basic Assessment 3. Capacity Upgrades to the N3 from Hammarsdale to Cato Ridge. The BA3 environmental application process is anticipated to be completed during 2019, with SANRAL's construction timeframe for that section starting in April 2021, subject to the relevant approvals and funding availability. • Basic Assessment 4. Capacity Upgrades to the N3 from Cato Ridge to Lynnfield Park. The draft report for BA4 is in the process of public review and due to be submitted to DEA during May 2019. Construction is scheduled for January 2020, subject to the relevant approvals and funding availability. b) Refer to Sections 8.2 to 8.4 of this Basic Assessment Report for a discussion of impacts of relevance to adjacent businesses.

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2	16 October 2018 Email	Mr Rob Lovemore	We understand that SANRAL requires to adjust the high bank to accommodate the extra lane for which they gave us a drawing-PTN 14, 15, 16 and 17. We have further heard they intend interfering with PTN 9-13 but no drawings were submitted. We would like further information as we do not understand the full extent of their adjustment of our land and the other implications like building lines.	ACER passed on Mr Lovemore's queries to SANRAL's land acquisition team, which has corresponded with Mr Lovemore directly with the information required.
3	08 March 2019 Email	Mr Rishi Rampershad Telkom Wayleaves	Please ALWAYS and ONLY send your requests to wayleave2@telkom.co.za This is our centralised mailbox for KwaZulu-Natal Wayleaves.	ACER has changed the details on the database, accordingly.
4	08 March 2019 Email	Ms Carien Broodryk National Chicks/Astral	Mr Stock (National Chicks) queried whether SANRAL would need to acquire National Chicks' land for the widening of the N3.	No land is required from National Chicks (see Comment and Response 5).
5	12 March 2019 Comment Sheet	Mr David Stock Chief Operating Officer National Chicks/Astral	Moving the road closer to our poultry breeding houses will have a negative impact on our business. The N3 is currently 105 m from the houses with an embankment to separate them and protect from lights, noise and contamination. No communications to date stating how much closer or mitigation!	No land will be acquired from National Chicks but the roadway will be 1.8 m closer to the SANRAL fence line in SANRAL's road reserve and, therefore, 1.8 m closer to National Chick's boundary. The existing embankment will be affected only within the road reserve and not on National Chicks' property (Rem 33 of the Farm Camperdown). The Environmental Management Plan for construction has a specific addendum that deals with noise mitigation during construction (refer to Appendix F7 of this Basic Assessment Report). For operational noise, SANRAL will be applying noise reduction measures on this section of the N3 in the form of a low noise surfacing treatment. Please refer to Sections 8.3.4 and 8.4.2. of this Basic Assessment Report.
6	12 March 2019 Email	Mr GS Mkhize Technical Manager,	Council Resolution to be forwarded after meeting on 28/3/2019.	Noted. Also, note that ACER contacted the Mkhambathini Local Municipality for clarification on the issues

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		Mkhambathini Municipality	<ol style="list-style-type: none"> <li data-bbox="658 320 1368 379">1. SANRAL sites for stockpiling, etc require an EIA & Rezoning (Camperdown I/C & Lynnfield Park). <li data-bbox="658 1027 1368 1118">2. Erf 106 Camperdown is not supported for stockpiling of rubble/fill because of wetlands/dam and impacts on the urban area. <li data-bbox="658 1219 1368 1310">3. A Site Development Plan required for the Lynnfield Park site to assess impacts on the adjoining Mayibuye Game Reserve. 	<p data-bbox="1391 161 1957 284">raised in the 12 March 2019 email. Based on the additional information supplied by Ms Sonja Britz and Ms Elaine Donaldson in further email correspondence, responses are provided below.</p> <ol style="list-style-type: none"> <li data-bbox="1391 320 1957 991">1. It is understood that Mkhambathini's concern relates to possible stockpiling of material and/or quarrying on the two large sites recently purchased by SANRAL - Remainder of Lot 106 Camperdown and Portion 187 of the Farm Vaalkop & Dadelfontein No.885. These potential activities are not within the scope of Basic Assessment 4. SANRAL is currently formulating site-specific plans for the proposed stockpiling sites which will include the legal process for all planned activities. This is being done by SANRAL under a separate authorization process. As part of this separate process, an Environmental Management Programme (EMPr) will be developed. The EMPr will provide specifications for mitigation of impacts during the establishment and operational phases, as well as for reinstatement/rehabilitation of the sites post operation. <li data-bbox="1391 1027 1957 1182">2. Erf 6 is the property acquired by SANRAL from RCL Foods. SANRAL is aware of the limitations to its use and the EMPr formulated for this site will specify such limitations. <li data-bbox="1391 1219 1957 1374">3. SANRAL is currently formulating site-specific plans. Please refer to Item 1, above. However, the proximity of the Mayibuye Game Reserve would be taken into account to minimise potential impacts of any of

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			<p>4. Rehabilitation plan required.</p> <p>5. Reference to the Mkhambathini Urban Scheme must be made.</p> <p>6. Clarify the statement of those “formal households” which are to be relocated.</p>	<p>SANRAL’s future activities on Portion 187 of the Farm Vaalkop & Dadelfontein No.885 on this adjoining land use. Dadelfontein and Vaalkop border Mayibuye, however, it should be noted that the district road runs in this area. Adjacent are RCL chicken houses and several powerlines. The planned entrance to Mayibuye is several kilometres to the east (near the African Bird of Prey Sanctuary). Also, there is an active mine sandwiched between the properties indicated as Mayibuye.</p> <p>4. Rehabilitation of all disturbed sites is a standard requirement of environmental management on all SANRAL’s properties. Rehabilitation specifications and plans form part of the suite of EMPr documents for the BA4 project footprint and would be developed for other affected SANRAL sites in future, if required.</p> <p>5. Please refer to Sections 5.1 and 5.2.3 of the Final BAR.</p> <p>6. The statement refers to a potential impact of the project, where property is to be acquired by SANRAL, which includes a formal house/residence approved in the town planning scheme (as opposed to an informal dwelling/ informal settlement). There may be instances where land acquisition is sufficiently severe to require a person to move from their formal residence to another formal residence. All this means in terms of the town planning scheme is that the affected erf is no longer considered useful for residential purposes (it may be useful for</p>

