

Application for Environmental Authorization



**edtea**

**Department :**  
Economic Development, Tourism and  
Environmental Affairs

**PROVINCE OF KWAZULU-NATAL**

	(For official use only)
File Reference Number:	DC/
NEAS Reference Number:	KZN/EIA/
Date Received:	

## APPLICATION FOR ENVIRONMENTAL AUTHORIZATION

Submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and regulation 6 (1) and 16 (1) of the Environmental Impact Assessment (EIA) Regulations, 2014 (Government Notice No. R 982, 04 December 2014).

### PROJECT TITLE

**Proposed Mtunzini Sanitation Project**

### DISTRICT MUNICIPALITY

**King Cetshwayo District Municipality**

# Application for Environmental Authorization

## IMPORTANT INFORMATION

### PLEASE NOTE:

1. It is the responsibility of the applicant to confirm that the Department is the competent authority to which this application must be submitted (refer to NEMA section 24C).
2. It is the responsibility of the Applicant to ascertain whether this is the current version of this application form.
3. The application must be typed within the spaces provided in the form. The size of the space provided is not necessarily indicative of the amount of information required.
4. Where required, place a cross in the box you select.
5. Incomplete applications will be returned to the applicant for revision.
6. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.

### PRE-APPLICATION MEETING

7. This Department requires that a pre-application meeting be held with the relevant district office for this application before it is submitted. The Head Office Registry may be contacted on 033 - 264 2572 for details of the relevant district office for this application.
  - Applications for which no pre-application meeting was held, **WILL NOT BE ACCEPTED** by the Department.
  - Provide details of the Pre-Application Meeting below:

<u>Date of Pre-Application Meeting</u>	<u>Time and Venue of Pre-Application Meeting</u>
17 April 2019	10:00am 26 Hely Hutchinson Road, Mtunzini

- The minutes of the Pre-Application Meeting **MUST BE ATTACHED** to this application (refer to the List of Appendices).

### SUBMISSION OF COMBINED APPLICATIONS FOR ENVIRONMENTAL AUTHORIZATION

8. If applicable, written confirmation that the Department has granted permission for the combination of applications for an environmental authorization in terms of the provisions of sub-regulation 11(1) of the EIA Regulations, 2014, must be attached to this application form.

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### FEES APPLICABLE FOR APPLICATIONS FOR ENVIRONMENTAL AUTHORIZATIONS

9. The following fees for the consideration and processing of applications for an environmental authorization will be applicable from **01 April 2014** (refer to the Annexure in Government Notice No.141 dated 28 February 2014):

Application	Fee
Application for an environmental authorization subject to a Basic Assessment in terms of the EIA Regulations	Not Applicable
Application for an environmental authorization subject to a Scoping and Environmental Impact Report in terms of the EIA Regulations	

10. Where an applicant is required to pay fees for an application for environmental authorization as contemplated in section 6, this must be made by means of a bank deposit or electronic fund transfer into the bank account of this Department (refer to section 8).
11. **Payment reference number for applications for environmental authorizations and banking details for the Department:**

Reference number (only reference number to be used for environmental authorization applications):	04003903
Account name:	KwaZulu-Natal Provincial Government -Economics
Bank name:	ABSA
Branch code:	630495
Account number:	4072482787

12. Proof of payment of fees (if applicable) for an environmental authorization application must be attached as **Appendix 10** to this application form and submitted with it. Proof of payment is either a stamped deposit slip or an electronic fund transfer payment advice.

### INSTANCES WHERE FEES FOR APPLICATIONS FOR ENVIRONMENTAL AUTHORIZATIONS ARE NOT APPLICABLE

13. Where an application is for a community based project funded by a government grant or the application is made by an organ of state, the fees for considering and processing applications for an environmental authorization do not apply (refer to regulation 2 in Government Notice No.141 dated 28 February 2014).
14. Where an applicant is not required to pay a fee as contemplated in section 6 of this form, a **written motivation** (with proof of funding if a government grant is applicable) must be attached as **Appendix 11** to this application form and submitted with it.
15. If you have any queries regarding the EIA process or fees applicable for applications for environmental authorizations please contact the relevant District Office of this Department. These contact details are obtainable from the Head Office (see below).

### COMMENTS BY THE DEPARTMENT

16. According to sub-regulation 40(1) of the EIA Regulations the Department, as the competent authority, **MUST during the public participation process be given a period of at least 30 days to comment** on the basic assessment report, EMPr, scoping report or environmental impact assessment report as applicable.

