



edtea

Department :
Economic Development, Tourism and
Environmental Affairs

PROVINCE OF KWAZULU-NATAL

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Date :
Usuku : 15 June 2017
Datum :

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DM/0028/2016: ENVIRONMENTAL AUTHORISATION FOR THE CONSTRUCTION OF THE BRIDGE CITY FILLING AND SERVICE STATION, SITUATED ON PORTION 151 OF ERF 8, BRIDGE CITY IN KWAMASHU, LOCATED WITHIN THE ETHEKWINI District

The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs has **authorised** the above-mentioned project. This environmental authorisation and reasons for the decision are attached herewith.

ENQUIRIES

Please note that:

- All queries regarding this application for environmental authorisation (including the Department's decision) must be directed to the official of this Department with contact details provided on the letterhead above.
- Only** queries regarding appeals must be submitted to the Office of the MEC (details provided below).

NOTIFICATION OF DECISION ON APPLICATION

In accordance with regulation 4(2) of the NEMA, EIA Regulations, 2014 (as amended) the applicant must, in writing, **within fourteen (14) days** of the date of this decision ensure that:

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- a. All registered interested and affected parties are provided with access to this decision and the reasons for the decision; and,
- b. The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 if such appeal is available in the circumstances of the decision.

APPEALS

In accordance with regulation 4(1) of the National Appeal Regulations, 2014 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 organ of state with interest in the matter **within twenty (20) days** from the date of notification of this decision.

An appellant must comply with regulation 4(2) and submit the appeal, in writing, on the form obtainable from the Appeal Administrator and **by post, fax, e-mail or hand delivery** to the following address:

**The Appeal Administrator,
Office of the KwaZulu-Natal MEC for Economic Development, Tourism and Environmental Affairs**

POSTAL/ FAX/ E-MAIL:	PHYSICAL:
Private Bag X001 Bishopsgate Durban 4008 Tel: 031 310 5306 Fax: 031 310 5416 E-Mail: InderlallH@kznded.gov.za (Haresh Inderlall)	9 th Floor, The Marine Building, 22 Dorothy Nyembe Street, Durban 4001

Yours faithfully



for: **Head of Department**

Signed by: Ms. Vanessa Maclou

District Office: eThekweni

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

cc: *Messrs Afzelia Environmental Consultants (Pty) Ltd, Mr. Solomon Fataki, solomon@afzelia.co.za*

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Environmental Authorisation

Construction of the Bridge City filling and service station, situated on Portion 151 of Erf 8, Bridge City



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PROVINCE OF KWAZULU-NATAL

Environmental Authorisation

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

Project Title: Construction of the Bridge City filling and service station, situated on Portion 151 of Erf 8, Bridge City in KwaMashu, located within the eThekweni District

Municipality: eThekweni

Application Number : DM/0028/2016
NEAS Number : KZN/EIA/0000381/2016
Date of Issue : 15 / 06 / 2017
Environmental Authorisation Holder : Hlengwa and Zulu Investments
Location of Activity : Portion 151 of Erf 8, Bridge City in KwaMashu

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Scope of Project

Messrs Hlengwa and Zulu Investments is authorised to develop and operate four (04) underground storage tanks (UST's) for the storage and handling of dangerous goods¹, i.e. unleaded petrol and diesel, at the Bridge City filling and service station, situated on Portion 151 of Erf 8, Bridge City in KwaMashu, located within the eThekweni District, refer to the Site Layout Plan attached as Annexure 2, herein (dated December 2015 and prepared by Messrs MAB iKhwezi Architects). The UST's will have the following capacities: 03 x 23m³ and 01 x 46m³, hence the cumulative storage and handling capacity of dangerous goods on site will be 115m³.

The project scope will also include the development of:

- a. A forecourt area;
- b. An express shop;
- c. An anchor shop;
- d. A tanker loading bay; and,
- e. General parking bays.

The total extent of the site is 4999m² and the development footprint approximately 2500m², which will be restricted to the South-Eastern aspect of the site.

Decision

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ('NEMA') and the Environmental Impact Assessment ('EIA') Regulations, 2014 (as amended)

The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

(hereafter referred to as the "Department")

grants Environmental Authorisation

to:

Messrs Hlengwa and Zulu Investments

(hereafter referred to as "the EA holder")

¹ "dangerous goods" means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated "List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)" published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards (GNR 327 of the NEMA EIA Regulations, 2014 as amended).