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				<p>some other land purpose, but this is outside the scope of this BA). Mkhambathini may or may not lose an erf on which it can levy rates. However, for the section of N3 between Cato Ridge and Lynnfield Park, there will be no property acquisition where people lose their houses and require relocation.</p>
7	<p>12 March 2019</p> <p>Letter Email</p>	<p>Mr Thami Hadebe</p> <p>Servitude Management</p> <p>Transnet Pipelines DBN</p>	<p>ROW APPLICATION FOR THE PROPOSED CAPACITY IMPROVEMENTS TO THE N3 FROM THE CATO RIDGE INTERCHANGE (KM 19.4) TO LYNNFIELD PARK (KM 30.6) ETHEKWINI OUTER WEST AND MKHAMBATHINI LOCAL MUNICIPALITIES</p> <p>Your Background Information Document dated 12 March 2019 has reference.</p> <p>Transnet Pipelines, a division of Transnet SOC Limited, has no objection in principle to the proposed N3 capacity upgrades crossing and running parallel to the 0609, 6 mm pipeline servitudes across Road R603, Road R103 and the N3 Freeway between Cato Ridge Interchange and Lynnfield Park Interchange in Cato Ridge and Lynnfield Park Locality and Site/Project Layout Plans, subject to compliance with our standard crossing conditions and requirements (attached)*. A culvert box is the most preferable type of protection that must be considered in the event the existing protection does not accommodate the proposed capacity upgrades.</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>*Mr Hadebe provided details on the following (all of which have been provided to SANRAL):</p> <p>1. Conditions.</p>	<p>Mr Hadebe's comments on behalf of Transnet, and the list of conditions and requirements are noted and will be communicated to the relevant consulting engineers and contractors.</p>

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			<p>2. Transnet's Pipelines Standard Crossing Conditions and Requirements for Surface Improvements (Driveways, Paving, Parking Areas).</p> <p>3. Transnet Pipelines Standard Crossing Conditions and Requirements for Underground Services (Cables, Pipes, etc).</p> <p>4. Transnet Pipelines Standard Crossing Conditions and Requirements for Fencing/Boundary Walls.</p> <p>5. Blasting Conditions.</p>	
8	15 March 2019 Email	Mrs FE Brandsma Property Owner	Thanks for your update. We in New England Road are still in limbo. Hovering between armed robberies and being held up in our homes as we wait for yourselves and Msunduzi Municipality to decide our fate. I see that you have us registered as property owners, so why can't you pay us out so we can move on with our lives. No one comes forward with explanations or the truth about what our fate may be.	<p>Mrs Brandsma's email relates to the proposed capacity upgrades from New England Road I/C to Twickenham Road (Basic Assessment 6). Designs for the N3 section New England Road to Twickenham Road are not yet complete. ACER will inform I&APs when the draft Basic Assessment Report for BA6 (New England Road to Twickenham Road) is available for review.</p> <p>It must also be noted that if a property is earmarked for acquisition, SANRAL's property representatives and/or the design engineers would have contacted the property owner directly. This process occurs directly between the property owner and SANRAL and is not part of the environmental authorisation process.</p>
9	16 March 2019 Email	Mr Nathi Sibisi Amathunzi Projects (I&AP)	I would like to be a part of this project and attend around May 2019 at Maritzburg Golf Club.	Mr Sibisi has been added to the project database and will be kept informed during the environmental assessment process for the N3 upgrades, of reports for review and any further public engagement that may be held. The meeting at the Maritzburg Golf Club was, however, held during 2018 and none are planned at this stage for May 2019.
10	20 March 2019 Email	Mr Brian Millard I&AP	1. Please refer to your letter dated 8 March 2019 advising Interested and Affected Parties (IAP) that the above document was available for perusal and comment during the period 13 March to 12 April 2019.	<p>1 – 5</p> <p>On receipt of Mr Millard's correspondence, ACER immediately contacted the Ashburton Library and established that the documents were at the library but due to the main contact person being out of</p>

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			<p>2. I visited the Ashburton Library on 19 March 2019 intending to peruse the above document. Perusing a document is my preferred choice.</p> <p>3. On arriving at the entrance to the library property at approximately 10H00 I was advised that access was not possible due to stock taking.</p> <p>4. On presenting your letter of 8 March 2019 I was allowed to proceed to the library building.</p> <p>5. The assistant librarian advised me that the document had been removed from the library and was not available for perusal.</p> <p>6. It is suggested that a document be made available in Pietermaritzburg to allow Msunduzi residents, especially those who use the N3, to make suitable comments. A facility that is regularly used and very convenient for these purposes is the Msunduzi Municipal Library in Church Street.</p> <p>7. The lack of availability of the document at the Ashburton Library may result in the extension of time for IAP's to submit comments.</p>	<p>office, the package of documents was not opened and displayed when they arrived on 12 March 2019. However, a second librarian from the Ashburton Library located the Draft Basic Assessment Report 4 documents, expressed apologies for the inconvenience and had contact details passed on to Mr Millard, so that the second librarian could direct Mr Millard to the Draft Basic Assessment Report 4 at the Ashburton Library. Mr Millard was informed accordingly, with apologies for the inconvenience, and advised that hard copies were also available at the Cato Ridge and Camperdown libraries.</p> <p>6. The N3 section covered by BAR4 does not fall within the Msunduzi Municipality. Therefore, the Draft BAR4 was not placed for public review in the Msunduzi Municipal Library. However, the report can be accessed on ACER's website: www.acerafrica.co.za under 'Current Projects'.</p> <p>7. Hard copies were also available at the nearby Cato Ridge and Camperdown libraries, or, alternatively, the report can be accessed on ACER's website: www.acerafrica.co.za under 'Current Projects'.</p>
11	22 March 2019 Comment Sheet	Mr Gavin Strydom Business Owner	We own four properties (Erf 13, Erf 14, Ptn 95 & 96 of Cato Ridge) which are situated at Cato Ridge Interchange. Our Boundary is the N3 & Cato Ridge off ramp coming from Pietermaritzburg. We do not see our names on APPENDIX C2 which is the list of properties to be acquired and we find it difficult to interpret how we are affected by the N3 Upgrade. We are concerned that our sites are narrow in size and any expropriation will render any of our properties impractical to develop on and useless.	ACER forwarded Mr Strydom's queries to the detailed design engineers, who made direct contact with Mr Strydom and provided information and drawings in direct response to Mr Strydom's queries.

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			<p>Please clearly indicate how properties are going to be affected by this upgrade as we are now anxious.</p> <p>Please direct us to the relevant authorities to address this matter legally.</p>	
12	<p>25 March 2019</p> <p>Comment Sheet</p>	<p>Mr Gary Hardman</p> <p>Property Owner</p>	<ol style="list-style-type: none"> 1. Since commencement of discussions with Messrs NME, on numerous occasions it has been requested that surveyors peg the proposed new road reserve area, so as to be able to determine the impact on the property as a whole, in particular the impact on the existing dwellings in close proximity to the road reserve area. To date, this has yet to be done and, therefore, the impact cannot be determined or commented on by the landowner. 2. As communicated to Messrs NME, although the scope of the project (for this interchange) is understood to only cover the N3 Lynnfield Park interchange with the R103 Old Main Road to Camperdown, it is strongly felt that the scope of the project be amended to also address the problems associated with the alternative route, specifically the current intersection of R103 Old Main Road to Camperdown and MR477 Lion Park Road. It is understood that this matter had been addressed with SANRAL although details of this have not been made available and, therefore, the landowners are not in a position to pass comments thereon. The following 	<p>It is noted that the issues raised by Mr Hardman have been raised and discussed with affected landowners and SANRAL's engineering team previously during the BA5 process, as they relate to the properties affected along the N3 section Lynnfield Park to Gladys Manzi Road, which has been dealt in the Final BA5 documentation. Responses to Mr Hardman's comments are, nevertheless, provided below.</p> <ol style="list-style-type: none"> 1. Survey. There have been requests to the appointed surveyor for the access road proposal to be pegged on the property. However, the land owners were advised in a meeting held in November 2018 that the survey work would prove abortive if done prior to a design option being finalised or agreed to in principle. The access road can be pegged once the design is complete; which is quite far advanced. The engineering consultants viz. NME will make contact with the landowner. 2. The R103/MR477 Intersection will be upgraded and realigned. A portion (approx. 120 m) of the MR477 will be realigned. The proposal of Mr Hardman, to realign the R103 to the southwest side of the Interchange, was discussed at a meeting with SANRAL and the KZN Department of Transport (Mr Pat Dorkin) and they are not in favour of

