



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
(REGION 1)**

REFERENCE: 16/3/3/1/A1/2/3016/19
NEAS REFERENCE: WCP/EIA/0000607/2019
ENQUIRIES: Mr. R. Chambeau
DATE OF ISSUE:

2019 -07- 19

The Municipal Manager
City of Cape Town: Property Development
Cape Town Civic Centre, 13th Floor
12 Hertzog Boulevard
CAPE TOWN
8001

For attention: Mr. A. Human

Tel: (021) 400 2366
Fax: (086) 202 8546

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 REMOVAL OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT ON A PORTION OF ERF 277-RE AND ERF 286, ATLANTIS INDUSTRIAL

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 Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copies to: (1) Mr. P. Titmuss (City of Cape Town: Environmental Resource Management)
(2) Ms. K. Rughoobee (DEA&DP Directorate: Development Facilitation)

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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 REMOVAL OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT ON A PORTION OF ERF 277-RE AND ERF 286, ATLANTIS INDUSTRIAL

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 BAR, dated July 2019.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Municipal Manager
City of Cape Town: Property Development
Cape Town Civic Centre, 13th Floor
12 Hertzog Boulevard
CAPE TOWN
8001

Tel: (021) 400 2366
Fax: (086) 202 8546

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 NEMA EIA Regulations, 2014, (as amended):</p> <p>Activity Number: 27 Activity Description:</p> <p>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for:</p> <p>(i) The undertaking of a linear activity or (ii) Maintenance purposes undertaken in accordance with a maintenance management plan.</p> | <p>The proposed activity entails the clearance of approximately 15.5ha of indigenous vegetation in order to allow for future industrial development to take place on a portion of Erf 277-RE and Erf 286, Atlantis Industrial.</p> |
| <p>Listing Notice 1 of the NEMA EIA Regulations, 2014, (as amended):</p> <p>Activity Number: 28 Activity Description:</p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <p>(i) Will occur inside an urban area, where the total land to be developed is bigger than 5 hectares or (ii) Will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</p> <p>Excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p> | |
| Listed Activity | |
| <p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 12 Activity Description:</p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for</p> | |

| | |
|--|--|
| <p>maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>a) In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces:</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas; or iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. | |
|--|--|

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 as it relates to the proposed development:

The proposed activity entails the clearance of approximately 15.5ha of indigenous vegetation in order to allow for future industrial development to take place on a portion of Erf 277-RE and Erf 286, Atlantis Industrial.

The proposed site is located outside an urban area and access to the site will be taken off Perkins Road along the north-eastern boundary of Erf 277-RE.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on a portion of Erf 277-RE and Erf 286, Atlantis Industrial.

The SG digit codes are:

| | |
|-----------------------|-----------------------|
| Portion of Erf 277-RE | C016008700000277000RE |
| Erf 286 | C01600870000028600000 |

The co-ordinates for the proposed development is:

Property boundary:

| Point | Latitude (S) | | | Longitude (E) | | |
|-----------------------|--------------|-----|--------------|---------------|-----|-------------|
| Portion of Erf 277-RE | 33° | 36' | 10.94" South | 18° | 28' | 37.46" East |
| Erf 286 | 33° | 35' | 27.46" South | 18° | 28' | 40.82" East |

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Environmental Assessment Practitioner:
 Magdalena van Zyl
 City of Cape Town: Environmental Management Department
 Cape Town Civic Centre, 13th Floor
 12 Hertzog Boulevard
CAPE TOWN
 8001

Tel: (021) 400 2366

Fax: (086) 202 8546

E. DETAILS OF THE EXTERNAL ENVIRONMENTAL ASSESSMENT PRACTITIONER REVIEWER

External Assessment Practitioner Reviewer:
 Tarryn Solomon
 Infinity Environmental
 3rd Floor, Old Warehouse Building
 Black River Park
 Observatory
 7925

Tel: (076) 223 4533

Email: tarryn@infinityenv.co.za

F. 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 Alternative described in the BAR dated July 2019 on the site as described in Section C above.
2. The holder must commence with the listed activities on site within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
3. The clearance must be concluded within 5 (five) years from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.

5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of 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: 7, 8, 11, 16, 17 and 18.

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 H 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. the 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 activities, 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 activities, including site preparation, must not commence until the appeal is decided.

Management of activity

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

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any land clearing or 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 at the site of the authorised activity during the development activities whereafter it must be kept at the office of the applicant, and must be made available to anyone on request.
13. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (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 Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 14.1. The holder must undertake an environmental audit within 6 (six) months of the commencement of the listed activities and submit Environmental Audit Reports to the Competent Authority 1 (one) month after the completion of the listed activities.
 - 14.2. The holder must, within 7 (seven) days of the submission of the report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request.

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.
 - 15.1. 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.
 - 15.2. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can

only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

16. The area to be cleared of indigenous vegetation for the proposed development must be clearly demarcated and any areas outside this area must be marked as 'no-go' areas before commencement of the proposed development.
17. A search and rescue programme for plant species that can be relocated must be carried out by a suitably qualified person and must be implemented before commencement of the proposed development.
18. Approximately 15.5ha must be deducted from the City of Cape Town's land banking Scheme to compensate for the loss of indigenous vegetation (15.5ha) as a result of the proposed development. Proof of the transfer must be submitted to this Department for record purposes.
19. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

G. GENERAL MATTERS

20. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
21. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
22. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for those 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.
23. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

24. 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.

