

BACKGROUND INFORMATION DOCUMENT (BID)

PRE-APPLICATION ENVIRONMENTAL PROCESS

The Proposed Residential Development and Associated Infrastructure on a Portion of Erf 155, Keurboomstrand, Plettenberg Bay

OCTOBER 2021

Introduction

Eco-Route Environmental Consultancy have been appointed by Ferpa (Pty) Ltd to ensure compliance with the regulations contained in the **National Environmental Management Act** (Act no. 107 of 1998 as amended) and the Environmental Impact Assessment (EIA) Regulations 2014, as amended for a **Basic Assessment Process**.

The proposed activity entails the construction of a residential development and will require prior authorisation in terms of the following:

- National Environmental Management Act (“NEMA”) (Act no. 107 Of 1998)
- National Environmental Management Act: EIA Regulations 2014, as amended
- National Environmental Management: Biodiversity Act (“NEMBA”) (Act no. 10 of 2004)
- National Heritage Resources Act (“NHRA”) (Act no. 25 of 1999)

Purpose of the BID

The main purpose of this Background Information Document (BID) is to:

- Provide potential “Interested and Affected Parties” (I&APs) with information regarding the development proposal;
- Describe the environmental process being undertaken in terms of the National Environmental Management Act (“NEMA”) (Act no. 107 of 1998 as amended) & the Environmental Impact Assessment Regulations 2014, as amended; and
- Explain the way forward.

Project Proposal (preferred option)

The proposal is to subdivide and rezone RE/155 from Open Space Zone II (private open space) to Residential Zone II to enable the development of private grouped dwelling houses on the eastern portion of RE/155. Approximately 3 250m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed.

The preferred development proposal entails the construction of three (3) single-storey residential units and a shared swimming pool. The units are to be positioned as to have minimal visual effect, mainly to passers-by on the MR394 (main route in and out of Keurboomstrand). For this reason, a 35m scenic route setback has been put in place for this development. The units will incorporate low-pitched roofing and earth-toned colours. In addition, botanical sensitive areas have been marked as no-go areas and provided a 5m buffer from the proposed development.

A site development plan has been included at the end of this document.

Alternatives

“Alternatives” are defined in the Regulations as different means of meeting the general purpose and requirements of the activity, which may include alternatives to: (a) the property on which or location where it is proposed to undertake the activity; (b) the type of activity to be undertaken; (c) the design or layout of the activity; (d) the technology to be used in the activity or process alternatives; (e) the operational aspects of the activity; and (f) the option of not implementing the activity.

Should any reasonable / feasible alternatives be identified by stakeholders, specialists or project team members during the environmental process, such alternatives will be investigated and compared to the Preferred option in the Basic Assessment Report.

Environmental Context

The vegetation type present on the site is **Goukamma Dune Thicket** vegetation which has an Ecosystem Threat Status of “**Endangered**”. According to the Western Cape Biodiversity Sector Plan, the site occurs within a “**Critical Biodiversity Area**”.

Applicable NEMA: EIA Regulations 2014, as amended - Listed Activities

NEMA specifies various ‘Listed Activities’ which require Environmental Authorisation prior to commencement. The following listed activities are applicable to this development (please note that these are subject to change as more information becomes available):

Listing Notice No	Activity No	Activity Description
1	19A	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</p> <p>(i) the seashore; (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or (iii) the sea; —</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(f) will occur behind a development setback; (g) is for maintenance purposes undertaken in accordance with a maintenance management plan; (h) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (i) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>
3	4	<p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>i. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p>

		<p>ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>
3	12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>i. 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; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas; iv. 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; or v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>
3	15	<p>The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</p> <p>f. Western Cape</p> <p>i. Outside urban areas, or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010; (bb) A protected area identified in terms of NEMPAA, excluding conservancies; or (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</p>

Environmental Process

The procedures of a Basic Assessment Environmental Process, as per the EIA Regulations 2014, as amended are being undertaken for this environmental process.

