



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

**DFFE Reference:** 14/12/16/3/3/1/2637

**Enquiries:** Dr Danie Smit

**Telephone:** (012) 399 9394 **E-mail:** [dsmit@dff.gov.za](mailto:dsmit@dff.gov.za)

Mr Progress Hlahla  
South African National Roads Agency SOC Ltd  
Private Bag X17  
**LYNNWOOD RIDGE**  
0040

**Telephone Number:** 012 426 6204  
**Email Address:** [Hlahlap@nra.co.za](mailto:Hlahlap@nra.co.za)

### PER E-MAIL

Dear Mr Hlahla

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR THE PROPOSED IMPROVEMENTS OF R33 NATIONAL ROAD SECTION 12 FROM N1 (KM 77.0) TO SECTION 13 MODIMOLLE (KM 0.6), LOCATED IN MODIMOLLE, MOOKGOPONG LOCAL MUNICIPALITY WITHIN THE WATERBERG DISTRICT IN THE LIMPOPO PROVINCE**

With reference to the above application, please be advised that the Competent Authority has decided to grant the application for Environmental Authorisation. The Environmental Authorisation and reasons for decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the Record of Refusal, of the Competent Authority's decision as well as the provisions regarding the submission of appeals that are contained in the EIA Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulate that the Competent Authority should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Competent Authority accountable should the Competent Authority abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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Should any person wish to lodge an appeal against this decision, he/she must submit the 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; or the date that the notification of the decision was sent to the applicant by the Competent Authority, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appealsdirector@dfpe.gov.za](mailto:appealsdirector@dfpe.gov.za)

By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083

or

By post: Private Bag X447  
Pretoria  
0001

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.dfpe.gov.za/documents/forms#legal\\_authorisations](https://www.dfpe.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@dfpe.gov.za](mailto:appealsdirector@dfpe.gov.za)

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 25/04/2023

cc: Mr Sindiso Lubisi	Environmental Edge (Pty) Ltd	Email: <a href="mailto:sindiso@environmentaedge.co.za">sindiso@environmentaedge.co.za</a>
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## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The improvements of R33 National Road Section 12 from N1 (km 77.0) to Section 13 Modimolle (km 0.6), located in Modimolle Mookgopong Local Municipality, Limpopo Province

### Waterberg District Municipality

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/2637</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>South African National Roads Agency SOC Ltd</i>
<b>Location of activity:</b>	<i>Portion 16 of Erf No.457 in Cyferfontein; Portion 0 of Erf No.429 in Groenfontein; Portion 0 of Erf No.417 in Grootvlei; Portion 0 of Erf No.425 in T – Plaas; Portion 0 of Erf No.419 in Nylstroom Town and Townlands Within Ward 4, 7 and 8 of Modimolle-Mookgopong Local Municipality, Waterberg District Municipality, Limpopo Province.</i>

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.

*M.S*

## 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, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

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, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

### **SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LTD (SANRAL)**

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

with the following contact details –

Mr Progress Hlahla

South African National Roads Agency SOC Ltd

Private Bag X17

**LYNNWOOD RIDGE**

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Telephone Number: 012 426 6204

Cellphone Number: 061 372 4148

Email Address: [Hlahlap@nra.co.za](mailto:Hlahlap@nra.co.za)

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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><u>Listing Notice 1, Item 12:</u>  <i>"The development of-</i>  <i>(i) Infrastructure or structures with a physical footprint of 100 square metres or more;</i>   <i>where such development occurs -</i>  <i>(a) within a watercourse;"</i></p>	<p>The construction activities for the upgrade of the road will require the development of infrastructure with a combined footprint of more than 100m<sup>2</sup> within watercourses, including possible widening of existing bridges and culverts.</p>
<p><u>Listing Notice 1, Item 19:</u>  <i>"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 metres from a watercourse."</i></p>	<p>Infilling of soil and/or concrete of more than 10m<sup>3</sup> in capacity may be required for the possible widening of the existing bridges and culverts.</p>
<p><u>Listing Notice 1, Item 48:</u>  <i>The expansion of</i>  <i>(i) Infrastructure or structures with a physical footprint is expanded by 100 square metres or more;</i>   <i>where such expansion occurs -</i>  <i>(a) within a watercourse.</i></p>	<p>The existing bridges and culverts may need to be widened to accommodate the wider road design.                       The resulting combined footprint may be more than 100m<sup>2</sup> of the entire development of the road upgrade.</p>
<p><u>Listing Notice 1, Item 56:</u>  <i>"The widening of a road by more than 6 metre, or the lengthening of a road by more than 1 kilometre.</i>  <i>(i) where the existing reserve is more than 13,5 meters.</i></p>	<p>The proposed project could entail the construction of access roads of unknown sizes at this stage, for use during the construction phase and operational phase (for maintenance purposes). In the absence of existing roads, new access roads may need to be constructed, which could traverse areas declared as critical biodiversity areas or watercourses (The existing road reserve is approximately 38m wide).</p>

