



EIA REFERENCE: 16/3/3/1/A5/11/2026/22
NEAS REFERENCE: WCP/EIA/0001087/2022
DATE: 28 October 2022

The Board of Directors
Amazon Data Services South Africa (Pty) Ltd
Wembley Square 2
134 Sloan Street
CAPE TOWN
8001

For Attention: Ms. Christina Reddy

Per E-mail: reddychr@amazon.com

Dear Madam

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE EXISTING AMAZON DATA CENTRE LOCATED AT THE BRACKENGATE BUSINESS PARK ON ERF 25783, BRACKENFELL

1. With reference to the above application, this 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 Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to 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 Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:(1) Ms. Sarah Caulfield (AECOM SA (Pty) Ltd)
(2) Ms. Sonja Warnich-Stemmet (City of Cape Town)
(3) Mr. Mornay Theron (City of Cape Town)
(4) Mr. Thesan Pillay (Amazon Data Services South Africa (Pty) Ltd)

E-mail: Sarah.Caulfield@aecom.com
E-mail: Sonja.WarnichStemmet@capetown.gov.za
E-mail: morne.theron@capetown.gov.za
E-mail: thesanp@amazon.com



EIA REFERENCE: 16/3/3/1/A5/11/2026/22
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE EXISTING AMAZON DATA CENTRE LOCATED AT THE BRACKENGATE BUSINESS PARK ON ERF 25783, BRACKENFELL

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 Activities specified in section B below with respect to the Preferred Alternative, described in the final Basic Assessment Report ("BAR"), dated 14 July 2022.

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

Amazon Data Services South Africa (Pty) Ltd
C/O Ms. Christina Reddy
Wembley Square 2
134 Sloan Street
CAPE TOWN
8001

E-mail: reddychr@amazon.com

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 37</p> <p>Activity Description: <i>“The expansion and related operation of facilities for the generation of electricity from a non-renewable resource where—</i> <i>(i) the electricity output will be increased by 10 megawatts or more, excluding where such expansion takes place on the original development footprint; or</i> <i>(ii) regardless the increased output of the facility, the development footprint will be expanded by 1 hectare or more.”</i></p>	<p>The on-site generation of electricity from diesel powered generators of approximately 21.6 Mega Watt (“MW”) will be increased by:</p> <ul style="list-style-type: none"> • Thirteen (13) additional diesel-powered back-up generators to generate approximately 31.2MW of additional electricity; and • Two (2) additional diesel-powered roll-up generators to generate approximately 4.8MW of additional electricity. <p>The new total on-site electricity from a non-renewable resource will amount to approximately 57.6MW.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 51</p> <p>Activity Description: <i>“The expansion and related operation of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres.”</i></p>	<p>The on-site diesel storage tanks with a total storage capacity of 176m³ will be increased by:</p> <ul style="list-style-type: none"> • Thirteen (13) aboveground diesel tanks with a total storage capacity of approximately 238m³; and • Two (2) aboveground temporary diesel tanks with a storage capacity of approximately 48m³, required in emergencies. <p>The new total on-site storage capacity will amount to approximately 462m³.</p>

The abovementioned list is hereinafter referred to as “the Listed Activities”.

The holder is herein authorised to undertake the following alternative that includes the Listed Activities relating to the expansion of the existing Amazon Data Centre located at the Brackengate Business Park on Erf 25783, Brackenfell, comprising:

- A total of thirteen (13) diesel generators with a generating capacity of approximately 31.2MW each;
- A total of two (2) roll-up diesel generators with a generating capacity of approximately 4.8MW each;
- A total of thirteen (13) aboveground diesel tanks with a total combined storage capacity of approximately 238m³;
- A total of two (2) aboveground temporary diesel tanks with a total combined storage capacity of approximately 48m³ (required in emergencies); and
- The installation and establishment of associated supporting infrastructure, including containment infrastructure such as, *inter alia*, bunding, hydrocarbon detection, oil separator and leak detection systems.

Existing access to the Brackengate Business Park, will be used.

C. SITE DESCRIPTION AND LOCATION

The Listed Activities will be undertaken at the existing Amazon Data Centre at the Brackengate Business Park on Erf 25783, Brackenfell, which is located on the corner of Cecil Morgan Drive and Bottelary Road, adjacent to the R300 Regional Road, west of the site.

