



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA  
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

Reference: 12/12/20/987

Enquiries: Ms P Mashego

Telephone: (012) 310 3249 Fax: (012) 320 7539 E-mail: [PMashego@deat.gov.za](mailto:PMashego@deat.gov.za)

Ms G Buthelezi  
Eskom Holdings Limited  
25 Valley View Road  
**NEW GERMANY**  
3620

Fax: (031) 710 5146

Dear Ms Buthelezi

**ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF TWO 132KV POWER LINES BETWEEN EROS 400/132KV SUBSTATION, HARDING AND PORT EDWARD SUBSTATION AND THE ESTABLISHMENT OF THE NEW 132KV SUBSTATION AT ZWELETHU: KWAZULU NATAL AND EASTERN CAPE PROVINCES**

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation for this project. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2006, you are instructed to notify all registered interested and affected parties, in writing and within ten (10) calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the lodging of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulate the appeals procedure. Attached please find a simplified table of the appeals procedure to be followed. Kindly include a copy of this procedure with the letter of notification to interested and affected parties.

A copy of the official appeal form can be obtained from:

Mr PKM Retief, Appeals Administrator, Tel: 012 310 3705, [pretief@deat.gov.za](mailto:pretief@deat.gov.za) ; or

Mr H Grové, Appeals Administrator, Tel: 012 320 3070, [hgrove@deat.gov.za](mailto:hgrove@deat.gov.za), at the Department.

Any party wishing to appeal any aspect of the decision must, *inter alia*, lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of the decision, by means of one of the following methods:

By facsimile: (012) 320 7561  
By post: Private Bag X447, Pretoria, 0001; or  
By hand: 2<sup>nd</sup> Floor, Fedsure Form Building, North Tower, cor. Van der Walt and Pretorius  
Streets, Pretoria.

Should the applicant decide to appeal, the applicant must serve a copy of its notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Please include the Department in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

The authorised activities may not commence within thirty (30) days of the date of signature of the authorisation. Please further note that the minister may, on receipt of appeals against the authorisations or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours faithfully



**Ms. Lize McCourt**  
**Chief Director: Environmental Impact Management**  
**Department of Environmental Affairs**

Date: 13 August 2007

CC: Dr R Kinvig  
Mr PKM Retief

SIVEST (Pty) Ltd  
DEAT

Fax: (033) 347 5762

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF R. 385 OF 2006 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION**

<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
1. Receive notice of Environmental Authorisation from the relevant Competent Authority	1. Receive notice of Environmental Authorisation from Applicant/Consultant
2. Within 10 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal	2. Within 10 days of receipt of notification, notify the relevant Competent Authority of intention to appeal
3. Notification served by the Applicant must include: 3.1. A copy of the notice of intention to appeal; and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by all IAPs	3. Appellant must serve on the Applicant 3.1. A copy of the notice of intention to appeal 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by the applicant
4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal	4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal
5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date that the appeal submission was made available for inspection by the appellant	5. An Applicant that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of State within 30 days from the date the appeal submission was made available for inspection by the appellant

**NOTES:**

**1. An appeal against a decision must be lodged with:-**

- a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b) the MEC if the decision was issued by the Head of Department (or another official) acting in his/ her capacity as the delegated Competent Authority;
- c) the delegated organ of state where relevant.

**2. An appeal lodged with:-**

- a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
- b) the MEC must be submitted to the provincial department responsible for environmental affairs;
- c) the delegated organ of state, where relevant, must be submitted to the delegated organ of state.

**3. An appeal must be:-**

- a) on an official form obtainable or published by the relevant department;
- b) accompanied by:
  - a statement setting out the grounds of appeal;
  - supporting documentation which is referred to in the appeal and is not available to the relevant Competent Authority;
  - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62;
  - the prescribed appeal fee, if any.

**4. A copy of the official appeal form can be obtained from:**

See authorisation cover letter.



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA


### Environmental Authorisation

**Authorisation register number:** 12/12/20/987

**Last amended:**

**Holder of authorisation:** Eskom Holdings (Pty) Ltd

**Location of activity:** Eros (Harding), Port Edward and Zwelethu,  
KwaZulu Natal and Eastern Cape Provinces

 13/8/09

## Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises –

Eskom Holdings Limited

with the following contact details –

Ms G Buthelezi  
Eskom Holdings Limited  
25 Valley View Road  
**NEW GERMANY**  
3620

Tel: (031) 7105262  
Fax: (031) 710 5146

to undertake the following activities-

GN.R386:

- (12) *"The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)."*
- (14) *"The construction of masts of any material or type and of any height, including those used for telecommunication broadcasting and radio transmission, but excluding -*  
*(a) masts of 15 metres and lower exclusively used*

*[Signature]*  
13/8/09

- (i) by radio amateurs; or
- (ii) for lighting purposes
- (b) flag poles; and
- (c) lightning conductor poles."

