



BACKGROUND INFORMATION DOCUMENT (BID)

Proposed expansion of development footprint on Erf 1220 located within 100 meters of the high-water mark of the sea

St Francis Bay, Kouga Local Municipality

PUBLIC PARTICIPATION PROCESS

Pre-application Phase

Application for Environmental Authorisation as required in terms National Environmental Management Act (Act 107 Of 1998) Environmental Impact Assessment Regulations 2014, as amended

29 August 2024

Introduction

A residential house is in place on Erf 1220 located at 63 Esmaralda Road, St Francis Bay. Erf 1220 is approximately 1192 m² in extent and falls within 100 meters of the high-water mark of the sea (Refer to Figure 1; Figure 2). The footprint of the existing infrastructure on the property is approximately 400m²; the owner is proposing to expand the development footprint on the Erf by approximately 100m².

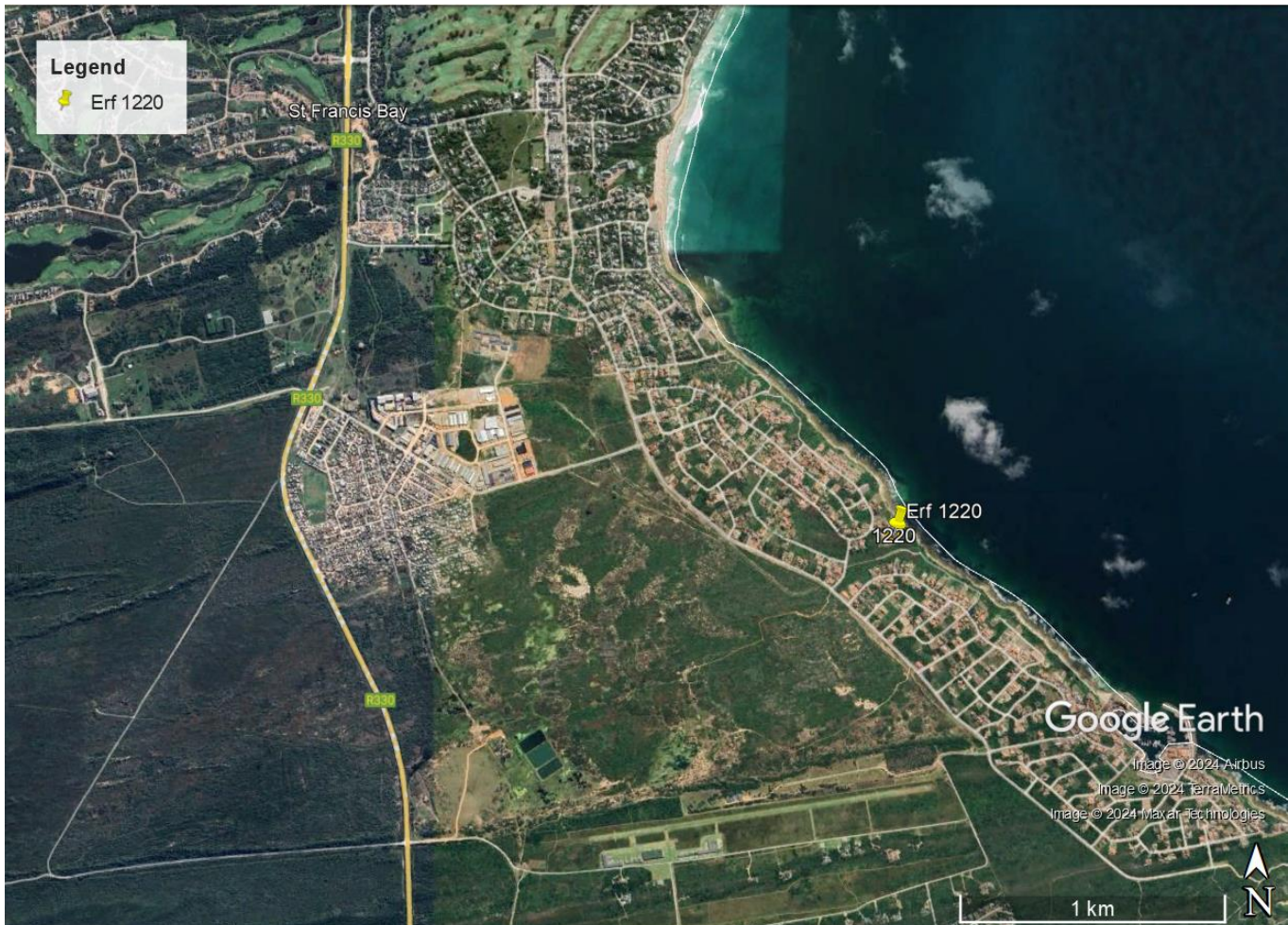


Figure 1: Erf 1120 located within St Francis Bay, Kouga Local Municipality



Figure 2: Erf 1120 located with 100 meters of the high-water mark of the sea

Purpose of the BID

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

- Provide potential Interested and Affected Parties (IAPs) with information regarding the proposed development;
- Describe the environmental process being undertaken in terms of the NEMA and the EIA regulations, 2014, as amended
- Outline the basic assessment and public participation process

Environmental Sensitivities

The following is applicable to the site:

- In terms of the National Vegetation Map, 2018, vegetation mapped on the site is St Francis Dune thicket (Conservation status: *Least Concern*)
- In terms of the Eastern Cape Biodiversity Conservation Plan, 2019 (ECBCP) the site falls within a terrestrial critical biodiversity area (CBA) 2; the site does not fall in an aquatic CBA or ESA
- No NFEPA watercourses are mapped within 100 / 500 meters of the site
- The site falls within 100 meters of the High-water mark of the sea



Environmental Legislation

National Environmental Management Act

In terms of the NEMA 2014 EIA Regulations (as amended, 2017) the proposed development triggers activities listed in GNR. 327 (Listing Notice 1) and 324 (Listing Notice 3) and therefore requires an environmental authorisation. A basic assessment is required to be carried out as part of the environmental authorisation process.

The competent authority is the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)

The applicable activities are provided in Table 1 below and will be confirmed during the pre-application meeting with DEDEAT:

