



24G APPLICATION REF: 14/2/4/2/1/F4/11/0007/21

---

## ENVIRONMENTAL AUTHORISATION

Municipal Manager  
Saldanha Bay Municipality  
17 Main Road  
VREDENBURG  
7380

Email: [heinrich.mettler@sbm.gov.za](mailto:heinrich.mettler@sbm.gov.za)

Attention: Heinrich Francois Mettler

Dear Sir

### **APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): UNLAWFUL COMMENCEMENT OF A LISTED ACTIVITY: UNLAWFUL CLEARANCE OF VEGETATION ON REMAINDER 24 OF FARM 282, KLIPRUG, MIDDELPOS, SALDANHA BAY**

With reference to your application dated 08 March 2021 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

#### **A. DECISION**

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to continue with the listed

activities specified in Section C below as described in the application and environmental assessment dated 08 March 2021.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G. This Environmental Authorisation shall only take effect from the date on which it has been issued.

The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

## **B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION**

Saldanha Bay Municipality  
c/o Mr Heinrich Francois Mettler  
17 Main Road  
VREDENBURG  
7380

Tel: 072 748 4568

Email: [Heinrich.mettler@sbm.gov.za](mailto:Heinrich.mettler@sbm.gov.za)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the holder".

## **C. LIST OF ACTIVITIES AUTHORISED**

<b>Listed Activities</b>	<b>Activity/Project Description</b>
<i>Government Notice No. R. 327 of 2017</i> <b>Activity Number: 28</b> Activity Description: "Residential, mixed, retail, commercial, industrial or institutional development where such land was used for agriculture, game farming, equestrian purposes or	Clearance of approximately 21.7 hectare occurred on the site zoned agriculture for the establishment of an informal

<p>afforestation on or after 01 April 1998 and where such development:</p> <p>i. will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>ii. will occur outside an urban area, where the total land to be developed is bigger than 1 hectare. Excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes."</p>	<p>settlement. The Saldanha Bay Municipality is proposing to formalize the settlement.</p>
<p>Government Notice No. R325 of 2017–</p> <p><b>Activity Number: 15</b></p> <p>Activity Description: "The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity;</p> <p>or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan."</p>	<p>Clearance of approximately 21,7 hectares occurred on the site zoned agriculture for the establishment of an informal settlement.</p>
<p>Government Notice No. R324 of 2017</p> <p><b>Activity Number: 4</b></p> <p>Activity Description: "The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>i. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation"</p>	<p>Clearance of vegetation occurred for the establishment of an informal settlement which include gravel roadways. The formalisation of the settlement will include upgrade of these roadways.</p>
<p>Government Notice No. R324 of 2017</p>	

<p><b>Activity Number: 12</b></p> <p>Activity Description: <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><i>Western Cape</i></p> <p><i>i. within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2014;</i></p> <p><i>ii. within critically biodiversity areas identified in bioregional plans"</i></p>	<p>Clearance of more than 300m<sup>2</sup> of a Critical Biodiversity Area occurred on the site.</p>
---	--

The abovementioned list is hereinafter referred to as "the listed activities/development".

#### **D. PROPERTY DESCRIPTION AND LOCATION**

The listed activities commenced on Remainder 24 of Farm 282, Kliprug, Middelpoos, Saldanha Bay.

The SG digit code is: C04600000000028200024

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 00' 12.71 South	17° 54' 42.98" East
2	33° 00' 12.16 South	17° 55' 02.64" East

3	33° 00' 17.83" South	17° 55' 12.01" East
4	33° 00' 22.86" South	17° 55' 12.01" East

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	33 ° 00' 10.19" South	17 ° 54' 48.47" East
2	33° 00' 12. 16" South	17 ° 55' 02.64" East
3	33 ° 00' 17.83" South	17 ° 55' 12.01" East
4	33 ° 00' 19.78" South	17 ° 54' 53.83" East

Refer to Annexure 1: Locality Plan

Herein-after referred to as "the site".

