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: 14/12/16/3/3/1/3289
Enquiries: Ms Thulisile Nyalunga
Telephone: 012 399 9405 **Email:** TNyalunga@dffe.gov.za

Mr Johnny Mokheseng
Transnet SOC Limited
237 Mahatma Gandhi Road
DURBAN
4001

Cell phone Number: 083 708 9191
E-mail Address: Johnny.Mokheseng@transnet.net

PER EMAIL

Dear Mr Mokheseng

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE BAYHEAD AND LANGEBERG ROAD UPGRADES AT THE PORT OF DURBAN, ETHEKWINI METROPOLITAN MUNICIPALITY, 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 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 stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the 2014 NEMA EIA Regulations, 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 decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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 R5985 in Government Gazette No. 52269 dated 13 March 2025 (National Appeal Regulations, 2025), which prescribe the appeal procedure to be followed.

Departement van Bosbou, Visserye en die Omgewing • Department of Forestry, Fisheries and the Environment • UmNyango wezamaHlathi, zokuThiya neBhoduluko • iSebe lezamaHlathi, ezokuLoba noKusingqongileyo • Umnyango Wezamahlathi, Ezokudoba Nezemvelo • Kgoro ya Dithokgwa, Boreahlapi le Tikologo • Lefapha la Meru, Botshwasi ba dithapi le Tikoloho • Lefapha la Dikgwa, Dithapi le Tikologo • Litiko Letemahlatsi, Tinhlanti Netendzawo • Muhasho wa zwa Vhusima-maḓaka, Vhureakhovhe na Mupo • Ndzawulo ya Swihlahla, Vunjoveri na Mbango. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessively for the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act, and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

Kindly include a copy of this document (National Appeal Regulations, 2025) with the letter of notification to interested and affected parties in this matter.

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 twenty (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 Department, 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: appeals@dffe.gov.za

By hand: Environment House
473 Steve Biko Road
Arcadia
PRETORIA
0083 or

By post: Private Bag X447
PRETORIA
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal 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.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully

Dr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment
Date: 26/10/2026

cc.	Ms Lucille Behrens	CEN Integrated Environmental Management (IEM) Unit	Email: lucille@environmentcen.co.za
	Mr Bonginkosi R. Dlamini	KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA)	Email: BonginkosiR.Dlamini@kznedtea.gov.za
	Ms Michelle Lotz	eThekwini Metropolitan Municipality	Email: Michelle.Lotz@durban.gov.za

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 Bayhead and Langeberg Road Upgrades, Port of Durban, KwaZulu Natal Province

eThekwini Metropolitan Municipality

Authorisation register number:	*14/12/16/3/3/1/3289*
Last amended:	First issue
Holder of authorisation:	*Transnet SOC Limited*
Location of activity:	*Portion 175 of Erf 10004 of Durban ;* *Portion 56 of Erf 10004 of Durban;* *Portion 203 of Erf 10004 of Durban;* *Portion 1 of Erf 10019 of Durban;* *Portion 0 of Erf 10013 of Durban;* *Portion 0 of Erf 12356 of Durban;* *Portion 0 of Erf 12355 of Durban;* *Portion 0 of King Flats Farm No. 16344; and* *Portion 0 of King Royal Flats No. 16576,* *within Ward 32 of eThekwini Metropolitan Municipality* *KwaZulu Natal Province*

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.

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 –

TRANSNET SOC LIMITED

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

with the following contact details –

Mr Johnny Mokheseng
Transnet SOC Limited
237 Mahatma Gandhi Road,
DURBAN
4001

Cell phone Number 083 708 9191
E-mail Address: Johnny.Mokheseng@transnet.net

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
Listing Notice 1, Item 19 (A) *"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-* *(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater;* *but excluding where such infilling, depositing, dredging, excavation, removal or moving-* *(f) will occur behind a development setback;* *(g) is for maintenance purposes undertaken in accordance with a maintenance management plan;* *(h) falls within the ambit of activity 21 in this Notice, in which case that activity applies;* *(i) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."*	The bridges of the Bayhead Road across the canals are situated within an estuary / 100m of an estuary and it is anticipated that approximately 3836m^3 of material will be deposited and/or removed for the widening of the bridges. It is anticipated that bridge support structures would be required in the canal bed and along the banks/embankments/curbs of the canals; which would result in the removal of sections of the concrete canal bed, embankments/curbs and potentially the removal of the underlying soils and then refilling thereof.
Listing Notice 3, Item 12 *"The clearance of an area of 300m^2 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.* *(d) KwaZulu-Natal* *(v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;* *(vi) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine*	Clearance of approximately 3 Hectares of vegetation will occur. The roads are situated within an estuarine functional zone (EFZ). Sections of Bayhead Road are located on the edges of critical biodiversity areas, approximately 850m^2 of vegetation will be cleared along these areas.

functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; (xiii) In an estuarine functional zone."	
Listing Notice 3, Item 18 *"The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.* *(d) KwaZulu-Natal* *(v) In an estuarine functional zone;* *(viii) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."*	The roads and bridges will be widened by 4m. Approximately 50m of Bayhead Road will be widened by 8.5m at the Rotterdam and Bayhead Road intersection. The roads and bridges are situated within an EFZ, and sections of the Bayhead Road are located on the edges of critical biodiversity areas.

as described in the Basic Assessment Report (BAR) dated 17 July 2026:

Affected farm portions and 21 Digit Surveyor General codes

Affected farm portions	21 Digit Surveyor General codes
Portion 175 of Erf 10004 of Durban	N0FU00850001000400175
Portion 56 of Erf 10004 of Durban	N0FU00850001000400056
Portion 203 of Erf 10004 of Durban	N0FU00850001000400203
Portion 1 of Erf 10019 of Durban	N0FU00850001001900001
Portion 0 of Erf 10013 of Durban	N0FU0085000100300000
Portion 0 of Erf 12356 of Durban	N0FU00850001235600000
Portion 0 of Erf 12355 of Durban	N0FU0085000123550000
Portion 0 of King Flats Farm No. 16344	N0FU0000000163440000
Portion 0 of King Royal Flats No. 16576	N0FU0000001657600000

Coordinates of the proposed development:

Coordinates	Latitude:	**Longitude:**
Geographical coordinates		
Start	29° 53′ 06.54″ S;	30° 59′ 23.87″ E
Middle	29° 54′ 16.65″ S;	31° 00′ 37.95″ E
End points	29° 53′ 27.62″ S;	31° 00′ 54.70″ E
Geographical coordinates of infrastructure upgrades		
Bayhead road		
Start	29° 53′ 06.54″ S	30° 59′ 23.87″ E
Middle	29° 53′ 41.26″ S	31° 00′ 01.83″ E
End points	29° 54′ 16.65″ S	31° 00′ 37.95″ E
Bayhead Canal Widening		
Start	29° 53′ 52.01″ S	31° 00′ 07.34″ E
Middle	29° 53′ 51.55″ S	31° 00′ 08.31″ E
End points	29° 53′ 51.31″ S	31° 00′ 09.59″ E
Bayhead Road Over Rail Bridge 2-5		
Middle	29° 53′ 08.47″ S	30° 59′ 26.05″ E
Bayhead Canal Bridge 3-6		
Middle	29° 53′ 51.47″ S	31° 00′ 07.99″ E
Umhlatuzana Canal Bridge 4-7		
Middle	29° 53′ 58.16″ S	31° 00′ 12.40″ E
Amanzimnyama Canal Bridge 5-8		
Middle	29° 54′ 18.72″ S	31° 00′ 31.22″ E
Langeberg Road		
Start	29° 54′ 18.45″ S	31° 00′ 34.89″ E
Middle	29° 53′ 51.56″ S	31° 00′ 42.86″ E
End points	29° 53′ 27.62″ S	31° 00′ 54.70″ E
Langeberg Road Over Rail Bridge 17		
Middle	29° 53′ 32.59″ S	31° 00′ 51.08″ E
Sewer Rising Main		
Start	29° 53′ 39.71″ S	31° 00′ 02.67″ E
Middle	29° 54′ 02.33″ S	31° 00′ 14.40″ E
End points	29° 54′ 18.36″ S	31° 00′ 35.58″ E

- for the Bayhead and Langeberg Road Upgrades, Port of Durban, located within Ward 32 of eThekwini Metropolitan Municipality, KwaZulu Natal Province, hereafter referred to as "the property".