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### HEAD OFFICE REGISTRY DETAILS

17. The original application must be hand delivered or posted to the Head Office Registry of this Department at the address provided below (no faxed or e-mailed applications will be accepted):

**KwaZulu-Natal Department of Economic Development, Tourism & Environmental Affairs  
Private Bag X9152, PIETERMARITZBURG, 3200**

**270 Jabu Ndlovu Street  
PIETERMARITZBURG  
3201**

**Contact Person: Ms Mavis Padayachee**

**Telephone No: 033 - 264 2572**

18. Unless protected by law, all information filled in on this application will become public information on receipt by this Department. Any interested and affected party must be provided with the information contained in this application on request, during any stage of the application process.
19. Please note an exemption application must be finalized before lodging an application for environmental authorization with the Department.
20. If an Environmental Assessment Practitioner (EAP) has not been appointed at the time of the submission of this application form, the declaration from the EAP must be included in the Basic Assessment Report.
21. Pages 2 and 3 may be deleted from the application form submitted to the Department.

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### LIST OF APPENDICES

		SUBMITTED	
Appendix 1	Minutes of the Pre-Application Meeting held with the Department.	YES	
Appendix 2	Written consent from the land owner or the person in control of the land (Regulation 39(1) (If the applicant is not the land owner and Regulation 39(2) does not apply).	NO	The project is linear in nature and as such notification of all landowners is not required
Appendix 3	Correspondence from the Department confirming the Listing Notice 3 activities triggered (if applicable)	YES	
Appendix 4	Approval by the Department that a combined application in terms of Regulation 11 of the EIA Regulations, 2014 may be submitted (if applicable)		N/A
Appendix 5	A description of the location of the development footprint and a plan which locates the proposed activity/ies (Regulation 16 (1) (vi) (vii))	YES	
Appendix 6	Proof of payment of environmental authorization fees (if applicable). Proof of payment includes a stamped deposit slip or an electronic fund transfer payment advice.		N/A
Appendix 7	A written motivation explaining why the payment of environmental authorization fees are not applicable (an application for a community based project funded by a government grant or an application by an organ of state).	YES	

## Application for Environmental Authorization

### 1. PROJECT DESCRIPTION

Please provide a **detailed** description of the project.

#### **Project Background and Motivation**

The King Cetshwayo District Municipality is intending to upgrade the Sanitation Services in and around the town of Mtunzini, which will include the following project components:

- Construction of a 2.5 ML treatment plant in Mtunzini.
- Construction of +/- 30 km of a 110 mm – 200 mm diameter conventional water borne sewer reticulation system and manholes.
- Six sump and pump stations.

At present a number of households in Mtunzini rely on septic tanks and soakaways which has led to pollution related issues where septic tanks become blocked and raw sewage overflows into the surrounding drainage lines. This is particularly relevant in the south western section of the town of Mtunzini where raw sewage has been entering drainage lines which feed into the uMlalazi Estuary within the uMlalazi Nature Reserve.

In addition to the above, the proposed development is aimed at catering for an additional “middle income” housing development to be constructed between the current western boundary of the town of Mtunzini and the N2 directly south of the uMlalazi Estuary.

The proposed project is subject to the provisions of the National Environmental Management Act, 1998 (NEMA) (Act No. 107 of 1998) and the current Environmental Impact Assessment (EIA) Regulations (effective December 2014, as amended). Based on a review of the Regulations, the proposed development requires environmental authorisation following a Basic Assessment (BA) as it triggers several listed activities in Listing Notices 1 and 3 (GNR 327 of 07 April 2017 and GNR 324 of 07 April 2017). As the project proponent is the King Cetshwayo District Municipality, the competent environmental authority for the proposed development is the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (DEDTEA).

#### (a) Strategic Infrastructure Projects

Does the project form part of any of the Strategic Infrastructure Projects (SIPs) as described in the National Development Plan, 2011?	YES
The proposed development does form part of the Strategic Infrastructure Projects (SIPs) particularly SIP 18 which deals with Sanitation and Water and also aligns with the uMlalazi Local Municipalities Integrated Development Plan (2016-2017) where the municipality aims to provide basic services (water, sanitation, access and energy) to all households.	