Listing Notice 1 GNR 327: Activity 17	Development- (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of- (e) infrastructure or structures with a development footprint of 50 square metres or more – but excluding- (dd) where such development occurs within an urban area .	In terms of the Kouga Spatial Development Framework (SDF) the property falls within the urban edge; In this regard it is pertinent to consider that DEDEAT does not recognise urban edge as in terms of the Kouga SDF; the DEDEAT considers whether the property is within a built-up area as defined by the building line. To be confirmed during pre-application meeting with DEDEAT
Listing Notice 1 GNR 327: Activity 18	The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding ...	More than 10m vegetation may be required within the littoral active zone as part of rehabilitation activities at the Erf. To be confirmed in pre-application meeting with DEDEAT
Listing Notice 1 GNR 327: Activity 19A	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—(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater; or	Erf 1220 falls within 100 meters of the highwater mark; more than 5 cubic meters material will be removed / deposited for the proposed renovation.
Listing Notice 1 GNR 327: Activity 54	The expansion of facilities— (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of— (e) infrastructure or structures where the development footprint is expanded by 50 square metres or more, but excluding— (bb) where such expansion occurs within an urban area.	The development footprint will be expended by 50 square meters. In terms of the Kouga Spatial Development Framework (SDF) the property falls within the urban edge; In this regard it is pertinent to consider that DEDEAT does not recognise urban edge as in terms of the Kouga SDF; the DEDEAT considers whether the property is within a built-up area as defined by the building line. To be confirmed during pre-application meeting with DEDEAT



Screening Tool

The Department of Forestry, Fisheries and Environment (DFFE) has launched an on-line screening tool that is applied at the initial stages of an assessment. A Screening Report has been generated for the site; the DFFE National Screening Tool indicates the following environmental sensitivities:

- Animal species theme: Medium sensitivity
- Aquatic biodiversity theme: Low sensitivity
- Archaeological and Cultural Heritage theme: Low sensitivity
- Civil aviation theme: High sensitivity
- Defence theme: Low sensitivity
- Palaeontology theme: Low sensitivity
- Plant species theme: Medium sensitivity.
- Terrestrial biodiversity theme: Low Sensitivity

A site verification report will be compiled; Terrestrial Biodiversity and flora will be verified by a specialist.