The project entails the following:

Proposed Upgrades:

The project involves upgrading and widening Bayhead and Langeberg Roads to improve their capacity to accommodate port-related vehicle traffic, as outlined below:

- Widening existing carriageways by one lane in each direction. The following is being considered for the road widening:
  - to widen both sides of the roads by a minimum of 4m either side, or
  - use the centre median, or
  - a combination of centre median usage and widening to obtain the necessary traffic layout configuration.
- Modification to five bridges (rail and canals) for lane extension and structural integrity.
  - Proposed works include deck widening, cantilevered extensions, and vertical substructure adjustments to accommodate revised road geometry, traffic capacity, and integrated services, with substructures tied into existing foundations to maintain vertical and longitudinal stability.
- Stormwater management enhancements, including improved drainage systems and designated discharge points.
  - Stormwater pipe size will be 375mm diameter for drainage systems.
  - Upgrade of discharge stormwater pipe into Bayhead Canal with minimum 450mm diameter and fitted tidal valves.
  - Additional stormwater pipes may be included to service the widening sections.
- Modification and expansion of Bayhead Canal at the Bayhead Canal Bridge (Bridge 3-6):
  - Potential modification of the existing canal upstream of Bayhead Canal Bridge (Bridge 3-6), to splay the abutments and repair to erosion.
  - Expansion of the existing culvert with an additional 3.4m x 7m culvert and associated widening of upstream and downstream of canal.

Relocation of Sewer Rising Main:

- The route of the existing sewer rising main (0.45m diameter) along Bayhead Road would be relocated to the outgoing road verge over a length of approximately 1,655m. The proposed sewer rising main would remain at a 0.45m diameter pipeline.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Bayhead and Langeberg Road upgrades, Port of Durban, within Ward 32 of eThekwini Metropolitan Municipality, KwaZulu-Natal Province, are hereby approved as per the geographic coordinates cited in the table 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 affected. 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 transfer or change of ownership rights of this environmental authorisation.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If the 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. The continuation of any such activities after the lapsing of the above-mentioned period may trigger one or more listed and/or specified activities, including activity 32 of LN1. Such continuation without the required environmental authorisation will constitute an offence or offences in terms of section 49A(1)(a) read with section 24F(1)(a) of NEMA.

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, 2025;
    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, 2025, 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. The site layout plan attached in the final BAR (Appendix C) for Bayhead and Langeberg Road Upgrades, Port of Durban is hereby approved.
13. The Environmental Management Programme (EMPr) for the Bayhead and Langeberg Road Upgrades, Port of Durban, submitted as part of the BAR dated 17 July 2026, is approved and must be implemented and adhered to.
14. The EMPr for the Bayhead and Langeberg Road Upgrades, Port of Durban 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.
15. Changes to the approved EMPr must be submitted in accordance with 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 EIAR 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, before submission of the updated EMPr to the Department for approval.
20. In assessing whether to approve 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 the 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 a record of all activities on site, problems identified, transgressions noted, and 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 is audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.

25. The frequency of auditing and 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 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.

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.

30. The holder of an Environmental Authorisation must notify the Competent Authority of any alienation, transfer, or change of ownership rights of the property on which the activity is to take place.

Operation of the activity

31. 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

32. 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

33. Prior to the commencement of construction, all protected plant species within and in the vicinity of the development footprint must be relocated to suitable areas by a person with appropriate horticultural experience, particularly in the relocation of indigenous plants within natural habitats, with the translocation undertaken during mid-summer to maximise the likelihood of identifying and relocating all individuals.
34. Permits to translocate such species must be acquired, and a search and rescue plan must be compiled and implemented.
35. All mature trees that are to remain in place must be cordoned off/marked so that all personnel involved during the construction phase are aware these trees need to be retained, and damage to these individuals avoided.
36. A search and rescue exercise for the KwaZulu Dwarf Chameleon must be planned and performed immediately prior to clearance of any of the site's vegetation.
37. Any chameleons encountered within the development footprint must be captured and relocated to a suitable, intact habitat within the designated no-go area by an appropriately trained and qualified specialist prior to the commencement of activities in the affected area.
38. Vegetation clearing activities must be undertaken only during the approved working hours and suitable weather conditions. The contractor must monitor weather forecasts, and all clearing activities must be suspended when heavy rainfall is forecast or when weather conditions may result in environmental damage
39. All bare slopes and surfaces to be exposed to the elements during clearing and earthworks must be protected against erosion using rows of hay-bales, sandbags and/or silt fences aligned along the contours and spaced at regular intervals (e.g. every 1m) to break the energy of surface flows.

