

## Background Information Document

Proposed development of 132 Residential units on 39 Hopewell  
Road, Moseley Park.

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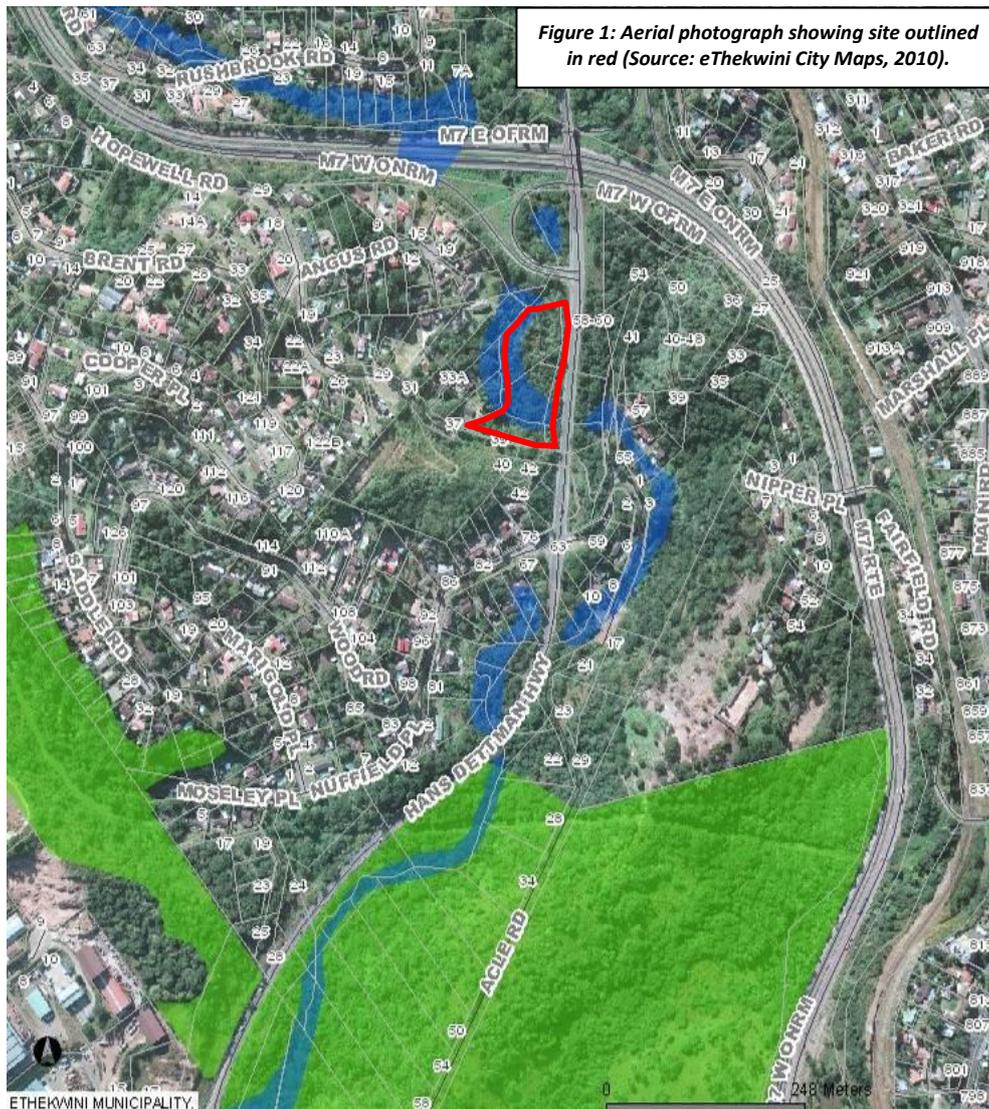
### Purpose of this Document

- The Background Information Document (BID) is meant to provide an introduction to the proposal and the Basic Assessment (BA) Process.
- The BID invites you to register as an Interested and Affected Party (I&Ap) and outlines how you as an I&Ap can be involved in the process.
- Details of the proposal and potential impacts will be investigated and discussed in the Basic Assessment Report (BAR).

### The Proposal

The site located on 39 Hopewell Road, Moseley Park, Pinetown (Figure 1) is currently undergoing rezoning from Special Residential to 1 to General Residential 2, in order to make it available for the development of sectional-title units suitable for middle-income earners. The applicant, Winkelspruit South Coast Properties (Pty) Ltd proposes development of 132 residential units on the property described as Ptn 5 of ERF 3670, Pinetown, otherwise known as 39 Hopewell Road. The development includes the construction of a 5.5m driveway that will be within 32m of a wetland. The proposed access will use the existing road servitude across the site which will cross the existing bridge that has been constructed by the eThekweni Municipality. Direct access to the site will be provided off Hopewell Road.