<p><u>Listing Notice 3, Item 12:</u></p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p><u>e. Limpopo</u></p> <p><i>(ii) Within critical biodiversity areas identified in bioregional plans;”</i></p>	<p>Road construction activities will require clearance of 300m<sup>2</sup> of indigenous vegetation in areas identified as critical biodiversity areas in terms of the Limpopo conservation plan.</p>
<p><u>Listing Notice 3, Item 18:</u></p> <p><i>“The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><u>e. Limpopo</u></p> <p><i>i. Outside urban areas</i></p> <p><i>(ee) Critical biodiversity areas identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>(hh) Areas within a watercourse; or within 100 metres from the edge of a watercourse.”</i></p>	<p>The proposed project will require road widening within areas identified as critical biodiversity areas as per the Limpopo conservation plan.</p> <p>Widening activities may occur within 100 metres from the edge of a watercourse.</p>
<p><u>Listing Notice 3, Item 23:</u></p> <p><i>“The expansion of-</i></p> <p><i>(i) Infrastructure or structure where the physical footprint is expanded by 10 square metres or more:</i></p> <p><i>Where such expansions occur-</i></p> <p><i>(a) Within watercourse</i></p> <p><u>e. Limpopo</u></p> <p><i>i. Outside urban areas:</i></p>	<p>The project may require the expansion of bridges and culverts within a watercourse, where the expansion footprint is 10 square metres or more, outside an urban area.</p>

<p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or bioregional plans;</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p>	
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as described in the Basic Assessment Report (BAR) dated January 2023 at:

**Farm Names:**

- Portion 16 of Erf No.457 in Cyferfontein
- Portion 0 of Erf No.429 in Groenfontein
- Portion 0 of Erf No.417 in Grootvlei
- Portion 0 of Erf No.425 in T – Plaas
- Portion 0 of Erf No.419 in Nylstroom Town and Townlands

**SG 21 Code**

T	0	K	R	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	0
T	0	K	R	0	0	0	0	0	0	0	0	0	4	2	9	0	0	0	0	0
T	0	K	R	0	0	0	0	0	0	0	0	0	4	1	7	0	0	0	0	0
T	0	K	R	0	0	0	0	0	0	0	0	0	4	2	5	0	0	0	0	0
T	0	K	R	0	0	0	0	0	0	0	0	0	4	1	9	0	0	0	0	0

**Coordinates**

Proposed road for upgrades	Latitude	Longitude
Start	24° 46' 57.48" S	28° 28'36.51" E
Middle	24° 44' 35.39" S	28° 28'36.51" E
End	24° 41' 49.93" S	28° 24'4.43" E

- for the Proposed Improvements of R33 National Road Section 12 from N1 (km 77.0) to Section 13 Modimolle (km 0.6), Located in Modimolle, Mookgopong Local Municipality within the Waterberg District in the Limpopo Province, hereafter referred to as "the property".

The facility will comprise the following:

The proposed road improvements will mainly include the upgrade of the road from a single lane road into a dual carriageway which will also reclassify the road from an 80 km/h zone to a 100 km/h zone. The improvements will also include the:

- Upgrades at signalized intersections (timing only).
- Upgrades at other intersections safety and mobility
- Construction of auxiliary lanes along the R33.
- Widening of the current lanes.
- Construction of adequate shoulders.
- Increasing the speed limit.
- Formalisation of hawker facilities.

