



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA  
Tel (+ 27 12) 399 9372

**DEA Reference:** 14/12/16/3/3/1/1505

**Enquiries:** Ms Thulisile Nyalunga

**Telephone:** 012-395-9405 **E-mail:** [TNyalunga@environment.gov.za](mailto:TNyalunga@environment.gov.za)

Eskom Holdings SOC Limited-Eastern Region  
Mr Neil Purdon  
P. O. Box 66  
**NEW GERMANY**  
3620

Tel: 031 710 5483  
E-mail: [Neil.Purdon@eskom.co.za](mailto:Neil.Purdon@eskom.co.za)

### **PER MAIL / E-MAIL**

Dear Mr Purdon

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983: THE CONSTRUCTION OF THE APPROXIMATELY 56KM IMPALA TO MTUBATUBA 2<sup>ND</sup> 132KV POWER LINE CONNECTING AT THE EXISTING NSELENI 132/22KV SUBSTATION AND THE ESTABLISH OF AN APPROXIMATELY 100M 2<sup>ND</sup> 132KV LINE CONNECTING FROM THE EXISTING 1<sup>ST</sup> IMPALA TO MTUBATUTA POWER LINE TO THE EXISTING KWAMBONAMBI SUBSTATION TO CREATE A RING FENCE, KWAZULU NATAL PROVINCE**

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

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant.

By post: Private Bag X447,  
Pretoria, 0001; or  
By hand: Environment House  
473 Steve Biko,  
Arcadia,

*MS*

Pretoria, 0083

If the applicant wishes to lodge an appeal, it must also serve a copy of the 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, should you intend to submit an appeal.

**Appeals must be submitted in writing to:**

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356

Email: [Appealsdirector@environment.gov.za](mailto:Appealsdirector@environment.gov.za)

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website: ([https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations)).

Kindly include a copy of this document with the letter of notification to interested and affected parties.

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

Date: 27/09/2016

CC:	Ms D Ngidi	Ludloko Developments	Cell: 084 565 0531	Email: <a href="mailto:dudzilebngidi@gmail.com">dudzilebngidi@gmail.com</a>
	Ms K Mathenjwa	DEDT&EA	Tel: 035 780 6706	Email: <a href="mailto:mathenjwak@kznded.gov.za">mathenjwak@kznded.gov.za</a>
	Ms MZ Motha	Mhlathuze Local Municipality	Tel: 035 907 5325	Email: <a href="mailto:mothaz@umhlathuze.gov.za">mothaz@umhlathuze.gov.za</a>
	Ms N Shange	Mfolozi Local Municipality	Tel: 035 580 1421	Email: <a href="mailto:shange@mbonambi.co.za">shange@mbonambi.co.za</a>
	Mr MA Gina	Mtubatuba Local Municipality	Tel: 035 550 0069	Email: <a href="mailto:Charles.executive@mtubatuba.org.za">Charles.executive@mtubatuba.org.za</a>



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of regulation 25 of the Environmental Impact Assessment Regulations, 2014

The construction of a ±56km Impala to Mtubatuba 2<sup>nd</sup> 132kV power line connecting at the existing Nseleni 132/22/11kV substation and the Mtubatuba 132/22kV substation and the establish of a 2<sup>nd</sup> ±100m 132kV connecting from the existing 1<sup>st</sup> Impala to the Mtubatuba powerline to the existing Mbonambi substation to create a ring fence, KwaZulu-Natal Province

King Centshwayo and Mkhanyakude District Municipalities

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/1505</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>Eskom Holdings SOC Limited</i>
<b>Location of activity:</b>	<i>KWAZULU NATAL PROVINCE: City of Umhlatuze, uMfolozi and Mtubatuba Local Municipalities</i>

This environmental 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.

## 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 activities specified below.

Non-compliance with a condition of this environmental authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

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, 2014 the Department hereby authorises –

### **ESKOM HOLDINGS SOC LIMITED**

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Eskom Holdings SOC Limited-Eastern Region

Mr Neil Purdon

P. O. Box 66

**NEW GERMANY**

3620

Tel: (031) 710 5483

Cell: (072) 246 6166

E-mail: [Neil.Purdon@eskom.co.za](mailto:Neil.Purdon@eskom.co.za)

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983):

Listed activities	Activity/Project description
<p><u>GN R. 983 Item 11</u>                      "The development of facilities or infrastructure for the transmission and distribution of electricity-                      (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts"</p>	<p>The construction of a power line covering a distance of +/- 56km with a servitude of 36m and towers with a height of +/- 26m starting at existing Impala substation, connecting at existing Nseleni substation and ending at existing Mtubatuba substation, traversing across various land uses made up of sugarcane and timber plantations found south of Nseleni River and running across rural settlements located north of Nseleni River.</p>
<p><u>GN R. 983 Item 12:</u>                      "The development-                      xii) infrastructure or structures with a physical footprint of 100 square metres or more" where such development occurs-                      (a) within a watercourse;</p>	<p>Establishment of an electrical tower along a riparian area.</p>

as described in the final Basic Assessment Report (BAR) dated August 2016 at:

