



REFERENCE: 16/3/3/1/F4/17/3050/19
NEAS REFERENCE: WCP/EIA/0000711/2019
ENQUIRIES: MR. R. CHAMBEAU/MS. T. DREYER
DATE OF ISSUE: 28/09/2020

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE DEVELOPMENT OF A NEW PRIMARY SCHOOL AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF THE REMAINDER OF PORTION 24 OF FARM NO. 282, SALDANHA.

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 National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Alternative (Alternative D2), described in the Basic Assessment Report ("BAR"), dated March 2020.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Western Cape Government
Department of Transport and Public Works: Property Management
c/o Mr. S. Hindley
Private Bag X9083
CAPE TOWN
8000


7th Floor, 1 Dorp Street, Cape Town, 8001
tel: +27 21 483 2729 fax: +27 21 483 4372
Rainer.Chambeau@westerncape.gov.za

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www.westerncape.gov.za/eadp

Tel: (021) 483 5549
E-mail: Shane.Hindley@westerncape.gov.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 Activities	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended): Activity Number: 27 Activity Description: <i>The clearance of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p>(i) <i>the undertaking of a linear activity; or</i> (ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The proposed development entails the clearance of more than 1ha of indigenous vegetation for the development of a new school.</p>

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

The holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the development:

The proposed clearance of indigenous vegetation for the construction of a new primary school and associated infrastructure on a portion of the Remainder of Portion 24 of Farm No. 282, Saldanha.

The school's sports field will be located adjacent to the existing fenced community sports field to the north of the site. The campus will be planned to accommodate future expansion, so that the 6 500 m² sports field be increased to a 9 675 m² rugby field.

The development will include *inter alia*, the following:

- An all-purpose hall, administrative and other support functions;
- The teaching function will include the following:
 - grade R classrooms,
 - foundation phase classrooms,
 - intermediate phase classrooms,
 - senior phase classrooms,
 - science laboratories,
 - computer room,
 - multi-purpose classrooms, and
 - multi-media centres.

The proposed development will further entail the establishment of a stormwater system.



All services (i.e. water provision, electricity provision, sewage disposal and solid waste disposal) will be connected to municipal infrastructure.

Access will be obtained from Middelpo Drive. Middelpo Drive is proposed to have two pedestrian accesses and one vehicular access. A third pedestrian access is proposed on the eastern boundary of the school to accommodate the learners residing on the adjacent residential area.

The development footprint will be approximately 2.5ha in extent.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on a portion of the Remainder of Portion 24 of Farm, No. 282 in Saldanha. The proposed site is located immediately east and adjacent to Middelpo Road and north of Diaz Street in Saldanha, at the following co-ordinates:

Point	Latitude	Longitude
Middle	33°0'17.31" South	17°54'48.63" East

The SG 21-digit code is:

Remainder of Portion 24 of Farm No. 282	C04600120000282000024
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Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

GroenbergEnviro (Pty) Ltd
c/o Ms. M. Molife
P.O. Box 1058
WELLINGTON
7654

Cell: 079 111 7378
E-mail: mische@groenbergenviro.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 (Alternative D2) described in the BAR dated March 2020 on the site as described in Section C above.
2. The holder must commence with the listed activity on site within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.



3. The development must be concluded within **ten (10)** years from the date of commencement of the listed activity.
4. 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.
5. Any changes to, or deviations from the scope of the alternative described in section B 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 in order 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.

Written notice to the Competent Authority

6. A minimum of seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the decision reached on the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 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 Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with the:
 - 7.4.1 name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder,
 - 7.4.6 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 2014 National Appeals Regulations (as amended).



8. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. 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 i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The draft Environmental Management Programme ("EMPr") dated March 2020 and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the office of the holder and must be made available to any authorised official on request.
13. Access to the site referred to in Section C above 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.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 14.1 The holder must undertake an environmental audit within 3 (three) months of the commencement of the development/construction activities and submit an Environmental Audit Report to the Competent Authority upon the completion of the environmental audit.
 - 14.2 A final Environmental Audit Report must be submitted to the Competent Authority 1 (one) month after the completion of the development activities.
 - 14.3 The holder must, within 7 days of the submission of the report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).



Specific Conditions

15. 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 palaeontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.
 - 15.1 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.
16. 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.
17. 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 landfill licensed in terms of the applicable legislation.

