



**REFERENCE:** 16/3/3/1/A5/40/2005/20  
**ENQUIRIES:** RONDINE ISAACS  
**DATE OF ISSUE:** 13 OCTOBER 2020

## **ENVIRONMENTAL AUTHORISATION**

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED): PROPOSED EXPANSION OF A DIESEL STORAGE DEPOT ON ERF NO. 36622, KRAAIFONTEIN.**

With reference to your application for the abovementioned, find below the outcome with respect to this application.

### **DECISION**

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activity specified in Section B below with respect to the preferred alternative as included in the Basic Assessment Report (“BAR”) dated 30 June 2020.

The granting of this Environmental Authorisation (hereinafter referred to as the “Environmental Authorisation”) is subject to compliance with the conditions set out in Section E below.

### **A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION**

JR Petroleum Services (Pty) Ltd  
c/o Mr. Alon Julian  
P.O. Box 130  
DURBANVILLE  
7551  
Tel.: (021) 988 4111  
Fax: (086) 295 5779  
E-mail: [alon@jrpetroleum.co.za](mailto:alon@jrpetroleum.co.za)

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

## B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<b>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</b>  <b>Activity 51:</b> <i>"The expansion and related operation of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres".</i>	The existing diesel storage facilities will be expanded by more than 80m <sup>3</sup> .

The abovementioned list is hereinafter referred to as "the listed activity".

The holder is herein authorised to undertake the following related to the listed activity:

The proposed project entails the expansion of the existing diesel storage facilities on Erf No. 36622, Kraaifontein. An additional five horizontal aboveground diesel storage tanks with a capacity of approximately 99m<sup>3</sup> each, will be installed inside a bunded area directly next to the existing tank farm in the north-eastern corner of the property. The tanks will be interconnected to the existing tanks and road gantry. The footprint of expansion will be approximately 2000m<sup>2</sup> in extent.

## C. LOCATION AND SITE DESCRIPTION

The listed activity will take place on Erf No. 36622, Kraaifontein.

Erf No. 36622 is located in the heavy industrial area of Kraaifontein and is situated next to the N1 National Road. Joostenberg Vlakte is situated approximately 200m to the north and Peerless Park East approximately 560m to the west. Belmont Park is situated approximately 490m to the south.

The SG 21-digit code is: C05500050003662200000

Co-ordinates:

Latitude: 33° 50' 13.20" S

Longitude: 18° 43' 55.20" E

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

hereinafter referred to as "the site".

#### **D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)**

PetroStruct and Design  
c/o Mr. Terence Thackwray  
P.O. Box 894  
WEST COAST VILLAGE  
7433  
Cell: 083 746 8933  
Fax: (086) 520 4872  
E-mail: [tct@petrostruct.co.za](mailto:tct@petrostruct.co.za)

#### **E. CONDITIONS OF AUTHORISATION**

##### **Scope of authorisation**

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated 30 June 2020 on the site as described in Section C above.
2. Authorisation of the activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure 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.
3. The holder must commence with, and conclude, the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
  - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity for the construction phase, must be concluded.
4. The activity that has been authorised may only be carried out at the site described in Section C above in terms of the approved “Environmental Management Programme” (“EMPr”).
  5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 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 such 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.

## **Notification of authorisation and right to appeal**

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
  - 6.1 notify all registered Interested and Affected Parties of –
    - 6.1.1 the outcome of the application;
    - 6.1.2 the reasons for the decision;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date of issue of the decision;
  - 6.2 draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
  - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
  - 6.4 provide the registered Interested and Affected Parties 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;
    - 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 Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

## **Commencement**

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

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

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
  - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
  - 9.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 10.1 and 14.

### **Management of activity**

10. The draft EMPr submitted as part of the application for Environmental Authorisation is hereby approved on condition that the following amendments are made and must be implemented.
  - 10.1 An Emergency Plan must be compiled and must be submitted for comment to the City of Cape Town, prior to the undertaking of the authorised activities. A copy of the Emergency Plan and the letter of comment from the City of Cape Town must be submitted to this Department for information purposes.
  - 10.2 The duly dated Emergency Plan must be included in the EMPr, and the amended EMPr must be submitted to the Department for information purposes.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr 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. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