- (15) "The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long".

GN.R387:

- (1): "The construction of facilities or infrastructure, including associated structures or infrastructure, for –
- (c): The construction of facilities or infrastructure, including associated structures or infrastructure, for the above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of 1 000 cubic metres or more at any one location or site including the storage of one or more dangerous goods, in a tank farm;
  - (l) the transmission and distribution of above ground electricity with a capacity of 120 kilovolts or more."

for the proposed construction of two 132kV power lines between Eros 400/132kV substation and Port Edward substation and the establishment of the new 132kV substation at Zwelethu as described in the Environmental Impact Report (EIR) dated February 2009 page 1

at Eros (Harding), Port Edward and Zwelethu which fall within the jurisdiction of the various Municipalities indicated in the EIR dated February 2009, of the KwaZulu Natal and Eastern Cape Provinces, hereafter referred to as "the property".

The granting of this environmental authorisation is subject to the conditions set out below.

## Conditions

### Scope of authorisation

- 1.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
- 1.2 The holder of the authorisation must be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an

agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.

- 1.3 The activity authorised may only be carried out at the property indicated above and as shown in the Locality Map on Appendix 1 of the Environmental Impact Report dated February 2009 and submitted to the Department on 18 February 2009.
- 1.4 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 1.5 This activities must commence within a period of five (5) years from the date of issue. If commencement of the activities does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activities to be undertaken.
- 1.6 The authorised routes are as follows:
- a) Thirteen route options were identified in order for the power line to access Port Edward and Alternative K and M were selected as the preferred alternatives:
- **Route Alternative K (Preferred Alternative):** This Option will only be applicable to the KwaZulu Natal Province routed power line, where the ingress to the Port Edward Substation will be along the existing 88kV servitude, which enters the Port Edward Substation from the north west.
  - **Route Alternative M (Preferred Alternative):** The power line will arrive at the predetermined point (as for Option A through J) on the Eastern Cape side of the Mtavuna River. The power line will continue to run underground on the KwaZulu Natal side of the Mtavuna River along the 22KV power line way leave area until it reaches the Port Edward Substation, where it will exit the ground into another structure designed to facilitate the cables access and subsequent delivery of electricity into the transformer.
- b) Corridor Options from Eros Substation to Port Edward Substation:
- **Alternative C (Preferred Alternative):** This route selection was proposed to align in KwaZulu Natal. This corridor was proposed to run along the boundary between the commercial farmers and tribal authority land for the majority of its length with the exception of the egress from Eros Substation, a small section around the paddock area, where the proposed alignment will follow the N2 and small district road running towards Elim Mission and the ingress into Port Edward Substation. The ingress to the Port Edward substation will be along the existing 88kV servitude that runs from Marina Beach substation to Port Edward substation.
- c) Three alternative locations for the substation were identified and Alternative 3 was selected as the preferred alternative:

13/8/09

- **Alternative 3 (Preferred Alternative):** Option 3 was selected as the preferred Option for the substation development.

### Appeal of authorisation

- 1.6 The holder of the authorisation must notify every registered interested and affected party, in writing and within ten (10) calendar days, of receiving notice of the Department's decision to authorise the activities.
- 1.7 The notification referred to in 1.6 must –
- 1.7.1 specify the date on which the authorisation was issued;
  - 1.7.2 inform the interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations; and
  - 1.7.3 advise the interested and affected parties that a copy of the authorisation and reasons for the decision will be furnished on request.

### Management of the activity

- 1.8 A detailed, site specific construction and operational EMP must be compiled, and resubmitted to the Department for approval before the construction process commence, which must include measures specifically for *inter alia*:
- 1.8.1 Implementation of site specific erosion and sediment control measures during construction and maintenance and operational phases for the project.
  - 1.8.2 Rehabilitation of all areas disturbed during the construction phase of the project. Only indigenous plants may be utilised for rehabilitation purposes.
  - 1.8.3 Management and rehabilitation of access roads to individual construction areas that will not become permanent roads upon completion of construction.
  - 1.8.4 A site specific plan for the installation and maintenance of mitigation measures to reduce and prevent avifaunal interaction with the new power lines.
  - 1.8.5 A site specific plan for the protection of indigenous vegetation where construction activities will take place.
  - 1.8.6 Provisions for plant search and rescue of protected and endangered species which should be done before commencement of any construction related activity.
- 1.9 The EMP must be included in all contract documentation for the construction phase of the development.
- 1.10 The recommendations and mitigation measures recorded in the EIR dated February 2008 must be adhered to and incorporated as part of the EMP where applicable.
- 1.11 The provisions of the EMP are extension of the conditions of the EA and therefore non-compliance with the EMP would constitute non-compliance with the EIA.

