Joe Gqabi Regional Office
P/Bag x 1016, Aliwal North, 9750

Reference: Reference Number: EC 142/JG/LN1/M/19/01
Enquiries: Mr Athenkosi Ntshinka

Attention: Yanga Mshweshwe
Eastern Cape Department of Transport
Private Bag
X0023
King Williams Town
5601

PER FACSIMILE

Dear Sir

ENVIRONMENTAL AUTHORISATION ISSUED IN TERMS OF LISTING NOTICES 1 327; 2017; ACTIVITY 12 (ii), ACTIVITY 19 (i), ACTIVITY 24(ii), ACTIVITY 48 (i) (a)(c) AND ACTIVITY 56 AND GOVERNMENT NOTICE 324: 2017; ACTIVITY 4 (a)(i)(ee), ACTIVITY 12 (a)(ii), ACTIVITY 18 (a)(i)(ee) (ii)(kk) AND ACTIVITY 23 (ii)(a) (a)(i)(ee) OF 2014 EIA REGULATIONS PROMULGATED UNDER SECTION 24 OF NEMA 1998 AS AMENDED

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

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations. Your attention is drawn to Regulation 4 of the National Appeal Regulations, 2014 as amended which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you

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must, *inter alia,* lodge an appeal with the MEC as per sections 6.1 to 6.7 of the attached authorisation, within 10 days of receiving this letter. Appeals may be lodged by fax, post or hand. Should you decide to appeal, you must serve a copy of your appeal to 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.

Yours faithfully

8/8/2019

Ms A.G Qinisile

Date

Regional Manager: Environmental Affairs (Joe Gqabi)

REF. NUMBER: EC 142/JG/LN1/M/19/01

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Joe Gqabi Regional Office
P/Bag x 1016, Aliwal North, 9750

Environmental Authorisation

Authorisation register number	:	EC 142/JG/LN1/M/19/01
NEAS number	:	ECP/EIA/0000710/2019
Last amended	:	
Holder of authorisation	:	Eastern Department of Transport
Location of activity	:	Sterkspruit, Senqu Local Municipality, Joe Gqabi District, Eastern Cape.

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1. 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.

2. 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, 2014 the Department hereby authorises –

Eastern Department of Transport

With the following contact details –

Yanga Mshweshwe

Private Bag

X0023

King Williams Town

5601

Tel: (043) 604 7400

Cell: 071 7257 272

Email: yanga.mshweshwe@dot.ecprov.gov.za

to undertake the following activities (hereafter referred to as "the activities") indicated in Government Notice R 327, listed activity 12, 19, 24, 48, 56 and Government Notice R 324, Listed activity 4, 12,18 and 23.

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Listing Notice	Activity Description
GN R 327 Listing Notice 1 Activity 12	*The development of—* *(ii) infrastructure or structures with a physical footprint of 100 square metres or more;* *where such development occurs—* *(a) within a watercourse;* *(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;*
GN R 327 Listing Notice 1 Activity 19	*The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic meters from —* *(i) a watercourse;*
GN R 327 Listing Notice 1 Activity 24	*The development of a road—* *(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters;*
GN R 327 Listing Notice 1 Activity 48	*The expansion of infrastructure or structures where the physical footprint is expanded by 100 square meters or more;* *where such expansion occurs—* *(a) within a watercourse;* *(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;*
GN R 327 Listing Notice 1 Activity 56	*The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—* *(ii) where no reserve exists, where the existing road is wider than 8 meters;*

REF. NUMBER: EC 142/JG/LN1/M/19/01

"Innovation for Sustainable Development"
27 Queens Terrace Street • Aliwal North • 9750 | Private Bag X 1016 • 9750 • Republic of South Africa TeL; 051 633 2901 • Fax: 051 633 3117 •
Web: www.dedeat.gov.za

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GN R 324 Listing Notice 3 Activity 4	*The development of a road wider than 4 metres with a reserve less than 13,5 metres.* ***a. Eastern Cape*** *i. Outside urban areas:* *(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.*
GN R 324 Listing Notice 3 Activity 12	*The clearance of an area of 300 square metres or more of indigenous vegetation* ***a. Eastern Cape*** *ii. Within critical biodiversity areas identified in bioregional plans;*
GN R 324 Listing Notice 3 Activity 18	*The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometer.* ***a. Eastern Cape*** *i. Outside urban areas:* *(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;* *(ii) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;* *(kk) A watercourse;*
GN R 324 Listing Notice 3 Activity 23	*The expansion of—* *(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;* *where such expansion occurs—* *(a) within a watercourse;* *(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;*

