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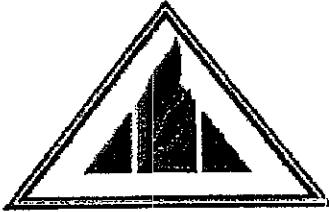
Robin Govender

Department of Agriculture and Environmental Affairs

Departement van Landbou en Omgewingsake

Umnyango Wezolimo Nezemvelo

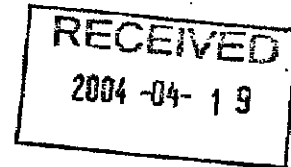
KwaZulu-Natal



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Enquiries: Navrae Imibuzo:	N Thambiran	Date: Datum: Usuku:	29/3/2004	Reference No.: Verwysing Nr.: Inkomba:	EIA / 4619

Endondakusuka Municipality
PO Box 144
Mandeni
4490

ATTENTION : Mr Norman Mhlungu
Fax : 032 - 4562504



**Re: Environmental Authorisation / Exemption from further compliance with EIA Regulations:
EIA 4619**

The KwaZulu-Natal Department of Agriculture and Environmental Affairs, by virtue of powers delegated by the National Minister of Environmental Affairs and Tourism and in terms of Section 22 of the Environment Conservation Act, Act No. 73 of 1989, hereby authorises the following activity:

The upgrade of residential access roads in Sundinabili, and the construction of a link road to Isithebe in the magisterial district of Endondkusuka.

Further to the above, the KwaZulu-Natal Department of Agriculture and Environmental Affairs, by virtue of powers delegated by the National Minister of Environmental Affairs and Tourism and in terms of Section 28A of the Environment Conservation Act, Act No. 73 of 1989, hereby grants exemption to Endondakusuka Municipality from further compliance with the Environmental Impact Assessment Regulations (Government Notice No. R.1183 of 5 September 1997) for the abovementioned project.

1. DESCRIPTION OF ACTIVITY

The applicant, Endondakusuka Municipality, proposes the following:

- The upgrading of existing gravel roads in the existing formal residential area of Sundumbili, Mandeni.
- The construction of a 6 m wide, 4 km long link road through the Mathonsi area, between the north-eastern part of Sundumbili and the southern boundary of the Isithebe industrial centre. The link road will follow an existing gravel track for most of its length.

The proposed design includes ancillary stormwater drainage and a low-level river-crossing over the Mandeni River. A cost effective stormwater collection and discharge system will be provided, based on minimal provision of piping and adopting existing discharge points wherever possible. A design rainfall intensity of 120 mm/hr and a run-off coefficient of 40 % will be adopted for calculation of discharge at critical points.

2. LOCATION

Province : KwaZulu-Natal
 Magisterial District : Endondakusuka
 Extent of Property : N/A
 1:50 000 map : 2931 AB Tugela
 Co-ordinates : Approximately 29° 08' 02" S; 31° 24' 06" E

3. APPLICANT

Name : Endondakusuka
 Address : PO Box 144
 Mandeni
 4490

Contact person(s) : Mr Norman Mhlungu
 Tel : 032 - 456 3191
 Fax : 032 - 456 2504
 Cellphone : 082 5556512
 E-mail : Norman@mandeni.org.za

4. Consultant:

Name : SiVEST SA (Pty) Ltd
 Address : PO Box 1899
 Umhlanga Rocks
 4320

Contact person : Michelle Nevette
 Tel : 031 - 5662201
 Fax : 031 - 5662371
 Cell phone : 082 - 4606 229

E-mail : michellen@sivest.co.za

5. SITE VISIT

Date : 25 February 2004
Persons present : Namo Thambiran
 Robin Govender
 DAEA Environmental Services
 SiVEST

6. DOCUMENTATION ASSESSED

DOCUMENTATION	PREPARED BY	DATE
1. Application form	SiVEST	January 2004
2. Environmental Considerations Rpt	SiVEST	December 2003
3. Comments	Department of Water Affairs and Forestry	March 2004
4. Comments	Amafa AkwaZulu - Natali	January 2004
5. Response to comments	SiVEST	January 2004
6. Comments	Amafa AkwaZulu - Natali	January 2004