F. 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. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that 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 in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
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 NEMA 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.

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 NEMA EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.



G. 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 the 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 I&APs, 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 I&APs–
 - 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 I&AP, 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 I&AP 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
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The 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 or URL <http://www.westerncape.gov.za/eadp>.



H. 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



MR. ELDON VAN BOOM

ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 27 September 2020

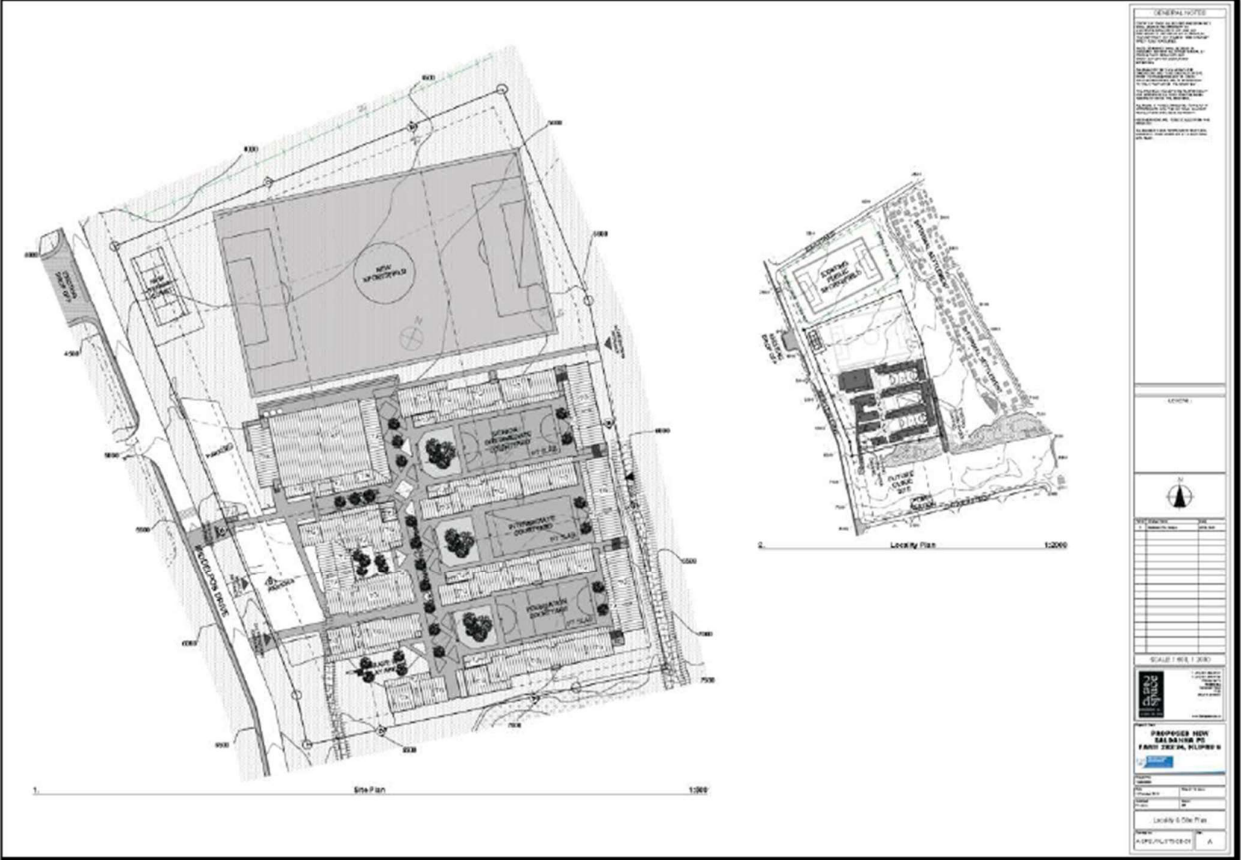
CC: (1) Ms. M. Molife (GroenbergEnviro)
(2) Ms. N. Duarte (Saldanha Bay Municipality)
(3) Mr. A. Oosthuizen (DEA&DP:DDF)

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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form dated 25 November 2019, the BAR dated March 2020 and received by the Department on 13 March 2020 and the EMPr submitted together with the BAR on 13 March 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated March 2020;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- (f) 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 that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board at the site where the listed activity is to be undertaken on 28 November 2019;
- giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 26 November 2019;
- the placing of a newspaper advertisement in the '*Weslander*' on 28 November 2019; and
- making the BAR available to I&APs for public review from 2 December 2019 to 22 January 2020.