Other improvements that may be undertaken include:

- Upgrading of pedestrian walkways along the R33, with emphasis on the urban section (R101)
- Pedestrian accommodation at every intersection
- Universal access
- Upgrading and/or restoration of the 2 river bridges and 1 railway bridge along the R33 National Road.

## **Conditions of this Environmental Authorisation**

### **Scope of authorisation**

1. The proposed improvements of R33 National Road Section 12 from N1 (km 77.0) to Section 13 Modimolle (km 0.6), Located in Modimolle Mookgopong Local Municipality Within the Waterberg District in the Limpopo Province is approved as per the geographic coordinates.
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 ten (10) 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.

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

9. 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.
10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request;  
and
  - 10.4. give the reasons of the Competent Authority for the decision.

#### **Commencement of the activity**

11. 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, Act No. 107 of 1998, as amended 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**

12. A layout map submitted as part of the BAR is not approved. A copy of the final site layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must be overlaid into a sensitivity map and must indicate the following:
  - 12.1. All existing infrastructure on the site, especially roads.
  - 12.2. Internal roads indicating width.
  - 12.3. Any sensitive environmental features that will be affected by the road.
  - 12.4. All "no-go" and buffer areas.
13. The Environmental Management Programme (EMPr) submitted as part of the BAR is **not approved** and must be amended to include measures as dictated by the final site lay-out map, and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
14. Once approved, the EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

## Frequency and process of updating the EMPr

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 24 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.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. 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.
20. 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 the EIA Regulations, 2014 as amended. 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.
21. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

## Monitoring

22. The holder of the authorisation must appoint an experienced 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.
  - 22.1. The ECO must be appointed before commencement of any authorised activities.
  - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 22.4. 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**

23. 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.
24. 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.
25. 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 the EIA Regulations, 2014 as amended.
26. The holder of the authorisation must, in addition, submit environmental audit reports 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.
27. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended 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.
28. 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**

29. 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.

### **Operation of the activity**

30. 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**

31. 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**

32. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
33. A qualified Agricultural Specialist must be commissioned to undertake a final walk through of the road to be upgraded to identify potential agricultural impacts. The findings of the specialist must inform the development of the final layout plan and the EMP to be submitted to the Department for approval as per conditions 12 and 13 above.
34. Should archaeological materials or human burial remains be exposed during construction work on any section of the proposed development laydown sites, work should cease on the affected area and the discovery must be reported to the heritage authorities immediately so that an investigation and evaluation of the finds can be made.
35. Signs must be placed along the construction roads to identify speed limits, travel restrictions, and other standard traffic control information.
36. No temporary storage areas, laydown areas or site offices are allowed within a 100m of the edge of any river, stream or distinctive drainage line a 100m buffer zone (no-go zone) for these sites is required along all watercourses.
37. An Erosion Management Plan must be developed and implemented during the construction phase of the project, especially around watercourses and steep gradients along escarpment edges.
38. All hazardous materials must be stored appropriately to prevent these contaminants from entering the water environment.
39. All excess materials brought onto site for construction must be removed after construction and their removal seen as part of the construction phase.
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40. Rehabilitation plan for disturbed areas must be compiled and implemented as part of the construction phase.
41. 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 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).
42. The holder of the authorisation must provide sanitation facilities within the construction camps and along the road so that workers do not pollute the surrounding environment. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed at a registered waste disposal site.
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.

#### General

44. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 44.1. at the site of the authorised activity;
  - 44.2. to anyone on request; and
  - 44.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
45. 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: 25/04/2023



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment

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## 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 listed activities as applied for in the application form received on 13 October 2022.
- b) The information contained in the BAR dated January 2023.
- c) The comments received from SAHRA.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated January 2023 and as appears below:

### 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 BAR dated January 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- c) The location of the proposed improvements of the national road.
- d) The methodology used in assessing the potential impacts identified in the BAR dated January 2023 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended 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 January 2023 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 information contained in the BAR dated January 2023 is deemed to be accurate and credible.



- d) The findings of the site inspection held on 24 April 2023.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) 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.