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2. BACKGROUND INFORMATION

**Project applicant:**

Trading name (if any):	King Cetshwayo District Municipality		
Contact person:	Mrs Mbali Ndlovu – Municipal Manager		
Physical address:	King Cetshwayo House, Cnr of Krugerrand & Barbados Bay, CBD, Richards Bay, 3900		
Postal address:	P/Bag X 1025, Richards Bay,		
Postal code:	3900	Cell:	
Telephone:	035 799 2513	Fax:	+27 (0) 35 789 1639
E-mail:	rheedersc@kingcetshwayo.gov.za		

**Owner or person in control of the land:**(if the applicant is not the owner or the person in control of the land or Regulation 39(2) in the EIA Regulations 2014 does not apply)

Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

District Municipality:	King Cetshwayo District Municipality
Local Municipality:	uMlalazi Local Municipality

In instances where the project includes more than one local or district municipality, please provide a list.

<b>Contact person at Local Municipality:</b>	Mr Raymond Mnguni		
Postal address:	PO Box 37 Eshowe		
Postal code:	3815	Cell:	
Telephone:	035 473 3474	Fax:	035 474 4733
E-mail:	mm@umlalazi.org.za		

In instances where there is more than one local authority involved, please include details of local authorities with their contact details in an Appendix.

Not Applicable
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Property description/physical address:	The proposed development can be considered to be a linear development and does impact on a number of properties within and around the town of Mtunzini. It should be noted however that the majority of the land impacted on by the project is controlled by the uMlalazi Local Municipality. A list of affected properties and the land owners is provided as an Appendix to this application.
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(Farm name, portion etc.) Where a large number of properties are involved (e.g. linear activities), please attach a full list in an Appendix to the application.

Nearest town/s:  
Directions to the physical address:

The project is taking place in and around the town of Mtunzini.  
To access the project site from Durban take the N2 north bound and continue on the N2 until you reach the uMlalazi Toll Plaza. Take the exit to the toll plaza on your left and then turn right into the town of Mtunzini.  
  
To access the project site from Richards Bay take the N2 south bound and continue on the N2 until you reach the uMlalazi Toll Plaza. Take the exit to the toll plaza on your left and then turn left into the town of Mtunzini.

Current land-use zoning:

The current land-use and zoning within the project area includes the following:

- Conservation
- Open space
- Urban residential
- Urban commercial
- Agricultural.

In instances where there is more than one current land-use zoning, please attach a list of current land use zonings in the Appendix and also indicate which portions are relevant to this application.

Is a change of land-use or a consent use application required?  
Must a building plan be submitted to the local authority?

	NO
	YES

Locality map:

An A3 locality map must be attached to the back of this document, as Appendix 9. The scale of the locality map must be relevant to the size of the development (at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map.) The map must indicate the following:

- an accurate indication of the development footprint for the project in relation to known landmarks such as towns/villages, as well as the positions of the alternative sites, if any;
- road access from all major roads in the area;
- road names or numbers of all major roads as well as the roads that provide access to the site(s);
- all roads within a 1km radius of the site or alternative sites; and
- a north arrow;
- a legend; and
- GPS co-ordinates for each activity (indicate the position of the activity/ies). The co-ordinates should be in degrees, minutes and seconds.

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### Site identification and linkage

Please indicate all the Surveyor-General 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

N	0	G	U	0	2	2	2	0	0	0	0	0	1	6	7	0	0	0	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

(if there are more than 6, please expand the list with the rest of the numbers)

(These numbers will be used to link various different applications, authorizations, permits etc. that may be connected to a specific site)

Please provide the **geographical coordinates** for the site

Latitude /Longitude	Degrees	Minutes	Seconds
South	28	56	28.49
East	31	45	06.68

### 3. ACTIVITIES APPLIED FOR

- a. For an application for authorization that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Indicate the number and date of the relevant notice:      Activity No(s) (in terms of the relevant notice):      Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice)<sup>1</sup>:

Listing Notice 1 (GNR 327 of 07 April 2017)	15	A portion of the proposed project (reticulation pipelines and a pump station) will be taking place within the uMlalazi Nature Reserve which is considered 'coastal public property'. The development footprint within this area will exceed 50 square meters.
Listing Notice 1 (GNR 327 of 07 April 2017)	19	During the installation of the sewer reticulation system the excavation of material will be required. In a number of areas where the sewer reticulation system cross a watercourse and the excavation of material from the watercourse will trigger activity 19.
Listing Notice 1 (GNR 327 of 07 April 2017)	25	The WWTW will have a total capacity of 2500 cubic meters thus triggering activity 25.
Listing Notice 1 (GNR 327 of 07 April 2017)	27	The construction of the WWTW, sumps and pump stations is likely to require the clearance of indigenous vegetation which will exceed one hectare but will not exceed 20 hectares.
Listing Notice 3 (GNR 324 of 07 April 2017)	12	A portion of the proposed project will be taking place within the uMlalazi Nature Reserve (a protected area). During the installation of

<sup>1</sup>Please note that this description should not be a repetition of the listed activity as contained in the relevant Government Notice, but should be a brief description of activities to be undertaken as per the project description, i.e. describe the components of the desired development

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		project components within the uMlalazi Nature Reserve in excess of 300 square meters of indigenous vegetation will be removed.
Listing Notice 3 (GNR 324 of 07 April 2017)	14	The development footprint of a pump station and sewer reticulation pipelines within the uMlalazi Nature Reserve (a protected area) will be greater than 10 squares meters within 32 meters of a water course.