### **Monitoring**

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and

- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

### **Environmental audit reports**

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
  - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
  - 15.2 submit an environmental audit report three months after commencement of the construction phase to the relevant competent authority; and
  - 15.3 thereafter submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
16. The environmental audit reports must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on-
    - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
    - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
  - 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
  - 16.3 evaluate the effectiveness of the EMPr;
  - 16.4 identify shortcomings in the EMPr;
  - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
  - 16.7 include a photographic record of the site applicable to the audit; and
  - 16.8 be informed by the ECO reports.
17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

### **Specific conditions**

18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
20. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). 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: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

21. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
22. The tanks must be designed, installed and managed in accordance with the relevant SANS standards.
23. A contingency plan must be implemented and strictly adhered to during tank replacements. The plan must address both the remediation of possible existing pollution and the measures to prevent possible further pollution caused by suspected leaking tanks.
24. In the event of a product loss at the site (possibly a spillage during tanker delivery or a fuel line failure), the holder must rapidly respond in order to contain any spilled product. The holder must also ensure that no additional health risks to any of the surrounding developments result from such an incident.
25. Firefighting equipment must be present on site and adhere to the Oil Industry standards.

26. During fuel tanker delivery, the tanker driver must be present at all times during product offloading. An emergency cut-off switch must be installed to immediately stop fuel delivery should an accident occur.
27. The storage tanks must be bunded (110% of the proposed tank's capacity) to contain any possible spills and to prevent any infiltration of fuel into the ground.
28. The requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), must be adhered to.

### **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.
2. If the holder does not commence with the listed activity within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activity, 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 in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.
3. 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 (as amended) 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.

4. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, other than those mentioned above, must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.



## **F. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
  - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 1.2 Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker i.e. the competent authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -
  - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 2.2 Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker i.e. the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered Interested and Affected Party and the 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. The appeal and the responding statement must be submitted to the address listed below:

By post:                   Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental  
Affairs and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand:                   Attention: Mr. Marius Venter (Tel: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

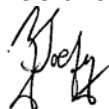
5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## **G. DISCLAIMER**

The Western Cape Government, the Local Authority, committees or any other public authority or organisation 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.

Your interest in the future of our environment is appreciated.

Yours faithfully



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**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DATE OF DECISION: 13 OCTOBER 2020**

CC: (1) Mr. Terence Thackwray (PetroStruct and Design)  
(2) Ms. Pat Titmuss (City of Cape Town)

E-mail: [tct@petrostruct.co.za](mailto:tct@petrostruct.co.za)  
E-mail: [pat.titmuss@capetown.gov.za](mailto:pat.titmuss@capetown.gov.za)

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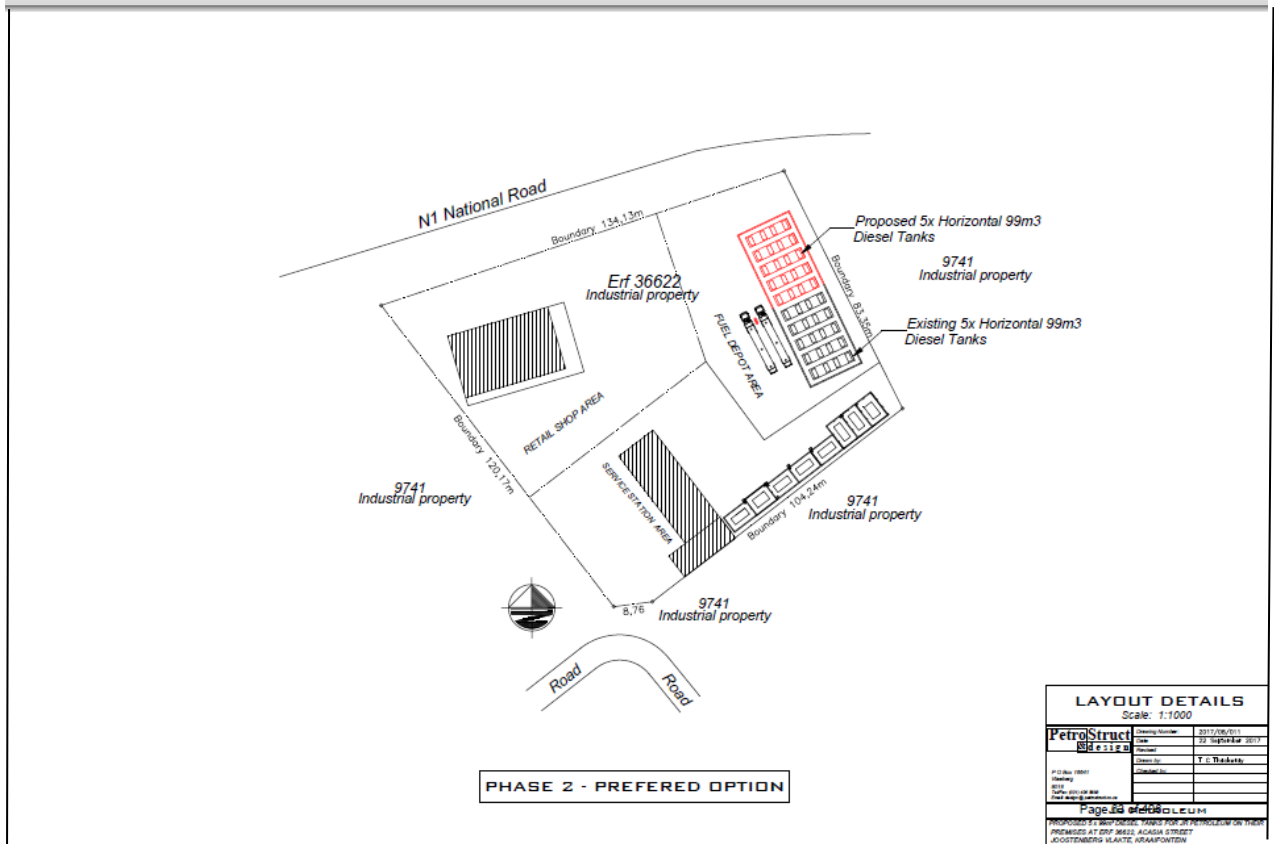
**EIA REFERENCE NUMBER: 16/3/3/1/A5/40/2005/20**

