



ISSUES and CONCERNS REGISTER (ICR) – THE PROPOSED CONSTRUCTION OF THE TRADE ZONE WATSON HIGHWAY LINK ROAD, LA MERCY, DURBAN

The table below has been compiled by consolidating all input received throughout the Public Participation Process (PPP), associated with the Scoping and Impact Assessment Phases of the Trade Zone to Watson Highway Link Road: Scoping and Environmental Impact Report (S&EIR) process. The tools listed below were used to inform Interested and Affected Parties (IAPs) of the project and afford them the opportunity to comment:

- An IAP Database was compiled and included the key stakeholders and adjacent landowners to the study area and any additional IAPs who registered through the PPP for the proposed project.
- Media notices (Appendix D) which informed readers on the application to Department of Environmental Affairs (DEA) and the proposed Trade Zone to Watson Highway Link Road and invited IAPs to register as an IAP and/or provide comment was placed in North Coast Courier on 24 March 2010 and Coastal Weekly newspapers on 11 November 2010.
- Notice boards were designed based on the specification of the NEMA EIA Regulations GNR543 and displayed at conspicuous places at the Dube TradePort and at the entrance to the site off Watson Highway.
- A Background Information Document (BID), which provided background to the proposed project and an overview of the Scoping and Environmental Impact Assessment Process and associated PPP was compiled and distributed to identified IAPs. The BID also included an invitation to IAPs to comment and raise any issues and concerns they may have.
- Comments and Response Register was compiled (this document).
- The Draft Scoping Report (Draft SR) was made available for a 30 day public and 40 day authority comment period and all registered IAPs on the database were either notified of the availability of the report at certain venues and on the project website (<http://projects.gibb.co.za>) or provided with an electronic and/or paper copy of the report.
- The Draft Environmental Impact Report (Draft EIR) was made available for a 40 day public and authority comment period and all registered IAPs on the database were either notified of the availability of the report at certain venues and on the project website (<http://projects.gibb.co.za>) or provided with an electronic and/or paper copy of the report.
- All comments received on the Draft SR have been captured in this document with associated responses provided.

Main Issues Recorded

The main issues submitted to date are largely related to the proposed and include the following:

1. Impacts on existing service infrastructure
2. Potential impacts on sensitive areas, including wetlands, riparian areas and vegetation
3. Impacts on the tree-lined Herrwood access road
4. Traffic impacts, including, accidents and pedestrian safety
5. Type of intersection where the proposed road meets the Watson Highway
6. Alignment of the road with existing planning reports
7. Cumulative impacts
8. Impacts associated with isolation of Tongaat from development
9. Mitigation methodology for offsetting wetland losses
10. Consideration of larger traffic and transportation development plan for the Precinct

Table 1 below provides details on IAP comments received to date with comments from the most recent Impact Assessment Phase of the EIA presented first.



TABLE 1: ENVIRONMENTAL IMPACT ASSESSMENT PHASE: ISSUES AND RESPONSE REGISTER

No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
Comments received on the Draft Environmental Impact Report				
1.	Mr Paresh Lakha Tongaat Business Forum	Email 19/07/2011	<p>Section 4.4.2 (b) "Access to the Trade Zone is currently via the Airport Access Road in the South. It is proposed that this access road be closed in the future, with sole access to the Trade Zone being from the proposed Link Road."</p> <p>Requested confirmation whether the access road from the R102 would be closed as this scenario would allow transport vehicles to travel through Tongaat to access the new Link road to avoid the toll fees. The R102 runs through Tongaat and this will allow unnecessary traffic through our congested town placing unnecessary stress on the town's infrastructure and the traffic.</p> <p>They advised that the current access road remain open to prevent the heavy transport vehicles from entering Tongaat.</p> <p>Noted that Section 10.2.2 of the report indicates that there will be a negative and positive impact for road users during the construction and operation of the Link road.</p> <p>Responding comments: 1. Kindly, highlight the positive impacts.</p> <p>2. As for the negative factors, we wish to raise the following factors:</p> <ul style="list-style-type: none"> • There will be an increase of vehicles transporting materials to the construction area. These vehicles would need to travel through Tongaat to reach the site. This will further add to deterioration of the R102 on the South and North end. As for the uShukela 	<p><i>Responses are provided by the Project Engineer, Mr. Anthony Gould of Virtual Consulting</i></p> <p>According to the ultimate airport masterplan (2060 scenario), the road will not link to the south. The mention of the road closure reflects this fact due to the concerns from the transport authorities about toll avoidance. The impact of this road link remaining opened is being assessed separately and this matter is subject to the outcome of this process.</p> <p>Positive impacts include improved accessibility to the cargo terminal and Tradezone, and opportunities for better public transport linkages.</p> <p>The majority of the construction materials for the project will be gravels sourced from the Lafarge quarry across the uShukela Highway. The only time these vehicles need to use public roads is to cross the Watson Highway, for which a traffic management system will be provided</p>