21 Digit SG code:

N	0	G	V	0	4	2	1	0	0	0	1	1	4	5	1	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	5	6	6	5	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	5	6	6	5	0	0	0	0	1
N	0	G	V	0	4	2	1	0	0	0	1	1	4	4	5	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	5	6	6	5	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	5	6	6	5	0	0	0	0	1
N	0	G	V	0	4	2	1	0	0	0	1	1	4	4	5	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	1	4	6	6	0	0	0	0	3
N	0	G	V	0	0	0	0	0	0	0	1	4	9	4	3	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	5	6	7	3	0	0	0	0	0
N	0	G	U	0	0	0	0	0	0	0	0	9	4	2	3	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	4	9	4	5	0	0	0	0	3
N	0	G	U	0	0	0	0	0	0	0	1	1	3	5	8	0	0	0	0	2

N	0	G	U	0	0	0	0	0	0	0	1	5	8	2	4	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	1	4	4	9	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	1	5	2	5	0	0	0	0	0
N	0	G	V	0	4	2	1	0	0	0	1	1	4	5	1	0	0	0	1	4
N	0	G	V	0	4	2	1	0	0	0	1	1	4	5	1	0	0	0	1	3
1	2			3			4				5									

Corridor Alternative 1 (preferred alternative yellow line)	Latitude	Longitude
Start (Impala substation)	28° 46' 00.70" S	31° 56' 46.80" E
Middle (Nseleni substation)	28° 39' 35.30" S	31° 59' 40.60" E
End (Mtubatuba substation)	28° 23' 39.30" S	32° 10' 38.70" E
<b>Second connection</b>		
<b>±100 powerline</b>	28° 35' 03.80" S	32° 02' 27.60" E

the location indicated in the locality plan, attached as Annexure 2 of this authorisation.

- for the construction of the ±56km Impala to Mtubatuba 2<sup>nd</sup> 132kV power line connecting at the existing Nseleni 132/22kV substation and Mtubatuba 132/22kV substation and the establishment of a 2<sup>nd</sup> ±100m 132kV connecting from the existing 1<sup>st</sup> Impala to the Mtubatuba power line to the existing Mbonambi substation to create a ring fence, KwaZulu-Natal Province hereafter referred to as "the route".

The infrastructure associated with this facility includes:

- The construction of a +/-56km 132kV power line starting from the existing Impala 132kV substation (28° 46' 00.70" S, 31° 56' 46.80" E) and connect to the existing Mtubatuba 132/22kV substation (28° 23' 39.30" S, 32° 10' 38.70" E);
- The proposed power line will connect at the existing Nseleni 132/22kV substation (28° 39' 35.30" S, 31° 59' 40.60" E) situated at Nseleni tribal area; and
- The construction of a +/-100m second connection to the existing Mbonambi 132/22kV substation (28° 35' 03.80" S, 32° 02' 27.60" E) from existing 1 Impala/Mtubatuba 132kV powerline.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The Corridor Alternative 1 (preferred alternative yellow line) for the construction of the ±56km Impala to Mtubatuba 2<sup>nd</sup> 132kV powerline connecting at the existing Mtubatuba 132/22/11kV substation and Nseleni 132/22kV substation, and the establish of a 2<sup>nd</sup> ±100m 132kV power line connecting from the existing 1<sup>st</sup> Impala to Mtubatuta power line to the existing kwaMbonambi substation to create a ring fence, KwaZulu-Natal Province is hereby approved as per the geographic coordinates cited at the table reflected in page 4 above.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is 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. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this environmental 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 environmental authorisation in terms of the regulations.
6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
11. The notification referred to must –
- 11.1. specify the date on which the authorisation was issued;
  - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 11.4. provide the reasons of the competent authority for the decision.
12. The holder of the authorisation must publish a notice –
- 12.1. informing interested and affected parties of the decision;
  - 12.2. informing interested and affected parties where the decision can be accessed; and
  - 12.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in terms of the National Appeal Regulations, 2014.

### **Commencement of the activity**

13. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014 and no appeal has been lodged against the decision. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

### **Management of the activity**

14. The Environmental Management Programme (EMPr) submitted as part of the Application for EA must be amended and submitted to the Department for written approval prior to commencement of
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the activity. The recommendations and mitigation measures as per the findings of the walkthrough (Condition 30) and a copy of the final layout of the powerline route (micro siting of towers) must be incorporated into the amended EMPr. Once approved, the EMPr must be implemented and adhered to.