## ANNEXURE 1: LOCALITY PLAN

The approximate location of Erf No. 36622, Kraaifontein (JR Petroleum).



# ANNEXURE 2: SITE PLAN



### **ANNEXURE 3: REASONS FOR THE DECISION**

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

- a) The information contained in the Application Form dated 13 February 2020, as received by the competent authority on 14 February 2020; the amended Application Form dated 2 March 2020, as received by the competent authority on 4 March 2020; the BAR dated 30 June 2020 and the EMPr submitted together with the BAR; and the additional information received on 18 September 2020;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from Interested and Affected Parties and the responses provided thereon, as included in the BAR dated 30 June 2020;
- d) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

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**

The Public Participation Process comprised of the following:

- Letters were posted via registered mail to the local municipality, ward councillor, the Building Control Manager and adjacent neighbours on 14 November 2019;
- Notice boards were placed at the entrance to the site along Acacia Road and John van Niekerk Street on 15 November 2019;
- An advertisement was placed in the "Cape Times" newspaper on 15 November 2019;
- The draft BAR was posted via registered mail to registered interested and affected parties on 13 February 2020; and
- The post-application draft BAR was made available from 13 February 2020 until 16 March 2020.

#### **Authorities consulted**

The authorities consulted included the following:

- Various departments within the City of Cape Town;
- Directorate: Pollution & Chemicals Management of the Department of Environmental Affairs and Development Planning;
- Department of Labour;
- South African National Roads Agency Limited;
- Department of Water and Sanitation; and
- Heritage Western Cape.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were included in the BAR.

## **2. Alternatives**

The following design alternatives were considered:

### Preferred alternative – herewith authorised:

The preferred alternative entails the installation of an additional five horizontal aboveground diesel storage tanks with a capacity of 99m<sup>3</sup> each, inside a bunded area directly next to the existing tank farm in the north-eastern corner of the property. The tanks will be interconnected to the existing tanks and road gantry.

This is the preferred alternative since the horizontal tanks will be less visible from the N1. Furthermore, the tanks will not impact on the traffic movement on the site and potential leaks will be contained in the bunded area. From an economic perspective, horizontal tanks are less expensive than vertical or underground tanks and are also these tanks cost less to install.

### Design alternative 1:

This alternative entailed the installation of an additional five vertical aboveground diesel storage tanks with a capacity of 99m<sup>3</sup> each, inside a bunded area directly next to the existing tank farm in the north-eastern corner of the property.

Although design alternative 1 will have a smaller development footprint than the preferred alternative, this alternative would not impact on the traffic movement of the site, the alternative was rejected due to the following:

- the installation of vertical tanks would result in increased visual impacts, as the tanks would be more visible from the N1;
- vertical aboveground tanks are not readily available; and
- the vertical tanks are also more expensive to install.