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			<p>Highway, the area leading to the Link Road is displaying deterioration also. The primary cause has been the heavy traffic volumes of construction vehicles during the Dube Trade Port construction. We propose that no material carrying vehicles travel through Tongaat during the construction phase. Kindly identify alternative routes for these vehicles.</p> <ul style="list-style-type: none"> • To avoid toll fees, cargo-carrying vehicles to the Dube will travel through Tongaat and the R102. We anticipate that will be the cause of traffic congestion. • There is great discussion on the construction of the road but little mention of the nature of the intersection between the New Link road and the uShukela Highway. The report mentions a signalized management system. Has a traffic circle been considered as an alternative? Areas like Ballito have adopted these traffic management policies as to reduce maintenance and traffic congestion. As for the human traffic, we propose a designated area along the New Link road for taxis and buses. • With respect to the future developments along the New Link road and the TH Group developments, we request an investigation on the condition of the uShukela Highway be conducted – is it not the focused route leading to these future developments? Hence, if this is not undertaken, then the research undertaken is flawed, as it has not considered impact on the uShukela highway. 	<p>(similar to that for the airport construction). For other construction materials, they will be delivered to the site camp which will be located at the TradeZone which is accessed through the airport. There should therefore be no noticeable increase in traffic through Tongaat.</p> <p>Vehicles should not pass through Tongaat for the reasons mentioned above.</p> <p>A traffic circle was considered but was discounted for 2 reasons: firstly the capacity is insufficient for the amount of traffic envisaged in the long term development scenarios; and secondly the size of the circle would need to be very large, considering that it is expected that uShukela Highway will ultimately become a dual carriageway road.</p> <p>Regarding pedestrian traffic, there are dedicated footways planned for the whole length of the route, with regular spaces for bus / taxi stops.</p> <p>The traffic impact assessment does consider the impact on the uShukela Highway.</p>
2.	Mr R. B. Lindsay Department of Transport	Email 20/07/2011	<p>No further comment other than that contained in my e-mail dated 11/01/2011.</p> <p>These are the updating of the external TIA for the KSIA DTP development and the observation that the extent and location of the proposed dedicated public transport lanes should be revisited during the final design stage.</p>	See responses to eThekweni Municipality Traffic Authority below (Point 9 below).



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3.	<p>Ms Carolyn Schwegman</p> <p>Wildlife & Environmental Society of South Africa (WESSA)</p>	<p>Email 25/07/2011</p>	<p>WESSA recognises that the proposed road provides a strategic transport link and the EIR identifies and describes the impacts of past and existing land uses, the proposed and future developments in the catchment in the short to long term, including the expansion of KSIA. The report notes the importance of considering the future scenario which will increase impacts on the systems, in terms of ecological function.</p> <p>WESSA recognises that the proposed road provides a strategic transport link and the EIR identifies and describes the impacts of past and existing land uses, the proposed and future developments in the catchment in the short to long term, including the expansion of KSIA</p> <p>Approach to Wetland Loss and Mitigation</p> <p>WESSA notes that the EIR and specialist report, Terrestrial Ecological and Wetland Impact Assessment, considers the “hectare equivalent” approach to mitigating the loss while an “offset ratio” is discussed in the Environmental Management Programme.</p> <p>1. “Hectare Equivalent”</p> <p>While WESSA finds that the studies undertaken to identify the impacts of the proposed link road, and provide mitigation, are comprehensive we do not agree with the “hectare equivalent” approach adopted to mitigate the permanent loss of the ecosystem. The approach is flawed as it does not adequately compensate for the loss of wetlands, and effectively makes wetlands more vulnerable to decline (for example, in disregarding the fact that these areas provide habitat (space) and are not solely providers of ecosystem goods and services, and such an offset would result in there being less wetland habitat (space)</p>	<p>Noted.</p> <p>The “offset ratio” approach detailed in the Environmental Management Programme is erroneous and should have been corrected to reflect the “hectare equivalent” approach proposed by the wetland specialist. The EMP has been updated to reflect this.</p> <p>The wetland specialist project team are satisfied with the original hectare equivalent approach used for the assessment for the following reasons:</p> <ul style="list-style-type: none"> • The Hectare Equivalents approach was initially adopted for the Dube TradePort/King Shaka International Airport development project for the on-site mitigation of impacts to wetlands. This was in line with a requirement from the eThekweni Municipality’s Environmental Management Branch who favoured this approach over the ratio-based approach. • The difference in approach favoured by WESSA and



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			<p>being available in the landscape and land-use matrix. The proposed offset ratios should not be adjusted down for factors like habitat condition particularly where rehabilitation potential may be overlooked.</p> <p>The offset ratio approach is consistent with the NEMA principles which require specific attention to stressed or impacted ecosystems in planning and management as opposed to downgrading their de facto importance (section 2(4)(r)).</p> <p>The functionality based (or “hectare equivalent”) approach does not consider the special habitat status of wetlands and suggests that habitats of low value can be traded because of reduced conservation value, rather than the appropriate response being to attempt intensive management where impacts are reversible, such as in the case of the project area.</p> <p>2. “Offset Ratio” The draft Environmental Management Programme (appendix F), section 4.2.6 (a) in addressing the permanent loss of wetland discusses an “offset ratio” using a ratio of 1:3 based on best practice guidelines</p>	<p>the Municipality reflects that lack of a formal national legislation or guidelines on wetland offsets, (national guidelines for wetland offsets are in the process of being developed).</p> <ul style="list-style-type: none"> The hectare equivalents approach is however a respected method amongst wetland specialists that has been advocated for use in the following research and policy documents for quantifying appropriate requirements for mitigating development impacts to wetlands: <ul style="list-style-type: none"> <i>Provincial Norms and Standards on Biodiversity Offsets for KZN, 2010</i> Section 6.3.1.2a, the document states that “<i>The determination of suitable offsets for wetland and coastal ecosystems focuses on providing gains in functional equivalence equal (at least) to loss as a result of predicted residual impacts</i>”. This policy further states that area based offsets and offset ratios are only warranted in the case of large impacts on sensitive habitats. Given that the wetlands associated with the road development are of low significance in terms of functional value, and do not provide habitat value nor support important species, it is argued that this recommendation of the policy applies. <i>Cox, D and Kotze, D. 2008. Assessing the appropriateness of mitigation banking as a mechanism for securing aquatic biodiversity in the grassland biome of South Africa. WRC Report No K8/700. See sections 9.1.8 and 9.1.9. supporting the use of hectare equivalents.</i> <p>As noted above, the “offset ratio” approach detailed in the EMP is erroneous and should have been corrected to reflect the “hectare equivalent” approach proposed by the wetland specialist. The EMP has been updated to reflect</p>