The SG 21-digit code is given below:

Erf 25783, Brackenfell	C06700040002578300000
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The co-ordinates of the site is given below:

Site	Latitude (S)	Longitude (E)
Erf 25783, Brackenfell	33° 54' 04.05" South	18° 40' 48.56" East

Refer to **Annexure 1**: Locality Plan. Refer to **Annexure 2**: Layout Plan.

The above-mentioned properties are hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

AECOM SA (Pty) Ltd
C/O Ms. Sarah Caulfield
Waterside Place
South Gate
Tyger Waterfront
Carl Cronje Drive
BELLVILLE
7535

Tel.: (021) 950 7500

E-mail: Sarah.Caulfield@aecom.com

E. CONDITIONS OF AUTHORISATION

Scope of Authorisation

1. The holder is authorised to undertake the Listed Activities specified in Section B above in accordance with and restricted to the Preferred Activity Alternative described in Section B above.
2. The holder must commence with, and conclude, the Listed Activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the Competent Authority.

This Environmental Authorisation is granted for–

- (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised Listed Activities.
 - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised Listed Activities, during which period the authorised Listed Activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing 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 approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, 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 written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 12 and 23.

Notification of Environmental Authorisation and Administration of Appeal

6. The holder must in writing, within fourteen (14) calendar days of the date of this decision–
 - 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the decision reached on 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;
 - 6.4. provide the registered I&APs with the:
 - 6.4.1. name of the holder (entity) of this Environmental Authorisation;
 - 6.4.2. name of the responsible person for this Environmental Authorisation;
 - 6.4.3. postal address of the holder;
 - 6.4.4. telephonic and fax details of the holder;
 - 6.4.5. e-mail address, if any, of the holder; and
 - 6.4.6. 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 Appeals Regulations, 2014 (as amended).

Commencement

7. The Listed Activities, including site preparation, must not be commenced with within (20) twenty calendar days from the date the applicant notifies the registered I&APs of this decision.
8. 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.

Management of Activity

9. The draft Environmental Management Programme ("EMPr") dated July 2022 (submitted as part of the final BAR on 15 July 2022), is hereby approved on condition that the following amendments to the EMPr are made, and must be implemented:
 - 9.1. The generators must be maintained on a regular basis to ensure that generators are working optimally;
 - 9.2. The diesel storage facilities must be constructed of weatherproof materials in order to prevent weathering;
 - 9.3. Standardised noise measurements must be made on individual equipment and regular checks carried out to help ensure that equipment is not deteriorating and to detect increases which could lead to increase in the noise impact over-time;
 - 9.4. Environmental noise monitoring must be carried out annually to detect deviations from predicted noise levels and enable corrective measures to be taken where warranted;
 - 9.5. Stormwater channels and preferential flow paths must be filled with aggregate and/or logs (branches included) to dissipate and slow flows, thereby limiting erosion; and
 - 9.6. Stormwater drains must be covered with geotextile membrane to prevent the ingress of large particulate and contaminants.
10. The Environmental Authorisation and EMPr must be included in all contract documentation for all phases of implementation.
11. An application for amendment of the EMPr must be submitted to the Competent Authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended), if any amendments are to be made to the outcomes of the EMPr and these may only be implemented once the amended EMPr has been authorised by the Competent Authority.

Monitoring

12. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the Listed Activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein. The ECO must submit ECO reports to this Department on a quarterly basis for the duration of the construction phase.
13. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office during the construction phase and thereafter the said documents must be kept at the office of the holder and must be made available to any authorised official of the Competent Authority on request.
14. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

15. 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. Environmental audit reports must be compiled and be submitted to the Competent Authority. 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).

16. The audit reports must be compiled and subsequently submitted to the Competent Authority in the following manner:
 - 16.1. An audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction phase; and
 - 16.2. A final audit report must be submitted within **three (3) months** of the proposed expansion being completed.
 - 16.3. The holder must submit an environmental audit report **every five (5) years** whilst the Environmental Authorisation remains valid.
17. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.
18. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request and, where the holder has such a facility, place on a publicly accessible website.