The applicant has recognized that this parcel of land represents an opportunity to provide good quality affordable housing, which would appear to be in demand in the area. Preliminary layout plans for the residential units involve small groupings of three (3) storey units with four (4) units per storey; however this will be further investigated in the BAR.



### Site Description

Geographically the site is situated at 29°50'56.42S; 30°52'38.54E (GPS coordinates at centre of the site). The Hans Dettman Highway borders the site to the east and the off ramp to the M7 (Pinetown) forms a boundary to the north. The western boundary is defined by residential development (Figure 2). Vegetation on site is very thick and there is no through access across the site



*Figure 2: Existing residence adjacent to the site. Photographer facing west.*



*Figure 3: View of the site from the 39 Hopewell Road, photographer facing east. Photograph shows proposed access to the site; as can be seen, the site is overgrown and no through access currently exists.*

(Figure 3). The site forms a valley which runs from north- west to south east with fairly steep banks on either side<sup>1</sup>. A stream runs through the

length of the valley floor before it runs under the Hans Dettman Highway and continues to flow in an easterly direction on the other side. The eastern boundary drops off very steeply from the Hans Dettman Highway and travels west onto the site. The site slopes in a westerly direction from the Hans Dettman Highway. A preliminary Wetland Delineation has identified a seasonal wetland zone across the site, bordered by a strip of permanent wetland. Access through the site is proposed to cross a portion of the existing wetland; a detailed Wetland Delineation and Wetland Functionality Study is underway and will investigate the potential impacts of the access driveway on the eco-functioning of the wetland.



*Figure 4: View of the site from the boundary adjacent to Hans Dettman Highway, photographer facing north, showing overgrown, dense vegetation on site.*



*Figure 5: View of the site from the 39 Hopewell Road, photographer facing west. Photograph showing dominance of alien invasive species.*

A site visit conducted by Leena Ackbar of ECA Consulting has found the site to be overgrown with dense vegetation. Alien invasive species dominate the fringes of the site on both Hopewell Road and adjacent to the Hans Dettman Highway (Figures 4 & 5), however the presence and extent of indigenous species will be confirmed by a Vegetation Specialist.

The site is serviced with sewerage and water lines.

### Specialist Studies

The following specialist studies will be reviewed as part of the BA process:

1. Geotechnical Investigation – The aim is to determine the stability of the site to inform development planning;
2. Traffic Impact Assessment – The aim is to assess the impact of the proposed development on trip generation, traffic and access;
3. Wetland Delineation and Wetland Functionality Study – The aim is to determine the extent and functionality of the wetland on site;
4. Vegetation Assessment – The aim is to identify indigenous vegetation and vegetation that must be precluded from the development footprint;

<sup>1</sup> Source: Indiflora (2008). *Environmental Assessment for the proposed development of REM of 16, 17 and Portion 2 of 18, all of Moseley Park and SUB 5 of ERF 3670 Pinetown.*

5. Stormwater Management Plan & Engineering Services Report – The aim of the stormwater management plan is to ensure that post-development stormwater runoff approximates and does not exceed the pre-developed condition. The purpose of the Engineering Services Report is to identify the service needs for the development in terms of electricity, sewage and water and how these needs will be met.

All specialist studies will be reviewed and investigated in the BA Report.

### **Need and Desirability**

The town planning professional has submitted the following motivation for the project:

“NEED – There is a need for affordable housing stock in the eThekweni Municipal area, located in areas where there is industry close by and availability of public transport. The provision of middle-income housing stock has been tasked to the private sector, and the rezoning of this site therefore offers an opportunity for a developer to make a contribution towards resolving the shortage of housing stock available to this income group. This need has been identified within the Council’s Densification policy wherein it is mooted that densification should take place within the Urban Core. The parcel of land falls within the urban core and should therefore be considered for increased densities, in order to provide housing stock within an area where advantage can be taken of services, educational and job opportunities. This application can be directly interpreted as a proposed physical representation of the Densification policy.

DESIRABILITY –In terms of considering the desirability of the proposed use consideration needs to be given to the nature of the surrounding development. Whilst the site has residential structures placed to the west, the proposed development will not overlook or negatively impact on any of the homes due to the isolation of the site. With due consideration given to the design and layout of the proposed units, it can be argued that the development of this site for residential purposes is unlikely to render unacceptable impacts on surrounding land uses, and the proposed rezoning of this land for a higher density residential use should therefore be considered desirable”<sup>2</sup>.