## **E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")**

Guillaume Nel Environmental Consultants (GNEC)

c/o Mr Cahlan Williams

P. O. Box 2632

PAARL

7620

Tel: (021) 870 1874

Cell: 076 684 6566

Email: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)

## **F. DETAILS OF THE ACTIVITIES UNDERTAKEN**

The Saldanha Bay Municipality commenced with the formalisation of the informal settlement on the site which is also known as “Joe Slovo”. The site however, has slowly been infiltrated with illegal informal structures since 2011 which led to the subsequent clearance of approximately 21,7 ha of indigenous vegetation. The Saldanha Bay Municipality proposes to formalise the informal settlement to provide approximately 1063 serviced erven. The formalisation of Joe Slovo will consist of erf sizes of between 114m<sup>2</sup> and 150m<sup>2</sup>, three (3) places of worship of between 680m<sup>2</sup> and 1850m<sup>2</sup>, a crèche of 1059m<sup>2</sup> and 2 (two) minor business erven with a consent use for parking of approximately 693m<sup>2</sup> and 2193m<sup>2</sup>, respectively.

## **G. CONDITIONS OF AUTHORISATION**

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

### **PART I**

#### **Scope of authorisation**

1. The holder is authorised to undertake the listed activities specified in Section C above in accordance with and restricted to the implemented Alternative described in the application and assessment report dated 08 March 2021 on the site as described in Section D above.
2. The development must be concluded within 5 years from the date of continuation.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the alternative described in Section F above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be

necessary for the holder to apply for further authorisation in terms of the applicable legislation.

## **PART II**

### **Written notice to the competent authority**

5. Seven (7) calendar days' notice, in writing, must be given to the competent authority before continuation of commencement of the construction/development activities.
- 5.1 The notice must make clear reference to the site details and 24G Reference number given above.

## **PART III**

### **Notification and administration of an appeal**

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
  - 6.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1 the outcome of the application;
    - 6.1.2 the reasons for the decision as included in Annexure 2;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date when the decision was issued.
  - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the *National Appeals Regulations, 2014* detailed in Section I below.
  - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision.
  - 6.4 provide the registered I&APs with:
    - 6.4.1 the name of the holder (entity) of this Environmental Authorisation;
    - 6.4.2 name of the responsible person for this Environmental Authorisation;
    - 6.4.3 postal address of the holder;
    - 6.4.4 telephonic and fax details of the holder;
    - 6.4.5 e-mail address, if any, of the holder; and

6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the *National Appeal Regulations, 2014*.

7. The listed activities, including site preparation, may not commence within 34 (thirty-four) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

#### **PART IV**

##### **Management of the activity/development**

8. The draft Environmental Management Programme ("EMPr") dated 16 March 2021 compiled by GNEC Environmental Consultants and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.

9. The EMPr must be included in all contract documentation for all phases of implementation.

#### **PART V**

##### **Monitoring**

10. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website (if applicable).

11. Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

#### **PART VI**

##### **Auditing**

12. In terms of regulation 34 of the *EIA Regulations, 2014* the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the



EMPr and the closure plan (where applicable) and submit Environmental Audit Reports to the competent authority upon receiving such request in writing from the competent authority. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

## **PART VII**

### **Activity/ Development Specific Conditions**

13. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

14. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

## **H. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity/ies.
2. Non-compliance with a condition or term of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not continue, conduct or undertake listed activities within the period referred to in Condition 2 of Section G, this Environmental Authorisation shall lapse for that activity or

activities, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment must be made on condition that the environmental authorisation is valid on the date of receipt of such amendment application.

Note that:

(1) In terms of regulation 28(1A) of the *EIA Regulations, 2014* the competent authority shall not accept or process an application for amendment of an environmental authorisation if such environmental authorisation is not valid on the day of receipt of such amendment application but may consider an application for environmental authorisation for the same development.

(2) In terms of regulation 28(1B) of the *EIA Regulations, 2014* an environmental authorisation which is the subject of an amendment application remains valid pending the finalisation of the amendment application.

(3) It is an offence in terms of section 49A(1)(a) of the NEMA for a person to commence with a listed activity if the competent authority has not granted an environmental authorisation for the undertaking of the activity.

4. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the *EIA Regulations, 2014* must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with regulations 35 to 37 of the *EIA Regulations, 2014* or any relevant legislation that may be applicable at the time.