REF. NUMBER: EC 142/JG/LN1/M/19/01

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	a. Eastern Cape *i. Outside urban areas:* *(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*

as described in the Basic Assessment Report (BAR) received on 10 May 2019:

Chainage	Longitude	Latitude
0	E 27° 22' 32.040"	S 30° 31' 53.238"
545	E 27° 22' 48.447"	S 30° 32' 3.781"
973	E 27° 23' 4.078"	S 30° 32' 6.207"
1916	E 27° 23' 29.819"	S 30° 32' 26.721"
2641	E 27° 23' 52.635"	S 30° 32' 22.739"
3321	E 27° 24' 16.939"	S 30° 32' 17.085"
4292	E 27° 24' 48.901"	S 30° 32' 31.288"
4603	E 27° 24' 59.624"	S 30° 32' 35.171"
5455	E 27° 25' 25.512"	S 30° 32' 51.352"
5829	E 27° 25' 32.057"	S 30° 33' 1.780"
6098	E 27° 25' 37.025"	S 30° 33' 9.329"
6628	E 27° 25' 54.925"	S 30° 33' 12.740"
6989	E 27° 26' 7.068"	S 30° 33' 16.596"
7805	E 27° 26' 35.022"	S 30° 33' 10.926"

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8586	E 27° 27' 1.971"	S 30° 33' 16.212"
9006	E 27° 27' 17.267"	S 30° 33' 17.449"
9471	E 27° 27' 29.341"	S 30° 33' 7.380"
9905	E 27° 27' 42.149"	S 30° 32' 59.008"
10193	E 27° 27' 48.238"	S 30° 32' 51.546"
10584	E 27° 28' 0.878"	S 30° 32' 51.506"
10988	E 27° 28' 10.955"	S 30° 33' 1.166"
11348	E 27° 28' 10.876"	S 30° 33' 12.357"
11841	E 27° 28' 20.930"	S 28° 33' 24.522"

The Department of Transport proposes the upgrade to a portion of road DR08606 from Sterkspruit to Mlamli Hospital. Environmental Impact Management Services (EIMS) have been commissioned as Independent Environmental Practitioners to undertake the necessary application for environmental authorization for the project. The proposed activity area starts from Sterkspruit town leading 12km towards Mlamli Hospital. The construction will include the upgrading of a gravel road to standard surface that is approximately 12km in length, 9.8m wide and construction of 4 new major river crossings suitable for surface standard road. The activity will also include the demolishing of existing storm water culverts and construction of new storm water culverts. Borrow pits will be utilized for the supply of aggregate for the construction of the road.

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3. Exemptions

The granting of this Environmental Authorisation is subject to the conditions set out below.

4. Conditions of Environmental Authorisation

Scope of authorisation

4.1. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.

4.2. The holder of the authorisation shall be responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.

4.3. The activity authorised may only be carried out in Ward 8, 9 and 10 in Sterkspruit under Senqu Local Municipality.

4.4. 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.

4.5. Conditions of authorization relating to the project are valid in perpetuity.

4.6. Relevant legislation that must be complied with by the holder of this authorisation includes, *inter alia*:

i. Provisions contained in the principles of National Environmental Management Act (Act 107 of 1998) as amended and it's Regulations (2014 EIA Regulations as amended).

ii. Pollution of air through generation of dust from excavation must be controlled as according to the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) as amended, Dust Control Regulations.

iii. National Environmental Management Biodiversity Act (No.10 of 2004) as amended.

iv. National Water Act, (36 of 1998).

4.7. Mitigation measures must be implemented to reduce the dust emission. Dust emission should be within acceptable dust fall rates as per regulation No. 3 of Dust Control Regulations. If dust fall standards as set out in Dust Control Regulation are exceeded, a dust management plan must be developed and submitted to the Department for approval.

4.8. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Design measures must promote the dissipation of storm water run-off.

4.9. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill site licensed in terms of section 20 (b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

4.10. The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

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Management of the activity

4.11. The Environmental Management Programme (EMPr) for the upgrading of a portion of road DR08606 from Sterkspruit to Mlamli Hospital to surface standard submitted as part of application for Environmental Authorization is hereby approved.

4.12. The recommendations and mitigation measures recorded in the Basic Assessment Report received on 10 May 2019 must be adhered to and must be incorporated as part of the EMPr.

4.13. Any updates or amendments to the EMPr must be submitted to the Department of Economic Development, Environmental Affairs and Tourism and must be decided upon within a period of 30 days of the submission.