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			<p>was communicated to Messrs NME: "It is felt that the R103 from the N3 Lynnfield Park bridge to where it becomes/or joins with MR477 is incorrectly placed, particularly as it is the recognised N3 alternate route for that area, as this portion of the R103 was built there for convenience as it was built on a decommissioned railway line from Mpushini station to Umlaas Road station. It is felt that strong consideration be given to keep the R103 on the south west side of the N3 until the Umlaas Road intersection, so as to improve traffic flow and eliminate the existing bottlenecks and danger risks cause by the existing route, particularly when this alternate route is used because of disruptions on the N3. This matter needs to be taken up with SANRAL, who should provide a response to this suggestion".</p> <p>3. Messrs NME have previously communicated that the access road to the Aloe Ridge property will be "5 m wide, single seal". The Basic Assessment report contradicts this and mentions that "access road 1" will be a gravel road. It is requested that the minimum standard be the status quo, i.e. dual tar strips - provided that the access road is dedicated to serve only the Aloe Ridge property. Please also refer to further comments regarding the proposed access road in this response.</p>	<p>realigning the route. Furthermore, the R103 cannot be relocated as proposed, due to this affecting other properties which are already being developed. The alignment and terrain of the R103 on the southwest side of the Interchange further influences this proposed realignment and is, therefore, not recommended.</p> <p>3. Please refer to Section 4.5.1 of the Final BAR5, which describes this access road, viz:</p> <ul style="list-style-type: none"> • OPTION 1: An access point on the R103 (at km 1.66 on the R103) The proposed access is onto the R103 east of the I/C. This will be via a right of way (ROW) running adjacent to the N3 and R103. The proposed ROW is a 6 m wide single seal access road and it is planned that it be handed over and maintained by the municipality. This ROW will affect private farms including Best Vests property, which holds an Environmental Authorisation for a proposed mixed commercial/ecotourism development. The chosen horizontal alignment has been adopted to best tie

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			<p>4. Regarding the proposed “access road 1”, the length of the proposed access road to the Aloe Ridge property being significantly longer than the existing access road, the proposed access road would need to cater for traffic travelling in the opposite direction – currently one of the vehicles pulls over to the side, to allow the other to pass. This would be a requirement of “access road 1”. Please also refer to further comments regarding the proposed access road in this response.</p> <p>5. Details of the sharing of “access road 1” have not been communicated, however, If the same access road is also to cater for traffic for the Dave Rigby property, for which there is already an approved environmental impact assessment passed for mixed use development, then the width, surface and entry point of this access road become more of an issue, and would need to be upgraded to cater for bi-directional traffic. Please also refer to further comments regarding the proposed access road in this response.</p>	<p>into the development plan as per the sketches provided by Mr Rigby for his property and the remaining alignment is to hug the adjacent proposed national road reserve or Umgeni Bulk pipeline servitude boundaries. The intention behind keeping the road next to the adjacent boundaries is so that no part of Mr Hardman’s or Mrs Jackson’s properties is left severed or unusable. This option is the preferred option.</p> <p>4. The existing road to Aloe Ridge is only 3 m wide. The proposed new access road will be 6 m wide and cater for traffic in both directions.</p> <p>5. SANRAL’s opinion is that the matter of sharing access road 1 has in fact been communicated. A meeting was held between the Engineers, SANRAL and the affected landowners, in November 2018, to discuss the access road. Details of the Best Vest development were requested by SANRAL’s design engineers, from Dave Rigby, of which to date only pdf layouts have been received. Details were further requested to determine how the access roads can be fitted in with the proposed Best Vest development. At this stage, the proposed access road has been fitted in according to the layout provided and Mr Rigby has been informed as to how this affects the Best Vest development. A traffic</p>

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			<p>6. With this in mind, the position of the proposed access road to the Aloe Ridge and Dave Rigby properties along the stretch of the R103 between the N3 interchange and the current intersection of R103 Old Main Road to Camperdown and MR477 Lion Park Road is not supported, as it poses a danger to both the traffic using the access road, as well as to the R103 users, being the official alternative route as well as access to the Nkanyenzini and surrounding areas, particularly when there is an increased volume because of a stoppage on the N3. Furthermore, the grade (level) difference at the proposed access road intersection with the R103 is likely to make intersection impossible without significant roadworks and additional land having to be expropriated at that point for safe access. It is, therefore, requested that access to “access road 1” be at the R103 / M477 junction, as was identified in a previous discussion with Messrs NME. Safe access for all road users can, therefore, be achieved by, for example, upgrading this intersection into a large traffic circle. Please also refer to further comments regarding the proposed access road in this response.</p> <p>7. The extension of the access road to create a new access for the adjacent Jackson and Bar Circle/Imvelo properties is not supported. With the incremental traffic generated by the addition of the two sizable Tait and Jackson properties, a wider and more robust access road of at least 8 metres wide with a higher asphalt specification would be required to be able to adequately cater for the wildlife/animal transportation trucks etc, and also be compatible with the projected traffic use over the design life, thereby creating an additional public road which would have to be maintained by, presumably, the provincial Department of Transport. Furthermore, the</p>	<p>impact study needs to be undertaken by Mr Rigby for the proposed Best Vest development to show the impact on traffic and access requirements.</p> <p>6. The position of the access road tie in has been discussed previously between SANRAL’s representatives and the landowners in November 2018. However, to tie in the access road at the MR477/R103 is not safe and will not be in line with applicable design standards. It was discussed at the meeting in November 2018 that the access on the MR477 has to be moved approximately 250 m from the R103 on the MR477. The landowners did indicate that this could be an option; however, no feedback/finality has been received from them in this regard. A traffic circle has been considered and deemed not to be an option due to the volumes of traffic on the R103/MR477.</p> <p>7. The existing road that accesses the Tait and Jackson properties is a 3 m single seal access. Neither owner has indicated that this road is insufficient for the purposes of accessing their properties. They are, however, concerned about the existing underpass, which is restrictive to large vehicles accessing the property. It has been discussed with all landowners that a “like for like” approach will be adopted when providing new access to their properties.</p>