A pre-application Public Participation Process (PPP) will be undertaken to inform the development proposal prior to submission of a formal Application to the Department of Environmental Affairs and Development Planning (“DEA&DP”). The pre-application PPP phase is to allow members of the public ample time to register as Interested and Affected Parties (I&APs), receive and review project information and provide input/ comments on the proposed development.

The following steps will be undertaken as part of the Pre-Application and Application Environmental Process:

- Identifying potential Interested and Affected Parties (I&APs);
- Placement of Site Notices at the site;
- Advertising- a ‘Call for Registration of Interested & Affected Parties and Comments Regarding the Pre-Application Basic Assessment’ in a local newspaper with a commenting period of 30 days;
- Open and maintain a Registered Stakeholder database;
- Undertaking of specialist impact assessments;
- Compilation and public availability of a Pre-Application Basic Assessment Report (BAR) and Draft Environmental Management Programme (EMPr), highlighting issues/concerns, as well as findings of specialist studies - 30 Day Public Participation including Competent Authority (DEA&DP);
- Submission of an EIA Application Form to DEA&DP;
- Compilation and public availability of a Draft Basic Assessment Report (BAR) and Draft Environmental Management Programme (EMPr), highlighting issues/concerns, as well as findings of specialist studies - 30 Day Public Participation including Competent Authority (DEA&DP);
- Compilation of the Final BAR and Final EMPr based on comments received on the Draft BAR and submission of the Final BAR and Final EMPr to DEA&DP for decision-making (authorisation with conditions, or refusal);
- Notification of registered I&APs and Stakeholders of Environmental Decision, and details of appeal process / period.

Public Participation

Names and details of members of the public who respond to the legal advert and/or notices (calling for I&APs to register and comment) will be captured on the project Stakeholder Register. All written comments provided will also be recorded.

Should you (or any other party you may be aware of) have an interest in the process, or feel that you may be affected by the proposed development; you are invited to register as an I&AP for the environmental process. A vital part of the process is public consultation as it provides stakeholders with an opportunity to gain an informed understanding of the proposed development and provide input thereto. To do so, I&APs are requested to submit their full contact details, in writing, to Eco-Route Environmental Consultancy using the contact details provided at the end of this document.

Please note that the main purpose of this Pre-Application process is to gain an understanding of all issues / concerns related to the development proposal. The formal Application will only be submitted to DEA&DP once all issues / concerns have been resolved and / or potential impacts sufficiently mitigated.

**TO REGISTER AS AN I&AP, PLEASE SEND YOUR
REGISTRATION REQUEST, NAME & FULL CONTACT
DETAILS, AND ANY PRELIMINARY COMMENTS TO:**

ATT: Samantha Teeluckdhari
P.O. BOX 1252 Sedgelyield 6573
Email: samantha@ecoroute.co.za
Fax: 086 402 9562

BASIC ASSESSMENT ENVIRONMENTAL PROCESS

**The Proposed Residential Development and Associated Infrastructure on a
Portion of Erf 155, Keurboomstrand, Plettenberg Bay**

REGISTRATION / INITIAL COMMENT SHEET ON BID

Should you have any preliminary comments and would like to be registered as an Interested and Affected Part (I&AP), please complete this form and return it to Eco Route Environmental Consultancy at P.O. BOX 1252 Sedgefield 6573. Tel: 044 343 2232, Fax: 086 402 9562, Email: samantha@ecoroute.co.za

TITLE	
NAME & SURNAME	
REPRESENTING	
POSTAL ADDRESS	
TEL NO.	
FAX NO.	
CELL NO.	
E-MAIL	

NOTE: Submission of incomplete contact details may result in a person / entity not being registered. Please ensure that you complete the above table in full.