4.14. All correspondence with regard to this application must be forwarded for attention of The Deputy Director: Environmental Affairs within the regional office, except an appeal.

Monitoring

4.15. The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the construction of the access roads and river crossings that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the wetland and watercourse rehabilitation management plan.

4.16. The ECO shall be appointed before commencement of any construction activities.

4.17. The ECO shall keep records of all activities on site, problems identified, transgressions noted and schedule of tasks undertaken by the ECO.

4.18. The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

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Recording and reporting to the Department

4.19. 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 –

i. 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 EMPr.

ii. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Commencement of the activity

4.20. This activity must commence within a period of thirty-six (36) months from the date of issue. If commencement of the activity does not occur within thirty (36) months, the holder of the authorisation may apply for an extension before the authorisation lapses.

4.21. If no extension is applied for, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken; and

4.22. Should you be notified by the MEC of a suspension of the authorisation pending appeal procedures, you shall not commence with the activity unless authorised by the MEC in writing.

Notification to authorities

4.23. Fourteen (14) 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.

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Operation of the activity

4.24. Fourteen (14) days written notice must be given to the Department that the activity's operational phase will commence.

4.25. The applicant must compile an operational EMPr for the operational phase of the activity or alternatively, if an operational EMPr exists for the area, it must be amended to include the proposed activity as applied for authorisation.

Site closure and decommissioning

4.26. Should the activity 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

4.27. Prior to any construction taking place, the Environmental Control Officer and contractor must conduct environmental awareness training programmes to staff on environmental compliance, environmental impacts related to construction, environmental precautions to mitigate the effects and implications of non-compliance.

4.28. The ECO must inspect the proposed site to check the re-occurrence of red data book species and relocate, demarcate or recommend conservation or preservation measures for any ecologically sensitive and protected species and areas.

4.29. Chemical toilets for the working staff must be provided on site at a ratio of 1:10 and must be emptied on authorised municipal ponds, if there are no ablution facilities already available in the area. No spills from the toilets are allowed on site. The toilets must be placed 32 metres away from the river course.

4.30. Construction camps and staff accommodation facilities on site may be established prior to commencement of construction, within already disturbed areas.

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4.31. Construction site must be kept clean at all times. Waste bins with lids must be provided to control litter on site and the construction camp. The waste bins must be emptied regularly and disposed in a permitted waste disposal site. Burning of waste is not allowed on site and the construction camp.

4.32. Construction vehicles must be maintained regularly in order to prevent gaseous emissions and leakages. Movement of construction vehicles must be restricted to demarcated areas and a speed limit of 30km/h must not be exceeded on dirt roads.

4.33. No fires are allowed on site. Cooking must be done in demarcated areas that are safe of runaway fires. Operational firefighting equipment must be available on site and the construction camp at all times. Emergency fires must be reported to the local authority.

4.34. No poaching of flora and fauna will be allowed on site.

4.35. Construction staff must not use any water body or natural water source adjacent to the construction camp for the purpose of bathing, washing or for any construction related activities.

4.36. Construction activities must be confined to the designated working areas. The work area must be demarcated with a danger tape and marked as a NO-GO area for the duration of the project.

4.37. Existing access routes must be used during construction. Vehicle turning areas which avoid selected ecological sensitive areas must be constructed and approved by the ECO. All temporary access roads must be rehabilitated after the contract ends.

4.38. Construction must be stopped on the discovery of previously undetected archaeological, cultural or human remains and the contractor must report the findings immediately to the Eastern Cape Heritage Resource Agency (ECHRA).

4.39. Collection or harvesting of any heritage resources is prohibited which may include but not limited for the purpose of education, preservation, selling and consumption.

4.40. The contractor must not deface, paint or otherwise mark or damage natural features on site without prior agreement with the relevant competent authority.

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4.41. Any grave sites in close proximity (30m) to the road should be clearly demarcated and formerly fenced off as per reasonable family requirements. The fencing of these graves must be discussed with the local Chief/Headman and the families that have ties to the graves to acquire input and permission.

4.42. The contractor must utilise skills (if available) from the local people for the proposed development.

4.43. Any earth stockpile or soil stockpile must be reused as far as possible within the site for rehabilitation and stockpile must not exceed 5m height.

4.44. The earth stockpile must be covered to prevent wind-blown dust and must be provided with a storm water diversion trench or berm to control storm water run-off entering the stockpile and causing erosion.

4.45. Any stockpile left behind after construction phase must be removed from site and disposed of at landfill site as covering material if there is no further use for it on site.

