
PROPOSED EXTENSION OF THE WOODBURN SHOPPING CENTRE, PIETERMARITZBURG, KWAZULU- NATAL



BACKGROUND INFORMATION DOCUMENT

EDTEA Ref: Pending

1. PURPOSE OF THIS DOCUMENT

This Background Information Document (BID) serves as notice in terms of Section 28 of the Environmental Impact Assessment (EIA) Regulations 2014 (as amended) in terms of Section 24(5) of the National Environmental Management Act (Act 107 of 1998), and Section 21 of the National Water Act (Act No. 36 of 1998) as amended, of the proposed extension of the Woodburn Shopping Centre located on Erf 10278, 15 Woodhouse Road in Pietermaritzburg, KwaZulu-Natal.

This document provides a brief description of the proposed project as well as the environmental regulatory compliance process that will be followed.

2. INTRODUCTION & PROJECT BACKGROUND

Shanbar Property Development cc obtained Environmental Authorisation for the development of the existing Woodburn Shopping Centre on the 26th of February 2015, with an amendment to the Environmental Authorisation subsequently granted on the 26th of January 2016. The shopping centre was developed to provide various grocery stores, eateries, and clothing stores to the greater Scottsville area.

Green Choice Consulting have been appointed by Shanbar Property Development cc on behalf of the KwaZulu-Natal Rugby Union (the Applicant) to undertake the environmental regulatory compliance process associated with the proposed extension of the Woodburn Shopping Centre, located in the Scottsville area of Pietermaritzburg, KwaZulu-Natal. The site is located on Erf 10278 of Pietermaritzburg, 15 Woodhouse Road in the Scottsville area of Pietermaritzburg, within the Msunduzi Municipality of KwaZulu-Natal. The site's central co-ordinates are 29° 36' 40.95" S 30° 23' 28.14" E. A locality map is attached as Appendix A.



The proposed project will entail:

- The extension of the existing Woodburn Shopping Centre to include additional retail stores and parking bays. The building will comprise two levels as per the existing shopping centre, with underground parking facilities and an upper level retail floor.
- An extension of the existing outdoor parking lot to accommodate an additional 375 parking bays.
- The demolishing of an existing seating stand, office and recreational building currently owned by the KwaZulu-Natal Natal Rugby Union.

The proposed site layout plan is attached as Appendix B.

3. ENVIRONMENTAL LEGAL FRAMEWORK

3.1 National Environmental Management Act (Act 107 of 1998)

In accordance with the National Environmental Management Act (Act 107 of 1998) and the EIA Regulations 2014 (as amended), a Part 1 and Part 2 Amendment process will be followed for the proposed extension of the Woodburn Shopping Centre. The Part 1 Amendment application will address the change in the property name from Portion 5 of Erf 4346 as was originally authorised, to the current property description of Erf 10278 of Pietermaritzburg. Additionally, the Part 1 amendment will address the need to transfer the holder of current environmental authorisation to the KwaZulu-Natal Rugby Union. The Part 2 Amendment application will address the change to the current layout of the Woodburn Shopping Centre being the extension activity. Please note that the extension of the Woodburn Shopping Centre does not trigger any listed activities in terms of the EIA Regulations 2014 (as amended).

Part 1 Amendment

According to Regulation 29 of the EIA Regulations 2014 (as amended):

"An environmental authorisation may be amended by following the process prescribed in this Part if the amendment –

- (a) Will not change the scope of a valid environmental authorisation, nor increase the level or nature of the impact, which impact was initially assessed and considered when application was made for an environmental authorisation; or*
- (b) Relates to the change of ownership or transfer of rights and obligations".*

Part 2 Amendment

According to Regulation 31 of the EIA Regulations (as amended):

"An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental



authorisation where such change will result in an increased level or change in the nature of impact where such level or change in nature of impact was not –

- (a) Assessed and included in the initial application for environmental authorisation;*
or
- (b) Taken into consideration in the initial environmental authorisation;*

And the change does not, on its own, constitute a listed or specified activity”.