COMMENTS (please feel free to submit more pages)

1. List any key issues or concerns relating to the proposed development.

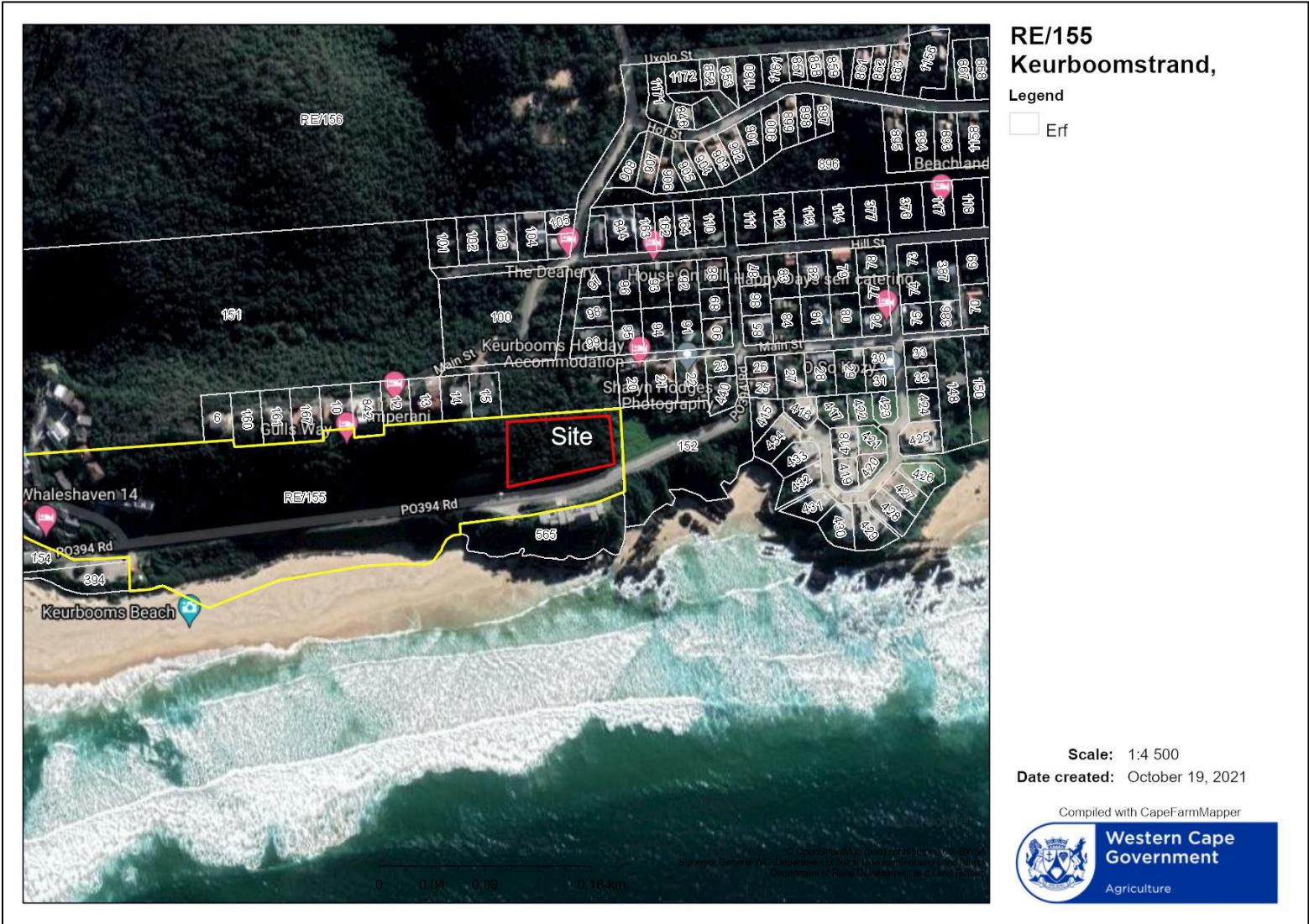
2. Describe your reason / motivation for participating in this environmental process (disclose any interest).

NOTE: ITO the Environmental Regulations 2014, as amended it is compulsory for I&APs to state their interest in a project / process, thus not providing reasons, may result in a person / entity not being registered.

3. List any potential (reasonable and / or feasible) alternatives for the activity and state why these alternative(s) are recommended:

4. List Interested & Affected Parties (I&APs) or Stakeholders that you feel should be registered (provide their full contact details & who they represent, so that they may be contacted):

APPENDIX A: LOCALITY MAP



APPENDIX B: PREFERRED LAYOUT