In addition to this, the site is currently vacant, unkempt and is open to vagrants. Neighbouring residents have complained that snakes and insects are invading their properties from the application site. With the proposed development, the site will be well managed and the necessary buffers will be implemented to protect the stream and its associated wetland from any further degradation.

### **What is a Basic Assessment?**

When Environmental Authorisation is required for a proposal, one of two legislated types of environmental assessments may be followed, i.e. a basic assessment (BA) or a Scoping & Environmental Impact Assessment (EIA). The nature and scale of the proposal determines which type of assessment is to be undertaken. The BA process comprises of listed activities in the EIA Regulations, 2010, known as Government Notice, 544. Generally, but not always, where a proposal is less likely to cause significant environmental impacts, then a BA process is followed. For the current proposal, the BA will investigate the proposal against various parameters, such as ecosystem functioning, biodiversity, vegetation, traffic, site stability, etc. to ensure that the proposal follows the idea of sustainable development and that any potential negative environmental impacts are mitigated against. One of the outcomes of the BA process is an Environmental Management Programme (EMP) that manages the pre-construction, construction, rehabilitation and operational phases of the development to curtail any negative environmental impacts.

According to the National Environmental Management Act (NEMA) (Act 107 of 1998), EIA Regulations 2010,

<sup>2</sup> Source: Zu Designs (2010). SUBMISSION TO THE eTHEKWINI MUNICIPALITY DEVELOPMENT AND PLANNING DEPARTMENT APPLICATION FOR THE REZONING OF 39 HOPEWELL ROAD, MOSELEY PARK FROM A SPECIAL RESIDENTIAL 1 ZONE TO A GENERAL RESIDENTIAL 2 ZONE

[GNR 544], the proposed development requires Environmental Authorisation via a BA process, as per the following activity:

11. The construction of:

- (i) Canals
- (ii) Channels;
- (iii) Bridges;
- (iv) Dams;
- (v) Weirs;
- (vi) Bulk storm water outlet structures;
- (vii) Marinas;
- (viii) Jetties exceeding 50 square metres in size;
- (ix) Slipways exceeding 50 square metres in size;
- (x) Buildings exceeding 50 square metres in size; or
- (xi) Infrastructure or structures covering 50 square metres or more

Where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

**Basic Assessment Process**

The BA process will strictly follow the requirements of section 21 to 25 of GNR 543, NEMA EIA Regulations (2010). In summary, the following steps will be taken:

