



EIA REFERENCE: 16/3/3/1/B3/28/1054/21
NEAS REFERENCE: WCP/EIA/0000984/2021
DATE OF ISSUE: 07 April 2022

Mr. A. Karan
P.O. Box 315
BALFOUR
2410

Attention: Mr. A. Karan

Tel: (017) 773 4000

E-mail: avronk@karanbeef.com

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): THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 825, PAARL.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant the Environmental Authorisation** ("EA") 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 National 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). Mr. C. Williams (Guillaume Nel Environmental Consultants)
(2). Ms. C. Winter (Drakenstein Municipality)

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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): THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 825, PAARL.

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, 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 as described in the Basic Assessment Report ("BAR"), received on 30 November 2021.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority **hereby adopts the Maintenance Management Plan** for the proposed maintenance of the water pipeline running through the watercourse on Erf 825, Paarl.

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

Mr. A. Karan
P.O. Box 315
BALFOUR
2410

Tel: (017) 773 4000
E-mail: avronk@karanbeef.com

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

B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 Activity Number: 12 <i>The development of-</i></p> <ul style="list-style-type: none"> <i>i. dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>ii. infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs –</i> <ul style="list-style-type: none"> <i>a) within a watercourse;</i> <i>b) in front of a development setback; or</i> <i>c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</i> <p><i>excluding-</i></p> <ul style="list-style-type: none"> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i> <i>(bb) where such development activities are related to the development of a port or harbour in which case activity 26 in Listing Notice 2 of 2014 applies;</i> <i>(cc) activities listed in activity in Listing Notice 2 of 2014 or activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i> <i>(dd) where such development occurs within an urban area,</i> <i>(ee) where such development occurs within existing road, or road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure will be removed within 6 weeks of the commencement of development and were indigenous vegetation will not be cleared.</i> 	<p>The proposed buildings will be located within 32m of a watercourse and will have a footprint of approximately 2 481m².</p>

<p>Listing Notice 1 Activity Number: 19 <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse But excluding where such infilling, depositing, dredging excavation, removal or moving –</i></p> <p>a) will occur behind a development setback; b) is for maintenance purposes undertaken in accordance with a maintenance management plan; c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour or; e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>The proposed potable water pipeline will traverse the watercourse and this will result in the moving of more than 10m³ of sand/soil/rock.</p>
<p>Listing Notice 1 Activity Number: 28 <i>Residential, mixed, retail, commercial, industrial or institutional development where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></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><i>Excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The residential development will be on land used for equestrian purposes, outside an urban area with a footprint of more than 1ha.</p>
<p>Listing Notice 3 Activity Number: 4 <i>The development of a road wider than 4 metres with a reserve of less than 13,5 metres</i></p> <p>Western Cape</p> <p>i. Areas zoned for use of public open space or equivalent zoning; ii. Areas outside urban areas; a. areas containing indigenous vegetation b. areas on the estuary side of the development</p>	<p>The proposed new access road will have a width of between 4–5 metres and will be approximately 620m long. It will be located within an area that contains indigenous vegetation.</p>

<p>setback line or in an estuarine functional zone where such setback line has been determined; or</p> <p>i. inside urban areas:</p> <p>a. areas zoned for conservation use; or areas designed for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	
<p>Listing Notice 3</p> <p>Activity Number: 12</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 maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>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 Diversity Assessment 2004;</p> <p>ii. within critical biodiversity areas identified in bioregional plans;</p> <p>iii. within the littoral active zone or 100 metres in land from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind a development setback line or even in urban areas;</p> <p>iv. On land, where at the time of the coming into effect of this Notice or hereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>The proposed road will result in the clearance of more than 300m² of vegetation classified as a critically endangered ecosystem.</p>

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

The holder is herein authorised to undertake the following alternative as it relates to the listed activities:

The proposed development entails the development of three (3) single storey dwellings, four (4) staff cottages, a farm shed/store, communal space and associated infrastructure (road and pipeline) on Erf 825, Paarl. The proposed pipeline will cross a watercourse, while development of structures will occur within 32m of a watercourse.

The proposed new access road will be between 4-5m wide with a length of 620m. The pipeline will have a diameter of 50mm and a length of 220m. The footprint of the proposed development and associated infrastructure will be approximately 12 100m².

C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on Erf 825, Paarl and has the following co-ordinates:

Latitude (S)	33°	49'	30.57"
Longitude (E)	18° "	58'	32.37"

Co-ordinates of proposed Access Road.

Starting point:

Latitude (S)	33°	49'	22.14"
Longitude (E)	18° "	58'	21.78"

Middle point:

Latitude (S)	33°	49'	29.40"
Longitude (E)	18° "	58'	28.25"

End point:

Latitude (S)	33°	49'	31.09"
Longitude (E)	18° "	58'	36.17"

Co-ordinates of proposed Water Pipeline.

Starting point:

Latitude (S)	33°	49'	32.24"
Longitude (E)	18° "	58'	34.21"

Middle point:

Latitude (S)	33°	49'	33.72"
Longitude (E)	18° "	58'	31.78"

End point:

Latitude (S)	33°	49'	30.42"
Longitude (E)	18° "	58'	27.62"

The SG digit code: C05500130000082500000

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

Guillaume Nel Environmental Consultants (GNEC)
 c/o Mr. C. Williams
 P.O. Box 2632

PAARL

7620

Cell: 082 335 7410

Email: cahlan@gnec.co.za

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 Alternative described in the BAR received on 30 November 2021 on the site as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five (5) years** from the date issue of this Environmental Authorisation.
3. The development must be concluded within **ten (10) years** from the date of commencement of the Listed Activities.
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. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction 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 and 12.