40. Once shaped, all exposed/bare surfaces and embankments must be re-vegetated immediately.
41. If re-vegetation of exposed surfaces cannot be established immediately due to phasing issues, temporary erosion and sediment control measures must be maintained until such a time that re-vegetation can commence.
42. After every rainfall event, the contractor must check the site for erosion damage and rehabilitate this damage immediately. Erosion rills and gullies must be filled in with appropriate material and silt fences or fascine work must be established along the gulley for additional protection until vegetation has re-colonised the rehabilitated area.
43. No refuelling, servicing or chemical storage must occur within 32m of any watercourse.
44. No vehicles transporting concrete, asphalt or any other bituminous product must be washed on site.
45. Hazardous storage and refuelling areas must be bunded prior to their use on site during the construction period, following the appropriate South African National Standards (SANS) codes. The bund wall must be high enough to contain at least 110% of any stored volume. The surface of the bunded surface must be graded to the centre so that spillage may be collected and satisfactorily disposed of.
46. All necessary equipment for dealing with spills of fuels/chemicals must be available at the site. Spills must be reported to an Environmental Officer (EO), cleaned up immediately, and contaminated soil/material disposed of appropriately at a registered site.
47. The re-vegetation must be timed to occur before the wet season (ideally at the onset of the wet season in early spring – August to October) so that watering requirements are minimized, and plant growth is most vigorous.
48. The applicant must avoid the most sensitive estuarine vegetation units and Critical Biodiversity Areas (CBAs). Where a road must cross an estuary, prioritize bridging or elevated structures over solid infill berms to maintain natural water flow.
49. Adhere strictly to the guidelines set out by the National Estuarine Management Protocol and the Integrated Coastal Management Act.
50. The KwaZulu-Natal Amafa and Research Institute must be contacted if any heritage objects are identified during earth-moving activities, and all development must cease until further notice.
51. No structures older than sixty years or parts thereof are allowed to be demolished, altered, or extended without a permit from the KwaZulu-Natal Amafa and Research Institute.
52. Under no circumstances must any heritage material be destroyed, inundated, collected, or removed from site unless under the direction of the KwaZulu-Natal Amafa and Research Institute and a heritage specialist.
53. Should any remains be found on site that are potentially human remains, the South African Police Service (SAPS) must be contacted. No SAPS official must disturb or exhume such remains without the necessary permission from the KwaZulu-Natal Amafa and Research Institute.

54. No activities must be allowed within 50m of a site which contains rock art.
55. Sources of all-natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage legislation.
56. Chance Finds Protocol must be observed as detailed in the mitigation measures of the heritage report accompanying this application.
57. As per the conditions attached to the AMAFA permit for the bridge, in the event of any contemplated deviation, the prior written approval of Kwa-Zulu-Natal Amafa and Research Institute must be obtained:
58. In such an event, a written motivation in support of such deviation must be submitted to Kwa-Zulu-Natal Amafa and Research Institute for consideration.
59. The KwaZulu-Natal Amafa and Research Institute has the right to inspect the site at any time;
60. Where necessary, monthly reports are to be submitted to KwaZulu-Natal Amafa and Research Institute on the work being conducted and the findings.
61. A final report on the work conducted and the findings must be submitted to Kwa-Zulu Natal Amafa and Research Institute not later than thirty (30) days from the date of expiration of this permit; extensions are negotiable.
62. All archaeological and paleontological material becomes, on discovery, the property of the Province of KwaZulu-Natal and must be lodged at the repository of KwaZulu-Natal Amafa and Research Institute.
63. The Applicant must ensure that artefacts are preserved in their original state while in his/her possession.
64. The Applicant is liable for any damage or destruction caused at any site or to any artefact.
65. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, reuse, and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environmental Management Waste Act, 2008 (Act No.59 of 2008).

General

66. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr must be made available for inspection and copying-
    66.1. at the site of the authorised activity;
    66.2. to anyone on request; and
    66.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible websites.
67. 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 after 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 the authorisation.

Date of Environmental Authorisation: 26/10/2022

Dr. Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries, and the Environment

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 17 April 2026.

b) The information contained in the BAR dated 17 July 2026.

c) The comments received from Interested and Affected Parties as included in the BAR dated 17 July 2026.

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 17 July 2026 and as appears below:

Name of Specialist	Title of specialist reports	Date issued of Report
Ryan Edward, David Style James Harvey, Juliette Lagesse	Terrestrial Biodiversity including Plant & Animal Species	08 July 2026
Ryan Edward, Juliette Lagesse, Darrin McIntyre	Aquatic Biodiversity Impact Assessment	25 March 2025
Mabeth Crafford Jenna Lavin	Heritage, Archaeology & Palaeontology	October 2025
Mohammed Kajee	Traffic Impact Assessment	05 August 2025
Jonathan Marshall	Landscape/ visual Impact Assessment	March 2026
Oliver Knoppersen Duduzile Skhosana	Noise Impact Assessment	08 March 2026
K. Gordon	Geotechnical study	June 2025
Eugene de Beer	Socio-economic Impact Assessment	08 September 2025

2. Key factors considered in making the decision

All information presented to the Department was considered 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 upgrade of Bayhead and Langeberg Roads is necessary to improve transportation infrastructure within the Port of Durban, as the existing roads are currently experiencing slow-moving traffic and vehicle congestion.

c) The methodology used in assessing the potential impacts identified in the BAR dated 17 July 2026 and the specialist studies has been adequately indicated.

d) 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 17 July 2026, and sufficient assessment of the key identified issues and impacts has been completed.

b) The procedure followed for impact assessment is adequate for the decision-making process.

c) The information contained in the BAR dated 17 July 2026 is deemed to be accurate and credible.

d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

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.