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			<p>establishment of this road would increase the security risk of all the properties along the proposed access road, as the proposed access road would become another public road. It is also a concern that, if the proposed access road were to continue from the current entrance of the Aloe Ridge property to provide access to the Jackson and Bar Circle/Imvelo properties, expropriation of land would presumably be on the dwelling side of the Umgeni pipeline servitude and not between the existing Umgeni pipeline servitude and the existing road reserve boundary. Furthermore, Mrs Jackson has voiced her objection to the proposed access road and has indicated that she wishes to continue accessing her property via the current sub-way.</p>	<p>SANRAL has considered the future traffic growth due to possible future developments on these properties and has accordingly proposed a 6 m wide single seal access which allows for two way traffic. Should any future approved development require a higher service level road, then this will have to be upgraded at that stage, with the input of the relevant authorities. SANRAL's current design proposal is based on the current land use of the properties which the access road will service. However the 6m wide road will allow for the possibility of additional traffic from future developments, albeit that separate studies will need to be undertaken by those developers in future.</p> <p>Security risks remain on either option to provide access, as highlighted by owners Jackson or Tait at their initial meeting.</p> <p>A portion of the proposed access road will be aligned adjacent to the Umgeni servitude which will be on the dwelling side of the servitude. This arrangement is unavoidable as the Umgeni servitude is parallel to the national road reserve in that portion, with no space in between to align the access road differently.</p> <p>SANRAL has taken the decision to close off access to the Bar Circle underpass for the following reasons:</p> <ul style="list-style-type: none"> • Extension of the underpass is required due to the N3 carriageway being widened. The extension warrants the relocation of the Umgeni Bulk waterline as well as the Transnet NMPP which run

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			<p>8. It is further requested that a game grade fence be erected on the proposed new road reserve boundary, in order to protect both the animals and motorists from incidents on the road infrastructure, and that this be done prior to the commencement of any construction. This will also offer some level of protection of the property during the course of the construction, and also prevent animals and livestock from entering the road reserve area, as is currently the case with the current fence.</p> <p>9. Messrs NME mentioned that the re-routing of the two existing Umgeni water pipelines, i.e. pipeline 53 and pipeline 61 "Farmers Line" would be necessary. The landowner requested that appropriate representatives from Umgeni Water be present at future meetings and discussions, however, this was not done. The landowner suggested an alternative route that warranted discussion between Messrs NME, Umgeni Water and the landowner. It is, therefore, requested that, during this Basic Assessment process, the meeting between the abovementioned parties now be arranged.</p>	<p>across the entrances on both sides of the underpass.</p> <ul style="list-style-type: none"> • The cost of upgrading the underpass and relocation of the existing major services is not feasible. • The existing underpass is not free draining and poses a serious drainage challenge. • Security concerns as highlighted by the landowners remains. <p>8. SANRAL's policy is to replace all fences with "like for like". SANRAL will not upgrade the nature of boundaries unless agreed to between landowners and SANRAL.</p> <p>9. Following previous meetings held by NME with Messrs Hardman and Rigby, a follow up meeting was held 01/02/2018 on site, with Messrs Hardman and Rigby, to discuss the relocation of the Umgeni waterline and the impact of the revised interchange and pipeline upgrade on the existing pipeline and property. The approximate new position proposed for the pipeline was pointed out on Mr Hardman's property and the process to follow was explained by both representatives of NME and MAJV (SANRAL's property representatives). Mr Hardman was informed that the proposed alignment would be determined by NME and should Mr Hardman have a suggestion regarding the alignment, that he should forward this to NME. On 13/04/2018, Mr Hardman proposed an alignment for the re-routing of the Umgeni</p>