13/15/09



- 1.12 All correspondence with regard to this application must be forwarded for attention to The Director: Environmental Impact Evaluation within the department.

### Monitoring

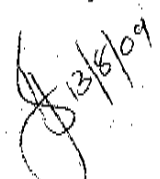
- 1.13 The applicant must appoint an internal Environmental Control Officer (ECO) that will have the responsibility of implementing the approved EMP.
- The ECO must be appointed before the start of the construction and the authorities must be notified of such an appointment for communication purposes.
  - The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is handed over to Eskom Holdings Limited by the contractor for operation.

### Recording and reporting to the Department

- 1.14 The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report must –
- Indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the EMP.
  - This report must include:
    - Details of the rehabilitation measures which must be complied with by an ECO.
    - Details of all incidents and mitigation measures implemented to address such incidents.
    - All measures which require follow-up.

### Commencement

- 1.15 The construction of the authorised activities may not commence within thirty (30) days of date of signature of this authorisation.
- 1.16 Should you be notified by the minister of a suspension of the authorisation pending any appeals decision on the authorised activities, you may not commence with the activities unless authorised by the minister in writing.
- 1.17 Thirty (30) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.



## Site closure and decommissioning

- 1.18 Should the use of the facility ever cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

## Specific conditions

- 1.19 No temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the NEMA Regulations, Government Notice 386 and 387 of 2006.
- 1.20 Changes in the proposal resulting in significant environmental impacts are only permissible if approved in writing by the Department.
- 1.21 An integrated waste management approach that is based on waste minimisation must be used and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at waste disposal facility permitted in terms of Section 20(b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008).
- 1.22 Chemical ablution facilities must be available for the use of construction staff at all times during the construction period. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste site.
- 1.23 The applicant must train safety representatives, managers and workers in workplace safety. All applicable safety standards and regulations, including for subcontractors must be enforced.
- 1.24 This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- 1.24.1 Relevant legislation that must be complied with by the holder of this authorisation includes but is not limited to:
- Compliance with the requirements of Section 38(1), (3) and (7) of the National Heritage Resources Act, Act 25 of 1999, including the comments and recommendations of the relevant heritage resources authority responsible for the area in which the development is proposed. Should any heritage resources be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped. A registered heritage specialist must be called to the site for inspection. Under no circumstances shall any heritage material be destroyed or removed from the site. The relevant heritage resource agency must be informed about the finding.

13/8/09

- Occupational Health and Safety Act, 1993 (Act 85 of 1993).
  - National Environment Management: Biodiversity Act, 2004 (Act 10 of 2004).
  - National Water Act, 1998 (Act 36 of 1998).
- 1.26 Vegetation rehabilitation must be undertaken on all areas disturbed by the construction activities after the completion of construction.
- 1.27 Drainage and storm water management on the site must be carefully planned and properly implemented to ensure sound protection of the sub-station site against the effects of erosion and potential flooding during construction and unpredictable storm events.
- 1.28 The substation perimeter fence at Port Edward must be electrified.
- 1.29 All conditions indicated in the letter dated 26 November 2007 from the Department of Water Affairs and Forestry in the EIR dated February 2009 must be adhered to.
- 1.30 The recommendations outlined in the Avi-Faunal study (dated 31 July 2008) must adhered to.
- 1.31 Erosion must be contained and prevented on an ongoing basis.
- 1.32 Environmental incidents such as bird kills, animals killed during construction, etc. must be monitored and recorded.
- 1.33 The cutting of vegetation on the banks of water courses is not allowed except in exceptional cases where the ECO is consulted and permission granted.
- 1.34 The spans between the towers must be increased to the maximum in order to limit the impact on sensitive areas, whilst meeting technical and safety requirements.
- 1.35 Sections of the power line that traverse known flight paths of large birds or traverse important avifauna habitat, cross or are aligned adjacent to dams or open water courses and drainage lines, must be marked with bird flappers according to Eskom standard. This must be informed by a competent bird specialist.
- 1.36 Stringing operations must be done without the removal of indigenous vegetation between the pylons. The servitude area of the power line corridor should act as a wildlife corridor and must be managed for conservation.
- 1.37 No structures older than 60 years or parts thereof are allowed to be demolished, altered or extended without a permit from Amafa.
- 1.38 No activities are allowed within 50m of a site which contains rock art.
- 1.39 Amafa must be contacted if any graves are identified during construction and the following procedure is to be followed: stop construction, report finding to local police station, report to Amafa to investigate, apply to Amafa for a permit to remove the grave and obtain permission from the community to remove the grave.