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			<p>line with the slow and often delayed associated rehabilitation. Mitigation activities and rehabilitation plans must include timelines and quantifiable requirements.</p> <p>In addition - Construction – KSIA Waste Water Treatment Works It is stated that “The required widening of the embankment along the route will result in the removal of the temporary KSIA waste water treatment works”. How will waste water from the KSIA be managed during the period when the facility is out of commission? The management of this aspect needs to be explained.</p>	<p>timelines and quantifiable requirements.</p> <p>It is anticipated that by the time the road is constructed, the wastewater pipeline linking the TradePort and KSIA to the Tongaat Wastewater treatment Plant will be operational and the temporary KSIA Waste Water Treatment Works would have been decommissioned.</p>
4.	<p>Mrs D. Van Rensburg</p> <p>(Consolidates comments from various Departments within eThekweni Development Planning, Environment and Management Unit)</p>	<p>Fax 26/07/2011</p> <p>Same letter by post 02/08/2011</p>	<p>1. Electricity Department The Electricity Department has no objection, however please note:</p> <ul style="list-style-type: none"> • (1) The applicant must consult eThekweni Electricity's mains records for the presence of underground electrical services. In addition should any overhead line and for servitude be affected, the specific permission of the Head: Electricity must be sought regarding the development. • (2) The relocation of MV/LV electrical services, if required in order to accommodate the development, will be carried out at the expense of the applicant. 	Noted.
5.			<p>2. Environmental Planning and Climate Protection Department. This Department's comments on the Scoping report Draft EIR have reference.</p> <ul style="list-style-type: none"> • This Department does not support the notion of functional area offsets. The historical land use (sugar cane farming) is the prime reason for the current diminished functionality. Thus, using theoretical functionality areas as the basis of an offset calculation rewards environmentally degrading historical land uses. • Section 28 of NEMA states that a land owner who 	<p>Response by DTP (excerpt of response letter in Appendix D9)</p> <p>The objection raised by the Municipality is flawed in that the site was levelled by the national sphere of Government over 40 years ago in anticipation of the construction of an airport. The airport was never developed and the land was leased to agricultural companies for agricultural purposes (cane farming). Thereafter the land was sub-divided and only transferred to Dube TradePort in 2010.</p> <p>In these circumstances any reliance on section 28 of</p>



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			<p>has caused degradation to the environment must take reasonable steps to cease and remedy the effects of the said degradation. Using functional area offsets, based on the current state of the wetlands (the result of direct draining and farming practices by the current landowner) goes against this requirement and cannot be considered as being sustainable.</p> <ul style="list-style-type: none"> • This Department therefore requires that a 1:3 offset ratio is implemented and that this ratio is based on the actual wetland area which is being lost (1.79ha). This would equate to 5.37ha of wetland area, far larger an area than the 1.4ha put forward by the EAP. The rehabilitation report would need to be amended in order to reflect this change. • Offsets must look to reinstate non functional wetlands rather than enhance 'the most functional of the systems'. • Agreement needs to be reached between Tongaat Hullett Developments and DTP / ACSA regarding a catchment wide rehabilitation plan to offset the cumulative effects of the planned development in the area (as described in the Wetland Impact assessment, pg 50, point 4). This should form part of the offset/mitigation of all of the proposed projects (Ushukela, Airport Expansion, Watson Highway link etc.). 	<p>NEMA (the National Environmental Management Act, 1998) is misplaced:</p> <p>(a) Section 28 is clear - it imposes the obligation to remedy the effects of pollution or degradation on 'every person who causes, has caused or may cause significant pollution or degradation of the environment'.</p> <p>(b) The levelling of the platform and the farming activities conducted by the erstwhile owners and lessee were at all times lawful and did not constitute 'significant pollution or degradation of the environment' as contemplated by section 28.</p> <p>(c) Dube TradePort has not caused (and will not cause) 'significant pollution or degradation of the environment'. On the contrary it is taking positive steps to rehabilitate the site and has committed itself to planning and implementation of a rehabilitation plan for Dube TradePort and the Airport. The statement that the current state of the wetlands is 'the result of direct draining and farming practices by the current landowner' is factually incorrect.</p> <p>A hectare equivalent approach based on the functionality of the wetlands has been used to calculate the proposed offset. This recommendation has been made by a suitably qualified environmental practitioner, who has assessed the impacts of the proposed development. The hectare equivalent approach is also widely accepted internationally as an adequate way in which to calculate offsets. This approach is more appropriate than the 1:3 approach advocated by the Municipality.</p> <p>It needs to be emphasised that the 'wetlands' in question do not exist, and have been covered by sugarcane and of limited functionality for over 40 years. Dube TradePort has however committed itself to the implementation of a rehabilitation plan for Dube TradePort and the Airport in compliance with the RoD.</p>



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				<p>It is also important to consider the opportunity costs associated with rehabilitating more land. If a 1:3 offset approach is used, as opposed to the hectare equivalent approach, an additional 3.25 hectares will need to be rehabilitated. In order to determine the economic impacts of rehabilitating more hectares of land as opposed to unlocking the development potential of the area, a high-level macroeconomic impact assessment (partial general macroeconomic equilibrium analysis based on a Social Accounting Matrix) was performed. If the 1:3 offset approach is used, we estimate that the loss of employment opportunities will be in the region of 1400 jobs and approximately R219 million per annum in investment (see attachment 1 for full details of this calculation).</p>
6.			<p>3. Framework Planning Branch.</p> <ul style="list-style-type: none"> The Framework Planning Branch has assessed the proposal and raises no objections. 	Noted
7.			<p>4. Land Use Management Branch.</p> <ul style="list-style-type: none"> Please be advised that this Department has no objection to the EIA in regards the above. All issues as raised in the BID document have been addressed. 	Noted
8.			<p>5. Geotechnical Engineering Branch.</p> <ul style="list-style-type: none"> No further geotechnical comments 	Noted
9.			<p>6. eThekweni Transport Authority (ETA)</p> <ul style="list-style-type: none"> In terms of the KSIA/DTP development an external TIA was prepared circa 2006. The Trade Zone/Watson Highway Link was evaluated as part of the 2060 scenario. With this link being a requirement sooner than anticipated, the external TIA needs to be reevaluated, giving due consideration to the "as built" road network supporting the development. Dube TradePort (DTP) has appointed TECHSO to prepare a New Traffic Impact Assessment for the Dube 	<p>Response by DTP (excerpt of response letter in Appendix D9) in response to revised comments from ETA below.</p>



