



EIA REFERENCE NUMBER: 16/3/3/1/F4/5/3044/21
NEAS REFERENCE NUMBER: WCP/EIA/0000971/2021
ENQUIRIES: Mr. R. Chambeau
DATE OF ISSUE: 08 April 2022

The Director
K2019365744 (South Africa) (Pty) Ltd.
No. 2 Steenbok Street
HOPEFIELD
7355

For Attention: Ms. L. J. Morrison

Cell: 078 487 9209

E-mail: masikhule.lez@gmail.com

Dear Madam

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): THE PROPOSED EXPANSION OF AN EXISTING CHICKEN BROILER FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF 1543, HOPEFIELD.

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** Environmental Authorisation, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised hereunder.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to: (1) Ms. T. Balmith (Information Decision Systems (Pty) Ltd)
(2) Ms. N. Duarte (Saldanha Bay Municipality)

E-mail: Terisa@ids-cc.co.za

E-mail: Nazeema.Duarte@sbm.gov.za

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): THE PROPOSED EXPANSION OF AN EXISTING CHICKEN BROILER FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF 1543, HOPEFIELD.

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, described in the Basic Assessment Report ("BAR") dated 24 November 2021.

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

The Director
K2019365744 (South Africa) (Pty) Ltd.
c/o Ms. L. J. Morrison
No. 2 Steenbok Street
HOPEFIELD
7355

Cell: (078) 487 9209
Email: masikhule.lez@gmail.com

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

B. ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
<p>Activity Number: 67 Activity Description:</p> <p><i>Phased activities for all activities—</i></p> <p><i>(i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>excluding the following activities listed in this Notice-</i></p> <p><i>17(i)(a-d); 17(ii)(a-d); 17(iii)(a-d); 17(iv)(a-d); 17(v)(a-d); 20; 21; 22; 24(i); 29; 30; 31; 32; 34; 54(i)(a-d); 54(ii)(a-d); 54(iii)(a-d); 54(iv)(a-d); 54(v)(a-d); 55; 61; 64; and 65; or</i></p> <p><i>(ii) listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</i></p>	<p>The proposed development is an expansion to an existing broiler facility with a capacity of approximately 1000 chickens. The existing facility will be expanded by more than 5000 chickens, outside an urban area.</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 relating to the authorised development:

The authorised development entails the expansion of an existing chicken broiler facility on a portion of Farm No. 1543, Hopefield.

The existing chicken broiler facility consists of two temporary broiler houses, a dwelling, a wellpoint and borehole and associated infrastructure. The current maximum capacity of the existing facility is approximately 1000 broiler chickens per 6-week cycle.

The proposed expansion entails the following:

- The development of two (2) permanent broiler houses, with a maximum concentration of 2500 chickens per broiler house;
- Fencing around each broiler house and around the whole property; and
- The installation of a conservancy tank.

The development footprint of the proposed expansion will be approximately 600m² in extent. No additional municipal services will be required. Access to the proposed site will be gained through Old Vredenburg Road, Hopefield.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on Erf 1543, Hopefield. Access to the proposed site will be gained off Old Vredenburg Road, Hopefield.

The 21-digit Surveyor General code for the proposed site is:

Erf 1543, Hopefield	C04600040000154300000
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Site co-ordinates for the proposed site is:

Middle point	33° 03' 26.62" South	18° 20' 07.00" East
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Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

The said section of land is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Information Decision Systems (Pty) Ltd.
c/o Ms Terisa Balmith
P.O. Box 689
RIVONIA
2128

tel.: (087) 353 2576
Email: terisa@ids-cc.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 24 November 2021 on the site described in Section C above.

2. The holder must commence with the listed activity on the site within a period of **five (5) 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 alternatives described in section B above must be 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 7 (seven) calendar days' notice, in writing must be given to the Competent Authority before commencement of the development 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: 6, 7 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 outcome of 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:
 - 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. 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 (as amended).
8. The listed activity, including site preparation, must not be commenced with 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 be commenced with until the appeal is decided.