3.2 National Water Act (Act 36 of 1998)

Section 21 of the National Water Act (Act 36 of 1998, NWA) requires any activity occurring within a watercourse, within the 1:100 year flood line of any watercourse and/or within 500m of the boundary of any wetland is required to be registered and licenced. Although a Water Use Licence was not required for the development of the existing Woodburn Shopping Centre, discussions with the Department of Water and Sanitation are currently underway to determine the need for any authorisations required in terms of the NWA, specifically for the following water uses:

- Section 21(c): Impeding or diverting the flow of water in a watercourse.
- Section 21(i): Altering the beds, banks, course of characteristics of a watercourse.
- Section 21(f): Discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit.

The Foxhillspruit Canal runs directly along the western boundary of the site, which flows into the Msunduzi River.

4. APPROACH TO THE PART 1 & 2 AMENDMENT APPLICATION PROCESS

The Part 2 Amendment Report is currently in the planning phase. This phase serves primarily to inform the public, stakeholders and the relevant authorities about the proposed project and to determine any impacts associated with the project. These impacts will be extensively addressed during the impact evaluation within the Amendment Report. A Draft Amendment Report (DAR) will be compiled which will detail the following:-

- An assessment of all impacts related to the proposed change;
- Advantages and disadvantages associated with the proposed change; and
- Measures to ensure avoidance, management and mitigation of impacts associated with such proposed change;
- Results of specialist studies undertaken;
- Details of the public participation process; and
- Any changes to the EMPr;

The Draft Report will be circulated to all registered I & APs for a 30-day comment period. Only once all issues raised from I & APs following review of the Draft AR have been



incorporated into the report, will the formal Application for Amendment be submitted to the EDTEA. This is to reduce the risk of any delays that may be experienced during the Draft AR review period. The Final Amendment Report which has incorporated all I & AP input will be submitted to the EDTEA for review. The EDTEA have 107 days in which to review the Amendment Report and provide a decision on the application. All registered I & APs will be notified in writing of the Department’s decision, and given an opportunity to appeal against the decision should they wish to do so.

An illustration of the Amendment Application process is provided in Figure 1.

