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Reference: 10451-20150122-Berth 203 to 205 EA Letter

22 January 2015

RE: Notification of Positive Environmental Authorisation – The Proposed Deepening, Lengthening and Widening of Berths 203 to 205 at Pier 2 Container Terminal, Port of Durban, KwaZulu-Natal Province (NEAS REF: DEA/EIA/0000988/2012; DEA REF: 14/12/16/3/3/2/275)

Dear Registered Interested and Affected Party (I&AP),

This serves to notify you that the Department of Environmental Affairs (DEA) granted a positive Environmental Authorisation (EA) for the proposed Deepening, Lengthening and Widening of Berths 203 to 205 at Pier 2 Container Terminal, Port of Durban, KwaZulu-Natal Province in terms of the National Environmental Management Act (Act No. 107 of 1998) on **21 January 2015**.

Attached, please find a copy of the EA and Appeal Process.

The information and key factors considered by the DEA as well as their findings are provided in **Annexure 1: Reasons for Decision**. A summary of the findings are provided below:

- The identification and assessment of impacts are detailed in the final EIAR dated 1 August 2013 and the amended EIAR dated 5 August 2014 and sufficient assessment of the key identified issues and impacts have been completed;
- The procedure followed for the impact assessment is adequate for the decision-making process;
- The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts;
- The information contained in the final EIAR dated 1 August 2013 and amended EIAR dated 5 August 2014 is accurate and credible; and
- EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAR and will be amended so as to manage the identified site specific environmental impacts during the construction phase.

In terms of Chapter 7 of the 2010 EIA Regulations, a Notice of Intention to appeal against the decision must be lodged within 20 days (**21 January 2015 to 10 February 2015**) from the date of the issue of the Authorisation with the DEA: Mr Z Hassam, Director: Appeals and Legal Review by means of the following methods:

- **By post:** Private Bag X447, Pretoria, 0001; or
- **By hand:** Environment House, Steve Biko Road, Arcadia, Pretoria.

Please note that the appeal must be:

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CK 1999/66215/23
Member: D Naidoo

- Submitted within 30 days of lapsing of the 20 days in terms of regulation 62 (1) (11 February 2015 to 12 March 2015).
- Submitted in writing to:
 - **Mr. Z. Hassam:** Director: Appeals and Legal Review of the Department at the above mentioned addresses.

Mr Hassam can also be contacted at:

- **Tel:** 012 310 3271
- **Email:** AppealsDirectorate@environment.gov.za

Further, please note that the appeal must be accompanied by the following information:

- A statement setting out the grounds for appeal;
- Supporting documentation which is referred in the appeal; and
- A statement that the appellant has complied with Regulation 62 (2) or (3) together with copies of the notices referred to in Regulation 62.

The DEA has compiled a summary of the procedure to be followed for an appeal. This procedure can be found on Page 3 of the Environmental Authorisation which is attached to this letter.

Please contact the undersigned for any further queries regarding this project.

Yours Sincerely,
Nemai Consulting



Vanessa Stippel
Environmental Consultant