## I. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –
  - 1.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.
2. An appellant (if NOT the holder) must –
  - 2.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.
3. The holder (if not the appellant), the decision-maker, I&APs and Organ of State must submit their responding statements, if any, to the Appeal Authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. This appeal and responding statement must be submitted to the address listed below -
  - By post:                   Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs &  
Development Planning  
Private Bag X9186, Cape Town, 8000; or
  - By facsimile:           (021) 483 4174; or
  - By hand:                 Attention: Mr Marius Venter (Tel: 021-483 3721)  
Room 809, 8th floor Utilitas Building  
1 Dorp Street, Cape Town, 8000; or
  - By e-mail:               [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

**Note:** You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## **J. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS**

Non-compliance with a condition or term of this Environmental Authorisation or EMPr may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

## **K. DISCLAIMER**

The Western Cape Government, appointed in terms of the conditions of this Environmental Authorisation, shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Yours faithfully

---

**ADV. CHARMAINE MARÉ**  
**DIRECTOR: ENVIRONMENTAL GOVERNANCE**

CC: (1) Cahlan Williams (EAP)  
(2) Nazeema Duarte (Saldanha Bay Municipality)  
(3) Andre Oosthuizen (DEA&DP: Development Facilitation)

Email: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)  
Email: [nazeema.duarte@sbm.gov.za](mailto:nazeema.duarte@sbm.gov.za)  
Email: [Andre.Oosthuizen@westerncape.gov.za](mailto:Andre.Oosthuizen@westerncape.gov.za)





**FOR OFFICIAL USE ONLY:**

**S24G REFERENCE: 14/2/4/2/1/F4/11/0007/21**

**ANNEXURE 2: REASONS FOR THE DECISION**

This Environmental Authorisation is in respect of the consequences of commencement of the afore-mentioned illegal activities. An Environmental Assessment Practitioner ("EAP") was appointed to submit a section 24G Environmental Impact Assessment ("EIA") to the Department to obtain this Environmental Authorisation. The EIA was considered adequate for informed decision-making. In addition, the holder paid an administrative fine of R10 000 (Ten thousand Rand) to meet the requirements of section 24G of the *National Environmental Management Act, 1998* ("NEMA").

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form dated 08 March 2021 and the Comments and Responses Report received by the Department on 06 May 2021.
- b) The Environmental Management Programme ("EMPr") dated 16 March 2021 submitted together with the application.
- c) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation and Alternatives.
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
- e) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereto.
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures.
- g) The site visit conducted on 17 August 2021 attended by officials from this Department.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

## 1. Public Participation Process

In terms of section 24G(1)(vii)(dd) of the NEMA, "...a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed ...", is required.

The public participation process conducted by the EAP comprised of the following:

- An advertisement was placed in the Weslander Newspaper on the 3rd of December 2020;
- A site notice was erected; and
- Letters were sent to interested and affected parties ("I&APs") and the municipal ward councillor.
- I&APs were afforded the opportunity to provide comments on the application.

### Consultation with organs of state in terms of section 24O of the NEMA

The following organs of state provided comment on the application:

- CapeNature
- This department's directorate Development Management Region 1 ("D:DM – Region 1")
- Heritage Western Cape

A summary of their comments follows below.

#### CapeNature

CapeNature stated that they will not be able to provide comments, other than they believe the municipality should be held accountable to some degree. So that could mean a possible fine, or financially contributing towards securing the strategic offset as recently signed off as an Annexure to the Saldanha SDF by Minister Bredell. The fact that the municipality is undertaking an S24G means that they have acknowledged some accountability.

#### D:DM – Region 1

The directorate stated that since a minibus taxi-rank is proposed on the north-eastern quadrant of the site, it is recommended that some facilities/bays for small scale trading be provided. It is recommended that provisions for firebreaks and associated safety measures be considered in the overall layout and formalisation of the existing informal settlement. Although the informal settlement already exists and it is indicated that no technology alternatives were investigated, it is recommended that some water and energy saving alternatives be considered since new infrastructure will still be constructed/installed. Should technology

alternatives not be feasible at this stage of the project, the reasons should be provided in the report. The site is completely occupied by informal dwellings. However, it is hereby recommended that adequate provisions also be made to provide suitable open spaces to the local community.

### Heritage Western Cape

The EAP submitted a Notification of Intent to Develop (NID) in terms of Section 38(1) of the *National Heritage Resources Act (Act 25 of 1999)* to Heritage Western Cape (HWC). HWC provided formal comment on the 25th of May 2020 stating that "since there is no reason to believe that the proposed residential development will impact on heritage resources no further action under Section 38 of the *National Heritage Resources Act (Act 25 of 1999)* is required."