Specific Conditions

19. Should any heritage remains be exposed during excavations or any other actions on the site, this 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 disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone 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.
20. A qualified archaeologist and/or paleontologist 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.
21. The existing Emergency Response Plan ("ERP") for the existing Amazon Data Centre located at the Brackengate Business Park on Erf 25783, Brackenfell must be updated to include the installation of the additional generators and diesel storage tanks, as included in this EA. The updated ERP must be submitted to the City of Cape Town for comment. A copy of the updated ERP and the letter of comment from the City of Cape Town must be submitted to this Department.
22. The existing Leak Detection Repair programme for the existing Amazon Data Centre located at the Brackengate Business Park on Erf 25783, Brackenfell must be updated to include the installation of the additional generators and diesel storage tanks, as included in this EA. The updated Leak Detection Repair programme must be submitted to the City of Cape Town for comment. A copy of the updated Leak Detection Repair programme and the letter of comment from the City of Cape Town must be submitted to this Department.
23. The risk assessment, safety plans and final Site Development Plan for the existing Amazon Data Centre located at the Brackengate Business Park on Erf 25783, Brackenfell must be approved by the City of Cape Town. Copies of the approved risk assessment, safety plans and Site Development Plan must be submitted to this Department before commencement of the authorised activities.

24. A Site Dust Management Plan must be compiled and submitted to the City of Cape Town for comment. A copy of the approved Site Dust Management Plan and the letter of comment from the City of Cape Town must be submitted to this Department.
25. A follow-up assessment must be conducted within a month after the new generators are installed and fully operational in order to verify the combined noise rating levels and to ensure that generators operate at the levels indicated from the supplier specifications. A copy of the follow-up assessment must be submitted to this Department for consideration.
26. No work must be undertaken within the conservation corridor, which has been established within the Brackengate Business Park.
27. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.

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 Activities.
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 Activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for the Listed 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. 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.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr, must be as follows:

Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (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 twenty (20) 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

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 the environment is greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 28 OCTOBER 2022

Copied to: (1) Ms. Sarah Caulfield (AECOM SA (Pty) Ltd)
(2) Ms. Sonja Warnich-Stemmet (City of Cape Town)
(3) Mr. Mornay Theron (City of Cape Town)
(4) Mr. Thesan Pillay (Amazon Data Services South Africa (Pty) Ltd)

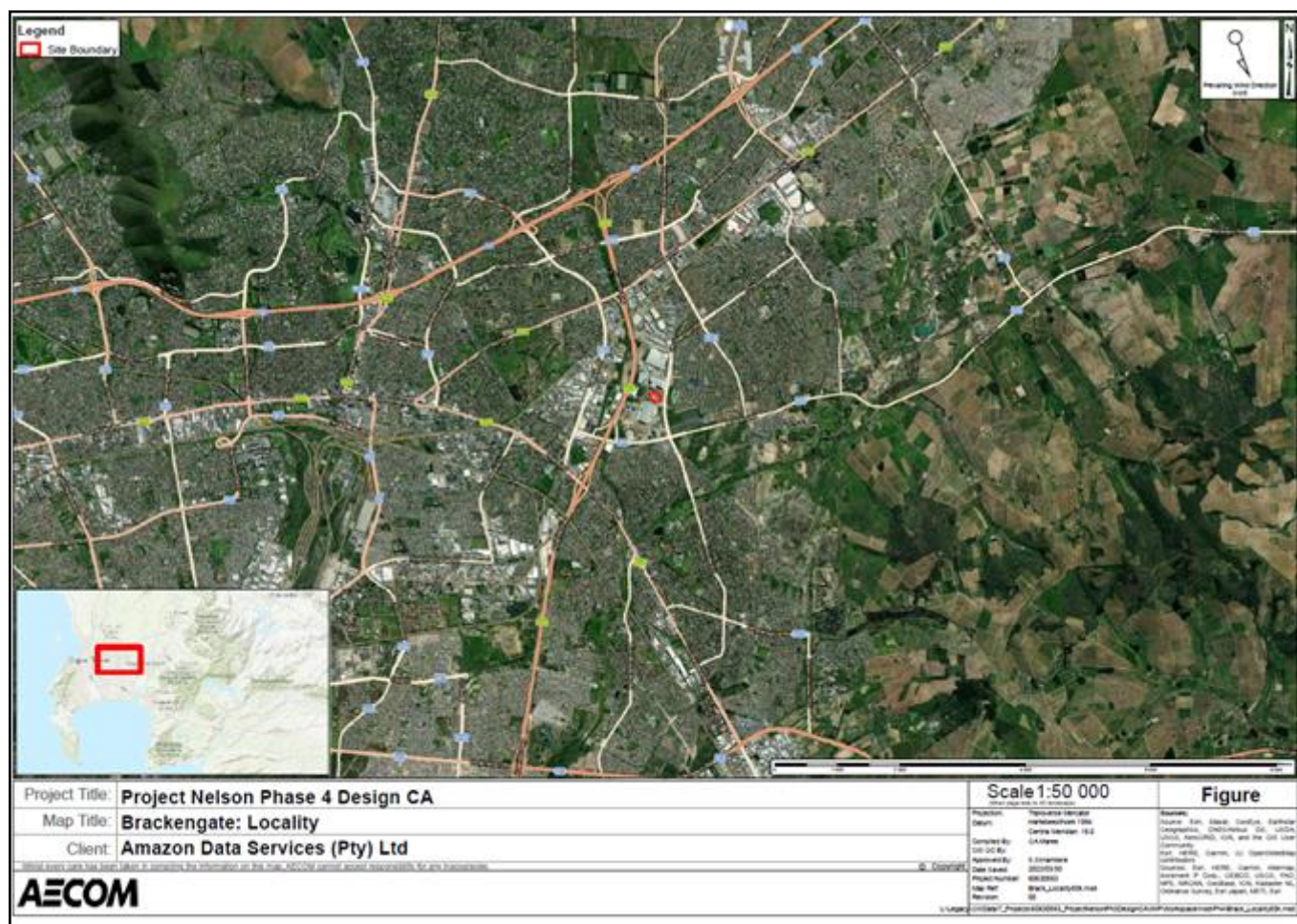
E-mail: Sarah.Caulfield@aecom.com
E-mail: Sonja.WarnichStemmet@capetown.gov.za
E-mail: morne.theron@capetown.gov.za
E-mail: thesanp@amazon.com

