

## Buhle Mkhize

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**From:** Lyle Ground <Lyle.Ground@durban.gov.za>  
**Sent:** 14 July 2015 08:44 AM  
**To:** Ashleigh Mckenzie  
**Cc:** Greg Mullins  
**Subject:** RE: Umhlatazana Viaduct Access - possible triggered Activities in terms of EIA Regs

Hi Ashleigh

My replying comments are in blue below. Where an answer in red was correct, I have left it as is.

Thanks  
Lyle

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**From:** Ashleigh Mckenzie [mailto:ashleigh.mckenzie@acerafrica.co.za]  
**Sent:** 10 July 2015 09:57 AM  
**To:** 'Greg Mullins'; 'Lyle Ground'  
**Cc:** 'Barry Patrick'  
**Subject:** Umhlatazana Viaduct Access - possible triggered Activities in terms of EIA Regs

Hi Greg and Lyle

Thanks once again for your time and input yesterday. We are trying to identify the listed activities associated with the viaduct access track, and would appreciate your confirming with a **yes or no** to whether the affected land fits into any of the following categories – see below.

Many thanks, Ashleigh

- i) the land is within an urban area **YES** (Greg will need to confirm this. I would say it is not as it is not bordered by urban development and it falls outside of a formal town planning scheme)
- ii. Community Conservation Areas;**NO?** (Included within a Environmental Special Rating Area, co-funded by the local community)
- iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; (Currently in process for proclamation as a Nature Reserve)
- iv. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; (No, within Eastern Scarp Forest which is listed as Vulnerable)
- v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (It is a critical biodiversity area as identified in our systematic conservation assessment however we are still in the process of facilitating adoption.
- vii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning;
- viii. A protected area identified in terms of NEMPAA, excluding conservancies; (As mentioned above, in process towards formal Nature Reserve Proclamation)
- ix. World Heritage Sites;**NO**
- x. Sites or areas identified in terms of an International Convention;**NO**
- xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;**YES**

xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act (NEMA) and as adopted by the competent authority; or

ix. Core areas in biosphere reserves; **NO**

xiii. In urban areas:

(aa) Areas zoned for use as public open space; **YES?** (The area is not zoned as it is located outside of a scheme)

(cc) Within urban protected areas. **YES**

xi In urban areas:

(aa) Areas zoned for use as public open space; **YES?** (The area is not zoned as it is located outside of a scheme)

(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose **YES**

vii. Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (see comment above)

**Ashleigh McKenzie**

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