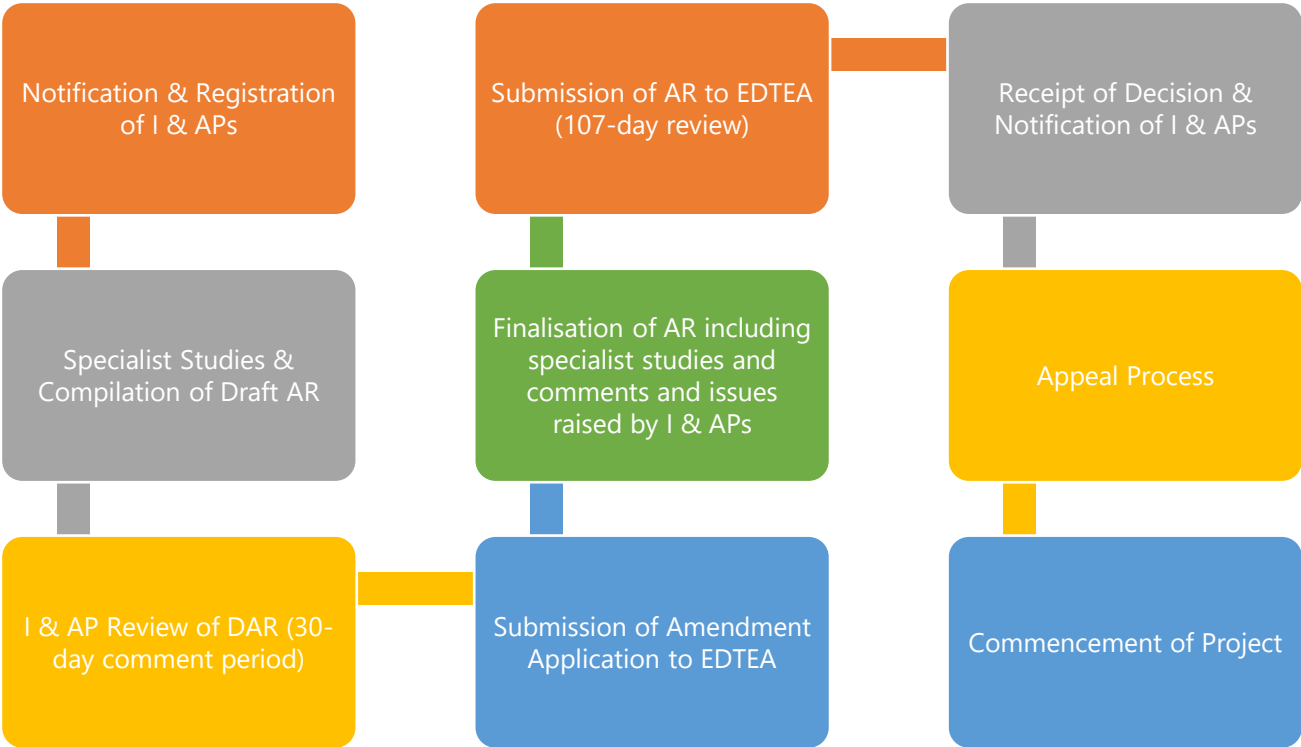


Figure 1: Amendment Application Process

5. APPROACH TO THE WATER USE LICENSE APPLICATION PROCESS

The water use license application is currently in the beginning phases to confirm the licenses applicable for the proposed development. This phase, similar to the amendment application phase, serves to inform the public, stakeholders and relevant authorities about proposed project and the proposed water uses.

The water use license application along with the water use license application report and corresponding information will be circulated to I & APs for a 60-day commenting period. Once comments have been received, addressed, and incorporated into the application, the final application will be submitted to the Department of Water and Sanitation. The Department of Water and Sanitation have 90 days to evaluate and provide a decision on the water uses as applied. All I & APs will be notified in writing of the Department’s decision and given an opportunity to appeal the decision should they wish to do so.



6. POTENTIAL ENVIRONMENTAL IMPACTS & BENEFITS

The following impacts are anticipated to arise as a result of the proposed project:

- Dust generation
- Soil erosion & increased stormwater runoff
- Waste generation
- Disturbance of surface geology
- Visual impacts
- Noise impacts
- Traffic impacts
- Job creation

At this stage, the following specialist studies are deemed necessary to be undertaken for the proposed shopping centre extension project:

- ❖ Floodline Risk Assessment
- ❖ Stormwater Management Plan
- ❖ Traffic Impact Assessment
- ❖ Geotechnical Study

7. HOW CAN YOU BE INVOLVED?

The aim of the public participation process (PPP) is to provide all interested and affected parties (I & APs) with an opportunity to provide their input into the Amendment application process. If you consider yourself to be an I & AP, it is important that you do the following:

1. Register as an I & AP by responding to this notification by submitting your name, contact details, and interest in the project to the Environmental Assessment Practitioner (details are provided below). As a registered I & AP, you will be informed of report reviews and project developments throughout the Amendment application process.
2. Submit to the Environmental Assessment Practitioner any comments, queries or concerns you may have in relation to the proposed project.
3. Review reports and provide written comment within the regulated 30-day comment period.

Please note that the collection and storage of personal information by Green Choice Consulting is subject to the Protection of Personal Information Act (Act 4 of 2013). By providing Green Choice Consulting with your personal details, you acknowledge and permit Green Choice Consulting to use your details for the purpose as intended in terms of the EIA Regulations 2014 (as amended). Should you wish to retract your registration, please inform Green Choice Consulting timeously.