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Details of the contact person:

Mr. Siyabonga Hlengwa
 E497 Timoni Road
 Kwamashu
 Durban
 4359

Telephone Number : 082 837 2348
E-mail Address : cyabonga.hlengwa@gmail.com

to undertake the following activity (hereafter referred to as “the activity”) as described in Section 1.

1. Activity Authorised

1.1 Description of the activity and location:

The following activity in Government Notice Regulation (GNR) 983 of the NEMA, EIA Regulations, 2014 have been triggered by the above-mentioned project:

Listing Notice/Activity No.	Activity description	Listing Notice/Activity No. (similar listing)	Activity description	Component of the project
GNR 983 Activity 14 (Listing Notice 1)	The development of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	GNR 327 Activity 14 (Listing Notice 1)	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	The project will involve the development and operation of four (04) UST's for the storage and handling of dangerous goods i.e. unleaded petrol and diesel. The UST's will have the following capacities: 03 x 23m ³ and 01 x 46m ³ , hence the cumulative storage and handling capacity of dangerous goods on site will be 115m ³ .

Table 1: Listed activity triggered.

Environmental Authorisation

Construction of the Bridge City filling and service station, situated on Portion 151 of Erf 8, Bridge City

21-digit SG code:	NOFT00000000078900306	
Physical description:	Portion 151 of Erf 8, Bridge City in KwaMashu	
GPS Co-ordinates along the boundary of the site:	Latitude	Longitude
	29° 43' 27.77"	30° 59' 1.74"
	29° 43' 28.35"	30° 59' 3.84"
	29° 43' 28.74"	30° 59' 4.22"
	29° 43' 30.58"	30° 59' 3.75"
29° 43' 30.07"	30° 59' 1.13"	

Table 2: Location details in respect of the site.

2. General

2.1 Compliance with the conditions of this Environmental Authorisation (EA)

In terms of Section 24F of the NEMA, no person may commence with an activity listed in terms of Section 24(2) (a) or (b) of the Act, unless the competent authority has granted a positive EA.

2.2 Understanding the conditions of this EA

It is the responsibility of the EA holder to understand the conditions of this EA. Any queries regarding this EA must be submitted, in writing, to the Department as per contact details specified in condition 2.4 herein.

2.3 Amendments to the project

2.3.1. Any changes to, or deviations from, the project description set out in this EA must be approved, in writing, by the Department before such changes or deviations may be effected.

2.3.2. This EA does not negate the EA holder's responsibility to comply with any other statutory requirement that may be applicable to the carrying out of the activities.

2.3.3. The Department retains the right to inspect the development at any reasonable time in terms of Section 31K(1) of the NEMA.

2.3.4. It is the responsibility of the EA holder to ensure that the Department is made aware of any change of ownership or contact details within **thirty (30) calendar days** of such changes. Where applicable, an amendment application must be submitted.

2.3.5. It is the responsibility of the EA holder to ensure that all information provided to the Department is credible and that the information reaches the relevant official.

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2.4. Contact details of the Department

The following contact details for the Department must be used for all correspondence which must be submitted to the Department:

Postal Address : KZN Department of Economic Development, Tourism and Environmental Affairs
Private Bag X54321
Durban
4000

Physical Address : 17th Floor Commercial City Building
40 Dr AB Xuma Street (formerly Commercial Street)
Durban

For Attention : Control Environmental Officer: Compliance, Monitoring and Enforcement (CME)/
Control Environmental Officer: Environmental Impact Assessment (EIA)/or,
Control Environmental Officer: Pollution and Waste Management (P&WM).

Tel Number : 031 366 7338 / 031 366 7319

E-mail Address : edtea.cme.ethekwini@gmail.com and vanessa.maclou@kznedtea.gov.za

3. Conditions of Environmental Authorisation

This EA is subject to the conditions set out below:

3.1. **Period of Validity**: The listed activity authorised must commence within **ten (10) years** of the Department's decision to authorise the activity. If commencement of the authorised activity does not occur within that period, this EA lapses.

3.2. Notification to Interested and Affected Parties (I&AP's)

3.2.1 The EA holder must notify every registered I&AP, in writing, and within **fourteen (14) calendar days** from date of the Department's decision to authorise the activity.