### **Frequency and process of updating the EMPr**

15. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 22 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
16. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
17. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
18. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
19. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

### **Monitoring**

20. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

- 20.1. The ECO must be appointed before commencement of any authorised activities.
- 20.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
- 20.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.
- 20.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

### **Recording and reporting to the Department**

21. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
22. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at:  
[Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
23. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
24. The holder of the authorisation must, in addition, submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
25. The environmental audit reports must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 and 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 approved EMPr.
26. 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.

### **Notification to authorities**

27. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. 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, as well as a reference number. This notification period may coincide with the notice of intent to appeal period.

### **Operation of the activity**

28. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

### **Site closure and decommissioning**

29. Should the activity ever cease or become redundant, the holder of the authorisation must 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**

#### Conditions for Non-operational aspects

30. To minimise the loss of listed species and species of Special Concern, a 'walk-through' of the final power line route must be conducted prior to the construction phase. Such a 'walkthrough' must aim to identify sensitive areas or where species require permits for their removal or translocation. The findings of the final walk through must be integrated into the amended EMPr.
31. During the walkthrough survey of the corridor to establish tower positions, particular care must be taken to position towers outside of the designated CBA3 area.
32. A final layout, with the final micro siting of the tower positions must be appended to the amended EMPr to be submitted to this Department for review and approval.
33. No activities, which require a water use authorisation, will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.

34. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
35. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Specialist Studies / BAR dated August 2016 must be implemented to reduce the risk of erosion and the invasion of alien species.
36. Contracted bush clearing staff must be briefed and educated regarding indigenous vegetation and must trim or remove only those which interfere with the installation of the power line.
37. The extent of the construction sites must be demarcated on site layout plans and no construction personnel or vehicles must leave the demarcated area except those authorised to do so.
38. Those areas surrounding the construction site that are not part of the demarcated development area must be considered as "no-go" areas for employees and machinery in order to reduce unnecessary habitat loss and disturbance, especially in proximity to wetlands.
39. Checks must be carried out at regular intervals to identify areas where erosion is occurring. Appropriate remedial action, including the rehabilitation of the eroded areas must be undertaken.
40. An on-going monitoring programme must be implemented to enforce the continual eradication of alien and invasive species during and post-construction.
41. No exotic plants may be used for rehabilitation purposes. Only indigenous plants, found within a ten (10) km radius of the route may be utilised.
42. During construction, sensitive habitats must be avoided by construction vehicles and equipment, wherever possible, in order to reduce potential impacts.
43. 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. Drainage measures must promote the dissipation of storm water run-off.
44. 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, which will not be recycled, must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).
45. Before construction commences the holder of the authorisation must ensure that construction workers are educated with regards to the prevention of littering, veld fires and dumping of waste material.

**General**

46. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 46.1. at the site of the authorised activity;
  - 46.2. to anyone on request; and
  - 46.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
47. 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 holder of the authorisation or his/her 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 holder of the authorisation 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: 27/09/2016

  
Mr Sabelo Malaza

**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

## **Annexure 1: Reasons for Decision**

### **1. 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 BAR dated August 2016;
- b) The comments received from National Department of Water and Sanitation, Department of Economic Development Tourism and Environmental, Ezemvelo KZN Wildlife and interested and affected parties as included in the BAR dated August 2016;
- c) Mitigation measures as proposed in the BAR dated August 2016 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the BAR; and
- e) 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).

### **2. 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) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed development is due to the fact that the existing Impala-Mtubatuba 132kV line is already heavily loaded at peak hours. The Impala-Nseleni line has a radial (linear) configuration and thus back feeding is not possible for the entire load. With the loss of the Impala-Nseleni line back feeding is possible using Normandie to supply Hluhluwe substation. However due to voltage constraints the remaining substations will be left without supply. Thus there is no security of supply, and this is violating the current reliability guidelines.
- c) Should there be prolonged fault on the line, there will be a negative impact on the network performance. There have been increased failures on the networks and the large customer base results in a high impact on business performance. Instances of deteriorating conductor & hotspots have been found.

- d) Due to the large number of developments in the area, the existing Impala-Mtubatuba line does not have the capacity to supply the new developments with electricity as it will be close to 100% loaded during peak hours. There is also no "backfeedability" and the line condition is slowly deteriorating.
- e) The BAR dated August 2016 identified all relevant environmental legislation and guidelines that have been considered in the preparation of the BAR dated August 2016.
- f) The methodology used in assessing the potential impacts identified in the BAR dated August 2016 and the specialist studies have been adequately indicated.
- g) 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.

### **3. Findings**

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

- a) The identification and assessment of impacts are detailed in the BAR dated August 2016 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) According to the independent EAP, the information contained in the BAR dated August 2016 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities 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 authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.