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

The competent authority concurs with the EAP's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

## **2. Alternatives**

### 2.1 Activity Alternatives

#### Alternative 1 (Herewith authorised)

The Saldanha Bay Municipality proposes to formalise the informal settlement to provide approximately 1063 serviced erven. The formalisation of Joe Slovo will consist of erf sizes of between 114m<sup>2</sup> and 150m<sup>2</sup>, three (3) places of worship of between 680m<sup>2</sup> and 1850m<sup>2</sup>, a crèche of 1059m<sup>2</sup> and 2 (two) minor business erven with a consent use for parking of approximately 693m<sup>2</sup> and 2193m<sup>2</sup>, respectively.

#### Alternative 2

The Saldanha Bay Municipality proposes to formalise the informal settlement to provide approximately 1100 serviced erven. The formalisation of Joe Slovo will consist of free-standing units of 40.5m<sup>2</sup> and semidetached units of 43.3m<sup>2</sup>, 1 Place of Worship of 3475m<sup>2</sup>, a crèche of 2226m<sup>2</sup> and a taxi rank of 3232m<sup>2</sup> in size. Furthermore, the proposed design is



to provide asphalt surfaced streets as well as the provision of pedestrian footpaths. This alternative is not preferred as it only makes provision for 1 Place of Worship for a large community. Places of Worship fosters closer relationships and builds trust within a community. This alternative is not preferred as it is expected have negative social impacts.

#### Alternative 3

The Joe Slovo informal settlement has already been constructed and is occupied; therefore, no site alternatives will be considered. No activity alternatives were considered. The Saldanha Bay Municipality proposes to formalise the informal settlement. This is in line with the forward planning frameworks of the local municipality.

#### 2.2 The option of not implementing or continuing with the activity ("No-Go" Alternative)

The unlawful activity had already been undertaken and completed. The site is unlikely to make a significant contribution to the conservation of the vegetation type present and rehabilitation of the site is not deemed feasible as is also currently occupied.

### **3. Environmental Impact Assessment (EIA) and Mitigation Measures**

In reaching its decision, the competent authority, considered the following in respect of the EIA and mitigation measures:

#### 3.1. Activity Need and Desirability and Regional Planning Context

The site is currently zoned Agriculture, and therefore a rezoning and subdivision application will be submitted to the relevant competent authority (Saldanha Bay Municipality). Similar land uses are located to the north and south of the site, and the proposed formalisation will be in line with the Provincial Spatial Development Framework (PSDF) as it will optimise currently transformed land. The site proposed for formalisation is located in an area earmarked for residential development according to the Spatial Development Framework of the Saldanha Bay Municipality (2019).

#### 3.2. Services/ Bulk Infrastructure

The clearance of vegetation and subsequent establishment of an informal settlement was not planned for in infrastructure planning by the local municipality however, in fulfilling their mandate the local municipality provided temporary services and is proposing the formalisation of the informal settlement which is in line with the forward planning frameworks of the Saldanha Bay Municipality.

### 3.3. Biophysical and Biodiversity Impacts

The site occurs in area that is relatively flat surrounded by low-income residential developments and informal settlements to the North and South of the site. The site consisted of Saldanha Flats Strandveld (Endangered vegetation status, however, the site is likely to have been historically used for agricultural purposes. Due to the surrounding residential developments numerous footpaths traversed the site which would have possibly led to the proliferation of invasive alien vegetation species. Additionally, it is likely that the site would have also been subject to informal dumping. Small portions of Critical Biodiversity Areas (CBA) are located in the West and South of the site, however, due to the transformed nature of the site, the CBA patch in the south has been completely transformed by informal dwellings, while numerous footpaths now exist on a patch of CBA situated in the West of the site.

### 3.4. Visual / Sense of Place

The site is in line with the surrounding area and in close proximity of similar activities. Therefore, no sensitive cultural areas were impacted. As mentioned before, HWC provided formal comment that no further heritage related studies are required for the proposed formalisation of the informal settlement. The vegetation clearance has changed the visual character of the immediate area however, this is not significant due to the surrounding areas consisting of similar activities.

## 4. **NEMA Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA), which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----