3.2.2 The notification referred to in 3.2.1 must:

3.2.2.1 Specify the date on which the EA was issued;

3.2.2.2 Inform the I&AP of the appeal procedure provided for in the National Appeal Regulations, 2014; and,

3.2.2.3 Advise the I&AP that a copy of the EA will be furnished on request from the EA holder.

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3.2.3 The EA holder must provide a copy of the EA within five (05) working days of being requested.

3.3 Environmental Management Programme (EMPr)

3.3.1 The final EMPr (received by the Department on 02 March 2017) and Addendum to the EMPr (received by the Department on 29 May 2017) (hereafter referred to as the 'EMPr') complies with Section 24N of the NEMA and Appendix 4 of the NEMA EIA Regulations, 2014 as amended. The EMPr is hereby **approved** and must be implemented.

3.3.2 The EMPr must:

3.3.2.1 Be considered as an extension of the conditions of the EA; and,

3.3.2.2 Be binding on all parties operating on the site.

3.3.3 Material Safety Data Sheets of all dangerous goods stored and/or handled on site must be appended to the EMPr.

3.3.4 Non-compliance with the EMPr will constitute non-compliance with the conditions of this EA.

3.3.5 Any amendments to the EMPr must be submitted to the Control Environmental Officer: EIA Component, as per contact details specified in condition 2.4 herein, for approval. The amendments must only be implemented after being approved by the Department.

Monitoring and Reporting to the Department


3.4 An experienced and independent Environmental Control Officer (ECO)² must be appointed prior to commencement of the construction phase (including site clearance) to implement and ensure compliance to the conditions in the EA and EMPr.

3.5 Upon appointment of the ECO his/her details must be communicated to the Control Environmental Officer: CME Component as per contact details specified in condition 2.4 herein.

3.6 Should the ECO for the project change at any time, this must be communicated, in writing, to the Department within **fourteen (14) calendar days** of appointing the new ECO. This notification must be sent to the Control Environmental Officer: CME Component as per contact details specified in condition 2.4 herewith.

3.7 The notification in terms of conditions 3.5 and 3.6 above must include contact details for the ECO, details pertaining to the ECO's relevant experience, and reasons for the change in ECO (in terms of condition 3.6 above).

² The ECO must be independent and have the necessary experience and qualifications to understand, interpret, monitor, audit and implement the EMPr and the conditions of this EA. Feedback must be given in the form of an audit report which must address any non-compliance that may have arisen from the audit.

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- 3.8 The responsibilities of the ECO must include *inter alia*:
- 3.8.1 Performing all tasks assigned to the ECO in the EA and EMPr;
 - 3.8.2 Keeping record of all activities on site, problems identified and transgressions noted;
 - 3.8.3 Assisting the EA holder with the implementation of the EA and EMPr; and,
 - 3.8.4 Providing guidance/advice that ensures implementation of appropriate environmental management measures and adherence with environmental legislation/regulations.
- 3.9 The ECO must conduct **monthly** audits. The first audit must be conducted within 14 (fourteen) days of commencement of the construction phase (including site clearance) and the last audit must be conducted within 14 (fourteen) days of completion of the construction phase. Environmental audit reports must be submitted to the CME Component of this Department as per contact details specified in condition 2.4 herewith within **14 (fourteen) calendar days** of the audit.
- 3.10 The environmental audit report must:
- 3.10.1 Be prepared by the ECO;
 - 3.10.2 Indicate the date of the audit, the name of the ECO and the outcome of the audit in terms of compliance with the conditions in the EA and EMPr;
 - 3.10.3 Include, but not limited to, any adverse impacts/changes to the environment including the mitigation measures implemented;
 - 3.10.4 Include copies of any approvals granted by other authorities that are relevant to the development;
 - 3.10.5 Recommend changes to be made to the EMPr for cases where unmitigated impacts have been observed;
 - 3.10.6 Be submitted as a hard-copy (unless otherwise agreed upon, in writing, by the Control Environmental Officer: CME Component of the eThekweni District);
 - 3.10.7 Evaluate compliance with the conditions in the EA and EMPr for the reporting period;
 - 3.10.8 Include supporting documentation needed to confirm compliance with the conditions in the EA and EMPr for the reporting period;
 - 3.10.9 Include measures to be implemented to address any non-compliances or degradation to the environment; and,
 - 3.10.10 Report back on measures already implemented to address any non-compliances or degradation to the environment.
- 3.11 Records relating to monitoring and auditing must be kept on site and made available for inspection by the Department and other relevant authorities.