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				<p>pipeline. NME responded to Mr Hardman on the same day. NME confirmed that they had given the proposal consideration but deemed it unfeasible. The alignment proposed involved a “long” section of pipe crossing the R103 at a skew angle (NME option crosses perpendicularly). NME advised Mr Hardman that this was not feasible and that the pipe needs to cross the R103 at the shortest possible length, as this was preferred for road crossings. Otherwise, the length of the pipe will require an unnecessary long sleeve and could lead to possible losses in the pipe or problems during construction. It was further explained to Mr Hardman that besides a horizontal alignment, the vertical alignment needs to be considered. Due to the proposal not being feasible, the proposal was not presented as an option to Umgeni Water.</p> <p>SANRAL has recently met with Umgeni Water to discuss the impact of the project. A final meeting will be scheduled with Umgeni Water to discuss the impact and finalise the outcome. SANRAL does not normally invite landowners to such meetings with stakeholders such as Umgeni Water. A meeting can be arranged as requested; however, NME believes that this should be attended by Umgeni Water, SANRAL, NME and the landowner.</p>
13	27 March 2019 Comment	Mrs Debra Jackson Property Owner	I do not object to expropriation of land to widen the freeway. I object to expropriation of land for an access servitude. If the subway cannot be lengthened, a bridge should be built over the freeway to give me the access that I have a right to.	This issue relates to the BA5 process (N3 Lynnfield – Gladys Manzi) and has been raised by Mrs Jackson previously and responded to during the BA5 process and in the final BA5 documentation. Responses are, however, provided again, below.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
	Sheet			<p>The lengthening of the N3 culvert (“subway”) is not considered feasible, due to the proximity of the Transnet NMPP pipeline on the west of the N3 and the Umgeni 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.</p> <p>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.</p> <p>After consideration of the above and other options, SANRAL’s design engineers have proposed the right of way access road as the best feasible option.</p>
14	02 April 2019	Ms Judy Reddy Department of Transport	Your letter dated 8 March 2019 refers. The application was received 14 March 2019. You are advised that your application is in the process of being investigated and that you will be advised accordingly of this Department’s comments.	Noted.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
15	03 April 2019	Mrs SS Britz on behalf of Mr GS Mkhize Technical Services Manager, Mkhambathini Local Municipality	<p>RESOLUTION OF THE COUNCIL MEETING HELD ON THE 28 MARCH 2019, AT THE MKHAMBATHINI COUNCIL CHAMBER REPORT BASED ON THE SANRAL SIP2 PROJECT: DRAFT BASIC ASSSMENT REPORT AND ASSOCIATED WATER USE REGISTRATION DOCUMENTS FOR REVIEW AND COMMENT: N3 CAPACITY UPGRADES FROM THE CATO RIDGE INTERCHANGE TO LYNNFIELD PARK</p> <p>RESOLVED. LC9.12/28.03.2019</p> <p>That:</p> <p>1. The applicant be advised that Council supports the application for capacity upgrades to the section of the N3 which traverses the Mkhambathini Municipality provided that appropriate mitigative measures be applied to minimise in situ impacts.</p> <p><u>This support is also conditional on the following:</u></p> <p>1.1. Clarification from SANRAL on the proposed usage of the recently purchased Rainbow properties at the Camperdown interchange and east of the Lynnfield Park Interchange. Both sites will require individual Environmental Impact Assessments and will need to be rezoned accordingly in terms of the Spatial Planning and Land Use Management Act.</p> <p>1.2. The proposed usage of Erf 106 Camperdown (ex Rainbow site on the Camperdown I/C) for stockpiling of rubble and fill is not supported as the negative impacts of dust, noise, amenity etc. will directly impact the urban area which is unacceptable. The wetland areas around the site have not been taken into account, neither has the proximity of the Camperdown Dam.</p> <p>1.3. The submission of a site development plan for the Lynnfield Park property which takes into account the proximity of the Mayibuye Game Reserve which shares its boundary.</p>	<p>1. Noted. Responses are provided below for items 1.1 to 1.6. Note, however, that most of these items relate to portions of land purchased by SANRAL, the use of which is the subject of a different environmental authorisation process, which is not part of the scope of BA4.</p> <p>1.1 Please refer to row 6, item 1.</p> <p>1.2 Refer to row 6, item 2.</p> <p>1.3 Refer to row 6, item 3.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>1.4. The submission of a full rehabilitation plan for the affected areas.</p> <p>1.5. The inclusion of the Mkhambathini Urban Scheme provisions which have been omitted from the Annexures.</p> <p>1.6. Clarification regarding the “formal households to be relocated” and the list of businesses being disrupted. This is not clear from the list of properties attached to the annexure to the submission.</p> <p>Signed: Cllr TA Gwala (Speaker) ZM Mdlazi (Acting Municipal Manager) Date: 28/03/2019</p>	<p>1.4 Refer to row 6, item 4.</p> <p>1.5 Please refer to Sections 5.1 and 5.2.3 of the Final BAR.</p> <p>1.6 Refer to row 6, item 6.</p>
16	05 April 2019 Email	Austen Smith on behalf of Ms Kathryn Rees Property Owner	<p>Kathryn Rees has passed away. Please e-mail your request to Colleen on 033 - 392 0500 or e-mail her at colleen@austensmith.co.za</p> <p>Our company will not be responsible for any failure to deal with or act upon this message prior to the above date nor can your message be considered to have been delivered prior to that date.</p>	Kathryn Rees's details have been updated and the message has been sent to colleen@austensmith.co.za
17	07 April 2019 Email	Mr Rob Lovemore	Where can we view the report please?	As indicated in the draft BAR announcement sent out on 08 March 2019, the draft BAR4 can be accessed at the Ashburton, Cato Ridge and Camperdown public libraries as well as on ACER's website www.acerafrica.co.za under 'Current Projects'.
18	09 April 2019 Email	Ms Linesha Mandry Property Owner	I was contacted by HHO consulting post the first comment period and was advised two options were being considered. One with significant impact on the property above and the second with lesser impact. At the time, it had not yet been decided which option was being pursued. Without an update on this, it is difficult to provide comment. Please could someone get in touch to advise which option is being taken.	<p>Mrs Mandry's property falls along the N3 section being dealt with under Basic Assessment 3 (Hammarisdale to Cato Ridge), which assessment process is still at an early stage. ACER will notify Mrs Mandry with further information on the BA3 process when it is available.</p> <p>When Mrs Mandry last communicated with HHO, HHO was waiting for clarity on certain matters</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
				affecting the design. ACER has passed Mrs Mandry's comment on to the engineer involved so Mrs Mandry can be updated.
19	09 April 2019 Email	Mr Brian Millard	<p>As previously stated, I am not able to comment as an Environmental Document was not accessible at the Ashburton Library. In addition, no notice has been received regarding the availability of a document at the Msunduzi Library.</p> <p>As previously mentioned, it is not my intention to make further trips between Maritzburg and Ashburton. It is not my responsibility to ensure that organisations such as libraries make provision for such events or lack of staff. The information that was supplied at the time of my visit to the library would appear to be incorrect. Reviewing a hard copy of a document is my preferred choice. Maritzburg residents and businesses make use of the N3 to Durban and would probably benefit from the availability of a document at the Municipality. I would anticipate that ACER and SANRAL would appreciate comments from as broader base as possible. I trust that this clarifies the situation.</p>	Noted. Mr Millard is referred to the response provided in row 10 above, which applies.
20	10 April 2019 Email	Mr Haffejee A2's Trading cc Property Owner	Will my property be affected, as it falls near the Camperdown I/C?	Property REM Portion 10 of HONIG KRANTZ 945 (10/945) is not affected by the road improvement, as per the illustration provided to Mr Haffejee.
21	10 April 2019	Mr Stanley Tshitwa-mulmomi Department of Environmental Affairs: Directorate: Biodiversity Conservation	<ol style="list-style-type: none"> 1. The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report and its specialists' studies. Therefore, if no new information arises from the Final Basic Assessment phase and its public participation process, the following recommendations can be regarded as final and be included in the Environment Authorisation by the competent authority as conditions. 2. The development footprint must be minimized, especially within the high sensitivity area as far as possible. 3. All disturbed and cleared areas must be re-vegetated with indigenous perennial shrubs and grasses from the local 	<ol style="list-style-type: none"> 1. Noted. 2. Minimisation of the project footprint is a key approach to reduce impacts on the receiving environment and is emphasised in several sections of the BAR and EMPr. 3. SANRAL's policy is to use indigenous vegetation for rehabilitation.

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			<p>area.</p> <p>4. Alien invasive plant species in and around the proposed site must be removed in terms of the Conservation of Agricultural Resources Act (CARA), and follow up-actions for at least five years need to take place.</p> <p>5. Removal or disturbance of any TOPs, Red Data listed or Provincially protected species may only be done after obtaining permits from relevant authorities.</p> <p>6. Where endangered species occur in the wetlands, records should be ideally kept of sightings in order to help establish whether or not wetland management practices and rehabilitation efforts are having a positive impact on these species of conservation importance.</p> <p>7. Implement applicable weirs, infillings and berms to stop on-going erosion and drains within wetlands and encourage sediment trapping.</p>	<p>4. Alien plant control forms a key component of SANRALs environmental management during both construction and operation. Specifications for alien plant control during construction are found in the relevant EMPr documents and sub documents. 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”</p> <p>5. Noted. This is specified in the EMPr (Section 3d).</p> <p>6. Where relevant, sightings of endangered species in wetlands can be included as a monitoring indicator and recorded by the Contractor’s Environmental Officer during site rehabilitation or noted by SANRALs Environmental Manager during regular maintenance once construction is completed.</p> <p>7. Control of erosion which may be caused by construction is a key approach to reduce environmental impacts in habitat on and adjacent to the site and is emphasised in</p>

