



REFERENCE NUMBER: 16/3/3/1/A1/2/3015/19
ENQUIRIES: MS. K. ADRIAANSE
DATE OF ISSUE: 2019 -09- 30

The Director
Swartland Insulations (Pty) Ltd.
P.O. Box 216
MOORREESBURG
7310

For Attention: Mr. D. Nel

Cell: (082) 854 0778
Fax: (022) 433 2760

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED STORAGE OF DANGEROUS GOODS ASSOCIATED WITH THE ESTABLISHMENT OF AN EXTRUDED POLYSTYRENE PLANT AND ASSOCIATED INFRASTRUCTURE ON ERF 245, ATLANTIS.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, 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 in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: (1) Ms. J. Hansen (EcolImpact Legal Consulting (Pty) Ltd.) Fax: (021) 671 9976
(2) Mr. I. Geldenhys (City of Cape Town: Air Quality) Fax: (086) 126 5263
(3) Ms. P. Titmuss (City of Cape Town: Environmental Resource Management) Fax: (021) 444 0605
(4) Ms. K. Rughoobeer (Directorate: Development Facilitation) Email: Keshni.Rughoobeer@westerncape.gov.za



REFERENCE: 16/3/3/1/A1/2/3015/19
NEAS REFERENCE: WCP/EIA/0000606/2019
ENQUIRIES: MS. K. ADRIAANSE
DATE OF ISSUE: 2019 -09- 30

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED STORAGE OF DANGEROUS GOODS ASSOCIATED WITH THE ESTABLISHMENT OF AN EXTRUDED POLYSTYRENE PLANT AND ASSOCIATED INFRASTRUCTURE ON ERF 245, ATLANTIS.

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 Layout Alternative 1, described in the Basic Assessment Report ("BAR"), dated 12 August 2019.

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
c/o Mr. D. Nel
Swartland Insulations (Pty) Ltd.
P.O. Box 216
MOORREESBURG
7310

Cell: (082) 854 0778
Fax: (022) 433 2760

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 NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 14 Activity Description:</p> <p><i>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</i></p>	<p>The proposed development entails the storage of approximately 104m³ of dangerous goods associated with the establishment of an extruded polystyrene plant and associated infrastructure on Erf 245, Atlantis.</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 proposed development:

The proposed development entails the storage of dangerous goods associated with the establishment of an extruded polystyrene plant and associated infrastructure on Erf 245, Atlantis. The extruded polystyrene process plant will be developed in an existing building.

The proposed development will comprise the following:

- Aboveground storage tanks for the storage of blowing agents (i.e. dimethyl ether (“DME”), Carbon Dioxide, R152a (gas) and Ethanol);
- The development of new buildings for the storage of materials (i.e. polystyrene, new-cleating, flame retardant, colour and process aid);
- A flammable liquids store;
- A new reclaimer building with a reclaimer plant;
- A new silo;
- A new filter unit;
- A new chiller; and
- Associated infrastructure.

Resin (made up of polystyrene, new-cleating, flame retardant material, colour and process aid) will be combined with blowing agents (Carbon Dioxide, DME, R152a and Ethanol) in a specific combination to produce the extruded polystyrene. Extruded polystyrene is produced by a continuous extrusion process, where materials are mixed, heated and cooled to produce an extruded polystyrene board with varying thickness. The final product will be cut to size and packaged accordingly. The cuttings are reclaimed and added back into the extruded polystyrene process.

The total volume of dangerous goods to be stored will be approximately 104m³.

Existing access off Charles Matthews Street will be used. The site has existing municipal service infrastructure and no additional municipal services are required.

