



BACKGROUND INFORMATION DOCUMENT (BID)

Proposed expansion of development footprint on Erf 631 located within the Kromme estuarine functional zone

Sea Vista, St Francis Bay, Kouga Local Municipality

ENVIRONMENTAL AUTHORISATION AND 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

27 September 2024

Introduction

A residential house is in place on Erf 631 located at 9 Shore Road, Sea Vista, St Francis Bay within ward 12 of the Kouga Local Municipality, Eastern Cape. Erf 631 is approximately 1549.9 m² in extent and falls within the Kromme Estuarine Functional Zone (Refer to **Error! Reference source not found.**). An existing house is in place on the Erf with a total existing floor area of 386m²; the owner is proposing to expand the development footprint on the Erf by approximately 267m² (new garage, braai rooms, dwelling additions and balconies).

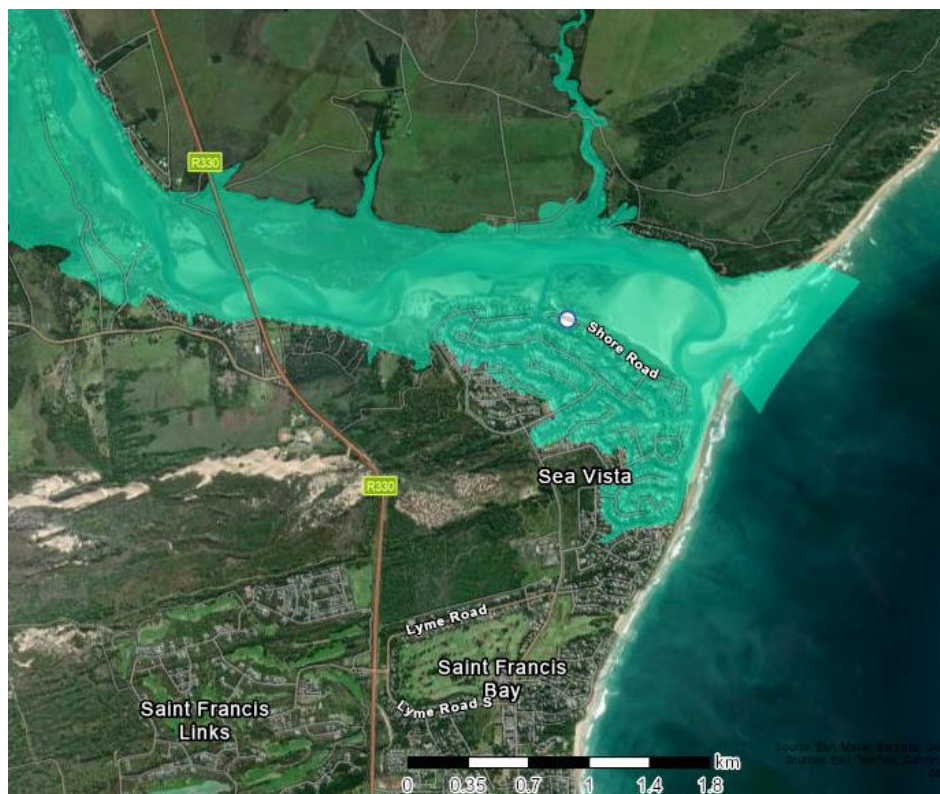


Figure 1: Erf 631 falls within Kromme Estuarine Functional Zone (National Wetland Map 5 – NWM5)



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 NWM5, the site falls within the Kromme Estuarine Functional Zone.
- In terms of the National Vegetation Map, 2018, vegetation is indicated as not terrestrial – falls within Estuarine Functional Zone
- In terms of the Eastern Cape Biodiversity Conservation Plan, 2019 (ECBCP) the site does not fall within a terrestrial critical biodiversity area (CBA); the site falls within an aquatic CBA 1 / ESA 1





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;
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 ...	In terms of NWM5, the site falls within the Kromme Estuarine Functional Zone. Not within littoral active zone
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	In terms of NWM5, the site falls within the Kromme Estuarine Functional Zone. More than 5 cubic meters material will be removed / deposited for the proposed renovation. Expansion will fall within 100 meters of high water mark of the Kromme estuary.
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.	In terms of the Kouga Spatial Development Framework (SDF) the property falls within the urban edge;

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:

- Agricultural Theme: High sensitivity



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

A site verification report will be compiled by the EAP.

Basic Assessment and Public Participation 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) including landowners, adjacent landowners, relevant organs of state and stakeholders
 - Notice of intent to apply for EA and 30-day registration by IAPS (Current)
 - Placement of Site Notices at the site
 - Placement of advert in a local newspaper
 - Email notice and background information
 - Maintain stakeholder database; keep record of comments received, responses provided, throughout the basic assessment process
- Site verification and 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 (within 90 days of EA application accepted)
- Submit Final BAR to DEDEAT for 107 day decision-making period
- 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; will be captured on the project IAP Register.

Registration period: **27 September to 28 October 2024.**

All written comments provided throughout the process will also be recorded.

To register as an IAP please submit your full contact details, and any initial comments, in writing, to the contact details provided below:

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