To register as an I & AP, please submit your contact details to:



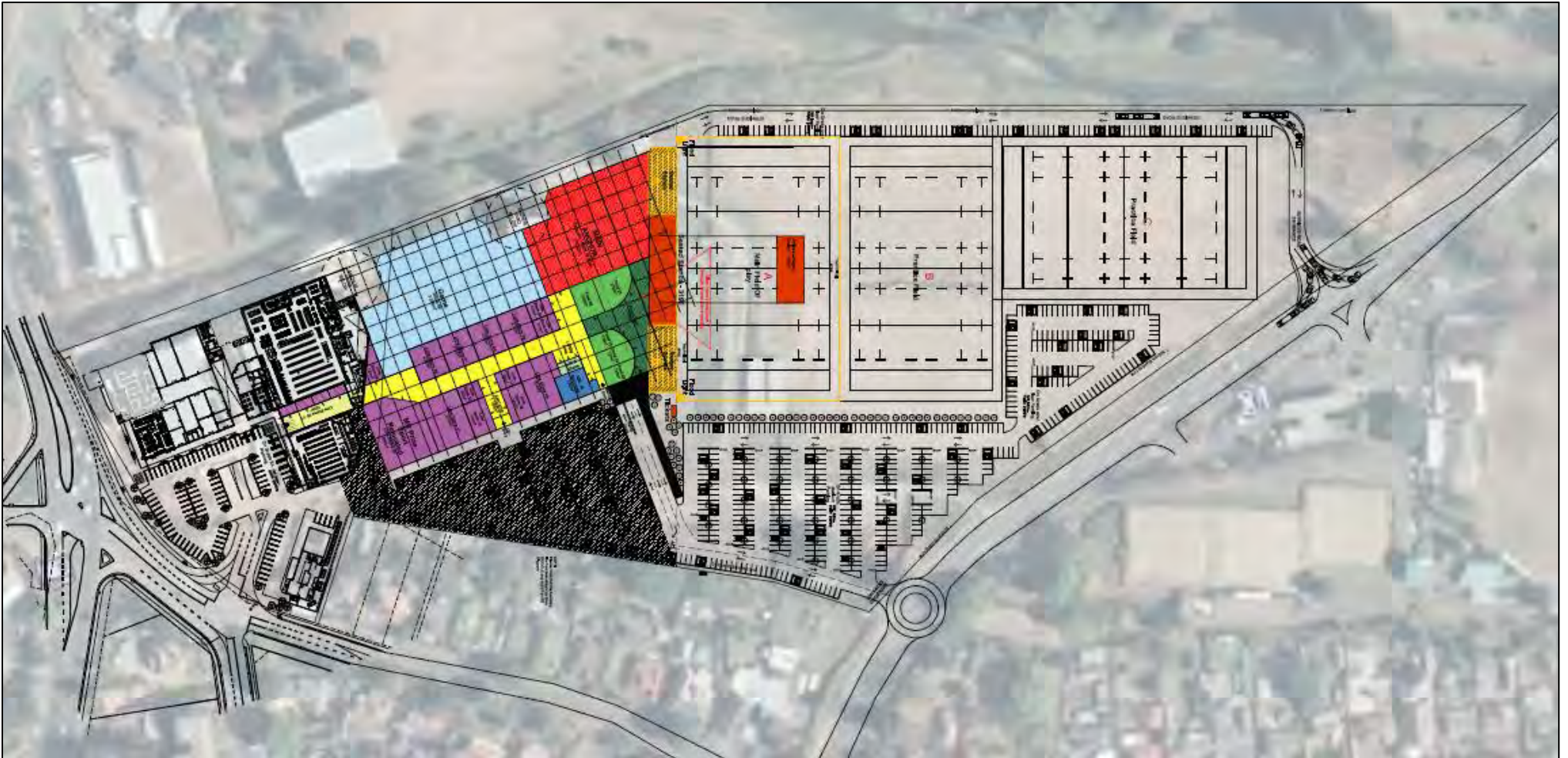
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APPENDIX A: LOCALITY MAP



APPENDIX B: PROPOSED SITE LAYOUT





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