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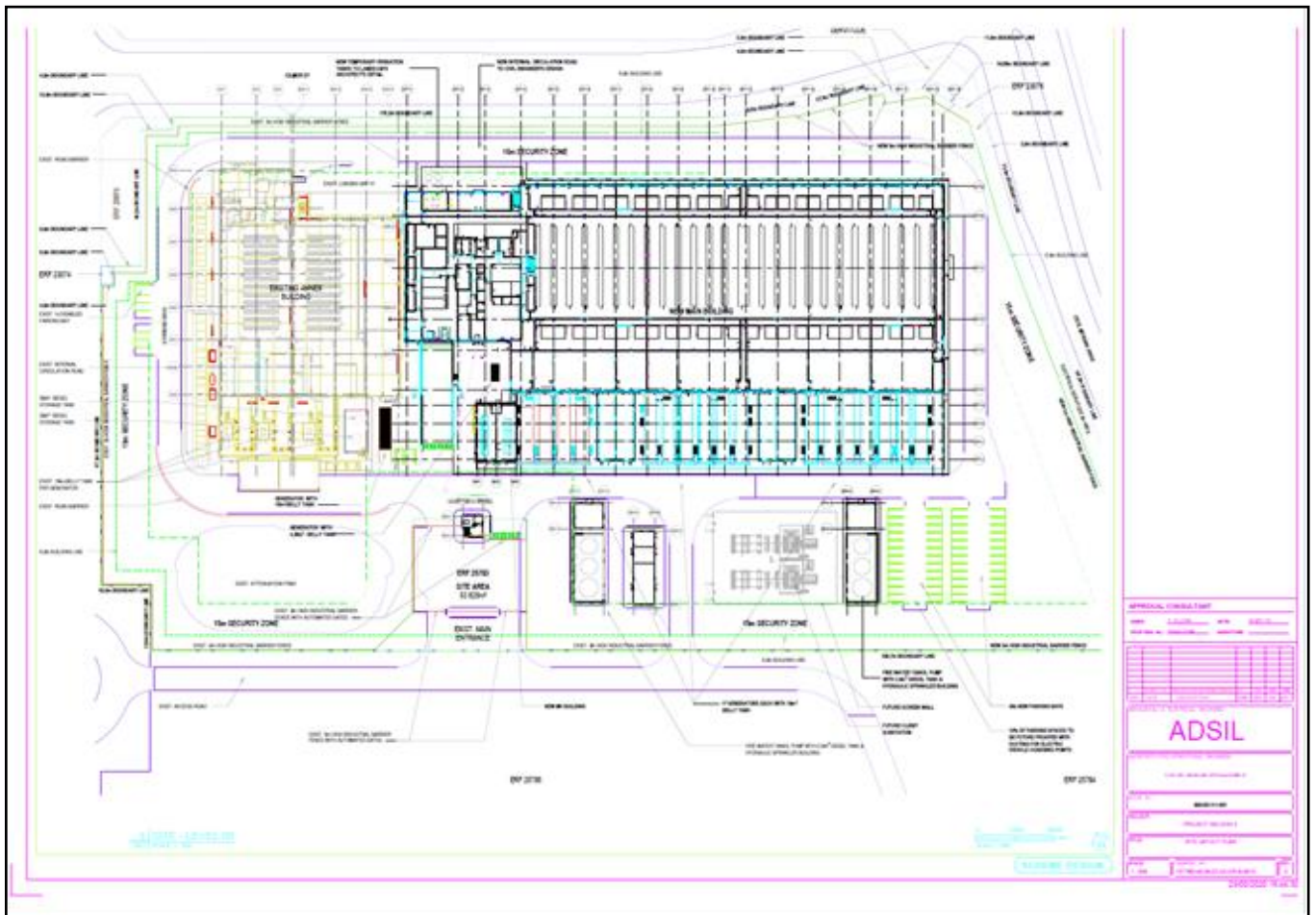
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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: LAYOUT 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 15 April 2022, the Final BAR dated 14 July 2022, the EMPr dated July 2022, the subsequent electronic mail correspondences with the EAP and with Heritage Western Cape, respectively, including the submission of additional information, until 19 October 2022;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (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 the responses thereto, included in the final BAR; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visit of the site was 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 ("PPP") included:

- Identification of and engagement with I&APs on 10 February 2022;
- Giving written notice to I&APs, owners and occupiers of land adjacent to the site, and relevant stakeholders having jurisdiction in respect of any aspect of the development proposal via electronic mail correspondence on 14 February 2022 and 16 May 2022, respectively;
- Fixing two site notices (at the Brackengate Main Gate and the Brackengate Business Park Entrance) on 16 May 2022 to 15 June 2022;
- The placing of a newspaper advertisement in the 'Cape Times' Newspaper on 16 May 2022;
- Making the Background Information Document available to I&APs for comment from 23 February 2022 to 25 March 2022;
- Making the draft BAR available to I&APs for comment from 16 May 2022 to 15 June 2022;
- Giving written notice to I&APs on 29 July 2022, regarding the submission of the final BAR to the Competent Authority for decision-making.

This Department is satisfied that the PPP that was followed met the minimum legal requirements. 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 any significant concerns raised.

2. Alternatives

Preferred Alternative (Herewith Authorised)

The preferred activity alternative entails the expansion of the existing Amazon Data Centre located at the Brackengate Business Park on Erf 25783, Brackenfell, comprising:

- A total of thirteen (13) diesel generators with a generating capacity of approximately 31.2MW each;
- A total of two (2) roll-up diesel generators with a generating capacity of approximately 4.8MW each;
- A total of thirteen (13) aboveground diesel tanks with a total combined storage capacity of approximately 238m³;
- A total of two (2) aboveground temporary diesel tanks with a total combined storage capacity of approximately 48m³ (required in emergencies); and

- The installation and establishment of associated supporting infrastructure, including containment infrastructure such as, *inter alia*, bunding, hydrocarbon detection, oil separator and leak detection systems.

Existing access to the Brackengate Business Park, will be used.

No-go Alternative

The 'No-Go' Alternative of not proceeding with the further expansion of the existing Amazon Data Centre located at the Brackengate Business Park on Erf 25783, Brackenfell was considered. However, since the property is already developed as a Data Centre, the 'No-Go' Alternative was not preferred. The 'No-Go' Alternative was deemed to be undesirable, as no back-up power will be made available during periods of generator failures, power failures and/or power outages, and this will result in the overuse of existing generators and infrastructure at the Brackengate Business Park on Erf 25783, Brackenfell.