The development footprint will be approximately 2.69ha in extent.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on Erf 245, Atlantis, which is located off Charles Matthews Street, Atlantis and has the following co-ordinates:

Point	Latitude	Longitude
Middle	33°35'26.1" South	18°28'34.6" East

The SG 21-digit code is:

Erf 245	C01600870000024500000
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Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Eco Impact Legal Consulting (Pty) Ltd.
c/o Ms. J. Hansen
P.O. Box 45070
CLAREMONT
7735

Tel: (021) 671 1660

Fax: (086) 666 8046

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 12 August 2019 on the site as described in Section C above.
2. This Environmental Authorisation is granted for a period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activity. Development activities must be concluded within 10 years of commencement of the development phase.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the alternative described in section 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

5. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activities.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.

- 5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 8, and 10.

Notification and administration of appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 6.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the outcome of the application;
 - 6.1.2. the reasons for the decision as included in Annexure 3;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was issued.
 - 6.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 6.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 6.4. Provide the registered I&APs with:
 - 6.4.1. the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2. name of the responsible person for this Environmental Authorisation,
 - 6.4.3. postal address of the holder,
 - 6.4.4. telephonic and fax details of the holder,
 - 6.4.5. e-mail address, if any, of the holder,
 - 6.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
7. 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

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved, on condition that the following amendment is made to the EMPr before the commencement of development activities and must be implemented:
 - 8.1. The Emergency Response Plan (compiled by MM Risk (Pty) Ltd. and dated 06 August 2019) must be amended to include the site development plan of the Layout Alternative 1 (the preferred alternative).
 - 8.2. The amended Emergency Response plan must be included in the EMPr.
 - 8.3. The amended EMPr must be submitted to this Directorate for record purposes prior to the commencement of the development activities.
9. The amended EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
11. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site where the listed activity will be undertaken and must be made available to any authorised official on request.
12. 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

13. In terms of Regulation 34 of the NEMA 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 NEMA EIA Regulations, 2014 (as amended).
 - 13.1. The holder must undertake an environmental audit within 6 (six) 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.
 - 13.2. A final Environmental Audit Report must be submitted to the Competent Authority 1 (one) month after the completion of the development activities.
 - 13.3. An Environmental Audit Report must be submitted to the Competent Authority every 5 (five) years after the commencement of the operational phase.
 - 13.4. The holder must, within 7 (seven) calendar days of the submission of an Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to an authorised person on request.

Specific Conditions

14. 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.
 - 14.1. 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; and/or graves or unmarked human burials including grave goods and/or associated burial material.

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. The installation of the storage tanks and associated infrastructure must comply with relevant South African National Standards ("SANS") codes.
17. Leak detection equipment must be installed in accordance with the relevant SANS codes. Effective stock inventory monitoring, recording and regular auditing must take place for the early identification of possible leaks and keep a leak history for the site. Should any leaks be discovered, remediation of the pollution must take place immediately after consultation with the competent authority.
18. 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 referred to 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. 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, other than those required by this Environmental Authorisation, 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 form/s must be submitted by means of one of the following methods:

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. M. Venter (Tel: 021 483 2659)
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 appreciated.

Yours faithfully



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

DATE OF DECISION: 20/09/2019

Copies to: (1) Ms. J. Hansen (EcolImpact Legal Consulting (Pty) Ltd.)

(2) Mr. I. Geldenhyts (City of Cape Town: Air Quality)

(3) Ms. P. Titmuss (City of Cape Town: Environmental Resource Management)

(4) Ms. K. Rughoobeer (Directorate: Development Facilitation)