H. APPEALS

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

25. 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 –
 - 25.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and

- 25.2. 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. -
26. 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-
- 26.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
- 26.2. 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.
27. 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.
28. The appeal and the responding statement must be submitted to the address listed below:
- By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000
- By facsimile: (021) 483 4174; or
- By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town; 8001
- Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to marius.venter@westerncape.gov.za.
29. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail marius.venter@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

I. 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. ZAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 19/07/2019

Copies to: (1) Ms. K. Rughoobee (DEA&DP Directorate: Development Facilitation)
(2) Ms. P. Tilmuss (City of Cape Town)

Fax: (021) 548 4185
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ANNEXURE 1: LOCALITY MAP

Locality map of the proposed development.

ERF 277-RE (OUTLINED IN RED)



ERF 286 (OUTLINED IN RED)



ANNEXURE 2: SITE PLAN

Site plans of the proposed development.

PORTION OF ERF 277-RE AND ERF 286 (OUTLINED IN GREEN)



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 May 2019 and received by the competent authority on 23 May 2019, the BAR received by the competent authority on 11 July 2019 and the EMPr submitted together with the BAR;
- b) The listed activity applicable in terms of the NEMA EIA Regulations, 2014, and the assessment of the activity in the BAR received by the competent authority on 11 July 2019;
- c) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- d) 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);
- e) The comments received from interested and affected parties and the responses provided thereon, with no objections against the proposal, as included in the BAR received by the Department on 11 July 2019;
- f) No exemption was applied for from the provisions of NEMA;
- g) An external environmental assessment practitioner reviewer (Infinity Environmental) was appointed to review all the work conducted by the City of Cape Town's EAP, to ensure independence, with no objections being raised from interested and affected parties concerning the external reviewer; and
- h) 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 included:

- identification of and engagement with I&APs;
- fixing a notice board on the property entrance where the listed activities are to be undertaken on 16 April 2019;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 16 April 2019; and
- the placing of a newspaper advertisement in the 'Weskus Nuus' on 16 April 2019.

The Department is satisfied that the PPP that was followed met the minimum legal requirements and all the comments its raised and responses thereto were included in the comments and response report.

Specific management and mitigation measures have been considered in this environmental authorisation and in the EMPr to adequately address significant concerns raised.

2. Alternatives

Preferred Alternative

This alternative entails the removal of indigenous vegetation on a portion of Erf 277-RE and Erf 286, Atlantis Industrial. The area to be cleared will be approximately 15.5ha. As a mitigation measure for removing the indigenous vegetation, an offsite off-set of equal size will be managed as part of the Atlantis Incentive Scheme. The removal of the vegetation from this site will be done in order to facilitate development in the Atlantis Industrial Area.

"No-Go" Alternative

Should the activity not be approved the site will remain in its current state whereby the indigenous vegetation present on the site is not being managed and illegal dumping will continue to take place. This will lead to continued degradation of the indigenous vegetation present on the site, and therefore, the "no-go" alternative was not warranted.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The site is zoned General Industrial 1 and is within the Atlantis Industrial Area. Therefore, the clearance of the site of all vegetation for the future industrial development of the site is in keeping with the IDP and SDF. The SDF identifies the site for New General Industrial Development and the IDP identifies Atlantis industrial areas as an area which the City wants to make more attractive, especially in terms of manufacturing.

3.2. Biophysical

According to the Botanical scan of portion of Erf 277-RE and 286, Atlantis (dated March 2019) and conducted by the City of Cape Town's Biodiversity Management Branch, the site contains remnants of Atlantis Sand Fynbos with elements of Cape Flats Dune Strandveld. Atlantis Sand Fynbos is listed as Critically Endangered and Cape Flats Dune Strandveld as Endangered.

Large portions of Erf 277-RE have previously been disturbed presumably by small scale agricultural activities. As a result of this disturbance, a significant portion of the property contains low quality natural vegetation with a large percentage (approximately 40%) of the surveyed area heavily infested with alien invasive vegetation (Port Jackson and Willow) most notably along the south eastern boundary. In addition, the property is bisected by an old access road leading to illegal dumping and further disturbances on both sides of the road.

The highest quality natural vegetation remnant is situated in the north-eastern corner of the proposed site. One species of conservation concern was recorded during the site visit namely *Aspalathus ternate* (Near Threatened). The remainder of the property contains patches of remnants ranging in quality from medium to low. In addition, it can be expected that the property provides habitat for a variety of fauna.

3.3. Impact Assessment and significance rating

3.3.1. Loss of indigenous vegetation as a result of the proposed development has been identified in the BAR as being of low negative significance after mitigation. The off-site biodiversity offset (± 15.5 ha) in the form of the biodiversity Land banking component of the Atlantis Industrial Incentive Scheme will be a further mitigation measure.

- 3.3.2. Potential impact on noise levels during the development phase has been identified in the BAR as being of low negative significance after mitigation.
- 3.3.3. Potential impact on heritage and cultural-historical aspects during the development phase has been identified in the BAR as being of low negative significance after mitigation. The development will result in both negative and positive impacts.
- 3.4. The development will result in both negative and positive impacts.

Negative Impacts include:

- Loss of indigenous vegetation as a result of the proposed clearance.
- Potential impacts of sand being blown into the surrounding area after the clearance of vegetation.

Positive impacts include:

- The site is zoned General Industrial 1 and is within the Atlantis Industrial Area. Therefore, the clearance of the site is in keeping with the IDP and SDF.
- Some job opportunities in the area.
- Economic benefits.
- Biodiversity offsetting benefits.

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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