Basic Assessment Process

A Basic Assessment process is carried out to identify and assess potential impacts associated with the proposed development. Mitigation measures to reduce anticipated negative impacts and enhance anticipated positive impacts are recommended. The basic assessment concludes with recommendations and any related conditions for environmental authorisation.

Public participation process is carried out according to NEMA EIA Regulation 41 of GN R.326, 2017. ***All interested and affected parties (IAPs) are encouraged to participate.***

The following steps will be undertaken as part of the EA Application Process:

- Generation of screening tool report; complete
- Submission of Notice of Intent to apply for Environmental Authorisation to the competent authority (DEDEAT); complete
- Public participation starts (**current**) and entails:
 - Identifying potential Interested and Affected Parties (IAPS)
 - Identifying landowners, adjacent landowners, relevant organs of state and stakeholders – these parties are automatically registered as IAPs for the process unless requested to be removed from the IAP database
 - Distribution of Notice and Background information document to identified potential IAPs (current)
 - Placement of Site Notices at the site (Complete)
 - Placement of advert in a local newspaper (Complete)
 - A 30-day period is provided to register as an IAP (Current)
 - Maintain stakeholder database; keep record of comments received, responses provided, throughout the basic assessment process
- Undertaking of planned specialist impact assessments
- Compilation of Basic Assessment Report (BAR) which identifies of potential impacts and proposed mitigation measures, and includes a Draft Environmental Management Programme report (EMPr), Comments and Response Report, Specialist studies
- Submission of EA Application to DEDEAT
- Distribution draft BAR to IAPs for a 30-day comment and review period



- Update draft BAR to final BAR based on comments received on the Draft BAR
- Submit Final BAR to DEDEAT for decision-making
- The DEDEAT reviews the documents and decides whether the project can proceed or not.
- An Environmental Authorisation (EA), with conditions, is issued to the applicant if the proposed development may proceed.
- A copy of the EA is made available to all IAPs to consider, along with the reasons for the decision made. If you disagree with the decision, you are provided with information on how to lodge an appeal.

Public participation process

A vital part of the process is public consultation. The public participation process provides IAPs with an opportunity to gain an informed understanding of the proposed development through the review relevant reports and provides an opportunity for IAPS to comment on the proposed development and raise issues or concerns to be considered during the planning process.

Should you (or any other party you may be aware of) want to participate in the process and / or have comments regarding the proposed development and social and / or environmental related concerns, ***you are invited to register as an IAP*** for the application for environmental authorisation process. The names and contact details of members of the public who respond to the legal advert and/or notices (calling for IAPs to register and comment; registration period: **29 August to 29 September 2024**) will be captured on the project Stakeholder Register. All written comments provided throughout the process will also be recorded.

To register as an IAP please submit your full contact details, in writing, to Eco-Route Environmental Consultancy using the contact details provided at the end of this document.

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

ATT: Claire De Jongh
P.O. BOX 1252 Sedgefield 6573
Email: claire@ecoroute.co.za
Tel: 044 343 2232
Fax: 086 402 9562



Eco Route

ENVIRONMENTAL CONSULTANCY

REGISTRATION NO. 1998/031976/23

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BASIC ASSESSMENT PROCESS

Proposed expansion of development footprint on Erf 1220 located within 100 meters of the high-water mark of the sea

St Francis Bay, Kouga Local Municipality

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 Sedgfield 6573. Tel: 044 343 2232, Fax: 086 402 9562, Email: claire@ecoroute.co.za

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

Please 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).

Please note: In terms of the EIA regulations, 2014, as amended, it is compulsory for IAPs to state their interest in a project / process, thus not providing reasons, may result in a person / entity not being registered.



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

4. List IAPs or Stakeholders that you feel should be registered (please provide their full contact details & who they represent, so that they may be contacted):