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 Appeals Regulations, 2014 detailed in Section F 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 2014 National Appeals Regulations.
- 8. The listed activities, including site preparation, may not commence within **20 (twenty)** calendar days from the date of issue of this Environmental Authorisation. 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 or Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
- 10. The Maintenance Management Plan ("MMP") adopted as part of this Environmental Authorisation must be implemented.
- 11. The EMPr and MMP must be included in all contract documentation for all phases of implementation.

Monitoring

- 12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of the proposed development to ensure compliance with the provisions of the EMPr, and the conditions contained herein. The ECO must conduct site visits as prescribed in the EMPr and must submit ECO Reports on a monthly basis to the competent authority.
- 13. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.

14. 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

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person, that is not the ECO referred to in Condition 12 above and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.
16. The audit reports must be compiled and subsequently submitted to the Department in the following manner:
 - 16.1. The holder must undertake an environmental audit and submit an Environmental Audit Report to the Competent Authority within 3 months after construction commences.
 - 16.2. A final Environmental Audit Report must be submitted within three months after the development is completed.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

17. 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.

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.

18. 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.
19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.

20. All noise and sounds generated during the proposed development must comply with the relevant SANS codes and standards and the relevant noise regulations.

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 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. 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 must be submitted.

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

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 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.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and

- 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal 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 3721)
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 DEADP.Appeals@westerncape.gov.za.

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

H. DISCLAIMER

The Western Cape Government, the 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

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

DATE OF DECISION: 07 APRIL 2022

Copies to: (1). Mr. C. Williams (Guillaume Nel Environmental Consultants)
(2). Ms. C. Winter (Drakenstein Municipality)

E-mail: cahlan@gnec.co.za

E-mail: cindy.winter@drakenstein.gov.za

ANNEXURE 1: LOCALITY MAP



Figure 1: Location of Erf 825 Paarl.

ANNEXURE 2: SITE PLAN



Figure 2: Proposed site 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 received by the Department on 04 October 2021 and the EMPr submitted together with the Basic Assessment Report on 30 November 2021.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the Basic Assessment Report received on 30 November 2021; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board at the site where the listed activities are to be undertaken were placed at the site entrance from 5 November 2020;
- the placing of a newspaper advertisement in the "Paarl Post" on 5 November 2020;
- 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 6 November 2020;
- making the pre-application draft BAR available to I&APs for comment from 6 November 2020 to 9 December 2020; and
- making the draft BAR available to I&AP's for comment from 19 October 2021 to 22 November 2021.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and that the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Preferred alternative – (Herewith authorised)

This alternative entails the development of three (3) single storey dwellings, four (4) staff cottages, a farm shed/store, communal space and associated infrastructure (road and pipeline) on Erf 825, Paarl. The proposed pipeline will cross a watercourse, while development of structures will occur within 32m of a watercourse.

The proposed new access road will be between 4-5m wide with a length of 620m. The pipeline will have a diameter of 50mm and a length of 220m. The footprint of the proposed development and associated infrastructure will be approximately 12 100m².

Alternative road alignments

Alternative road alignments were considered. These included aligning the road to traverse an area that contains indigenous vegetation regarded to be of high sensitivity from a botanical perspective, or aligning the road to avoid these sensitive areas. The alignment that avoids the sensitive areas is preferred (herewith authorised).

The “No-Go” Alternative

The “No-Go” option of not proceeding with the proposed development is not preferred, as the benefits associated with the proposed development will not be realised.

3. Impact Assessment and Mitigation measures

3.1. Activity need and desirability

The proposed site is located within the urban edge of Paarl and is consistent with Drakenstein Municipality's Spatial Development Framework. The Drakenstein Municipality has confirmed that the necessary services (sewage, refuse removal, water and electricity) are available to accommodate the proposed development.

3.2. Biophysical impacts

According to the Botanical Statement (dated October 2020 and compiled by Capensis), most of the site proposed for development is highly degraded and dominated by exotic weeds and grasses. The specialist further states that the proposed site does not contain important species or habitats that would be affected by the proposed development. A small patch of remnant Fynbos was found within the area proposed for the new access road. However, the road has been realigned to avoid the area that is regarded to be of high sensitivity from a botanical perspective. The impacts on indigenous vegetation as a result of the proposed development has been rated as being of low negative significance after mitigation.

According to the Freshwater Impact Assessment (dated November 2020 and compiled by FEB consulting), two watercourses were identified within the proposed site, namely the Berg River,

located along the Southwestern border of the farm and an unnamed tributary that traverses the farm in the Northeast. No development will occur within 32m of the Berg River. The water pipeline will be developed across the tributary. However, the tributary is considered to be in a largely modified ecological state and of moderate ecological importance and sensitivity. In light of the above, the specialist regards the impacts associated with the development within and within 32m of the tributary as being of low negative significance provided that all the mitigation measures as included in the specialist report be implemented.

The development will result in both negative and positive impacts.

Negative Impacts:

- Noise and dust impacts.

Positive impacts:

- Employment opportunities will be provided during the construction phase; and
- Optimal utilisation of degraded and underutilised land.

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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