**Please note** that any authorization that may result from this application will only cover activities specifically applied for.

### 4. STATE DEPARTMENTS CONSULTED

Please indicate to which State departments reports related to your application will be forwarded to provide comments in terms of section 24 0 (2) of NEMA:

**Please note:** details of the relevant contact person and the address of the State department must be provided. Add the names and other details for State departments not listed.

YES	NO	Name of Department	Contact person	Address
X		Ezemvelo KZN Wildlife	Irene Hatton	Peter Brown Dr, Town Bush Valley, Pietermaritzburg, 3202 <a href="mailto:ihatton@kznwildlife.com">ihatton@kznwildlife.com</a> Tell: 033 8451452
X		uMlalazi Nature Reserve – Ezemvelo KZN Wildlife	Truman Buthelezi	Private Bag X 234 Mtunzini, 3867 <a href="mailto:Trueman.Buthelezi@kznwildlife.com">Trueman.Buthelezi@kznwildlife.com</a>
X		Amafa	Bernadet Pawandiwa	PO Box 2685 Pietermaritzburg <a href="mailto:bernadetp@amafapmb.co.za">bernadetp@amafapmb.co.za</a> Tell: 033 394 6543
X		Department of Water & Sanitation	Gugu Mhlongo	<a href="mailto:dlaminig3@dwa.gov.za">dlaminig3@dwa.gov.za</a> Tell:031 336 2700 Cell: 082 887 6465
X		Department of Agriculture, Forestry and Fisheries	Miss Karen Moodley	<a href="mailto:karenm@daff.gov.za">karenm@daff.gov.za</a> Tell: 033 392 7739 Cell: 0814542835
	X	Department of Cooperative Governance and Traditional Affairs		
X		Department of Transport		
	X	Department of Human Settlements		
	X	Department of Health		

**Please note that: The EAP must request comments from** all relevant State departments and remind such departments that failure to submit comments with 30 days will, in terms of sub-regulation 3(4) of the EIA Regulations, 2014 be regarded as no comments.

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### 5. ECONOMIC AND SOCIAL INFORMATION

Provide details on the anticipated socio-economic values associated with the proposed project

Anticipated CAPEX value of the project on completion	R 194,054,185.00
What is the expected annual turnover to be generated by or as a result of the project?	N/A
New skilled employment opportunities created in the construction phase of the project	21,168 (man days)
New skilled employment opportunities created in the operational phase of the project	8
New un-skilled employment opportunities created in the construction phase of the project	93,600 (man days)
New un-skilled employment opportunities created in the operational phase of the project	8
What is the expected value of the employment opportunities during the operational and construction phase?	R 21,221,150.00 (construction) R 720,000 per annum (operation)

### 6. TYPE OF APPLICATION

#### (a) Application for Basic Assessment (BA)

This is an application that is subject to a basic assessment (EIA Regulations 2014: Chapter 4, Part 2)) and Regulation 19 in the EIA Regulations 2014 will be complied with.

YES	
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#### (b) Application for Scoping and Environmental Impact Assessment (S/EIA)

This is an application that is subject to Scoping and EIA (EIA Regulations 2014: Chapter 4: Part 3) and Regulation 21 in the EIA Regulations 2014 will be complied with.