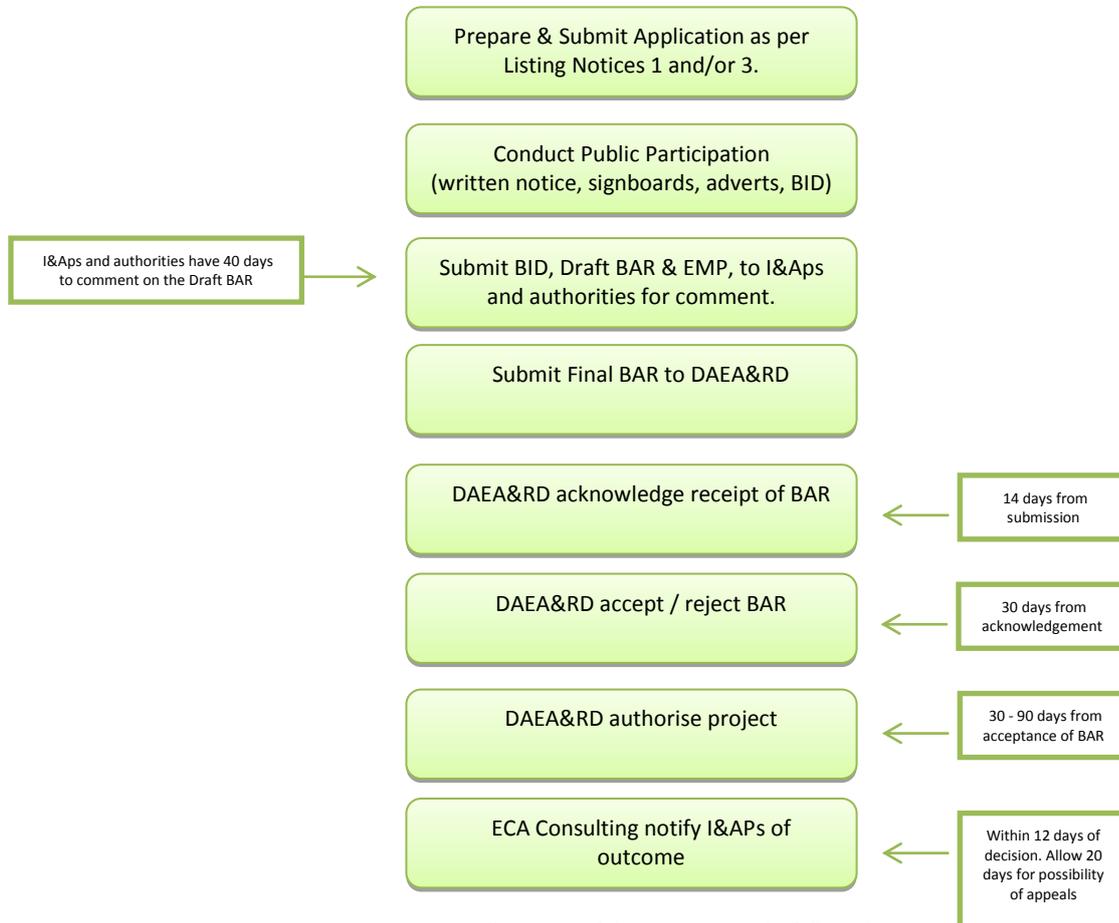


Figure 6: Illustration of the BA process to be followed

The competent authority that will either authorise or reject the BA is the KwaZulu-Natal Department of Agriculture, Environmental Affairs and Rural Development (DAEA&RD).

**Public Participation**

A key part of the BA process is public participation, whereby authorities, residents, neighbours and any organisation that may be affected by the proposed activity, are notified of the proposal so as to provide an

opportunity for expression of comments/concerns throughout the BA process. Public participation is a legislated requirement according to the EIA Regulations, 2010. As the independent Environmental Assessment Practitioner (EAP), ECA Consulting is required to involve the public in the following way (as per Chapter 6 of the EIA Regulations, 2010):

- Provide written notice to adjacent occupiers of the site, the municipal ward councillor, ratepayers association, and any organ of state having jurisdiction in respect of any aspect of the activity;
- Place an advert in one local newspaper, and at least one provincial or national newspaper if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken;
- Fix a notice board (minimum size 60cm x 42cm) at a place conspicuous to the public at the boundary or on the fence of the site or any alternative site mentioned in the application.

Further to the public notification, the public may register as an I&Ap to obtain further information and partake in the BA process by way of comment.

Any comment / concern / query received from an I&Ap and/or authority will be addressed and considered in the environmental assessment process.

To date, the following has been conducted in terms of public participation:

Written notice was given to adjacent landowners on Hopewell Road and Wood Road on 13 February 2012. Three signboards were placed around the site: at the boundary of 39 Hopewell Road, at the intersection of Rushbrook Road South and Hopewell Road, and on the Hans Dettman Highway on the eastern boundary of the site. An advert was placed in the local newspaper (Highway Mail) and in the regional newspaper (The Mercury) on 15 February 2012. The following authorities and organisations were notified on 13 February 2012: eThekweni Municipality, Ezemvelo KZN Wildlife, Department of Water Affairs, Department of Transport, Department of Human Settlements, WESSA, Pinetown Ratepayers Association and the Municipal Ward Councillor.

#### **What is your role as an I&Ap?**

According to Section 56 of the EIA Regulations, 2010 (GNR 543), as a registered I&Ap you are entitled to comment in writing on all written submissions, including draft reports made to the competent authority (i.e. DAEA&RD) and to bring to the attention of the competent authority and EAP any issues which you believe may be of significance to the consideration of the application. These issues must be submitted within the timeframes approved or those as set by the competent authority.

As an I&Ap you are legally required to disclose any direct business, financial, personal or other interest which you may have in the approval or refusal or the application.

You will have the opportunity to comment on the following documents:

1. **Background Information Document (BID)** – Due date for comments: 2 March 2012
2. **BA Report and all specialist studies** – Due date for comments: 40 days from the date of receipt of the report / notification of availability of the report.
3. **Environmental Management Programme** – Due date for comments: 40 days from the date of receipt of the report / notification of availability of the report.

You may provide written comment at any time during the BA process, however comments on documents must follow timeframes as set by the competent authority and/or EAP.

### **Who is ECA Consulting?**

ECA Consulting is an independent environmental consultancy that provides professional consulting expertise in accordance with legislative requirements and global environmental trends. ECA Consulting provides experienced handling and management of all aspects of Environmental Impact Assessments (EIAs), Basic Assessments (BAR), and Environmental Management Programmes (EMPr) in accordance with the National Environmental Management Act (107 of 1998). ECA Consulting also manages waste license applications as per the requirements of the National Environmental Management Waste Act (59 of 2008).

ECA Consulting has been appointed as the independent EAP to undertake and manage the BA process. Leena Ackbar is the lead consultant on the project; all comments / queries can be submitted to:

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