Fax: (021) 671 9976

Fax: (086) 126 5263

Fax: (021) 444 0605

Email: Keshni.Rughoobeer@westerncape.gov.za

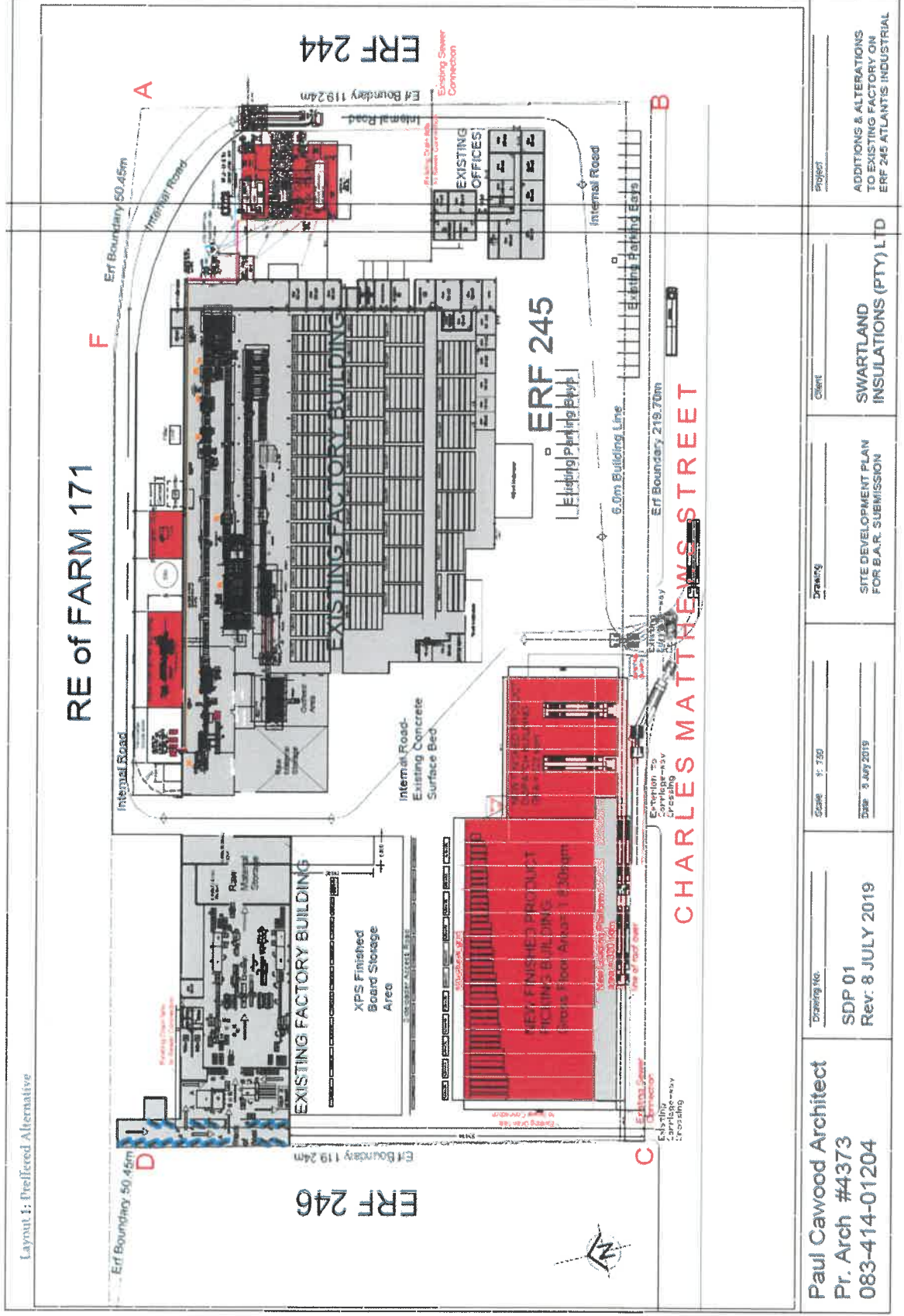
ANNEXURE 1: LOCALITY MAP

Locality map of the proposed site.



ANNEXURE 2: SITE PLAN

Site plan of the proposed development.