	NO
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## 7. DECLARATIONS

### (a) Declaration by the applicant

I, Mbalenhle B Ndlovu, declare that I-

- am, or represent<sup>2</sup>, the applicant in this application;
- have appointed an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application;
- will provide the environmental assessment practitioner and the KZN Department of Economic Development, Tourism & Environmental Affairs with access to all information at my disposal that is relevant to this application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2014, including but not limited to –
  - costs incurred in connection with the appointment of the environmental assessment practitioner;
  - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
  - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
  - the provision of security to ensure compliance with conditions attached to an environmental authorization, should it be required by the KZN Department of Economic Development, Tourism & Environmental Affairs;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of the EIA Regulations, 2014 and will take reasonable steps to verify whether the EAP complies with the Regulations;
- will inform all registered interested and affected parties of any suspension of the application, as well as of any decisions taken by the KZN Department of Economic Development, Tourism & Environmental Affairs in this regard;
- am responsible for complying with the conditions of any environmental authorization issued by the KZN Department of Economic Development, Tourism & Environmental Affairs;
- hereby indemnify the Government of the Republic of South Africa, the KZN Department of Economic Development, Tourism & Environmental Affairs and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action which the applicant or environmental assessment practitioner is responsible for in terms of the EIA Regulations, 2014;
- will not hold the KZN Department of Economic Development, Tourism & Environmental Affairs responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorization or prior to an appeal being decided in terms of the EIA Regulations, 2014;
- I will perform all other obligations as expected from an applicant in terms of the EIA Regulations, 2014;
- all the particulars furnished by me in this form are true and correct; and

I am aware that a person is guilty of an offence in terms of Regulation 48 (1) of the EIA Regulations, 2014, if that person provides incorrect or misleading information. A person who is convicted of an offence in terms of sub-regulation 48(1) (a)-(e) is liable to the penalties as contemplated in section 49B-(1) of the National Environmental Management Act, 1998 (Act 107 of 1998)



Signature of the applicant<sup>3</sup>/ Signature on behalf of the applicant

KING CETHWAYO DISTRICT MUNICIPALITY

Trading name (if applicable)

25/11/2019

Date

<sup>2</sup>If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

<sup>3</sup>If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority.

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**(b) Declaration by the environmental assessment practitioner.**

**Environmental assessment practitioner (EAP):<sup>4</sup>**

Trading name (if any):	ACER (Africa) Environmental Consultants		
Contact person:	Giles Churchill		
Postal address:	PO Box 503, Mtunzini		
Postal code:	3867	Cell:	082 9079738
Telephone:	035 3402715	Fax:	035 3402232
E-mail:	giles.churchill@acerafrica.co.za		
Education Qualifications <sup>5</sup> :	Master of Science		
Professional affiliation(s) (if any) <sup>6</sup>	South African Council for Natural Scientific Professionals (SACNASP) (116348) registered as a Professional Natural Scientist in the field of Environmental Science		

I, Giles Churchill declare that I

- am the independent environmental practitioner in this application;
- will comply with the requirements for an EAP as stipulated in Regulation 13 of the EIA Regulations, 2014;
- do not have and will not have any vested interest (either business, financial, personal or other) in the undertaking of the proposed activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2014;
- will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- declare that there are no circumstances that may compromise my objectivity in performing such work;
- have expertise in conducting environmental impact assessments, including knowledge of the National Environmental Management Act, 1998 (Act 107 of 1998), regulations and any guidelines that have relevance to the proposed activity;
- will comply with the National Environmental Management Act, 1998 (Act 107 of 1998), regulations and all other applicable legislation;
- undertake to disclose to the applicant and the KZN Department of Economic Development, Tourism & Environmental Affairs all material information in my possession that reasonably has or may have the potential of influencing its decision with respect to this application;
- will ensure that information containing all reports in respect of this application is distributed or made available to interested and affected parties and that their participation is facilitated in such a manner that they will be provided with a reasonable opportunity to participate and provide comments on the reports;
- will provide the competent authority with access to all information at my disposal regarding this application, whether such information is favourable to the applicant or not;
- declare that all the particulars furnished by me in this form are true and correct;
- I am aware that a person is guilty of an offence in terms of Regulation 48 (1) of the EIA Regulations, 2014, if that person provides incorrect or misleading information. A person who is convicted of an offence in terms of sub-regulation 48(1) (a)-(e) is liable to the penalties as contemplated in section 49B(1) of the National Environmental Management Act, 1998 (Act 107 of 1998); and
- I will comply with all the requirements as indicated in the National Environmental Management Act, 1998 (Act 107 of 1998) and Environmental Impact Assessment Regulations, 2014.

\_\_\_\_\_  
Signature of the environmental assessment practitioner

ACER (Africa) Environmental Consultants

Trading name

\_\_\_\_\_  
25/11/2019

Date

<sup>5</sup>Please include details of names, education qualifications and professional affiliations of the EAP and each representative of the EAP appointed to manage this application.

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**Department :**

Economic Development, Tourism and  
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**PROVINCE OF KWAZULU-NATAL**

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Submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and regulation 6 (1) and 16 (1) of the Environmental Impact Assessment (EIA) Regulations, 2014 (Government Notice No. R 982, 04 December 2014).

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### DISTRICT MUNICIPALITY

**King Cetshwayo District Municipality**