Management of activity

9. The Environmental Management Programme ("EMPr") (dated July 2021) and submitted as part of the application for Environmental Authorisation is hereby approved, on condition that the following amendments are made, and must be implemented.
 - 9.1. A Biosecurity Plan, which addresses disease control, vector control, the management and disposal of dead chickens, access control into the broiler houses and the cleaning of the broiler houses must be compiled and implemented. A copy of the Biosecurity Plan must be submitted to the Competent Authority prior to the commencement of the operational phase for information purposes;
 - 9.2. The frequency of the emptying of the conservancy tank during the operational phase must be included in the EMPr; and
 - 9.3. The cleaning process required for the broiler facility as described in the BAR (dated 24 November 2021) must be included in the EMPr and must be complied with during the operational phase.
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 the commencement of the development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept on the site of the authorised listed activity and must be made available to any authorised person 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 these for the purpose of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), 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 Environmental Audit Reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
 - 14.1. The holder must undertake an environmental audit within three (3) months of the commencement of the listed activity and submit an Environmental Audit Report to the Competent Authority within one (1) month of completion of the environmental audit.

- 14.2. The holder must undertake an environmental audit every two (2) years during the construction period and submit the Environmental Audit Reports to the Competent Authority one (1) month after the completion of undertaking each of the environmental audits.
- 14.3. Thereafter, Environmental Audit Reports must be submitted to the Competent Authority every 5 (five) years after the commencement of the operational phase.
- 14.4. The holder must, within 7 (seven) days of the submission of the Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request.

Specific conditions

15. 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.
16. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

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 specified in Condition 2, this Environmental Authorisation shall lapse for that 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.
4. An application for amendment of the Environmental Authorisation must be submitted 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.

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

Amendments to the EMPr, must be made 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.

G. APPEALS

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

1. An appellant must –
 - 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 form/s must be submitted by means of one of the following methods:

By post: Attention: Mr. M. 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. M. 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 holder, 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 greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 08 APRIL 2022

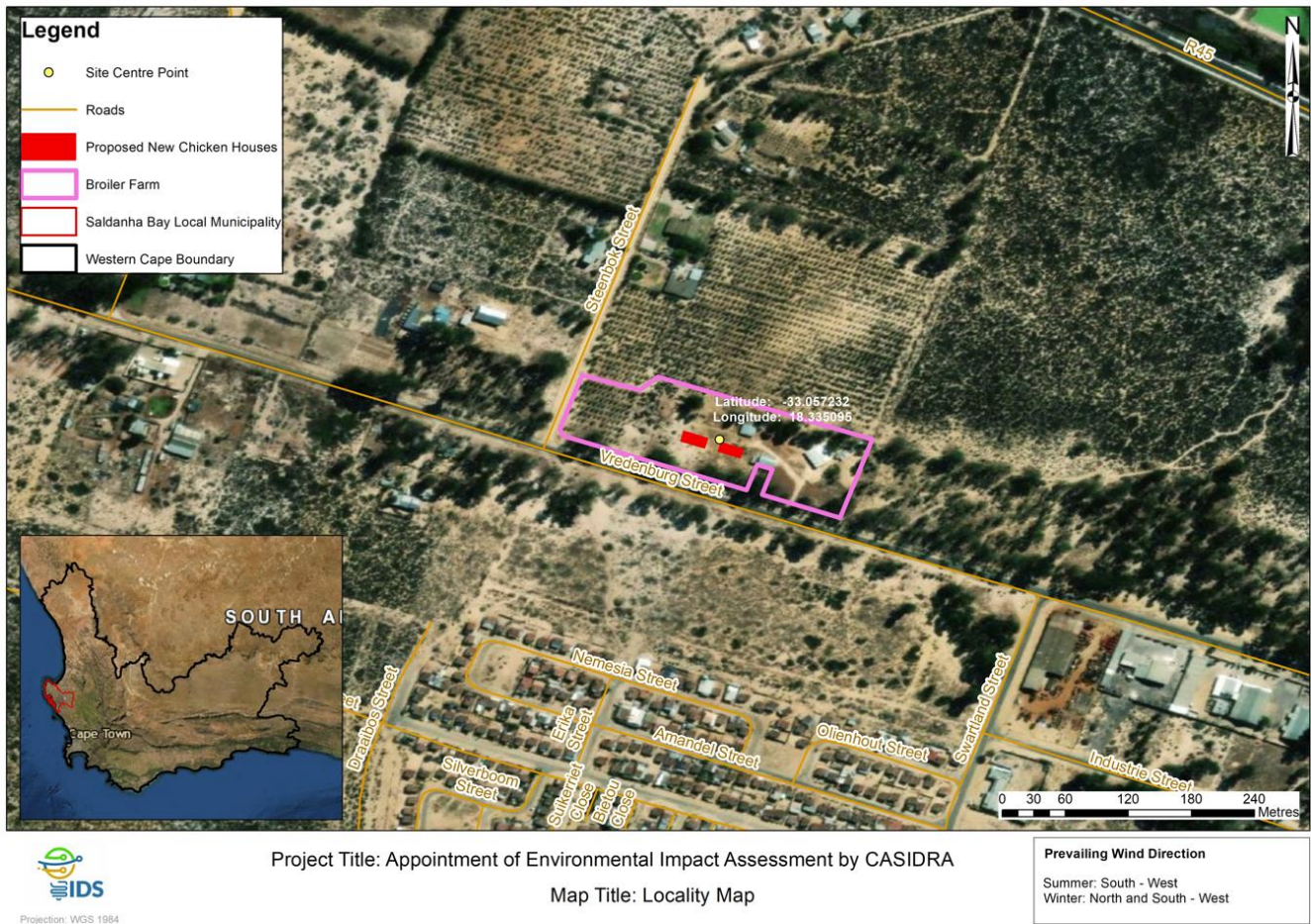
Copies to: (1) Ms. T. Balmith (Information Decision Systems (Pty) Ltd)
(2) Ms. N. Duarte (Saldanha Bay Municipality)

