



**REFERENCE:** 16/3/3/1/A2/30/3025/21  
**NEAS REFERENCE:** WCP/EIA/0000928/2021  
**DATE:** 25 January 2022

The Board of Directors  
Synergy Gas (Pty) Ltd  
4 Rylands Road  
**PHILIPPI**  
7750

**Attention: Mr. Yazeed Mukaddam**

Tel.: 021 691 2781

E-mail: yazeed@synergygas.co.za

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED INSTALLATION OF AN ADDITIONAL 45M<sup>3</sup> LIQUID PETROLEUM GAS BULK STORAGE TANK ON ERF NO. 3371, PHILIPPI.**

1. With reference to the above application, the Department hereby notifies you of its decision to grant the amended Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA 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 summarized in the attached Environmental Authorisation.

Yours faithfully

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

Copies to:

- (1) E. Marais (Sillito Environmental Consulting)
- (2) A. van Wyk (City of Cape Town)

E-mail: eugene@environmentalconsultants.co.za  
E-mail: azanne.vanwyk@capetown.gov.za



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## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED INSTALLATION OF AN ADDITIONAL 45M<sup>3</sup> LIQUID PETROLEUM GAS ("LPG") BULK STORAGE TANK ON ERF NO. 3371, PHILIPPI.**

With reference to your application for the abovementioned, find below the outcome with respect to this application.

### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Layout Alternative, described in the Basic Assessment Report ("BAR"), dated September 2021.

The granting of this Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") is subject to compliance with the conditions set out in Section E below.

### A. DETAILS OF THE HOLDER OF this Environmental Authorisation

Synergy Gas (Pty) Ltd  
c/o Mr. Yazeed Mukaddam  
4 Rylands Road  
PHILIPPI  
7750

Tel.: 021 691 2781  
E-mail: yazeed@synergygas.co.za

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

## B. AUTHORISED ACTIVITIES

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 67</p> <p>Phased activities for all activities—</p> <p>i. listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</p> <p>excluding the following activities listed in this Notice–</p> <p>17(i)(a-d);            17(ii)(a-d);            17(iii)(a-d);            17(iv)(a-d);            17(v)(a-d);            20;            21;            22;            24(i);            29;            30;            31;            32;            34;            54(i)(a-d);            54(ii)(a-d);            54(iii)(a-d);            54(iv)(a-d);            54(v)(a-d);            55;            61;            64; and            65; or</p> <p>ii. listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</p> <p>where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</p>	<p>The proposed development entails the addition of one 45m<sup>3</sup> Liquid Petroleum Gas (“LPG”) storage tank which will result in a total combined capacity on site that will exceed the 80m<sup>3</sup> threshold.</p>

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

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

The proposal entails:

The installation of a 45m<sup>3</sup> LPG bulk storage tank on the south-eastern corner of Erf 3371, Philippi, located adjacent to the existing 45m<sup>3</sup> LPG tank at the existing Synergy Gas storage facility.

The installation of the bulk LPG storage tank will allow the applicant to increase their capacity to fill smaller LPG cylinders. A second deck for the storage of 5-48kg LPG cylinders will be constructed above the existing storage platform, located in the south-eastern corner of the site. The footprint of the existing storage platform will therefore not be expanded, but the storage area will however be increased vertically.

The site is accessed through the existing access gates situated on Rylands Road, which runs along the eastern and northern boundary of Erf 3371.

The total development footprint will be approximately 54m<sup>2</sup> in extent.

### C. SITE DESCRIPTION AND LOCATION

The proposed development is located on an existing gas storage facility within a built-up site zoned as General Industrial Zone 1. The entire site consists of paved and concrete surfaces on Erf No. 3371, Rylands Road, Philippi.

The site co-ordinates:

Erf No. 3371, Philippi			
Latitude (S)	34°	0'	4.79"
Longitude (E)	18°	32'	6.12"

The SG digit code:

Erf No. 3371, Philippi	C01600450002150000000
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The above is hereinafter referred to as "**the site**".