4.46. The infilling and disposal of any materials including discharge of used water or rubble to wetlands is prohibited.

4.47. The widening of the road should as far as possible occur in already disturbed or impacted upon areas to minimise further destruction of the natural habitat.

4.48. As far as possible, the proposed developments should be placed in areas that have already been disturbed, to minimise the loss of secondary induced impact to grasslands or wetlands.

4.49. Where possible, the proposed road should have underpass tunnels or viaducts to provide for habitat connectivity and to reduce collision of traffic and wildlife as much as possible.

4.50. Temporal diversion of water flow during the construction of the river crossings must be provided and the water flow must be reinstated once the foundation and river crossing has scoured.

4.51. There should be no vertical drops downstream of the bridge foundation to ensure that upstream fish movement is not impeded.

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4.52. The natural profile of the riverbed both upstream and downstream of the bridge foundation should be maintained within the structure to ensure that water velocities are not increased downstream.

4.53. The design of the river crossings should ensure that floating debris does not get entangled and accumulate upstream causing log-jam thereby causing erosion around the approaches of the structures.

4.54. The bridge level and flood spans should be at least 1 metre above the maximum flood level to allow floating debris to pass freely through the structure.

4.55. The bridge must be designed and built so as to minimize pollution and disruption to the flow of the water in the water course. To this end, the following conditions will apply:

4.49.1 Erosion protection measures such as gabions or stone pitching must be provided where the structure tie into the stream banks;

4.49.2 Cement batching may not take place within 200m of a water course; and

4.49.3 Gabions or storm water control structures should be used to disperse storm water flows and prevent further bank erosion.

4.56. Areas susceptible to erosion must be monitored regularly and protected by construction of drains to control runoff. All areas affected by erosion must be rehabilitated immediately after the construction activities are completed.

General

4.44 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 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.

4.45 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.

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4.46 The holder of the authorisation must notify the Department, in writing and within 48 (forty-eight) 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.

4.47 You are advised to consider vulnerability of the project infrastructure to the climate change i.e. infrastructure of the project should be installed and constructed to resist impacts of the climate change.

4.48 The decommissioning of the proposed borrow pits associated with the project must comply with the relevant local and national regulatory requirements. The borrow pits should be decommissioned/rehabilitated and left in a state that will not pose any danger or health risks to the surrounding community.

4.49 Rehabilitation of the borrow pits must be sustainable and the land should be returned as closely as possible to the original landform.

4.50 This authorisation does not negate the holder of the authorisation from responsibility to comply with other statutory requirements that may be applicable to the undertaking of the activity.

4.51 The provincial government 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.

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Joe Gqabi Regional Office
P/Bag x 1016, Aliwal North, 9750

5. Reasons for Decision

1. Background

The application from Eastern Cape Department of Transport is for Government Notice R 327 and Government Notice R 324 activities. The following activities are being applied for:

Listing Notice	Activity Description
GN R 327 Listing Notice 1 Activity 12	*The development of—* *(ii) infrastructure or structures with a physical footprint of 100 square metres or more;* *where such development occurs—* *(a) within a watercourse;* *(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;*
GN R 327 Listing Notice 1 Activity 19	*The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic meters from —* *(i) a watercourse;*
GN R 327 Listing Notice 1 Activity 24	*The development of a road—* *(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters;*
GN R 327 Listing Notice 1 Activity 48	*The expansion of—* *(i) infrastructure or structures where the physical footprint is expanded by 100 square meters or more;* *where such expansion occurs—* *(a) within a watercourse;*

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	(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;
GN R 327 Listing Notice 1 Activity 56	*The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—* *(ii) where no reserve exists, where the existing road is wider than 8 meters;*
GN R 324 Listing Notice 3 Activity 4	*The development of a road wider than 4 metres with a reserve less than 13,5 metres.* ***a. Eastern Cape*** *i. Outside urban areas:* *(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.*
GN R 324 Listing Notice 3 Activity 12	*The clearance of an area of 300 square metres or more of indigenous vegetation* ***a. Eastern Cape*** *ii. Within critical biodiversity areas identified in bioregional plans;*
GN R 324 Listing Notice 3 Activity 18	*The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometer.* ***a. Eastern Cape*** *i. Outside urban areas:* *(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;* *(ii) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;* *(kk) A watercourse;*

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GN R 324 Listing Notice 3 Activity 23	*The expansion of—* *(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;* *where such expansion occurs—* *(a) within a watercourse;* *(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;* ***a. Eastern Cape*** *i. Outside urban areas:* *(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*

The proposed upgrading of a portion of road DR08606 to surface standard in Sterkspruit under Senqu Local Municipality in the Eastern Cape.