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			Tradeport / King Shaka International Airport/Dube City Precinct. This report is expected to be finalised and approved by end October 2011. <ul style="list-style-type: none"> The TIA in support of the proposed access from Ushukela Highway (Watson Highway) to the Dube Tradeport and Ushukela Business Park, as contained in the Draft Environmental Impact Report can therefore be described as being premature as it does not relate to the New Traffic Impact Assessment for the Dube Tradeport / King Shaka International Airport/Dube City Precinct. 	
10.			7. Coastal, Stormwater and Catchment Management Department. <ul style="list-style-type: none"> This Department has had a look at the report and has no objections. 	Noted
11.	Mrs D. Van Rensburg (Consolidates comments from various Departments within eThekweni Development Planning, Environment and Management Unit)	Fax 22/08/2011	The ETA submitted revised comments on the traffic issues as follows: <ul style="list-style-type: none"> The ETA has no objection to the Link Road subject to the geometric standards for the reserve and carriageways as well as the operational connectivity being consistent with the original TIA requirements. The external TIA needs to be evaluated, giving due consideration to the current 'as built' network supporting the development as opposed to the future network envisaged in the 2060 scenario. A new TIA by TECHSO for the Dube TradePort / KSIA city precinct is currently underway. There should be no direct connection between the Link Road and the road network that serves the airport to the south until such time as the revised and approved TIA's support alternative requirements. 	<p>Response by DTP (excerpt of response letter in Appendix D9) in response to revised comments from ETA below.</p> <p>It was at all times contemplated that the road would link to the north and hence become a ring road: This was highlighted in the Traffic Impact Assessment Report prepared by TECHSO (January 2007) as part of the original KSIA Environmental Impact Assessment (July 2007). The report contemplated at pages 75 and 76:</p> <p><i>"4. The following roads and upgrades are to be implemented by 2010:</i></p> <p><i>Internal Road Infrastructure 2010</i></p> <ol style="list-style-type: none"> <i>1. Provision of a ring road within Dube Tradeport site</i> <i>2. Free-flow access to/from the passenger terminal as for as possible</i> <i>3. Segregation of heavy goods vehicles by means of the ring road</i> <i>4. Reservation of space for future rail link. "</i> <p>The eThekweni Traffic Authority accepted this and expressed their support for the alternative access to the</p>



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				<p>TradeZone and Cargo areas from the North in the form of the ring road. This was also a means of providing for an alternative road to separate heavy traffic from airport passenger access, and an alternative road to provide access to the airport in times of emergencies or should there be a closure/restriction of traffic flow for some reason of the main access road.</p> <p>The link road is critical and will meet all the above requirements. It will also significantly contribute to the economic success of the airport, increase passenger volumes, grow cargo volumes and grow the logistics value chain.</p> <p>The concerns with regard to avoidance of the toll roads is not understood. Firstly there is no evidence to support the concern that the link road will be used by motorists to avoid the toll road, and this is speculative. However, even if this were the case (which is not conceded):</p> <ul style="list-style-type: none">(a) The road is a private road;(b) The Municipality has no authority or power to toll roads and tolls (in general) fall outside of its mandate;(c) Toll roads fall within the exclusive mandate of the national roads agency (SANRAL), but apply only in respect of national roads. The road in question is not a national road;(d) Motorists must always be provided with an alternative to a toll road.



TABLE 2: SCOPING PHASE: ISSUES AND RESPONSE REGISTER

No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
Comments received on the Background Information Document, Media Notices and Notice Boards				
5.	Mrs D. van Rensburg (Consolidates comments from various Departments within eThekweni Development Planning, Environment and Management Unit)	Letter 14/06/2010	<p>Stated that the Electricity Department has no objection, however, the following must be noted:</p> <ul style="list-style-type: none"> The applicant must consult eThekweni Electricity's mains records (held in the drawing office at eThekweni Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the development. The relocation of MV/LV electrical services, if required in order to accommodate the development, will be carried out at the expense of the applicant. 	<p>The relevant mains records have been considered in the planning and design of the proposed road.</p> <p>No overhead power lines will be affected.</p>
6.			<p>The Environmental Health Department noted that:</p> <ul style="list-style-type: none"> An Environmental Management Plan will be required to mitigate all possible impacts during the construction phase. Rivers and streams that may be found along the construction route are to be protected against pollution and details of rehabilitation in this regard must be provided. It is not sure whether the proposed link road will be aligned adjacent to or replace the existing "red brick" Herrwood Road which, with its tree-lined verges, provide a unique "sense of place." This road should, as far as possible, be preserved. Further clarity is sought in this regard. It is recorded (although not directly related to this Department) that the Watson Highway is notorious for many accidents, many of which have been fatal. Concern is raised that the proposed link road may increase the risk of motor vehicle accidents. 	<p>An EMP will be provided as part of the Draft Environmental Impact Report to be compiled in the following Assessment Phase of the S&EIR. All recommendations regarding the mitigation and protection of streams along the route will be incorporated into the EMP.</p> <p>The access road to the Herwood Estate will be maintained and will not be affected by the proposed road.</p> <p>A Traffic Impact Assessment is currently being undertaken which will assess the potential impact of the proposed road on traffic accidents. Details of the Traffic Impact Assessment will be reported on in the EIR.</p>
7.			<p>The Framework Planning Branch made the following comments:</p>	<p>A Traffic Impact Assessment is currently being undertaken which will assess the potential impacts of the</p>