Pre-Construction Phase

- 3.12 The Site Traffic Assessment (STA) (prepared by Messrs GIBB Engineers and Architects, dated 30 November 2015 with Reference Number: J35367 and included in the final BAR and EMPr received by the Department

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on 02 March 2017) must be amended to conform to the eThekweni Municipality's Transport Authority's Manual for Traffic Impact Assessment (TIA's) and STA's³.

- 3.13 The STA referred to in condition 3.12 above must be approved by the eThekweni Municipality's Transport Authority prior to commencement of the construction phase of this project. Proof of approval must be submitted to the CME Component of this Department as per the contact details specified in condition 2.4 herein.

Written notice of the Commencement of the Construction Phase


- 3.14 Not less than **seven (07) calendar day's** written notice must be given to the Department that the construction phase of the development will commence. The notice must include the EIA reference number DM/0028/2016, the date on which it is anticipated that the construction phase will commence and a copy of the EA together with any other subsequent amendments, if applicable. This notification must be submitted to the CME Component of this Department as per the contact details specified in condition 2.4 herein.

Construction Phase

- 3.15 Prior to commencing with any site clearance activities all personnel working on site must undergo environmental awareness training (which must include awareness of the conditions contained in the EA and EMP; and, his/her roles and responsibilities). The training must take into account language and literacy requirements. Proof of the training must be appended to the first environmental audit report.
- 3.16 Prior to commencing with any site clearance activities all existing infrastructure (i.e. electricity lines, water pipelines, man holes) must be identified and demarcated. Should there be a need for the relocation of any infrastructure a written agreement must be reached between the relevant competent authority and EA holder prior to such relocation. Proof of the agreement must be appended to the first environmental audit report.
- 3.17 Prior to commencing with any site clearance activities a site inspection for indigenous vegetation⁴ must be conducted by a qualified vegetation specialist. All indigenous vegetation must be relocated within suitable areas within the boundaries of the site or off site where they must be nursed. Upon completion of the construction phase, the vegetation must be reintroduced within the site as part of the rehabilitation and landscaping of the site. Proof of the vegetation specialist's appointment and the site inspection must be appended to the first environmental audit report.
- 3.18 The final layout of the development must comply with the Site Layout Plan attached as Annexure 2, herein (dated December 2015 and prepared by Messrs MAB iKhwezi Architects).

³ As per the eThekweni Municipality's Transport Authority's comment included in the consolidated comments received from the eThekweni Municipality dated 02 February 2017 (included in the final BAR and EMP received by the Department on 02 March 2017).

⁴ i.e. indigenous grass species as recorded by the vegetation specialist in the Vegetation Assessment Report included in the final BAR (received by the Department on 02 March 2017) and the Addendum to the final BAR (received by the Department on 29 May 2017).

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3.19 The working area must be:

- 3.19.1 Cordoned off to the public to prevent injury;
- 3.19.2 Clearly demarcated; and,
- 3.19.3 All construction work must be kept within the demarcated area.

3.20 All construction camps must be located within the site.

3.21 Temporary chemical ablution facilities must:

- 3.21.1 Not result in any pollution neither should it pose a health hazard.
- 3.21.2 All waste must be disposed of at an appropriately licensed facility. Safe disposal certificates must be attached to the relevant ECO audit report.

3.22 Cement and concrete mixing must be carried out on a hard surface or mortar trays.

3.23 Drainage must be controlled to ensure that runoff from the site does not culminate in off-site pollution.

Dust and Soil Erosion Control

3.24 Dust control measures, such as, shade cloth/screens must be erected along the construction area to minimize the spread of dust across the site and onto neighbouring sites.

3.25 Dust generated due to the construction activities must be suppressed. The use of pure water to dampen the roads must be avoided. Alternative environmentally sound techniques must be utilised.

3.26 Vehicles transporting dust generating materials e.g. sand or finer grained materials must be covered to prevent danger/nuisance to other road users.