### Design alternative 2:

This alternative entailed the installation of an additional five horizontal underground diesel storage tanks with a capacity of 99m<sup>3</sup> each, directly next to the existing tank farm in the north-eastern corner of the property.

This alternative was rejected since underground tanks are more expensive than aboveground tanks. Furthermore, leaks will be more difficult to detect, and the maintenance and repairs of the tanks are more expensive, since the tanks will have to be excavated.

### "No-Go" Alternative:

This alternative implies that the proposed diesel depot will not be expanded. This alternative was rejected as it will not meet the required fuel demand of the clients. The proposed location of the facility is the most suitable from a site accessibility and safety perspective. The layout, technology and operational aspects of the proposed development are considered the most feasible based on international oil industry and South African and National Standards. The "no-go" alternative is therefore not warranted.

## **3. Impacts, assessment and mitigation measures**

### 3.1 Activity Need and Desirability

Erf No. 36622 is zoned for General Industry 2 ("GI2") purposes. The GI2 zone can accommodate a range of primary uses, such as industry, service station and

transport uses. All of the uses could include the use for storage of fuel. The use as a depot and the additional five aboveground diesel tanks are permitted as a Primary Use in terms of the GI2 zone.

The proposed capital investment associated with the development is anticipated to contribute to service infrastructure through fuel storage capacity. The diesel depot provides fuel and so provide a socio-economic service. The upgrade of the diesel depot is needed in order to meet the socio-economic market demands.

### 3.2 Biophysical Impacts

The site is fully developed and is currently used as a truck stop with a service station and a convenience store. The site contains no indigenous vegetation.

The biophysical impacts associated with the expansion of the diesel depot is expected to be of low significance, due to the transformed nature of the site. Further, potential groundwater and soil contamination will be minimized as the proposed storage tanks will be installed in accordance with the requirements of the relevant SANS codes and the tanks will be installed in bunded areas (at 110% of the proposed tank capacity). Further, provisions are included in the EMPr and conditions of this Environmental Authorisation.

### 3.3 Major Hazard Installation (MHI)

A Risk Assessment was conducted in accordance with the MHI Regulations and SANS 1461:2018 to determine the impact of the expanded facility on the surrounding area. The Risk Assessment Report dated 18 November 2019 and compiled by Major Hazard Risk Consultants cc, concluded that the total individual risk involving the installation is acceptable, with the one-in-a-thousand orange contour being confined to the bunded area. The one-in-a-million yellow contour extends for a maximum of 10m to the north of the tank farm bund wall and for a maximum of 7m past the eastern boundary. Furthermore, the one-in-a-thirty-million green contour extends for a maximum of 15m to the north of the tank farm bund wall and for a maximum of 11m past the eastern boundary.

The Risk Assessment Report further indicated that an incident involving the existing and proposed installations at the facility could impact past the boundaries. However, the risk was found to be acceptable for the industrial area in which the proposed facility is to be located. The specialist recommended that an Emergency Plan, which must comply with the MHI Regulations be compiled.

The City of Cape Town, in their comment on the draft BAR indicated “A comprehensive onsite emergency plan, inclusive of all relevant hazards and associated risk identified in the MHI risk assessment, must be submitted to Disaster Risk Management Department prior to the commencement of the activity”. A generic Emergency Plan has been included in the EMPr, but an onsite Emergency Plan will be completed and submitted to the City of Cape Town, as required. The implementation of the Emergency Plan and the EMPr will minimise the risk of emergency situations such as accidental fires.

### 3.4 Traffic Impacts

Traffic impacts are anticipated during the construction phase, as there will be a temporary increase in the amount of heavy vehicle movement and traffic at the

site during the construction, which may cause an increase in road traffic. Potential traffic impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr. During the operational phase, the potential impacts associated with the facility are not anticipated to be significant as on average, three trucks visit the site daily. Further, the proposed tanks will be located on the north-eastern corner of the property to ensure adequate traffic movement on the site.

### 3.5 Storm water impacts:

The existing and the proposed tanks are located in a bunded area. The bunds will be connected to the oil/water separator before the water is allowed to enter the storm water system. The existing truck loading area is concreted and sloped towards a drain.

### 3.6 Dust, Noise and Visual Impacts:

No significant dust, noise and visual impacts are anticipated during the construction phase. Potential dust, noise and visual impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr. Potential noise impacts during the operational phase will be mitigated by the implementation of the mitigation measures included in the EMPr.

## **National Environmental Management Act Principles**

The National Environmental Management Act 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 proposed listed activity 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 activity can be mitigated to acceptable levels.

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