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			<ul style="list-style-type: none"> The applicant needs to provide clarity as to whether the proposed route is aligned with the traffic studies being undertaken for the Northern Urban Development Corridor eastern bypass. The impact of the proposed road on the phasing of development on and off site (DTP Site) needs to be stated by the applicant and demonstrate how the mitigation measures will be employed. The provision of public transport facilities and pedestrian safety is to be addressed with eThekweni Transport Authority. 	<p>proposed road on traffic and provide recommendations for mitigation. Details of the Traffic Impact Assessment will be reported on in the EIR.</p> <p>The design of the road incorporated public transport facilities and pedestrian safety features. eThekweni Transport Authority will be consulted through the design process of these features.</p>
8.			<p>The eThekweni Water and Sanitation (EWS) Department noted the following:</p> <ul style="list-style-type: none"> A portion of Umgeni Water's trunk watermain as well as a portion of EWS's reticulation watermain and associated fittings/meters etc. is affected by the above proposal. Sunil Maharaj (Umgeni Water - Pinetown) may be contacted for further discussion regarding the trunk main. With regard to EWS's affected infrastructure, the developer is requested to liaise with this Department to discuss. All costs for the relocation of affected infrastructure will be for the Developers account. 	<p>The Umgeni Water trunk main has been identified on site and will be accommodated in the design. This will be done in consultation with EWS and Umgeni Water during the detailed design.</p>
9.			<p>The Environmental Planning and Climate Protection Department noted that</p> <ul style="list-style-type: none"> The Background Information Document has covered all impacts to be assessed. In addition, where rehabilitation is proposed as mitigation, the rehabilitation plan must be prepared and assessed as part of the Assessment Report. Assessment of sensitive areas, i.e. wetlands, vegetation etc must include the road alignment as well as a 50m buffer on either side. Ecological corridors that are likely to be affected must also be identified. 	<p>The S&EIR process includes a specialist ecological and wetland assessment. All impacts on wetlands and vegetation will be assessed and adequate mitigation measures will be provided in the EIR to follow.</p>
10.			<p>The Land Use Management Branch noted the following:</p> <ul style="list-style-type: none"> The Branch has no objection to the proposal as 	<p>The design of the road incorporated public transport facilities and pedestrian safety features. eThekweni</p>



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			<p>subject to the construction of the proposed link road being in alignment with the traffic study undertaken for the Northern Urban Development corridor; and adequate provision being made for pedestrian movements, lane and access and adequate public transport facilities being provided along the route.</p> <ul style="list-style-type: none"> The proposed link road is to be subdivided from the properties and to be registered as a road servitude with provision for road reserves to be taken into consideration. 	<p>Transport Authority will be consulted through the design process of these features.</p> <p>Appropriate planning and rezoning applications will be compiled and submitted.</p>
11.			<p>The Natural Resources Department noted it has no objection to the proposed road, subject to strict adherence to the Environmental Management Plan.</p>	<p>Noted.</p>
12.			<p>The eThekweni Transport Authority noted the following:</p> <ul style="list-style-type: none"> In terms of the KSIA/DTP development an external TIA was prepared circa 2006. The Trade Zone/ Watson Highway Link was evaluated as part of the 2060 scenario. With this link being a requirement sooner than anticipated, the external TIA needs to be reevaluated, given due consideration to the "as built" road /network supporting the development. This aspect is required as part of the specialists reports which will be prepared as part of the EIA process. 	<p>A Traffic Impact Assessment is currently being undertaken which will consider previously undertaken TIAs for the study area.</p>
13.	<p>Ms Debbie Shone Tongaat Fuel</p>	<p>Email 08/06/2010</p>	<p>Stated that Tongaat Fuel would like to register as IAP's for the Trade Zone Watson Highway EIA and requested further information. Noted that the reason for their interest is that they are owners of a service station just off Watson Highway.</p>	<p>Tongaat Fuel has been registered as an IAP on the project database.</p>
14.	<p>Mr R. B. Lindsay Department of Transport</p>	<p>Email</p>	<p>Stated that the Department is affected by this proposed development and would like to be formally registered as an IAP. Requested that all future correspondence be directed to their Manager: Engineering Services, Mr W Bennett.</p>	<p>Noted.</p>



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15.	Mr Rakish Ramloogaan eThekwini Municipality Valuations Department	Email 26/03/2010	Requested to be registered as an IAP on the project and further information.	Mr Ramloogaan was registered as an I&AP and will receive all further correspondence related to the Scoping and EIR process.
16.	Mr Paresh Lakha Tongaats Huletts Business Forum	Email 27/03/2010	Noted that he would like to register in the S&EIR process and requested additional information on the project. Advised that there is a local newspaper in Tongaat. The advert notifying the public about the proposed project appeared in the North Coast Courier with covers a large area but does not have the same circulation depth as the local paper, the Coastal Weekly. Suggested an advert should appear in their local paper, Coastal Weekly, to receive greater community participation.	Arcus GIBB has advertised the S&EIR process, availability of this Scoping Report and details of the upcoming public meeting in the Coastal Weekly on 11 November 2010.
17.	Ms Nonhlanhla Khoza Tongaats Huletts Development Town Planner	Email 24/03/2010	Requested that Tongaats Huletts Development be registered as an IAP and receive further information as it becomes available.	Tongaats Huletts Development has been registered as an IAP and will receive all related correspondence of the S&EIR process.
18.	Geoff D A Pullan Local Councillor eThekwini Town Planning Committee / DA Environmental committee.	Email 28/03/2010	Requested to be registered as an IAP. Suggested that a large traffic circle be considered at the M43 intersection. Noted that the M43 is a well used road and accidents should not be caused.	Mr Pullan was registered as an I&AP and will receive all further correspondence related to the S&EIR process. The suggestion for the use of a traffic circle has been passed on to the design engineers of the proposed road for consideration.
19.	Cllr Solly Singh	Email 24/03/2010	Requested to be registered as an IAP on the project and later requested information to be couriers via cd.	Cllr Singh was registered as an I&AP and provided with the requested information.