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

Two design alternatives and the "no-go" alternative were assessed.

Alternative D1

This alternative entailed the clearance of more than 1ha of indigenous vegetation for the development of a school on a Portion of the Remainder of Portion 24 of Farm No. 282, Saldanha and would include the following:

- Minimum of 40 parking bays;
- The School hall would be located in the middle of the classroom and admin area;
- A total of 36 classrooms

This alternative is not deemed as preferred as it will provide fewer facilities than Alternative D2 (the preferred alternative) and the proposed footprint overlaps onto the future planned clinic site.

Alternative D2 (The Preferred Alternative-herewith authorised)

Alternative D2 entails the clearance of more than 1ha of indigenous vegetation for the construction of a new primary school and associated infrastructure on a portion of the Remainder of Portion 24 of Farm No. 282, Saldanha.

The school's sports field will be located adjacent to the existing fenced community sports field to the north of the site. The campus will be planned to accommodate future expansion, so that the 6 500 m² sports field be increased to a 9 675 m² rugby field.

A minimum of 53 parking bays and a total of 51 classrooms will be provided and the school hall will be located north of the admin/office area.

The development will include *inter alia*, the following:

- An all-purpose hall, administrative and other support functions;
- The teaching function will include the following:
 - grade R classrooms,
 - foundation phase classrooms,
 - intermediate phase classrooms,
 - senior phase classrooms,
 - science laboratories,
 - computer room,
 - multi-purpose classrooms, and
 - multi-media centres.

The proposed development will further entail the establishment of a stormwater system.

All services (i.e. water provision, electricity provision, sewage disposal and solid waste disposal) will be connected to municipal infrastructure.

Access will be obtained from Middelpoos Drive. Middelpoos Drive is proposed to have two pedestrian accesses and one vehicular access. A third pedestrian access is proposed on the eastern boundary of the school.



Alternative D2 is the preferred alternative as it the design utilises the site to its full potential without compromising the site for the future clinic. Further, the preferred design includes more facilities than Alternative D1.

"No-Go" Alternative

In terms of the "no-go" alternative, the proposed development of a primary school will not occur and the status quo will be maintained. Since the preferred alternative will not result in unacceptable impacts, the "no-go" alternative was not warranted.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

One of the Western Cape Provincial Spatial Development Framework ("PSDF"), 2014 strategic objectives is "Improving Education Outcomes". As such, the proposed development of a new primary school, which will provide additional educational facilities to the learners in the surrounding area will meet the 'Education outcome' identified in the PSDF. The proposed new school is indicated in the Integrated Development Plan ("IDP") 2017-2022, as one of the two projects listed by the Department of Education, as infrastructure and/or capital expenditure projects in the medium term expenditure framework budget. According to the IDP, the classification is aimed at achieving "Education" outcomes. The site is zoned as Agriculture, which accommodates a place of instruction as a primary use. The site is however inside the urban edge of Saldanha and is situated in an area earmarked as New Development Area 4 (Residential Development upgrading-community nodes with school and clinic) in the Saldanha Bay Spatial Development Framework ("SDF") dated 2019. The proposed development is therefore in accordance with the applicable planning policies. Further, the Western Cape Department of Agriculture (in their correspondence dated 22 January 2020) indicated they have no objection to the proposed development.

3.2 Services/ bulk infrastructure

The proposed development will connect to existing municipal services. The Saldanha Bay Municipality in their correspondence dated 6 November 2019, confirmed that the Municipality has sufficient bulk water and bulk sewer capacity available to accommodate the proposed development. The Saldanha Bay Municipality further confirmed that there is available capacity relating to solid waste removal services. Eskom, in their correspondence dated 17 October 2019, confirmed that adequate electricity capacity is available to accommodate the proposed development.