3.27 All stockpiles must be covered with hessian sheets or shade cloth.

Dangerous Substances and Generators

Conditions 3.28-3.33, herein are specific to the construction phase/activities of this development (i.e. not applicable to the operational aspects of the development):

3.28 Dangerous substances such as diesel, petrol, oil and/or lubricants must be stored under lock and key.

3.29 The following conditions apply to storage areas for the dangerous substances:

- 3.29.1 These areas must be protected by a bund of volume equal to 110% of the maximum volume of the product stored.

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- 3.29.2 The floor of the bund must be hard surfaced and impermeable.
- 3.29.3 If the bunds referred to in condition 3.29.1 cannot be constructed, dangerous substances must be stored temporarily in a designated storage area in containers placed on drip trays capable of holding a minimum of 110% of the volume of the container storing the substance.
- 3.33 All generators must be placed on drip trays whilst in use and stored in the areas referred to in condition 3.29, above.

Spill Management


- 3.34 The EA holder must ensure that all personnel working on the site are trained to deal with a spill/leak.
- 3.35 Any petrochemical spills that occur must be stored in skips/tanks/drums and disposed of at an appropriately licensed landfill site. Safe disposal certificates must be attached to the relevant ECO audit report.
- 3.36 In the event of a spill which poses a serious threat to the environment the following Departments must be informed within **forty-eight (48) hours** of an incident⁵ and/or emergency situation⁶:
- 3.36.1 The eThekweni Municipality;
 - 3.36.2 The Department of Water and Sanitation;
 - 3.36.3 The KZN Department of Economic Development, Tourism and Environmental Affairs: P&WM Component as per contact details specified in condition 2.4 herein;
 - 3.36.4 The local fire Department; and,
 - 3.36.5 Any other mandated authority.
- 3.37 In respect of condition 3.36 the EA holder must ensure that personnel directly responsible for incidents and/or emergency situations within the relevant Departments are contacted. The EA holder must maintain up to date contact details for these authorities.

Waste Management

- 3.38 All solid waste material prior to being collected for safe disposal must be stored under cover and within designated solid waste collection/storage areas which must be bunded and hard surfaced. The waste generated must be disposed off at a licensed waste disposal facility in terms of Section 20(b) of the NEMA. The contractor responsible for the removal of the waste must supply the EA holder with a certificate indicating safe disposal. All safe disposal certificates must be attached to the relevant audit report.
- 3.39 Any wastewater (i.e. dirty construction water) generated must not be discharged into the natural environment. All contaminated wastewater must be captured in a dirty water attenuation tank. The wastewater generated must be disposed off at a licensed waste disposal facility in terms of Section 20(b) of

⁵ 'Emergency Incident' as described in terms of Section 30 of the NEMA.

⁶ 'Emergency Situation' as described in terms of Section 30(A) of the NEMA.

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the NEMA. The contractor responsible for the removal of the waste must supply the EA holder with a certificate indicating safe disposal. All safe disposal certificates must be attached to the relevant audit report.

Heritage and Culture

3.40 Should any archaeological material/heritage objects or graves be uncovered on site during construction:

3.40.1 The point of discovery must be demarcated and construction at that locality must cease immediately.

3.40.2 The discovery must be reported to the local police station and Amafa AkwaZulu-Natali for investigation.

3.40.3 The discovery must be detailed in the relevant ECO audit report.

3.41 Construction at that locality must not resume until Amafa AkwaZulu-Natali grants approval.

Pre-Operational Phase

3.42 Should hydro-testing of the UST's be necessary then, hydro-testing water must be reused between each UST to minimise water usage.

Written notice of the Commencement of the Operational Phase

3.43 Not less than **seven (07) calendar day's** written notice must be given to the Department that the operational phase of the development will commence. The notice must include the EIA reference number DM/0028/2016, the date on which it is anticipated that the operational phase will commence and a copy of the signed EA together with any other subsequent amendments if applicable. This notification must be submitted to the CME Component with contact details as specified in condition 2.4 herein.

Operational Phase

3.44 The oil/water separator must be inspected daily to prevent blockages and overflows.

3.45 The UST's must be gauged daily and reconciled against the volume to check for losses due to possible leaks.

3.46 Records detailing the integrity testing and repair work to the UST's (including associated infrastructure) must be kept on site and made available to the Department upon request.

3.47 The impervious surfaces on site, inclusive of but not limited to, the parking, storage and handling areas must be maintained at all times to prevent contamination of soil and groundwater.