### General

- 1.40 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the

13/6/09

- Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 1.41 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details; the applicant must notify the Department as soon as the applicant knows the new details.
- 1.42 The holder of the authorisation must notify the Department, in writing and within 24 (twenty four) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 1.43 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 13 August 2009



**Ms Lize McCourt**

**Chief Director: Environmental impact Management**

**Department of Environmental Affairs**

## Annexure 1: Reasons for Decision

### 1. Background


The applicant, Eskom Holdings Limited, applied for authorisation to carry out the following activities –

GN.R386:

- (12) *"The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)."*
- (14) *"The construction of masts of any material or type and of any height, including those used for telecommunication broadcasting and radio transmission, but excluding -*
- (a) masts of 15 metres and lower exclusively used*
  - (i) by radio amateurs; or*
  - (ii) for lighting purposes*
  - (b) flag poles; and*
  - (c) lightning conductor poles."*
- (15) *"The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long".*

GN.R387:

- (1): *"The construction of facilities or infrastructure, including associated structures or infrastructure, for –*
- (c): The construction of facilities or infrastructure, including associated structures or infrastructure, for the above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of 1 000 cubic metres or more at any one location or site including the storage of one or more dangerous goods, in a tank farm;*
  - (l) the transmission and distribution of above ground electricity with a capacity of 120 kilovolts or more."*

 13/8/09

for the proposed construction of two 132kV power lines between Eros 400/132kV substation and Port Edward substation and the establishment of the new 132kV substation at Zwelethu as described in the EIR dated February 2009.

The applicant appointed SiVEST SA (Pty) Ltd to undertake a Scoping/ EIR process and to compile an EIR as required by regulation R. 385.

## 2. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- a) The information contained in the EIR dated February 2009.
- b) The specialist studies undertaken.
- c) The comments received from various interested and affected parties (I&APs) as included in the EIR dated February 2009.
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

## 3. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues, which in the Department's view, were of significance are set out below:

- a) The proposed construction of two 132kV power lines need to be provided to supply Port Edward Substation from the Eros Substation situated in the uMuziwabantu Municipality (Harding). The substation at Port Edward will need to be upgraded in order to allow for an additional two new transformers, which will step the current down from 132kV to 88kV.
- b) The addition of a 50 meter high communications tower situated within the substation boundary, in order for communication purposes between the various substations.
- c) The development of a distribution substation referred to as Zwelethu Substation and associated turn-in power lines, to provide a feeder for reticulation into areas that currently do not have access to electricity.
- d) Thirteen route options were identified in order for the power line to access Port Edward and Alternative K and M were selected as the preferred alternatives:
  - **Route Alternative K (Preferred Alternative):** This Option will only be applicable to the KwaZulu Natal Province routed power line, where the ingress to the Port Edward Substation will be along the existing 88kV servitude, which enters the Port Edward Substation from the north west.
  - **Route Alternative M (Preferred Alternative):** The power line will arrive at the predetermined point (as for Option A through J) on the Eastern Cape side

of the Mtavuna River. The power line will continue to run underground on the KwaZulu Natal side of the Mtavuna River along the 22KV power line way leave area until it reaches the Port Edward Substation, where it will exit the ground into another structure designed to facilitate the cables access and subsequent delivery of electricity into the transformer.

Corridor Options from Eros Substation to Port Edward Substation:

- **Alternative C (Preferred Alternative):** This route selection was proposed to align in KwaZulu Natal. This corridor was proposed to run along the boundary between the commercial farmers and tribal authority land for the majority of its length with the exception of the egress from Eros Substation, a small section around the paddock area, where the proposed alignment will follow the N2 and small district road running towards Elim Mission and the ingress into Port Edward Substation. The ingress to the Port Edward substation will be along the existing 88kV servitude that runs from Marina Beach substation to Port Edward substation.


Three alternative locations for the substation were identified and Alternative 3 was selected as the preferred alternative:

- **Alternative 3 (Preferred Alternative):** Option 3 was selected as the preferred Option for the substation development.
- e) A sufficient public participation process was undertaken and the consultant has satisfied the minimum requirements as prescribed in the EIA regulations, 2006 for public involvement.
- (f) As part of the EIA process, SIVEST SA (Pty) Ltd being the principal consultancy identified potential environmental impacts associated with the proposed construction works and proposed feasible mitigation measures to mitigate the identified impacts.

#### 4. Findings


After consideration of the information and factors listed above, the Department made the following findings -

- The EIR includes the identification and assessment of impacts.
- The information contained in the EIR was relevant and credible for decision making.
- The applicant has satisfied the minimum requirements as prescribed in the EIA regulations of 21 April 2006.
- All legal and procedural requirements have been met.
- There has been sufficient consultation with I&AP's.
- Comments were received from the local authority.
- The proposed development is compatible with the proposed site for the development.

 13/8/09

- The procedure followed for the impact assessment seems to be adequate for the decision-making process based on the size of the project and affected area. The assessing officer is of the opinion that the assessment is adequate and comprehensive enough and that possible impacts have been assessed correctly.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The authorisation for the activity is accordingly granted.

 13/8/09