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Sillito Environmental Consulting  
c/o Mr. Anthony Mader  
Suite 105, Block B2  
Tokai Village Centre  
Vans Road  
**TOKAI**  
7966

Tel.: 021 712 5060

Cell: 083 309 9211

E-mail: [anthony@environmentalconsultants.co.za](mailto:anthony@environmentalconsultants.co.za)

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated September 2021 on the site as described in Section C above.
2. Authorisation for the activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure 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.
3. The holder must commence with the listed activity 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 activity.
4. The authorised activity must only be carried out at the site described in Section C above in terms of the approved “Environmental Management Programme” (“EMP”).
5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information 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.

### Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
  - 6.1. notify all registered Interested and Affected Parties of –
    - 6.1.1. the outcome of the application;
    - 6.1.2. the reasons for the decision;
    - 6.1.3. the date of the decision; and
    - 6.1.4. the date of issue of the decision;
  - 6.2. draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
  - 6.3. draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
  - 6.4. provide the registered Interested and Affected Parties 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;
    - 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 Interested and Affected

Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

### **Commencement**

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

### **Written notice to the competent authority**

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
  - 9.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 9.2. The notice must also include proof of compliance with the following conditions described herein:  
Conditions: 6, 7, 10.1, 10.2, 10.3, 10.4 and 11 .

### **Management of activities**

10. The draft EMPr (dated September 2021) submitted as part of the application for Environmental Authorisation must be amended to include the following.
  - 10.1. The existing Emergency Response and Evacuation Plan must be updated and included in the EMPr.
  - 10.2. The existing Spill Contingency Plan must be updated and included in the EMPr.
  - 10.3. The existing Fire Plan must be updated and included in the EMPr.
  - 10.4. The existing Preventative Maintenance Plans must be updated and included in the EMPr.
11. The updated EMPr must be submitted to the competent authority for approval before the commencement of construction activities.
12. An application for amendment to 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.
13. The EMPr must be included in all contract documentation for all phases of implementation.
14. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr 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. The Environmental Authorisation and EMPr must be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

## Monitoring

15. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation.  
The ECO must–
  - 15.1. be appointed prior to commencement of any land clearing or construction activities commencing;
  - 15.2. ensure compliance with the EMPr and the conditions contained herein; and
  - 15.3. keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO.

## Environmental audit reports

16. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid–
  - 16.1. ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
  - 16.2. submit at least two environmental audit reports to the competent authority during the construction phase. The holder must submit the first audit report within three (3) months after commencement of the construction phase and another audit report within six (6) months after completion of the construction period; and
  - 16.3. submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
17. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must –

- 17.1. provide verifiable findings, in a structured and systematic manner, on–
    - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
    - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
  - 17.2. identify and assess any new impacts and risks as a result of undertaking the activity;
  - 17.3. evaluate the effectiveness of the EMPr;
  - 17.4. identify shortcomings in the EMPr;
  - 17.5. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 17.6. indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development;
  - 17.7. include a photographic record of the site applicable to the audit; and
  - 17.8. be informed by the ECO reports.
18. The holder must, within 7 (seven) calendar days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

## Specific conditions

19. The storage tank installation and associated pipework must be done in accordance and compliance with the relevant South African National Standards ("SANS") codes.
20. The storage tank installation must comply with the relevant local authority bylaws and all procedures and equipment used must be in accordance with the Occupational Health and Safety Act, 1993 (No. 85 of 1993).

21. A firewall must be installed between the two LPG storage tanks.
22. Surface and ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
23. 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.
24. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape ("HWC"). Heritage remains include: archaeological remains (including fossil bones and fossil shells); 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; rock art and rock engravings and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

## **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. If the holder does not commence with the listed activity within the period referred to in Condition 3 this Environmental Authorisation shall lapse for the 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.
3. 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.
  - 3.1. 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.
4. The manner and frequency for updating the EMPr is as follows:
  - 4.1. Amendments to the EMPr, must be made in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.