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
20.	Ms Carolyn Schwegman Wildlife & Environmental Society of South Africa (WESSA)	Email 21/04/2010	Thanked Arcus GIBB for the information and noted that WESSA would like to be registered as an IAP in the process. Further stated that WESSA is interested to learn more of the sustainable urban drainage system and trust that this will avoid negative impacts on all water resources. WESSA looks forward to receiving additional information.	WESSA has been registered as an IAP and will receive all related correspondence of the S&EIR process.
21.	Mr Michael Hickman Ecosystems Management	Email 23/04/2010	Requested to be registered as an IAP on the project	Mr. Hickman was registered as an IAP and will receive all further correspondence related to the S&EIR process.
Comments received on the Draft Scoping Report				
22.	Mrs D. Van Rensburg (Consolidated comments from various Departments within eThekweni Development Planning, Environment and Management Unit)	Fax 10/02/2011	The eThekweni Electricity Department noted no objection, however requested that: <ul style="list-style-type: none"> The Applicant consults with eThekweni Electricity's mains records for the presence of underground electrical services. Should any overhead lines and/or servitude be affected, specific permission from the Head: Electricity must be sought regarding the development. The relocation of MV/LV electrical services, if required, will be carried out at the expense of the applicant. 	The relevant mains records have been considered in the planning and design of the proposed road. No overhead power lines will be affected.
			The Environmental Health Department noted that the issues raised by the Environmental Health Department on the Background Information Document have been addressed in the Environmental Scoping Report. The Department has no further comments to date.	Noted.
			The eThekweni Framework Planning Branch noted no objections to the project.	Noted.
			The eThekweni Water and Sanitation Department stipulated that: <ul style="list-style-type: none"> a portion of Umgeni Water's trunk water main as well as a portion of EWS's reticulation water main 	The Umgeni Water trunk main has been identified on site and will be accommodated in the design. This will be done in consultation with EWS and Umgeni Water during the detailed design.



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			<p>and associated fittings/meters etc. is affected by the project as such the developer is requested to liaise with Sunil Maharaj (Umgeni Water Pinetown) for further discussion regarding the trunk main.</p> <ul style="list-style-type: none"> The department further requested that the developer should liaise with the department (Water and Sanitation) to discuss the EWS's affected Infrastructure. It was highlighted that all costs for the relocation of affected Infrastructure will be at the developers account. 	
			<p>The eThekweni Environmental Planning and Climate Protection Department noted the following:</p> <ul style="list-style-type: none"> The department is satisfied with the project in terms of the construction impacts. All further concerns relate to the impact on the wetlands as listed below. Stating that the wetlands were impacted due to previous land use practices is not sufficient reason to play down the importance of mitigating any possible negative Impacts. The impacted wetlands in their current cultivated land use state, can be functionally rehabilitated where as a shift to hardened structures will result in their irrepressible loss. The mitigation measures must align with those measures prescribed in the KSIA and ROD. Cumulative impacts of the King Shaka International Airport, associated Support, Trade and Agri Zones and the Proposed Ushukela Highway Business Park need to be addressed in the EIR. The carrying capacity of the broader receiving environment is a critical aspect which can result in a collapse of large functional ecosystems due to cumulative or phased development. The rehabilitation plan must be provided along with the EIR report for assessment. This report must give clear performance time lines which will assist the ECO in Auditing Compliance. 	<p>Site specific mitigation measures toward the protection and rehabilitation of wetlands will be provided in the Assessment Phase Wetland and Ecological Specialist study and the EIR to follow.</p> <p>GIBB will endeavour to align these mitigation measures with those required for the KSIA.</p> <p>Cumulative impacts associated with the current and proposed developments in and around DTP have been included in the Final Scoping Report for consideration in the assessment phase of the EIA.</p> <p>A rehabilitation plan, including clear performance timelines and quantifiable requirements will be provided as part of the EMP.</p>



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			<ul style="list-style-type: none"> The rapid loss of habitat In the Mdloti Tongaat area is not in line with the slow and often delayed associated rehabilitation and mitigation activities. The inclusion of timelines and quantifiable requirements in rehabilitation plans will assist in ensuring that mitigation of negative Impacts is timely. This department requests that the wetland delineation GIS shapefiles are provided so as to allow for ease of assessment during the EIA. 	<p>Noted.</p> <p>GIS shapefiles of the wetland delineation will be made available.</p>
			<p>The eThekwini Land Use Management Branch noted the following:</p> <ul style="list-style-type: none"> The Land Use Management Branch has no objection to the proposed development subject to: The developed being aligned to the traffic study undertaken for the Northern Urban Development corridor, which stipulates that provision must be made for pedestrian movements, lane and access. The proposed link road to be subdivided from the properties and to be registered as road servitude. Provision for road reserves should be taken into consideration. 	<p>The design of the road incorporated public transport facilities and pedestrian safety features. eThekwini Transport Authority will be consulted through the design process of these features.</p> <p>Appropriate planning and rezoning applications will be compiled and submitted.</p>
			<p>The eThekwini Geotechnical Engineering Branch advised that:</p> <ul style="list-style-type: none"> There are no known geotechnical problems along the proposed route, however there is a known landslide in similar materials few hundred metres to the north of the site which needs to be borne in mind when the detailed geotechnical centre line Investigation of the alignment is done. 	<p>Noted.</p>
			<ul style="list-style-type: none"> The eThekwini Transport Authority stated the Department has an objection to the proposed development and further stipulates the following: The TIA in support of the above development must be submitted as part of the above report. The eThekwini Traffic Authority will provide comment on the TIA. 	<p>A Traffic Impact Assessment is currently being undertaken which will assess the potential impacts of the proposed road on traffic and provide recommendations for mitigation. Details of the Traffic Impact Assessment will be reported on in the EIR.</p> <p>Comments on the TIA will be solicited from both the</p>