Eastern Cape Department of Transport appointed Environmental Impact Management Services (EIMS) to undertake the BAR process as required by Regulation 16 of the EIA Regulations, 2014 as amended.

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 application form received on 07 February 2019.
b) Information contained in the BAR and EMPr received on 10 May 2019.
c) The findings from the site visit that was conducted on 10 May 2018 by Mr. Athenkosi Ntshinka (DEDEAT), Mr. Thozamile Babane (DEDEAT) and Mr. GP Kriel (EIMS).
d) The mitigation measures as proposed in the EMPr submitted with the BAR received on 10 May 2019.
e) The acknowledgement letter for a water use license from the Department of Water and Sanitation as attached to the BAR received on 10 May 2019.

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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 the most significance is set out below:

a) Details provided about the qualifications of the EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
b) The Joe Gqabi District Municipality's (JGDM) IDP (2017- 2022) has identified the very bad condition of the road leading to Mlamli Hospital as one of the major challenges of the municipality.
c) The upgrading of the gravel road will provide easy access to much needed medical health facilities to the people of Sterkspruit and surrounding areas.
d) No objections to the proposed development have been received from the interested and affected parties.
e) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA regulations, 2014 for public involvement.

4. Findings

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

- The proposed upgrading of the gravel road will mean a safer and shorter travelling time for patients travelling to and from Mlamli Hospital.
- The conversion of gravel road to surface standard will reduce water sedimentation.
- Soil erosion and air pollution that emanates from dust caused by moving vehicles will be reduced or eliminated
- The community of Sterkspruit and surrounding villages will benefit from the road upgrade by having less damage on their cars caused by poorly maintained gravel roads.

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- The proposed upgrading of the gravel road to surface standard will mean less service and maintenance costs for government vehicles travelling to Mlamli Hospital.
- Some community members will get temporary jobs during the construction phase thus improving the economy of the area and the standard of living for the beneficiaries.
- The majority of impacts on the natural environment associated with the proposed development are considered to be of low significance.
- The procedure followed for impact assessment is adequate for decision making process.
- All legal and procedural requirements have been met.

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 application is accordingly granted.

6. Appeal of authorisation

6.1 The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 days of the date of this environmental authorisation, of its decision to authorise the activity.

6.2 The notification referred must –

a) specify the date on which the authorisation was issued;

b) inform the interested and affected party of the appeal procedure provided for in Chapter 6 of the regulations;

c) advise the interested and affected party that a copy of the authorisation will be furnished on request; and

d) give the reasons for the decision.

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6.3 The holder of the authorisation must publish a notice –

a) informing interested and affected parties of the decision;

b) informing interested and affected parties where the decision can be accessed; and

c) drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision

d) in the newspapers contemplated and used in terms of regulation 56(2)(c) and which newspaper was used for the placing of advertisements as part of the public participation process.

6.4 An appeal against the decision contained in this authorization must be addressed in writing, to the MEC for Economic Development, Environmental Affairs and Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1)b of the National Appeal Regulations, 2014 as amended and within 20 (twenty) days after the appellant has been notified.

6.5 An appeal submission must be made in the form obtainable from the Departmental website on www.dedea.gov.za or relevant Regional Office.

6.6 The appellant must also serve a copy of the appeal to the decision maker in the relevant office.

6.7 The address, to which the **original** copies of any such appeal must be mailed, is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Department of Economic Development & Environmental Affairs
Attention	Manager Environmental Affairs
Address	Bag X0054, **BHISHO**, 5605
In order to facilitate efficient administration of appeals **copies** of the notice of intention to appeal and any subsequent appeal documentation must also be submitted as follows:	

REF. NUMBER: EC 142/JG/LN1/M/19/01

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Joe Gqabi Regional Office
P/Bag x 1016, Aliwal North, 9750

Manager Environmental Affairs per fax:	[043] 605 7300
Senior Manager Environmental Impact Management per fax:	0866192858
It is strongly recommended that electronic copies of all appeal documentation also be e-mailed	E-mail addresses will be supplied on request

In the event that an appeal is lodged in regard to this authorization, the listed activities described in this authorization may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence.

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Mr Athenkosi Ntshinka

Environmental Officer EQM (DEDEAT -Joe Gqabi Region)

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Ms A.G. Qinisile

Regional Manager Environmental Affairs (DEDEAT-Joe Gqabi Region)

8 August 2019

Date of issue of environmental authorisation

REF. NUMBER: EC 142/JG/LN1/M/19/01