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				several sections of the BAR and EMPr. Exact methods will be determined by site-specific conditions.
	22 April 2019 Email	Ms Karen Govender Senior Forester: Forestry Regulations & Support — KwaZulu-Natal Forestry Management Department of Agriculture, Forestry and Fisheries	<p>RE: COMMENTS FOR BASIC ASSESSMENT FOR THE PROPOSED CAPACITY IMPROVEMENTS TO NATIONAL ROUTE 3 (N3), KWAZULU-NATAL: CAPACITY UPGRADES TO THE N3 FROM CATO RIDGE (KM 19.4) TO LYNNFIELD PARK (KM 30.6): CATO RIDGE TO DARDANELLES AND DARDANELLES TO LYNNFIELD PARK.</p> <p>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 protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that <i>“natural forests 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 license, 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 11th March 2019, vegetation within the study area includes two dominant vegetation types, namely Dry Hinterland Grassland and KwaZulu-Natal Hinterland Thornveld. It is also noted that these vegetation types have been subjected to high levels of transformation due to the surrounding land use activities and pressures. The majority of riparian areas have been variably impacted upon by the road and associated drainage structures, by canalisation and by urban and agricultural development. It is, however, noted that indigenous trees such as <i>Cussonia spicata</i> and <i>Erythrina lysistemon</i> do</p>	The general and supporting information provided by DAFF is noted and responses to various specific items regarding BA4 (Cato Ridge – Lynnfield Park) are provided below.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>occur within the thicket vegetation along the route. No protected tree species were recorded along the route. Should the proposed project be authorised, the following conditions should be adhered to in order to minimise the impact on the remaining vegetation:</p> <ol style="list-style-type: none"> 1. Where construction occurs close to any sensitive areas of natural vegetation e.g. riparian habitats, these areas must be clearly demarcated and cordoned off by an Environmental Control Officer prior to and during the construction phase. 2. The existing road reserve or open areas should be utilised for stock piling activities. 3. No vegetation disturbance should occur outside the development footprint. 4. The DMOSS area should not be disturbed as there will be no widening of the N3 in that specific area. 5. Indigenous trees should be planted and not alien invasive plant species in the landscaping phase of the development along the N3 route. 	<ol style="list-style-type: none"> 1. Sections 4(a) and 4(b) of the project specific EMPr specify 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 forests) as well as open water, aquatic habitats, riparian and wetland vegetation and riparian banks that are not within the footprint of the works. 2. It is SANRAL's 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. 3. Refer to Section 5 of the project-specific EMPr for specifications on site establishment, including demarcation of the site and site access. Activities are to be confined to the construction footprint. 4. Refer to Item 1 above. 5. SANRAL's policy is to rehabilitate and plant with indigenous species that are suitable for road reserves and a particular climate.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>6. A licence application should be forwarded to DAFF offices in Pietermaritzburg for review prior the disturbance of indigenous trees that constitute a natural forest that have been encountered during the construction phase.</p> <p>7. 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>8. 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>6. Noted. Refer to Section 3(e) of the project-specific EMPr.</p> <p>7. An Environmental Control Officer will be employed on site on a full-time 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 ECO.</p> <p>8. Noted.</p> <p>Noted.</p>
23	12 April 2019	Mr Mandisa Khomo uMgungundlovu District Municipality Development Planning Section	<p>DRAFT BASIC ASSESSMENT: CAPACITY UPGRADES TO THE N3 FROM THE CATO RIDGE INTERCHANGE (KM 19.4) TO LYNNFIELD PARK (KM 30.6), ETHEKWINI OUTER WEST, MKHAMBITHINI AND MSUNDUZI LOCAL MUNICIPALITIES, KWAZULU-NATAL.</p> <p>Reference is made to the above-mentioned Draft Basic Assessment received by the uMgungundlovu District Municipality. The Development Planning Section has the following comments:</p> <p>1. The uMgungundlovu District Municipality SEA Sustainability Framework and Natural Resources Environmental Control Zones (ECZs) and guidelines associated with the natural resources to be impacted upon in the area, should be taken into consideration.</p>	<p>1. The Natural Resources Environmental Control Zones refer to zones that provide natural capital and ecosystem services. These include Protected Areas, Critical Biodiversity Areas, Terrestrial and Aquatic Ecological Support Areas and other natural areas. Protection of these areas is taken into</p>

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			<p>2. The EKZNW's Systematic Conservation Assessment and Planning classified the area as a Critical Biodiversity Area but not directly impacted but this should be considered during the construction phase of the project.</p> <p>3. Recommendation by the wetland specialist in the EMPr should be taken into consideration when proposed development commences.</p> <p>4. However, the District Municipality has no objection to the proposed development as it will improve the accessibility of movement systems for local residents.</p>	<p>account through several of SANRAL's environmental management actions influencing design, construction and operation of the road upgrades. SANRAL's approach has been to minimize the amount of land acquisition through road design and by using the median and existing road reserve as far as possible for road widening. By limiting the footprint, impacts on natural resources are, in turn, reduced. Other design measures seek to reduce soil erosion and negative impacts on watercourses. The suite of documents forming the EMPr additionally provide management specifications for the protection of biodiversity (vegetation, soils, air, aquatic resources) as far as possible, during road construction. Refer also to Section 8.6 of the Basic Assessment Report.</p> <p>2. Critical Biodiversity Areas are taken into consideration for protection. Refer to Sections 5.5.6 and 8.6 of the Basic Assessment Report.</p> <p>3. Specialist recommendations have been carried through to the EMPr and relevant sub documents (e.g. wetland and riparian areas rehabilitation plan).</p> <p>4. Noted.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
24	12 April 2019 Email	Mr Meninhle Hadebe Sustainable Development & City Enterprises Department Environmental Management Unit Msunduzi Local Municipality	<p>RE: CAPACITY UPGRADES TO THE N3 FROM THE CATO RIDGE INTERCHANGE (KM 19.4) TO LYNFIELD PARK (KM 30.6), ETHEKWINI OUTER WEST, MKHAMBATHINI AND MSUNDUZI LOCAL MUNICIPALITIES, KWAZULU NATAL.</p> <p>With reference to the Draft Basic Assessment Report for Environmental Authorization submitted on 13 March 2019 for DEA REF NO TO BE ASSIGNED the following comments are provided:</p> <ol style="list-style-type: none"> 1. Please appropriately reference the Municipality's EMF, C Plan and ESP in Policy and Legislation section of the Draft BAR. 2. Please provide the Msunduzi Municipality Environmental Management Unit a copy of Water Use Licence once it has been issued. 3. The report must specify time frames for completion of rehabilitation measures on completion of the construction phase. 4. Please provide the definition of <i>EMPI</i> as stated in the Environmental Management Programme e.g. footnote of the document. 5. Provide wetland offset for any potential loss to wetlands. 6. From the snake expert mentioned under section 5 (p) bullet number 8 of the EMPr, please specify where the snakes will be relocated to. 7. Based on the Msunduzi Strategic Environmental 	<ol style="list-style-type: none"> 1. Refer to Section 2, Table 7, of the Final BAR. 2. Noted. 3. 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. Refer to Section 3.2.12 of the Final BAR. 4. EMPI stands for Environmental Management Plan. 5. The riparian/wetland specialist report (Appendix D) does not specify any need for offsets. 6. Snakes will be relocated, with permission, to an appropriate, nearby conservation area or a snake park. Relocation will be as advised by the snake expert. 7. SANRAL's design has minimised the use of