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			<ul style="list-style-type: none"> The EIA/Scoping Report must be forwarded to both the Strategic Transport Planning Section (STP) and the Road System Management Section (RSM) of the ETA, which will be circulated to the respective Deputy Heads of these sections. The TIA for the Ushukela Precinct should inform the road configuration and capacity ruled for the DTP Trade Zone to Watson Highway Link Road. 	<p>Strategic Transport Planning Section (STP) and the Road System Management Section (RSM) of the ETA.</p> <p>The TIA for the Ushukela Precinct will consider the traffic impacts associated with the Trade Zone to Watson Highway Link Road. As such, this study will be used in the Assessment Phase of this EIA.</p>
23.			<p>The eThekweni Coastal, Storm water and Catchment Management Department stated that:</p> <ul style="list-style-type: none"> The Department is satisfied with the proposed development and supports the preferred option for Storm Water Management. 	Noted.
24.	Mr Rob Lindsay Department of Transport (DoT)	Email 11/01/ 2011	<p>Mr Lindsay notes that his verbal comments have been addressed in the eThekweni Municipality Development Planning input dated 14 June 2010, including the eastern link between Main Road 2 and the Watson Highway as contemplated in the Northern Urban Development Corridor Study and the updating of the external TIA for the KSINDTP development.</p> <p>Further stated that the developer is taking the proposed developments adjacent to the Watson Highway Link into account.</p> <p>In addition the developer should consider that the approval for the cross access on the Watson Highway approximately 200 meters west of the N2 was a temporary approval to facilitate the importing of aggregate into the KSIA/DTP development. The desirability of retaining this cross access is questionable and if closed would have a significant impact of the capacity requirements of the Watson Highway Link Watson Highway intersection.</p> <p>Mr Lindsay suggested that it may be necessary to revisit</p>	<p>This project only consists of only one proposed access to the Watson Highway, as shown on the plans. The second access referred to by Mr Lindsay is one that is proposed as part of the proposed 'uShukela Highway Business Park' development which is undergoing a separate EIA and consultation process. The TIA for this project indicates that the single intersection has sufficient capacity to meet the needs of the development it is planned to serve.</p>



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			the extent and location of the dedicated public transport lanes during the final design stage.	
25.	<p>Ms Nonhlanhla Khoza</p> <p>Tongaat Hulett Developments (Pty) LTD</p>	Email 15/12/2010	<p>Stated that Tongaat Hulett (TH) supports the proposed development as it will provide an important, direct access to the TradePort for freight. The proposed development is a critical piece of infrastructure which will add tremendous value to the TradePort and the region. Further notes that TH supports of Alternative 1 due to its sustainability principles which would encourage the use of e.g. solar powered lighting along the road as a further example of sustainability being implemented.</p> <p>Highlighted that TH with Dube TradePort are undertaking the planning and EIA for a precinct of land adjacent to the new link road. In this regard TH has the following concerns which should be addressed:</p> <ul style="list-style-type: none"> • There should be sufficient access points onto the link road. • The existing drainage systems that the road will cross must be accommodated in the most appropriate manner. • The traffic impact of the road should be carefully considered and modelled, particularly in regard to whether the road is also utilised to access the Passenger Terminal and the potential impact of the uShukela Highway Development. • The potential Implementation of a Public Transportation system through the airport, appears to have been accommodated but it is unclear as to whether the details such as stations/stops, pedestrian movement etc have been considered in detail. 	<p>The use of solar power for lighting will be investigated, however, it will need to be assessed in terms of overall sustainability, for example solar panels and battery infrastructure will also be required.</p> <p>Access points will be provided along the road to allow for access for future planned development.</p> <p>Existing drainage lines and watercourses will be accommodated in an appropriate manner that will be directed by the outcomes of the specialist studies.</p> <p>The TIA will take the comments on traffic into account.</p> <p>The exact nature of the public transport system has not been defined yet and is a separate larger study. Sufficient space for any likely public transport solution has however been allowed for. Additionally for the initial build, bus laybys and pedestrian facilities are being provided.</p>
26.	Ms Carolyn Schwegman WESSA	Email 01/12/2010	Supported the road design, based on a sustainable urban drainage system i.e. non-pipe drainage system which controls storm water by encouraging infiltration at source.	