E-mail: Terisa@ids-cc.co.za

E-mail: Nazeema.Duarte@sbm.gov.za

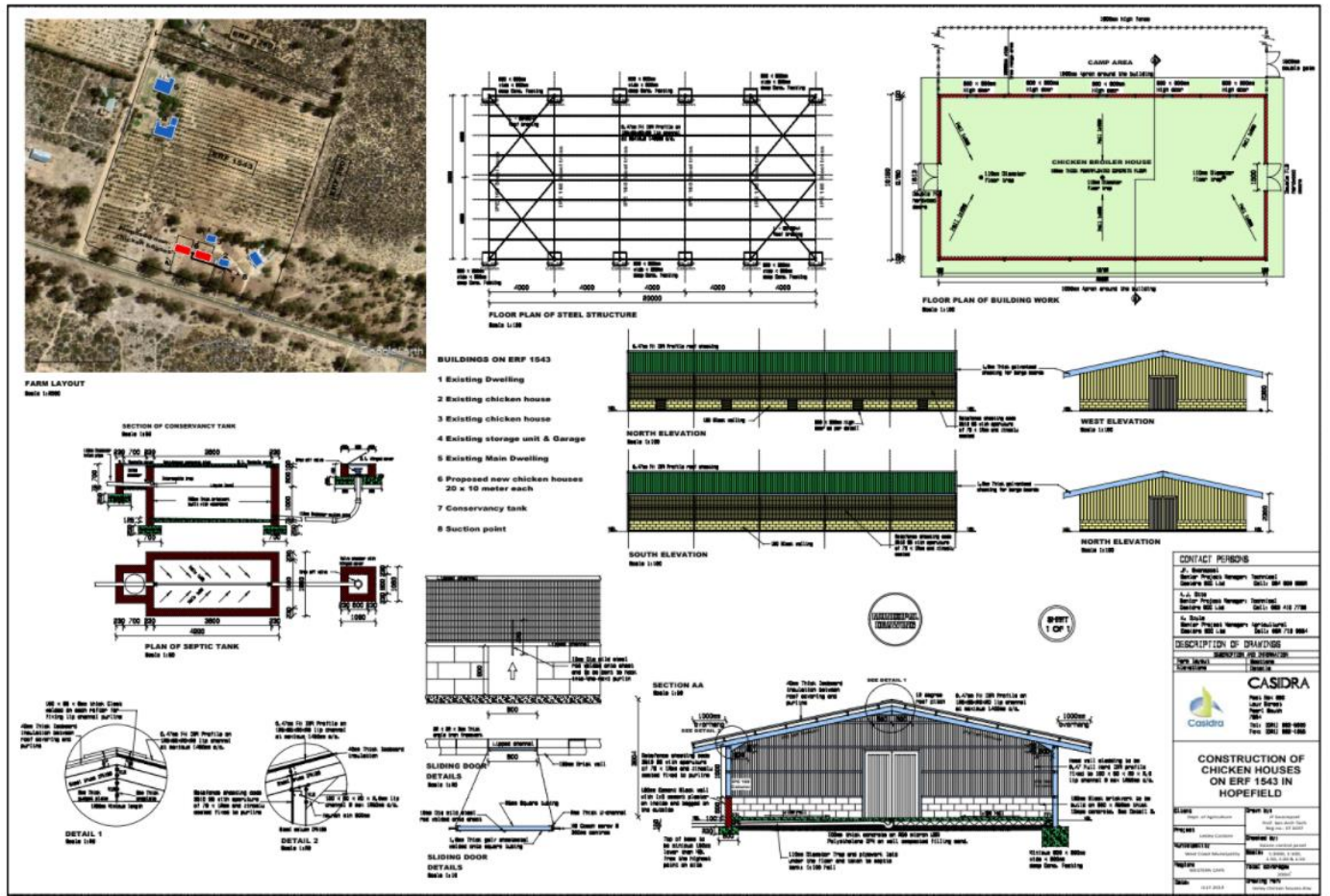
ANNEXURE 1: LOCALITY MAP

The existing broiler facilities on Erf 1543, Hopefield.



ANNEXURE 2: SITE PLAN

Site plan for the proposed additional broiler houses (indicated in red below).



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 26 August 2021 and received by the competent authority on 30 August 2021, the BAR dated and received by the competent authority on 24 November 2021, the EMPr (dated July 2021) submitted together with the BAR and the additional information received by the competent authority on 16 March 2022, 22 March 2022 and 07 April 2022;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated 24 November 2021;
- 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 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 ("PPP") 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 May 2021;
- Placing a copy of the background information document at the Hopefield library on 28 May 2021;
- Giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 06 July 2021 and 27 August 2021;
- The placing of a newspaper advertisements in the "Weslander" on 26 August 2021;
- A pre-application draft BAR was made available for comment to interested and affected parties from 06 July 2021 to 04 August 2021;
- Making the draft BAR available to I&APs for comment from 27 August 2021 to 26 September 2021; and
- Reports were made available via google drive link and on the EAPs website for review during the 30-day commenting period. <http://www.ids-cc.co.za>.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. This Department is satisfied that the PPP that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and responses report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

2. Alternatives

Given that the proposed expansion is for an existing development, no reasonable or feasible site alternatives were identified. The applicant considered a layout alternative, which entailed the development of four broiler houses and associated infrastructure. However, this layout alternative was not deemed feasible from a financial perspective. The Preferred Alternative and the "No-Go" alternative were therefore identified and assessed as follows:

The Preferred Alternative– herewith authorised

The Preferred Alternative entails the expansion of an existing chicken broiler facility on a portion of Farm No. 1543, Hopefield.

The existing chicken broiler facility consists of two temporary broiler houses, a dwelling, a wellpoint and borehole and associated infrastructure. The current maximum capacity of the existing facility is approximately 1000 broiler chickens per 6-week cycle.

The proposed expansion entails the following:

- The development of two (2) permanent broiler houses, with a maximum concentration of 2500 chickens per broiler house;
- Fencing around each broiler house and around the whole property; and
- The installation of a conservancy tank.

The development footprint of the proposed expansion will be approximately 600m² in extent. No additional municipal services will be required. Access to the proposed site will be gained through Old Vredenburg Road, Hopefield.

The Preferred Alternative takes cognisance of the location of the existing infrastructure on the proposed site in order to reduce the potential costs associated with the development activities. In addition, the environmental sensitivities on the proposed site are limited. The Preferred Alternative is therefore preferred from a financial perspective as environmental sensitivities are limited, and mitigation measures have been included in the EMPr.

"No-Go" Alternative

The "No-Go" alternative would result in maintaining the "status quo". However, since the preferred alternative will not result in unacceptable environmental impacts, the "No-Go" alternative was not deemed preferred.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The farm (Erf 1543) is zoned agriculture. The proposed development is categorised as an agricultural development and is therefore in line with the existing land use rights of the property.