## 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 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 Interested and Affected Parties, 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 Interested and Affected Parties -
  - 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 Interested and Affected Party, 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 Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post:                      Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile:              (021) 483 4174; or

By hand:                    Attention: Mr Marius Venter (Tel.: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are 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 [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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

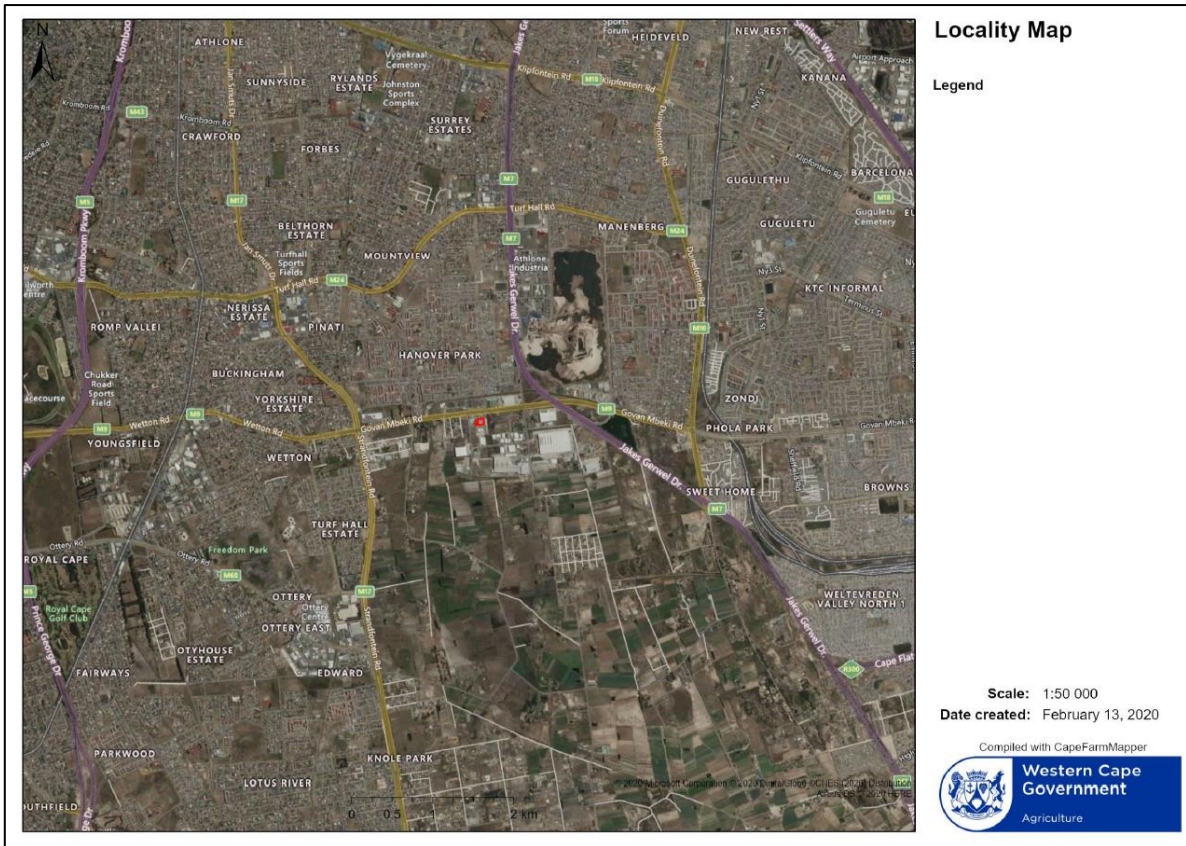
**DATE OF DECISION: 25 JANUARY 2022**

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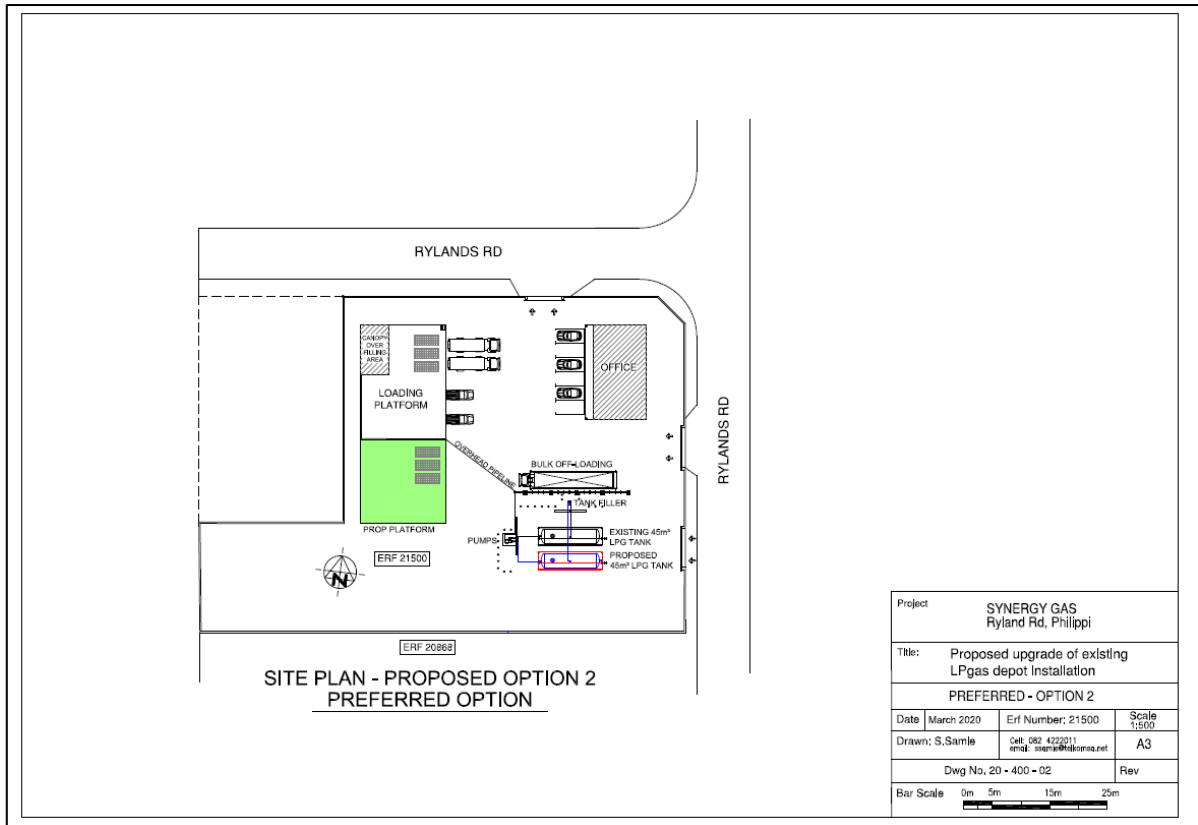
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# ANNEXURE 1: LOCALITY MAP



## ANNEXURE 2: SITE DEVELOPMENT 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 21 June 2021, the BAR and the EMPr submitted together with the final BAR on 17 September 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA; and
- d) The comments received from Interested and Affected Parties and responses to these, included in the BAR dated September 2021.

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 Interested and Affected Parties ("I&APs");
- fixing notices at the site where the listed activity will be undertaken;
- the placing of a newspaper advertisement in the "City Vision" newspaper on 18 March 2021;
- the pre-application draft BAR was made available for public review from 19 March 2021 until 22 April 2021;