7. KEY DECISION FACTORS

The Department's evaluation considered the following key decision making factors:

- 7.1 No objections to the development have been received from the relevant authorities.
- 7.2 Development along the Natal coast has led to high demand for improved transportation.
- 7.3 The area through which the roads are located is residential and has already been altered through settlement patterns. The proposed upgrading is therefore unlikely to have a significant impact on any vegetation or fauna, but will improve the situation by providing improved weather access and stormwater control.
- 7.4 The proposed upgrading will follow the existing alignment. In 2 instances, realignment is proposed which may impact on the flood plain of the Mandeni River. This will be mitigated by the appropriate design and construction of the roads and the crossings.

8. CONDITIONS OF AUTHORISATION

This authorisation is subject to the following conditions:

Standard Conditions:

- 8.1 The applicant is responsible for compliance with the provisions for Duty of Care and

- remediation of damage contained in Section 28 of the National Environmental Management Act, Act 107 of 1998, where the determination of environmental degradation will be decided by the Department
- 8.2 The applicant must notify all interested and affected parties of the issuing of this authorisation as well as place an advertisement, notifying the public of this authorisation and their right to appeal within 30 calendar days of date of issue, in the same media as the original notifications, within 10 days of the issuing of this authorization.
- 8.3 This Department reserves its right in terms of sub-regulation 9(3) of GN No. R1183 of 5 September 1997 as amended by GN No. R672 of 10 May 2002, to review any condition contained in this authorization, and if deemed necessary, delete or amend such condition, or at its discretion, determine new conditions, in such a manner that it is lawful, reasonable and procedurally fair.
- 8.4 This Department retains the right to inspect the property at any time during its development and operational phases.
- 8.5 Failure to comply with these conditions of authorization may under Section 22(4) of the Environment Conservation Act, Act 73 of 1989 result in this authorization being withdrawn and the applicant liable to legal action under Section 29 of the said Act.
- 8.6 This authorization refers only to the activity as specified and described above. Any other development associated with this project and listed under Section 21 of the Environment Conservation Act, (Act No 73 of 1989) is not covered by this authorization, and must therefore comply with the requirements of the Act and GN R1183 as amended.
- 8.7 The granting of this authorization does not grant the applicant authorization or exemption from compliance with any other relevant and applicable legislation.

Specific Conditions:

- 8.8 The development must comply substantially with the layout plan 7855/5000 as contained within the Environmental Considerations Report prepared by SiVEST.
- 8.9 The design and construction of the roads must be done with the approval of the Department of Transport.
- 8.10 The design and construction of the bridge crossing over the Mandeni River must be done to the satisfaction of the Department of Water Affairs and Forestry.
- 8.11 All waste associated with construction activities must be disposed of at an approved waste disposal facility. No waste material may be disposed of into the Mandeni River.
- 8.12 All construction associated with the development must be done in accordance with the local bylaws.
- 8.13 Any hazardous material to be used during construction must be stored and handled in a safe and responsible manner.
- 8.14 The recommendations contained within the Environmental Considerations Report (Section 3) dated December 2003, prepared by SiVEST must be implemented.

The authorization will be valid for a period of 24 months from the date of issue (i.e. if the said activity has not commenced within this period, a new application will need to be submitted to this Department).

An appeal against the authorisation or exemption or conditions of authorisation may be directed to the MEC for Agriculture and Environmental Affairs, MR. DUMISANI MAKHAYE, Private Bag X9059, PIETERMARITZBURG, 3200, within 30 calendar days of exemption, setting the grounds of appeal and including all relevant documentation as required by section 35 of the Environment Conservation Act, 1989.

Yours faithfully

DEPARTMENT OF
ENVIRONMENTAL AFFAIRS
2004 03 21


Head of Department

DEPT. OF AGRICULTURE
& ENVIRONMENTAL AFFAIRS
2004 -03- 29
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PIETERMARITZBURG, 3200