Paul Cawood Architect
Pr. Arch #4373
083-414-01204

Drawing No.
SDP 01
Rev. 8 JULY 2019

Scale: 1:750
Date: 9 JULY 2019

Drawing
SITE DEVELOPMENT PLAN
FOR B.A.R. SUBMISSION

Client
SWARTLAND
INSULATIONS (PTY) LTD

Project
ADDITIONS & ALTERATIONS
TO EXISTING FACTORY ON
ERF 245 ATLANTIS INDUSTRIAL

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 15 May 2019, the BAR received by the Competent Authority on 13 August 2019 and the EMPr received by the Competent Authority on 13 August 2019;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives and Need and Desirability (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 12 August 2019;
- 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 on the site where the listed activity is to be undertaken on 15 February 2019;
- 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 councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 15 February 2019;
- the placing of a newspaper advertisement in the 'Die Burger' on 15 February 2019 and 'Weskus Nuus' on 26 February 2019; and
- making the BAR available to I&APs for public review from 20 May 2019 to 20 June 2019 and 09 July 2019 to 08 August 2019.

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

The Competent Authority concurs with the Environmental Assessment Practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

2. Alternatives

Three Layout Alternatives and the "no-go" alternative were identified and assessed as part of the proposed development.

Technology Alternatives with respect to the use of aboveground storage tanks and belowground storage tanks were identified and investigated. However, since the proposed site is located on the Atlantis Aquifer Secondary Protection Zone, underground tanks were not deemed as preferred. Technology Alternatives with respect to the extruded polystyrene insulation and expanded polystyrene insulation were identified and investigated. Extruded polystyrene is manufactured using a continuous extrusion process, which results in a closed cell structure with a smooth skin on the top and bottom of the board. The closed cell structure of extruded polystyrene prevents water penetration to the structure of the insulation board and provides long term strength and durability. Expanded polystyrene is manufactured using beads of foam within a mould, heat or steam is applied directly to the beads, which cause them to expand and fused together. Although a closed cell structure is produced, a closed cell insulation board is not produced due to the voids that can occur between the beads. Extruded polystyrene is therefore the preferred alternative.

Layout Alternatives were considered as follows:

Layout Alternative 1 (the preferred alternative - herewith authorised)

The proposed development entails the storage of dangerous goods associated with the establishment of an extruded polystyrene plant and associated infrastructure on Erf 245, Atlantis. The extruded polystyrene process plant will be developed in an existing building.

The proposed development will comprise the following:

- Aboveground storage tanks for the storage of blowing agents (i.e. dimethyl ether ("DME"), Carbon Dioxide, R152a (gas) and Ethanol);
- The development of new buildings for the storage of materials (i.e. polystyrene, new-cleating, flame retardant, colour and process aid);
- A flammable liquids store;
- A new reclaimer building with a reclaimer plant;
- A new silo;
- A new filter unit;
- A new chiller; and
- Associated infrastructure.

Resin (made up of polystyrene, new-cleating, flame retardant material, colour and process aid) will be combined with blowing agents (Carbon Dioxide, DME, R152a and Ethanol) in a specific combination to produce the extruded polystyrene. Extruded polystyrene is produced by a continuous extrusion process, where materials are mixed, heated and cooled to produce an extruded polystyrene board with varying thickness. The final product will be cut to size and packaged accordingly. The cuttings are reclaimed and added back into the extruded polystyrene process.

The total volume of dangerous goods to be stored will be approximately 104m³.

Existing access off Charles Matthews Street will be used. The site has existing municipal service infrastructure and no additional municipal services are required.

The development footprint will be approximately 2.69ha in extent.

Layout Alternative 1 is deemed the preferred alternative since the layout minimises the risks associated with the storage of the dangerous goods by storing gases away from other raw materials and finished product. Layout Alternative 1 further provides for the optimal use of the existing buildings and more efficient and safer delivery of raw materials and collection on finished product.

Layout Alternative 2

Layout Alternative 2 was similar to Layout Alternative 1, except that the turning circle required for the delivery of raw materials and the collection of the finished product could not be adequately accommodated.

Due to the turning circle, which after investigation was not suitable for the delivery of raw materials and the collection of finished product. Further, Layout Alternative 2 is not feasible or reasonable since no provision is made for the refuelling of the storage tanks.