- E-mail notifications were utilised to notify all potential and registered I&APs including the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity, about the availability of the report with reminders sent to submit comments;
- the application phase draft BAR was made available to I&APs for public review and comment from 9 July 2021 until 10 August 2021.

During the public participation process, comments and objections were received from adjacent landowners regarding the potential increase in risk and safety associated with the proposed additional tank installation. The EAP responded adequately to confirm that a Major Hazard Installation ("MHI") Risk Assessment was carried out to assess the potential impacts of the proposed development in case of a hazardous event. Further, the EAP explained that Synergy has a safeguarding system and automatic drencher system in the event of any fires. The impacts associated with the proposed expansion of an existing facility with the addition of an LPG tank, was assessed and sufficient information was provided for the Competent Authority's decision-making.

### 2. Alternatives

No other site alternatives were investigated and considered for the proposed expansion of an existing facility with the addition of an LPG storage tank on Erf 3371, Philippi.

This is based on the following reasons:

- The site is an existing facility zoned for Industrial Use and is suited to accommodate the proposed development.
- There are no environmental features of a sensitive nature on site, as the site is transformed.

The alternatives considered were Activity Alternatives, Layout Alternatives and the "No-go" Alternative.

### Activity Alternatives

The proponent investigated the installation of an underground LPG storage tank. This alternative was not preferred as it would require additional connector points in order to link to the existing infrastructure.