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			<p>Ms Schwegman further noted that it is the cumulative impacts on the hydrology of the area contributed to by historical land uses, construction of the Dube Trade Port and future development in the area which interests WESSA. They look forward to the reports on the studies and mitigation which will ensure wetland habitat - area and functionality - is not further reduced.</p>	<p>Cumulative impacts associated with the current and proposed developments in and around DTP have been included in the Final Scoping Report for consideration in the assessment phase of the EIA.</p>
27.	Mr Jeeva Pillay	Email 01/12/2010	<p>Stated the following concerns:</p> <ul style="list-style-type: none"> • The proposed dual lane roadway from DTP/KSIA into a single lane road- the Watson/Ushukela highway. • Watson Highway during peak times does get clogged. • Could the developer not build: <ul style="list-style-type: none"> – A separate service road parallel to the south side of the Watson Highway with only a link at the N2 ramp-on/off point? or – Convert the existing section of the Watson Highway into a dual lane one-way and build the opposite two lanes on the other side of the trees lining the south side of the existing roadway? The scenic route must be maintained at all costs. • Questioned whether there will be a link from the proposed new highway to Hospital Hill Road via the Klipfontein area, as he believes that this will result in a better long term solution avoiding an impending traffic problem for the residents of Tongaat and the beach area. <p>Mr Singh supports the design of the proposed dual lane roadway which includes, bicycle and pedestrian pavements.</p>	<p>A separate dedicated road is unlikely to be accepted as it goes against traffic design principles e.g. it restricts choice of destinations (accessibility). Further, the proposed route would not be on the applicants land or in a road reserve.</p> <p>The project, however, does recognise the visual amenity of the Watson Highway and is sensitive to the character of the road. Additionally the need to increase the capacity of the Watson Highway in future is recognised. For this reason the planned intersection is taking into account the avenue of trees and is designed to align with a future dual carriageway that minimises the impact on the trees.</p> <p>Regarding other road links, this project is looking specifically at a link from Watson Highway to the DTP Trade Zone. eThekweni Transport Authority may be consulted about other planned roads in the area.</p>
28.	Mr Rob Reardon Adjacent property owner	Email 18/11/2010	<p>Mr Reardon noted that he looks forward completion of the proposed development and believes that it is start of an exciting development for the area unlocking great opportunity for future growth.</p>	<p>Noted.</p>



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29.	Krish Govender	Verbal comment at Public Meeting 01/12/2010	Raised concern that Herrwood Estate will be traversed and impacted by the proposed link road.	The proposed link road has been aligned a reasonable distance away from the Herrwood Estate with the only anticipated impacts on the Herrwood residents being construction related impacts and the positive impact of improved access to the King Shaka International Airport and the Watson Highway.
30.	Mr Paresh Lakha Tonga Business Forum	Verbal comment at Public Meeting 01/12/2010	<p>Raised concern that the Tongaat Hulets Development (uShukela Highway Development) which is planned for the area is impacting on his property, as part of his property have been earmarked for development on the maps for the uShukela Highway Development reports, without anyone consulting him.</p> <p>Noted that the proposed Trade Zone to Watson Highway Link Road will have a positive impact and is thus welcomed. However, the proposed uShukela Development is concerning and the proposed link road can be considered as a key road in the transport network of the uShukela Development.</p>	The uShukela Highway Development Environmental Impact Assessment is being run by separate consultants and GIBB is therefore unable to comment on that project, However, it is acknowledged that there is potential for cumulative impacts to transpire from the various developments in the area and this will be considered in the Assessment Phase of the EIA.
31.	Mr Paresh Lakha Tonga Business Forum	Verbal comment at Public Meeting 01/12/2010	Noted that people going to the airport would no longer need to pass through Tongaat, which could have a negative impact on the socio-economic aspects of Tongaat. Added that by the way development is proposed, Tongaat would be isolated from development and future expansion of the area.	This is a valid concern and isolation of Tongaat would not be favourable. However, this is a matter that can only be fully addressed by the eThekweni Municipality and can unfortunately not be resolved through the Link road EIA.
32.	Mr Paresh Lakha Tonga Business Forum	Verbal comment at Public Meeting 01/12/2010	<p>Complained that separate studies were being done for uShukela Development, Dube Trade Port, Watson Highway, Yoniga Development etc. and requested that the cumulative impacts of the developments be seriously considered in the study.</p> <p>Noted that as a result of uncoordinated planning, he does not want to see a similar situation for Tongaat as has happened in Isipingo where the town has become isolated from main thoroughfares (with increased crime as a result of isolation). Stated that he wants to see synergy between the various developments planned in</p>	The reason why the developments appear to be done in a piecemeal manner is due to them being commissioned by different entities. It would however, be useful and make logical sense to look at the cumulative impacts of relevant projects in the area to enable synergy and sustainability. This is however, dependent on the information available through each study. If the information does not exist or is not available, the developer cannot be held responsible for not considering the "larger picture".



No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			the area and Tongaat and the eThekweni Municipality.	
33.	Mr Paresh Lakha Tongaats Business Forum	Verbal comment at Public Meeting	Queried how danger could be removed from the s-bend on route to the proposed link road.	The danger will be removed by strictly applying road design standards that take into account speed, curvature, signage and road markings and forward visibility.
34.		Verbal comment at Public Meeting 01/12/2010	Noted that the realignment of the R102 will have bearing on the proposed link road.	Noted.
35.		Verbal comment at Public Meeting 01/12/2010	Stated that he would like to see how Tongaat will benefit and how traffic congestion will decrease there. Added that cumulative impacts must be considered.	See Responses 27 and 28 above.
36.	Mr A R Ganie King Shaka Weekly Exquisite Group	Verbal comment at Public Meeting 01/12/2010	Reiterated Mr Lakhas' comment regarding Tongaat being left out of development. Noted that the Watson Highway will be improved for better access to the King Shaka International Airport from the N2 and raised concern that the portion of Watson Highway leading from the proposed link road to Tongaat will not be improved, which will further serve to reduce attractiveness of Tongaat and isolate the town at the same time.	eThekweni Municipality is responsible for Master Planning within the Urban Development Corridor. This issue is thus outside of the scope of the project.
37.	Mr A R Ganie King Shaka Weekly Exquisite Group	Verbal comment at Public Meeting 01/12/2010	Stated that the Provincial Department of Transport must be involved with the upgrading of Watson Highway to accommodate for the expected traffic increase to the airport from Watson Highway. Raised concern that to avoid the toll, trucks may take a detour through Tongaat, which would result in the deterioration of roads in Tongaat.	The provincial Department of Transport is being consulted as part of the design process. A Traffic Impact Assessment is being undertaken to determine what measures need to be taken.