One of the objectives listed within the Saldanha Bay Municipality Spatial Development Framework ("SDF"), is to develop and stimulate economic activity in a responsible and appropriate manner. The proposed site is located in an "urban agriculture" area. The SDF states that the Municipality must "Promote existing urban agriculture and its extension as a key component of Hopefield becoming a sustainable eco-settlement and investigate using incentives such as rates rebates or other methods". The proposed activity is in line with the Municipal SDF as the development will be producing food within Hopefield. The proposed expansion to the existing development is in line with the planning policies applicable to the area. In addition, some employment opportunities will be created as a result of the proposed expansion.

3.2. Soil/groundwater Impacts

A Soil Survey Report (compiled by Heinrich Schloms and dated June 2021) was undertaken to determine soil suitability for agricultural crop production. The specialist indicated that the topsoils are fine to medium-grained as they were derived from windblown sand. The ability of soils to store water and plant nutrients for use by plants is determined mainly by the clay content, particularly when the soils have a low organic matter content (<1 % organic carbon). At a clay content of less than 8 - 10 %, the water storage capacity is already so low that it can be considered a limitation for crop production; the lower the clay content, the greater the limitation.

The specialist concluded that although the soil of property has low-medium suitability for perennial crops, it has medium to high suitability for the production of vegetables. Adding organic material to the soil (top 50cm) to raise the carbon percentage to at least 0,5% will benefit water and nutrient retention in these soils. Composting any organic material with chicken manure on the farm can be very beneficial since a regular addition of compost to the soil will greatly benefit vegetable production.

Mitigation measures with respect to potential soil and groundwater contamination have been included in the EMP. Washwater from the proposed development will be stored in the conservancy tank and re-used where possible. The conservancy tank will be regularly emptied by a service provider.

3.3. Terrestrial and Wetland Impacts

A Terrestrial (Fauna and Flora) and Wetland Compliance Statement (compiled by the Biodiversity Company and dated May 2021) was undertaken to assess the potential impacts associated with the proposed development.

The project area was found to be transformed from its original state by existing housing infrastructure and the associated land use being small scale pig and chicken farming. It is the opinion of the specialists that the project area does not support species of conservation concern anymore as the habitat has been altered historically. No watercourses were identified within the 500 m regulated area of the proposed project area. In conclusion the specialist indicated that the project area has been transformed from its original state and does not support any Species of Conservation Concern nor does it represent the sensitivity as identified in the screening tool. The project area has an overall low sensitivity.

CapeNature indicated (in their email correspondence dated 12 May 2021) that from a spatial screening perspective, the site does not infringe on any Critical Biodiversity Area, Ecological Support Area, or Other Natural Area and that there does not appear to be any rivers or watercourses on site. Mitigation measures have been included in the EMP.

3.4. Potential biosecurity risks

Potential biosecurity risks associated with the proposed development are anticipated during the operational phase of the development. Although the EMP includes some mitigation measures to reduce the potential impacts on the environment during the operational phase, a biosecurity plan will be compiled. The biosecurity plan will include measures to address, *inter alia*, disease control, vector control, the management and disposal of deceased chickens, access control into the broiler facility and the cleaning of the broiler facility. A biosecurity plan will be compiled prior to the commencement of the operational phase.

3.5. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their correspondence dated 08 July 2021) that since there is no reason to believe that proposed additional broiler houses with boundary fencing on Erf 1543, 2 Steenbok Street, Hopefield, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

3.6. Noise, dust and odour impacts

Potential noise, dust and odour impacts associated with the construction phase of the proposed expansion have been identified and assessed. Mitigation measures have been included in the EMPr.

Odour impacts associated with the proposed development during the operational phase may occur. Odour management will be managed with regular cleaning of the broiler facility and appropriate disposal of waste at a licensed waste facility. An integrated waste management approach will be applied in this regard in order to reduce the amount of waste entering landfill sites.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential soil/groundwater contamination;
- Potential dust and noise impacts during construction phase; and
- Potential odour and disease risks during the operational phase.

Positive impacts include:

- Increased food security in the agricultural sector;
- financial gain for the applicant; and
- Some 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.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

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