The proponent further investigated the proposed addition of two smaller LPG tanks. This alternative was not preferred as it would result in additional installation costs and maintenance requirements.

### Layout Alternatives

Two layout alternatives were considered for the location of the LPG storage tank:

Layout Alternative A (preferred alternative) entails the installation of a 45m<sup>3</sup> LPG bulk storage tank in the south-eastern corner located adjacent to the existing 45m<sup>3</sup> LPG tank.

Layout Alternative B comprises of the new LPG storage tank being installed in the south-western corner of the site.

Layout Alternative A is preferred as the location of the LPG storage tank parallel to the existing storage tank allows for ease in connecting to the existing infrastructure on site. The location of the tank is also favourable for accessibility of the road tanker during filling operations.

### "No-Go" Alternative (Rejected)

The "no-go" alternative implies that the "status quo" would remain and the additional 45m<sup>3</sup> LPG storage tank would not be installed at the existing facility. However, this alternative is not preferred as the current operation of the site would be less efficient and will not lead to increased productivity of the facility.

## **3. Impact Assessment and Mitigation measures**

### 3.1 Need and Desirability

The proposed installation of the storage tank will take place at an existing operational facility located on Erf 3371, Philippi. Due to the increasing demand for gas within the greater Cape Town area, the installation of additional infrastructure to store gas will be beneficial for the surrounding community. The increase in trade will also increase regional profit, and specifically the local economy. The proposed installation of the tank allows for optimal use of land designated for industrial use as Easigas will install the bulk LPG storage tank within the existing Synergy Gas depot rather than obtaining a new undeveloped erf.

### 3.2 Planning Context

The site is located in an urban area within the Philippi Industrial Area and is zoned as General Industrial Zone 1. The proposed installation of the storage tank will be located on a property which already operates as a gas storage depot. The proposed development will support economic enterprise within the industrial area by increasing the availability of gas, therefore, improving the efficiency of the business to function optimally.

### 3.3 Fire, Health and Safety Impacts

The most significant impact of the proposed development is the potential health and safety risks. A MHI Risk Assessment was undertaken by Nature & Business Alliance Africa (Pty) Ltd to assess the health and safety risks. The findings of the MHI Risk Assessment dated 13 September 2020 (updated on 29 January 2021) indicate that the facility is classified as a major hazard installation, as a major incident may impact the surrounding community outside of the site boundaries. Further, there are no developing conflicts for this site. The EMP includes the mitigation measures recommended by the Major Hazard Installation Risk specialist. With the implementation of the mitigation measures, the likelihood of an event occurring is exponentially low. The proposed development will be located within the property boundary of an operational facility equipped with an existing leak detection- safeguarding system. This is in line with the requirements noted in the City of Cape Town's Safety & Security Fire and Rescue Service Department dated 13 April 2021. The potential

fire, health and safety risk impact was identified as being of low negative significance post mitigation.

#### 3.4 Heritage impacts

The impact of the proposed development on heritage resources is low, and the likelihood of archeological material being found during earthworks is low as the proposed construction works will take place within an existing transformed property.

#### 3.5 Biophysical impacts

All proposed construction activities will take place at the existing Synergy Gas facility located on Erf 3371, Philippi, which is a transformed and hard surfaced site. No environmental features of a significant nature are located on the site and no biophysical impacts are anticipated.

#### 3.6 Visual / sense of place

During the construction period, there will be limited construction activities, which may result in visual impacts. These will however be short-term and be adequately managed by the implementation of the EMP. The proposed installation of the tank will occur within an existing operational facility, therefore, visual impacts during the operational phase will be of low negative significance.

#### 3.7 Dust and Noise impacts

Construction activities (mainly construction vehicles transporting materials to the site) will generate noise and associated volumes of dust during weekly construction hours. The EMP includes dust and noise control measures that will be implemented on site and at areas of high dust generation.

The development will result in negative and positive impacts

#### **Negative impacts:**

- Fire, Health and Safety risks; and
- Dust and Noise impacts during the construction phase.

#### **Positive impacts:**

- Contributes positively to the local economy;
- Increase in the availability of gas at an existing facility thereby improving the accessibility of LPG to the surrounding community; and
- The development will provide additional employment opportunities.

## **4. National Environmental Management Act Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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

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