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>Assessment (SEA) and Environmental policy, Msunduzi Municipality does in principle not support the cumulative loss ecological corridors, floodplains, wetlands and riparian areas.</p> <p>8. For grassland areas, fire management plans and open field burning protection measures for grassland burning must be considered.</p> <p>9. Chemical toilets must be located at least 40 m from any riparian areas/watercourses.</p> <p>10. The site construction camp must be located at least 40 m from any riparian areas/watercourses.</p> <p>11. 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</p>	<p>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> <p>8. Fire management plans: SANRAL appoints a routine maintenance engineer for different sections of national road countrywide. Part of the 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 risks 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>9. This is specified in Section 5(o) of the Project-Specific EMP.</p> <p>10. A distance of 100 m is specified in Section 4(f) of the Project-Specific EMP.</p> <p>11. This will be encouraged amongst project staff wherever the opportunity exists. SANRAL have developed a sustainability tool to guide design teams towards the successful</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>Green building guideline must be taken into consideration during planning and design.</p> <p>12. 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>13. 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>14. Please ensure that Section 28 of the National Environmental Management Act (NEMA Act No. 107, 1998) - duty of care and remediation of environmental damage regulation is enforced and complied with:</p> <p><i>Section 28 states: "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment".</i></p> <p>15. Please ensure this unit is provided with an electronic and hard copy of the final Basic Assessment Report and Environmental Management Programme.</p>	<p>planning and implementation of various sustainable best-practices on road infrastructure projects.</p> <p>12. Noted.</p> <p>13. An Environmental Control Officer will be appointed for this development and will be required to report to national DEA. However, copies of submissions can be made available to the Msunduzi Environmental Management Unit.</p> <p>14. Noted.</p> <p>15. Electronic copies of the final reports will be provided to the municipality.</p>

No	Date	Name and Organisation	Comment/ Issue Raised	Response
25	11 April 2019 Email	Mr Sabelo Malaza Chief Director: Integrated Environmental Authorisations Department of Environmental Affairs Letter signed by Mr Coenrad Agenbach Designation: Deputy Director: Strategic Infrastructure Developments	<p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY UPGRADES TO THE N3 FROM THE CATO RIDGE INTERCHANGE (KM 19.4) TO LYNNFIELD PARK (KM 30.6), ETHEKWINI OUTER WEST, MKHAMBATHINI AND MSUNDUZI LOCAL MUNICIPALITIES, KWAZULU-NATAL</p> <p>The draft Basic Assessment Report (BAR) dated March 2019 and received by this Department on 11 March 2019 refers.</p> <p>This Department has the following comments on the abovementioned application:</p> <ul style="list-style-type: none"> i. Please ensure that all relevant listed activities are applied for, are specific and that they 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 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. 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. 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. 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 	<ul style="list-style-type: none"> i. Listed activities are mapped in Figure 2. ii. The numbering of certain sub-activities has been corrected and submitted to Herman Alberts by email on 12 April 2019. iii. Activities applied for in the application are the same as those listed in the BAR. iv. Proof of notifications and requests for comments are in Appendix E. v. Please refer to Table 2 and Chapter 6 of the BAR.

No	Date	Name and Organisation	Comment/ Issue Raised	Response
			<p>(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 following details must be submitted: <i>the EAP who prepared the report; and the expertise of the EAP to carry out EIA procedures.</i></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>vi. Two comments and responses 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 the 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> <p>x. This is a linear development which is mapped on geo-referenced maps. GPS coordinates 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>

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			<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 EMPrs in accordance with Appendix 4 of the EIA Regulations, 2014 (as amended).</p> <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 	<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 EMPrs specified in Appendix 4 of the EIA Regulations, 2014 {as amended}. (Refer to table of regulatory requirements in Appendix F of the BAR).</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

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			<p>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 are 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 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> <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 these Regulations, unless an extension has been granted in terms of Regulation 3(7).</p>	<p>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. Both ACER and the Heritage Specialist have requested comment from Amafa on numerous occasions. Comment is, however, still not forthcoming 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> <p>Noted.</p> <p>Noted.</p>

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26	14 April 2019 Comment Sheet	Dr Edith Elliott Conservation (Conservancies) KZN	<p>Comments on the draft report for BA4: PROPOSED CAPACITY UPGRADES TO THE N3 FROM THE CATO RIDGE INTERCHANGE (KM 19.4) TO LYNNFIELD PARK (KM 30.6): Under section: F6-BA3-6-EMPr App-D-Stormwater-Mgt-DEA Rev-01.</p> <p>The National Water Act (Act 36 of 1998) Part 4 is reported to deal with prevention of the pollution of water resources and measures recommended for mitigating pollution are given. Such measures, however, are dismissed in Section 4 of F6-BA3-6-EMPr App-D-Storm water-Mgt-DEA Rev-01 where it is stated [p3 of "Storm Water Management (construction)]:</p> <p>"The runoff increases by a very small margin due to the relatively high runoff on the additional road surface width. In comparison to the total storm water runoff, this is minimal and the culverts crossing the road are operating at very similar runoffs as in the past. All the storm water that runs off the road surface is accommodated in lined storm water channels adjacent to the road surface. The concentration of storm water from the concrete side drains is mitigated by the construction of energy dissipaters which ease the flow of water into the natural streams".</p> <p>My concern is: Though the increased width of the road may not significantly increase the runoff (and measures to handle such runoff will be put in place), the increased width and traffic flow will significantly increase the amount of road-traffic/road surface-associated oil and other potentially harmful spilled pollutant that enter such runoffs. In this regard, though measures to protect and relocate and replant threatened plants are in place, I do not see any plans for traps or other measures [suggested by the National Water Act (Act 36 of 1998) Part 4] designed to stop pollutants entering watercourses, wetlands and the road reserves, especially in protected areas.</p> <p>This is a cause of concern. Will a detailed plan for storm management systems be made available?</p>	<p>The increase in road traffic, while not caused by capacity upgrades to the N3, will likely result in increased oils on the road surface. Standard outlets are provided which do not include oil traps.</p> <p>Detailed plans and specifications for storm water control for the road upgrades form part of the design drawings and form part of the tender documentation available to tenderers.</p> <p>If major oil spills occur during operation, specific processes are followed to ensure compliance with legislation and minimise impact to the surrounding environment.</p>

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27	15 April 2019 Email	Gavin Strydom Property Owner	Our matter remains unresolved and we would like to place this on record. Undoubtedly, if our property is negatively affected or sterilised in any way we would want to object to this application.	The design engineers have confirmed with Mr Strydom that the erfs in question are not directly affected (no acquisition required).
28	23 April 2019 Email	Ms CB Norton Land Use Management Branch Development Planning, Environment and Management Unit	Dear Sir/Madam, DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CAPACITY UPGRADES TO THE N2 AND N3, FROM CATO RIDGE INTERCHANGE (KM 19.4) TO LYNNFIELD PARK (KM 30.6), OUTER WEST REGION. 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:	The comments on BA4 are noted and responses shown in the rows below.
			1. eThekwini Electricity Department. The H.V. Operations has no objection to the above mentioned application. Eskom will need to be consulted for an approval as they have infrastructure crossing the N3 in multiple locations. Further, a separate approval must be obtained from MV/LV Operations regarding the availability of Existing Infrastructure and capacity to cater for this development. 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.	