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3.48 Any detection of groundwater pollution must be reported to mandated authorities within **forty-eight (48) hours** of detection.

Site Closure

3.49 The construction camp must be removed off site immediately upon completion of the construction phase.

Decommissioning of the Development

3.50 The EA holder is responsible for compliance with the provisions for *Duty of care and remediation of damage* in accordance with Section 28 of the NEMA. Determination of damage vests in the Department.

3.51 Should the activity cease or become redundant, the EA holder must contact the Department to determine the required actions for the decommissioning of the activity.

Availability of this EA

3.52 A copy of this EA must be kept by the EA holder and be made available to any official of the Department on request.

Date of environmental authorisation: 15 June 2017



for Head of Department:

Signed by: Ms. Vanessa Maclou

District office: eThekweni

KwaZulu-Natal Department of Economic Development, Tourism and 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 -

- i) The Application for Environmental Authorisation compiled by Messrs Afzelia Environmental Consultants (Pty) Ltd and received by the Department on 29 September 2016.
- ii) The fifty (50) day extension for submission of the final BAR and EMPr granted to Messrs Afzelia Environmental Consultants (Pty) Ltd by the Department on 01 December 2016.
- iii) The meeting convened between the Department, the Applicant and Messrs Afzelia Environmental Consultants (Pty) Ltd on 27 February 2017.
- iv) The information contained in the final BAR and EMPr, both compiled by Messrs Afzelia Environmental Consultants (Pty) Ltd, Messrs Hanslab (Pty) Ltd and Messrs Terratest (Pty) Ltd; and, received by the Department on 02 March 2017.
- v) The findings of the site visit undertaken by Department officials in the presence of the Applicant and Mr. Solomon Fataki representing Messrs Afzelia Environmental Consultants (Pty) Ltd on 12 May 2017.
- vi) The Department's e-mail correspondence to the Applicant and Messrs Afzelia Environmental Consultants (Pty) Ltd dated 22 May 2017 requesting further information.
- vii) The Addendum to the final BAR and EMPr received from Messrs Afzelia Environmental Consultants (Pty) Ltd by the Department on dated on 29 May 2017.
- viii) The amended Application for Environmental Authorisation compiled by Messrs Afzelia Environmental Consultants (Pty) Ltd and received by the Department on 29 May 2017.

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 as guided by Section 24(4)(h) of the NEMA, were of the most significance is set out below.

a) Public Participation

The Department is satisfied that the public participation process complies with the requirements of Chapter 6 of the NEMA, EIA Regulations, 2014 (as amended). On 01 December 2016, the Department granted Messrs Afzelia

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Environmental Consultants (Pty) Ltd a fifty (50) day extension for submission of the final BAR and EMPr as new substantive information (i.e. a site traffic assessment and feasibility assessment) needed to be circulated for comment. Messrs Afzelia Environmental Consultants (Pty) Ltd has confirmed that the final BAR and EMPr was subjected to a minimum 30 day commenting period **prior** to the extension (from the 03 October 2016 to 05 November 2016) and **post** extension (from the 12 December 2016 to 06 February 2017). In addition, comments from organs of state and interested and affected parties have been included and addressed in both the final BAR and EMPr (received by the Department on 02 March 2017) and Addendum to the final BAR and EMPr (received by the Department on 29 May 2017).

b) Vegetation

A Vegetation Assessment Report was undertaken by Messrs Afzelia Environmental Consultants (Pty) Ltd (included in the final BAR and EMPr received by the Department on 02 March 2017) and further comments provided in the Addendum to the final BAR and EMPr (received by the Department on 29 May 2017). As per the specialists findings the site is highly disturbed with little to no vegetation cover in certain areas and alien invasive vegetation (comprising large tree species, shrubs and low growing plants) in other areas. No primary or secondary grasslands were present on site. The site was dominated by poor quality grasses in terms of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983). Furthermore, a significant amount of alien invasive vegetation will require clearing as per the conditions stipulated in the final EMPr (received by the Department on 02 March 2017) and Addendum to the final EMPr (received by the Department on 29 May 2017). No indigenous trees were recorded within the site. However, small clusters of the following indigenous grass species were present: *Aristida junciformis* (Ngongoni Three-awn), *Chloris gayana* (Rhodes grass), *Melinis repens* (Natal Red-top) and *Tragus berteronianus* (Carrot-seed grass). Conditions have been included in the EA to address the temporary relocation/off site nursing and reintroduction of these indigenous grass species, within the proposed development, as per the rehabilitation and landscaping of the site upon completion of the construction phase. Any other impacts to vegetation will be abated by the mitigation measures included as conditions of this EA, the final EMPr (received by the Department on 02 March 2017) and Addendum to the final EMPr (received by the Department on 29 May 2017).