3. Impact Assessment and Mitigation measures

3.1 Activity Need and Desirability

The site is zoned General Industrial and is immediately surrounded by other urban-industrial activities. The proposed expansion is permitted in terms of the land use rights of the property. The proposed expansion will support economic enterprise in the applicable developing industrial node by allowing business to continue to function during outages and/or load shedding, and thereby contribute towards the broader goals of sustaining productivity and the provision of employment opportunities. The proposed expansion of bulk diesel storage and generators supports the strategic goal of transforming Cape Town into a digitally and technologically efficient city.

The existing Amazon Data Centre provides a range of services related to internet and data provision as well as increasing connectivity through technology. The additional generators and additional diesel storage tanks, including the back-up generators and diesel storage tanks, are required to safeguard against power interruptions (generator failures, power failures and/or power outages) by providing uninterrupted fuel and power supply, thereby ensuring zero 'down time' of the operations at the existing Amazon Data Centre.

3.2 Biophysical Impacts

The proposed expansion will take place at an existing Amazon Data Centre that comprises a completely transformed brownfield site, devoid of indigenous vegetation. Whilst a conservation corridor has been earmarked at the Brackengate Business Park with the aim of protecting existing Renosterveld vegetation, the site is located outside of this corridor and does not infringe on the demarcated conservation area.

No watercourses are located on the site. Since the proposed expansion will take place at an existing Amazon Data Centre, no groundwater related impacts are expected. The additional tanks will be installed aboveground, which reduces any potential groundwater impacts. Although the National Web-Based Environmental Screening Tool (dated 12 January 2022), confirmed that the site is of Very High Aquatic Biodiversity sensitivity, no watercourses will be impacted by the proposed of the expansion existing Amazon Data Centre located at the Brackengate Business Park, which has no direct impacts on aquatic ecosystems.

In view of the above, there will be no additional loss of sensitive ecosystems and biodiversity priority areas, including watercourses, as a result of the proposed expansion.

3.3 Emergencies and Risks

According to the Major Hazard Installation Risk Assessment (compiled by RISCUM (Pty) Ltd and dated 29 March 2022), existing Amazon Data Centre has not been classified as a 'Major Hazard Installation'. An updated Emergency ERP will be implemented to address, *inter alia*, the procedures to be followed in the event of an emergency and aspects of emergency preparedness, response, recovery and specific mitigation measures that will be required.

Emergencies, risks and associated impacts will be mitigated with the implementation of the provisions contained in the EMPr.

3.4 Heritage

The correspondence from Heritage Western Cape (dated 19 October 2022), confirmed that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

Additionally, the applicant will comply with Conditions 19 and 20 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.5 Nuisances

Noise impacts will be limited during the construction phase, as the diesel storage facilities and generators will be installed on the site with minimal construction related activities. However, in order to mitigate noise impacts during the construction phase, measures have been included in the EMPr and will be implemented. Additional noise impacts will be managed in accordance with the provisions of the EMPr. It was established in the Noise Prediction Report (dated 11 April 2022) that the level of noise from the generators will comply with the applicable district noise rating levels and limits.

Potential minor gas emissions may be released from fuel tank vents during tank refilling, and emissions from generators. It was however confirmed in the final BAR (dated 14 July 2022) that the additional generators do not emit emissions in excess of the limits prescribed by the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 1998) (NEM: AQA). According to the Air Quality Impact Assessment Report (compiled by EScience Associates (Pty) Ltd and dated 10 May 2022), the impact on ambient air quality resulting from the facility point sources is largely well within the National Ambient Air Quality Standards limits. Consequently, no Atmospheric Emission Licence(s) is required for the proposed expansion. Additional air quality impacts, such as dust, will be managed in accordance with the provisions of the EMPr.

3.6 Socio-economic

The proposed expansion will ensure that the existing Amazon Data Centre provide continued services to their clients, even during power outages. This has economic benefits for both the holder and their clients. Additionally, the uninterrupted power supply provided during power outages as a result of the proposed expansion will help to sustain existing employment and generate several additional employment opportunities.

The development will result in both negative and positive impacts.

Negative Impacts:

- Health and Safety risks associated with accidental fires and spillages.
- Increased noise and air emissions.

Positive impacts:

- Creation of additional employment and business opportunities.
- Sufficient capacity and supply of diesel to generate electricity during generator failures, power failures or power outages.

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 Activities 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 Activities can be mitigated to acceptable levels.

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