MS

Annexure 2: Locality Plan

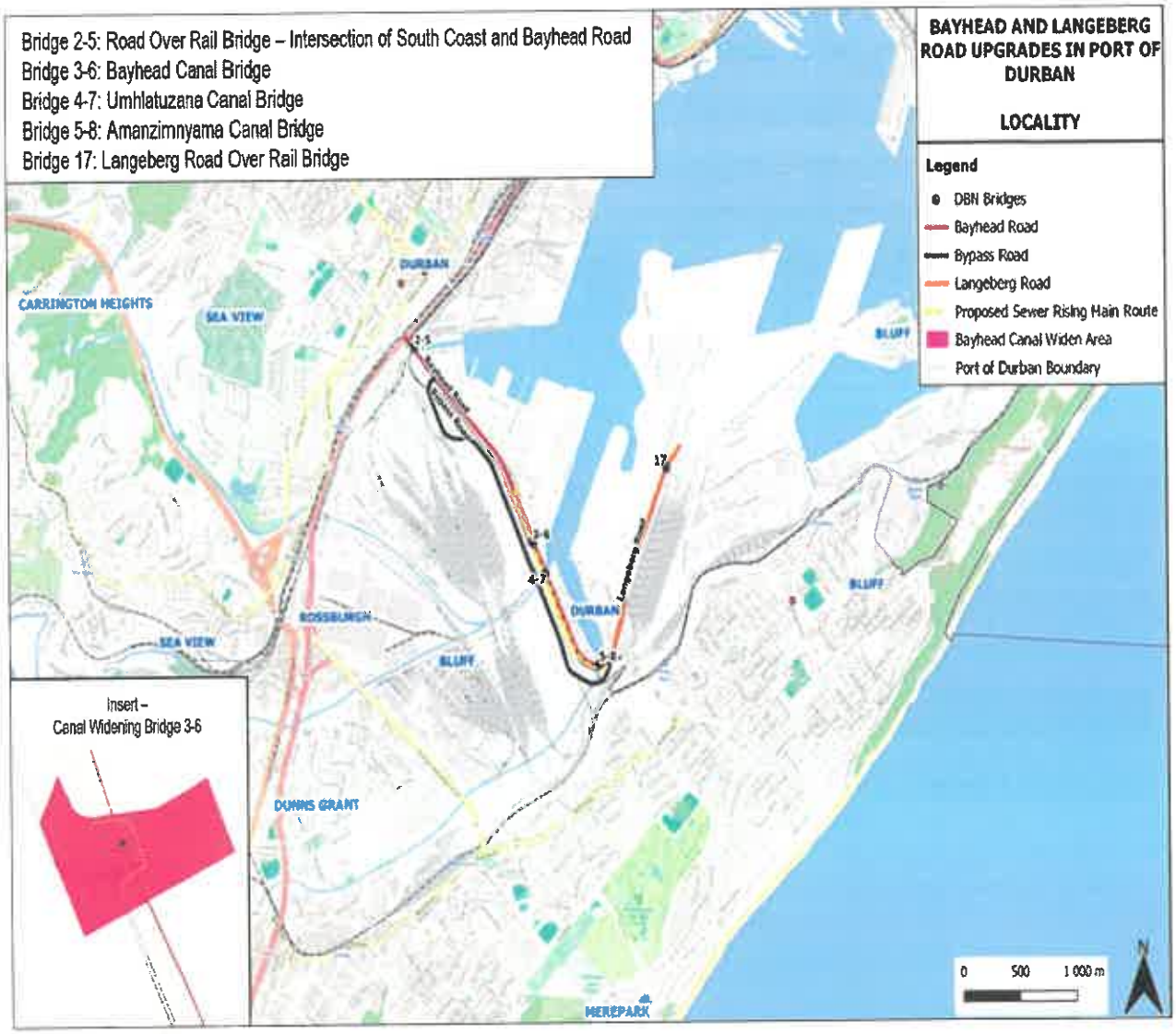


Figure 2-1: Locality