c) Wetland

A Wetland Functionality Assessment was undertaken by Messrs Earth Water Environmental Science (included in the final BAR and EMPr received by the Department on 02 March 2017) and further comments provided in the Addendum to the final BAR and EMPr (received by the Department on 29 May 2017). As per the specialists findings the site is located greater than 100m from any watercourse and hence poses no threat to these systems.

d) Geotechnical and Geohydrological

A Geotechnical and Geohydrological Report was prepared by Messrs Drennan Maud (Pty) Ltd (included in the final BAR and EMPr received by the Department on 02 March 2017) and further comments provided in the Addendum to the final BAR and EMPr (received by the Department on 29 May 2017). The development footprint will span approximately 2500m² and will be restricted to the South-Eastern aspect of the site. Any impacts to the ground and

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geohydrology will be abated by the mitigation measures included as conditions of this EA, the final EMPr (received by the Department on 02 March 2017) and Addendum to the final EMPr (received by the Department on 29 May 2017).

e) Traffic Impact

A TIA was prepared by Messrs GOBA (Pty) Ltd for the greater Bridge City development (included in the final BAR and EMPr received by the Department on 02 March 2017) and further comments provided in the Addendum to the final BAR and EMPr (received by the Department on 29 May 2017). To supplement the TIA and assess site specific traffic a STA was prepared by Messrs GIBB Engineers and Architects (included in the final BAR and EMPr received by the Department on 02 March 2017). The STA will be amended to conform to the eThekweni Municipality's Transport Authority's Manual for TIA's and STA's. Commencement of the construction phase of this project is authorised to commence only once the STA has been approved by the eThekweni Municipality's Transport Authority. Any impacts to traffic will be abated by the mitigation measures included in the final EMPr (received by the Department on 02 March 2017) and Addendum to the final EMPr (received by the Department on 29 May 2017). In addition, these mitigation measures will be supplemented by those prescribed by the eThekweni Municipality's Transport Authority.

f) Feasibility Assessment

A Feasibility Assessment was prepared by Messrs Urban-Econ Development Economists (included in the final BAR and EMPr received by the Department on 02 March 2017). The assessment concluded that there is a projected medium to high future demand for developments, such as, a new filling and service station on site. The total potential fuels sales from the filling and service station amounted to an estimated minimum of 271 493 litres per month and a maximum of 448 208 litres per month; however, it is most likely that the total potential fuel sales will be 357 988 litres per month. This is 7 988 litres per month above the industry standard accepted monthly fuel sales of 350 000 litres for a feasible filling and service station within an urban area.

g) Need and desirability

The development of the filling and service station will have a positive socio-economic impact (as detailed in the final BAR and EMPr received by the Department on 02 March 2017). The development will assist in satisfying the fuel demand in the area and will create approximately 20 full-time permanent employment opportunities during the operational phase. Furthermore, it will not result in detrimental environmental impacts provided that the prescribed mitigation measures are implemented and will be located within an already highly transformed urban environment.

h) Alternative options

i) The 'No-Go' Alternative

Should the project not receive a positive EA, the status quo will remain from an environmental perspective and no direct socio-economic impacts are anticipated. The fuel demand in the area will not be satisfied and approximately

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20 full-time permanent employment opportunities will not be created. Furthermore, the site will remain vacant, highly disturbed, degraded and of little benefit to the applicant.

ii) Location Alternative

No site alternatives were considered during the impact assessment stage. However, during the project scoping stage and compilation of the Background Information Document Portion 150 of Erf 8, Bridge City in KwaMashu, located within the eThekweni District was included in addition to Portion 151 as the 'proposed site'. Portion 151 was then deemed sufficient for the development and Portion 150 excluded from the scope of the development.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. **The construction of the Bridge City filling and service station, situated on Portion 151 of Erf 8, Bridge City in KwaMashu, located within the eThekweni District is accordingly granted.**

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