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			<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>1.2 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 needs to be relocated at the cost of the service owner.</p>
			<p>2. Environmental Planning and Climate Protection Department.</p> <p>The Draft Basic Assessment Report (OBAR) for the planned widening of the N3 Freeway and associated interchanges - between Cato Ridge and Lynnfield Park has reference.</p> <p>This Department has no biodiversity concerns regarding the upgrading of the N3 freeway and the Cato Ridge Interchange. The sites affected within the eThekweni Municipality are noted as being of low ecological value and as such impacts to these areas, if managed and mitigated correctly will not result in degradation to the local receiving environment.</p> <p>This Department may comment further upon submission of the Final Basic Assessment and review of Interested and Affected Parties comments on the Draft Basic Assessment Report.</p>	<p>Noted.</p>
			<p>3. Land Use Management Branch.</p> <p>3.1 The subject area (Cato Ridge Interchange) is identified and described as a National Route (N3), new ramps to be upgraded also falls within the boundaries of the National Route.</p> <p>3.2 The N3 off-ramp Cato Ridge bound from Durban has an administration zone, however since this piece of land is owned by SANRAL, there is no unforeseen negative impact that may arise from the land use.</p> <p>3.3 According to the Outer West Spatial Development Plan (OWSDP), the site form a link to the Investment Opportunity Nodes of Shongweni, Keystone and Cato Ridge.</p> <p>This Branch has no objection to the Background Information Document at this stage.</p>	<p>Noted.</p>

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			<p>4. Strategic Spatial Planning Branch.</p> <p>This Branch has no objection in principle to upgrades proposed in the Draft Basic Assessment application at this stage. The subject area forms part of the Durban-Free State-Gauteng logistics and industrial corridor and the upgrades are planned in line with the Strategic Infrastructure Projects. The proposed upgrade will accommodate the future growth envisioned and should alleviate some of the capacity constraints.</p> <p>The Strategic Spatial Planning Branch's comments are subject to the following comments:</p> <p>4.1 This Branch's support is subject to the applicant meeting all sector requirements. 4.2 This support should not be deemed to be an approval of the eThekweni Municipality. 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>This Department has no objection to the proposal however, this Department requires that the increased hardening which will increase the runoff needs to be mitigated.</p>	Noted.
			<p>6. Parks, Leisure and Cemeteries.</p> <p>No comment received.</p>	Noted.
			<p>7. Pavement and Geotechnical Engineering.</p> <p>No comment received.</p>	Noted.
			<p>8. eThekweni Transport Authority.</p> <p>No Objection in principle to the Draft Basic Assessment Report (DBAR) for the Strategic Infrastructure Project (SIP 2), SANRAL's proposed capacity upgrades to the N2 & N3, for the section of the N3 from the Cato Ridge Interchange (Km 19.4) to Lynnfield Park (Km 30.6), traversing eThekweni Municipality, Mkhambathini and Msunduzi Local Municipalities.</p>	Noted.

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			<p>The following being noted :-</p> <p>8.1 Majority of this section of the upgrades falls outside of the eThekweni Municipal Boundary.</p> <p>8.2 These upgrades are in line with the ETA Transport Master plan.</p> <p>8.3 Any upgrades proposed at the existing Cato Ridge interchange will need to be reviewed / re-configured once the new interchange is confirmed.</p>	
			<p>9. Environmental Health Department.</p> <p>No comment received.</p>	Noted.
			<p>10. eThekweni Water and Sanitation Department.</p> <p>No comment received.</p>	Noted.
			<p>10. Cleansing and Solid Waste.</p> <p>CSW has no requirement for this proposal.</p>	Noted.
			<p>11. Disaster Management.</p> <p>No concerns from this Department.</p>	Noted.
			<p>12. Fire Safety.</p> <p>No comment received.</p>	Noted.
			<p>Should you seek clarification on any of the above issues, please contact the writer on telephone: 031 - 3117136 or via e-mail: diane.vanrensburg@durban.gov.za in addition, the Department requests that a copy of the Environmental Authorisation be emailed to the same address.</p>	Noted.
29	Not dated	<p>Mrs Thandeka Ngubane</p> <p>Local resident and/ or property owner</p>	Objection of erecting any structures.	Note that comment sheets were not received from Mrs Thandeka Ngubane, the comment was made on a viewing register marked for BA5 and left at the Ashburton Library. However, the comment period for BA5 closed during November 2018.

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30	Not dated Viewing Register, Ashburton Library	J. D. Halimen Local resident or property owner	Objection for any structures	Note that comment sheets were not received from Mr JD Halimen, the comment was made on a viewing register marked for BA5 and left at the Ashburton Library. However, the comment period for BA5 closed during November 2018.
31	Not dated Viewing Register, Ashburton Library	Mrs Anne – Louise Evans Local resident and/ or property owner	Objection	Note that comment sheets were not received from Mrs Anne Louise Evans, the comment was made on a viewing register marked for BA5 and left at the Ashburton Library. However, the comment period for BA5 closed during November 2018.
32	Not dated Viewing Register, Ashburton Library	Gael Whiteley Local resident and/ or property owner	Objection	Note that comment sheets were not received from Gael Whitely, the comment was made on a viewing register marked for BA5 and left at the Ashburton Library. However, the comment period for BA5 closed during November 2018.
33	Not dated Viewing Register, Ashburton Library	Mrs Thokozile S. Mtshali Local resident and/ or property owner	Objection for any structure	Note that comment sheets were not received from Mrs Thokozile Mtshali, the comment was made on a viewing register marked for BA5 and left at the Ashburton Library. However, the comment period for BA5 closed during November 2018.
34	15 May 2019 Meeting	Mr David Stock National Chicks	At a meeting attended by David Stock (National Chicks), Sundran Naicker (Nyeleti) and Ashleigh Mckenzie (Acer Africa) Head Office of National Chicks in Camperdown, it was confirmed that. National Chicks appreciates the visit by the project team and confirms that they do not have any objections to the N3 upgrades as proposed. National Chicks would like to be engaged during construction with specific reference to temporary lighting which may affect breeding. David Stock raised concerns on other sections of the N3 which Ashleigh has recorded. He will forward the details of previous correspondence with the engineers to Ashleigh. This is not on Nyeleti's work package.	ACER will ensure that the issue of lighting is itemized in the EMP and highlighted for inclusion in the contract documents. ACER has forwarded National Chicks comments on other sections of the N3, to SANRAL.