Layout Alternative 3

Layout Alternative 3 was similar to Layout Alternative 1, except that the dangerous goods storage area would be located within close proximity to the raw materials and finished product and includes a turning circle for the delivery of raw materials and collection of the finished product.

Layout Alternative 3 was not deemed the preferred since it increases the potential risk of fire and other hazards associated with the proximity of storage of gases to the raw materials and finished product storage.

"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 warranted.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The proposed site is located within the Atlantis Special Economic Zone, promulgated in terms of the Special Economic Zones Act, 2014 (Act No. 16 of 2014) (G.N. 41100, dated 08 September 2017)) and is zoned General Industrial 1. The proposed site contains existing buildings, which will be used for the proposed development. The proposed development is in line with the relevant planning policies applicable to the area. Further, the site is located within the 10-16km Urgent Protective Action Planning Zone of the Koeberg Nuclear Power Station. Any development within this zone requires approval in terms of the Koeberg Nuclear Power Station Traffic Evacuation Model ("TEM"). The TEM has been submitted to the relevant authority for consideration and will be considered as part of the relevant planning process to be undertaken.

3.2. Risks / Health and Safety

A Major Hazard Installation ("MHI") Risk Assessment in terms of the Major Hazard Installation Regulations (compiled by MM Risk (Pty) Ltd. and dated 27 June 2019) was undertaken to determine whether the proposed development was considered to be a MHI and to assess the potential risks associated with the proposed development. The study calculated risks in three forms, namely, individual risk, societal risk and land-use planning. The study indicated that due to the fact that the 1×10^{-6} / year risk contour extends beyond the site boundary, the site is considered as a MHI facility.

The specialist's recommendations to reduce the risks associated with the proposed development have been included in the EMPr. In addition, an Emergency Response Plan (compiled by MM Risk (Pty) Ltd. and dated 06 August 2019) has been compiled and will be included in the EMPr. Further, the BAR indicates that the potential risks associated with the proposed facility will be of low negative significance post mitigation.

3.3. Air Quality Impacts

The proposed development requires an Atmospheric Emissions Licence in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004). According to DDA Environmental Engineers (the air quality specialists who compiled the Atmospheric Emissions Licence Application), the potential volatile organic compounds emissions are minimal. No stacks and emission points are required to be installed at the proposed development. The specialist, however, recommended that once-off ambient air quality monitoring be conducted at three selected locations within the building where extrusion takes place. The BAR indicates that the potential air quality impacts will be of low negative significance post mitigation. Mitigation measures have been included in the EMPr.

3.4. Biophysical Impacts

Given that the site contains existing buildings and is largely paved, no biophysical impacts are anticipated.

3.5. Soil and groundwater contamination

Potential soil and groundwater contamination during the operational phase as a result of potential product loss associated with pipe leaks and road tanker deliveries, has been identified in the BAR as being of low negative significance post mitigation. Mitigation measures have been included in the EMPr and all storage tanks and associated infrastructure will be designed in accordance with the relevant SANS codes. In addition, all storage tanks will be located aboveground to reduce the potential soil and groundwater contamination.

3.6. Traffic Impacts

The proposed development is not anticipated to have a significant impact on traffic as there will be a minor increase in the number of additional trips. The potential traffic impacts will be of low negative significance post mitigation. Mitigation measures have been included in the EMPr.

3.7. Heritage Impacts

Given that the proposed site is transformed, the proposed development does not trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). The potential impact on heritage resources is therefore anticipated to be negligible.

3.8. Services/ Bulk Infrastructure

The City of Cape Town currently supplies the existing site with solid waste removal, electricity supply, water supply and sewage disposal. No additional services are required to service the proposed development.

3.9. Dust and Noise Impacts

Potential dust and noise 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:

- Potential health and safety risks during the operational phase;
- Potential air quality impacts; and
- Potential groundwater and soil contamination during the development and operational phases.

Positive impacts include:

- Optimal use of land within the Atlantis Special Economic Zone;
- Economic benefits; 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.*"

-----END-----