3.3 Biodiversity

A Botanical Assessment Report was undertaken by Mr Paul Emms in association with Bergwind Botanical Surveys and Tours, dated April 2019. According to the Botanical Assessment Report, the Western Cape Biodiversity Spatial Plan (WCBSP) 2017 map indicates that the entire site is classified as a Critical Biodiversity Area 1 and a small portion of the south-eastern portion of the site also classified as an Ecological Support Area 1. However, after ground-truthing, the botanical specialist's findings were that the entire site has been either transformed or is in a highly degraded condition, and the area does not align with the WCBSP. The site is highly disturbed and contains sparse vegetation. The botanist concluded that the site contains a single vegetation type, namely Saldanha Bay Flats Strandveld, which is listed as Vulnerable in terms of the National List of Threatened Ecosystems in Need of Protection, 2011. The status has been updated to Endangered following the re-analysis of the vegetation type by CapeNature in 2014. The National List of Threatened Ecosystems in Need of Protection, 2011 has however not been updated to reflect this.

CapeNature (in their comment dated 17 December 2019) indicated that Saldanha Flats Strandveld meets the criteria for listing as Endangered in terms of Section 52 of the NEMBA.



"However, since the site has become severely degraded since before 2011 and now much of the site is transformed. CapeNature is of the opinion that this site will not contribute meaningfully in the medium of long term towards meeting conservation targets for Saldanha Flats Strandveld." The botanical specialist has identified the loss of low sensitivity (i.e. highly degraded and transformed habitat), of Saldanha Flats Strandveld is likely to result in low negative impact.

3.4 Traffic

A Traffic Impact Statement ("TIS") was compiled by the ICE Group, dated 12 March 2020. The TIS concluded that 790 trips will be generated during the AM peak hour (395 in and 395 out) and 112 trips during the PM peak hour (56 in and 56 out). One vehicular access and two pedestrian accesses have been proposed along Middelpoos Drive. A third pedestrian access is proposed on the eastern boundary of the school providing direct access to the residential settlement. An existing Stop & Drop facility is available along Middelpoos Drive on the western side. According to the traffic specialist, the proposed access location and proposed number of parking bays (i.e. 55 parking bays) are considered acceptable.

In order to accommodate the high number of pedestrians in the areas as well as the additional learners who will be walking to and from school, the specialist provided recommendations relating to non-motorised transport, which includes *inter alia*, that the sidewalks along Zola Street and Katonkel Street be surfaced with a minimum width of 2m. These recommendations have been included in the BAR and EMPr.

3.5 Geotechnical

A Geotechnical investigation was undertaken by SRK Consulting, dated September 2017. The geotechnical investigation involved the excavation of test pits, soil profiling, soil sampling and laboratory testing. DPL penetrometer tests were conducted to confirm the soil consistency.

According to the Geotechnical investigation, the presence of near-surface calcrete and possibly localised granite bedrock is potentially problematic in terms of excavations at the site. The specialist recommended that all excavations for foundations, or service trenches, be kept as shallow as possible to reduce the impact of having to excavate hard materials. The Civil and Structural Engineering Report dated 21 October 2019 and compiled by edifice Consulting Engineers indicates that based on these findings, it is evident constructing the school on an engineered fill platform will minimise or eliminate the risk of trench over break and costly hard rock excavation. Depending on which option is utilised for the sewer connection, the platform level will be finalised.

The Geotechnical investigation further indicated that no slope stability or erosion issues at the site, besides possible wind erosion of surface soils, if left unvegetated. Further, the site is relatively low-lying and it is evident that water from the surrounding built up areas discharges onto the site. It was therefore recommended that the site drainage be improved and consideration should be given to the raising of the site, in particular, where the school buildings are proposed. The stormwater system will therefore be designed appropriately.

3.6 Heritage / archaeological / built environment

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their correspondence dated 6 March 2020) that the proposed development will not impact on heritage resources and no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

3.7 Dust, Noise and Visual Impacts

No significant dust, noise and visual impacts are anticipated. 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.



The development will result in both negative and positive impacts.

Negative Impacts include:

- The loss of indigenous vegetation; and
- Potential dust, noise and visual impacts during the development phase.

Positive impacts include:

- The provision of an additional Primary School in the Saldanha area;
- The proposed development will meet strategic objectives in the WCPSDF, 2014 and Saldanha IDP, 2017-2022 relating to education; and
- The development will create employment opportunities.

4 National Environmental Management Act 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.

5 Conclusion

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 National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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