



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

REFERENCE NUMBER: 16/3/3/1/A4/4/3008/19
ENQUIRIES: MS. K. ADRIAANSE
DATE OF ISSUE: 2019 -09- 30

The Director
Ezee Tile Adhesive Manufacturers (Pty) Ltd.
P.O. Box 751175
GARDEN VIEW
2047

For Attention: Mr. C. M. Goncalves

Tel: (011) 872 0627
Fax: (086) 567 8935

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): PROPOSED STORAGE OF DANGEROUS GOODS ASSOCIATED WITH THE ESTABLISHMENT OF A TILE ADHESIVE MANUFACTURING FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERVEN 1280 AND 1372, BLACKHEATH.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: (1) Mr. S. Leyde (Escience Associates (Pty) Ltd.)
(2) Mr. I. Geldenhys (City of Cape Town: Air Quality)
(3) Mr. A. Forbes (City of Cape Town: Environmental Resource Management)
(4) Mr. D. Daniels (Department of Water and Sanitation)
(5) Ms. A. La Meyer (Directorate: Development Facilitation)

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REFERENCE: 16/3/3/1/A4/4/3008/19
NEAS REFERENCE: WCP/EIA/0000583/2019
ENQUIRIES: MS. K. ADRIAANSE
DATE OF ISSUE: 2019-09-30

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED STORAGE OF DANGEROUS GOODS ASSOCIATED WITH THE ESTABLISHMENT OF A TILE ADHESIVE MANUFACTURING FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERVEN 1280 AND 1372, BLACKHEATH.

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 Alternative, described in the Basic Assessment Report ("BAR"), dated 28 June 2019.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Director
Ezee Tile Adhesive Manufacturers (Pty) Ltd.
c/o Mr. C. Goncalves
P.O. Box 751175
GARDEN VIEW
2047

Tel: (011) 872 0627
Fax: (086) 567 8935

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended): Activity Number: 14 Activity Description: <i>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</i>	The proposed development entails the storage of approximately 95m ³ of dangerous goods associated with the establishment of a tile adhesive manufacturing facility and associated infrastructure on erven 1280 and 1372, Blackheath.

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

The holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the proposed development:

The proposed development entails the storage of dangerous goods associated with the establishment of a tile adhesive manufacturing facility and associated infrastructure on Erven 1280 and 1372, Blackheath.

The proposed development will comprise:

- 3 (three) aboveground fuel storage tanks with a total volume of approximately 95m³;
- A hopper (into which sand will be tipped to feed sand into the sand dryer);
- A sand drying kiln, which includes a fuel burner and 8m dryer stack;
- A screw conveyor (to feed dried sand from the sand dryer to a bucket elevator that will convey the sand into a silo); and
- Associated infrastructure.

The storage tanks will be horizontally placed in a bunded area.

Existing access off Utilis Street will be used to gain access to the site. No additional municipal services are required.

The development footprint will be approximately 3314m² in extent.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on Erven 1280 and 1372, Blackheath, which is located at 20 and 22 Utilis Street, Blackheath and has the following co-ordinates:

Point	Latitude	Longitude
Middle	33°58'24.5" South	18°41'30.0" East

The SG 21-digit code is:

Erf 1280	C06700020000128000000
Erf 1372	C06700020000137200000

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

EScience Associates (Pty) Ltd.
c/o Mr. S. Leyde / Mr. A. Ebrahim
P.O. Box 2950
SAXONWOLD
2132

Tel: (011) 718 2683
Fax: (086) 692 4840

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 28 June 2019 on the site as described in Section C above.
2. This Environmental Authorisation is granted for a period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activity.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

5. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activities.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6 and 10.

Notification and administration of appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
 - 6.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the outcome of the application;
 - 6.1.2. the reasons for the decision as included in Annexure 3;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was issued.

- 6.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
- 6.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 6.4. Provide the registered I&APs with:
 - 6.4.1. the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2. name of the responsible person for this Environmental Authorisation,
 - 6.4.3. postal address of the holder,
 - 6.4.4. telephonic and fax details of the holder,
 - 6.4.5. e-mail address, if any, of the holder,
 - 6.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

Management of activity

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved, on condition that the following amendment is made and must be implemented:
 - 8.1. A dust management plan must be compiled prior to the commencement of the operational phase and included in the EMPr; and
 - 8.2. The amended EMPr must be provided to this Directorate for record purposes prior to the commencement of the operational phase.
9. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
11. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site where the listed activity will be undertaken and must be made available to any authorised official on request.
12. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 13.1. The holder must undertake an environmental audit within 6 (six) months of the commencement of the development/construction activities and submit an Environmental Audit Report to the Competent Authority upon the completion of the environmental audit.
 - 13.2. A final Environmental Audit Report must be submitted to the Competent Authority 1 (one) month after the completion of the development/construction activities.
 - 13.3. An Environmental Audit Report must be submitted to the Competent Authority every 5 (five) years after the commencement of the operational phase.
 - 13.4. The holder must, within 7 (seven) calendar days of the submission of an Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available on request.

Specific Conditions

14. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.
 - 14.1. Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.
15. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.
16. The installation of the storage tanks and associated infrastructure must comply with relevant South African National Standards ("SANS") codes.
17. Leak detection equipment must be installed in accordance with the relevant SANS codes. Effective stock inventory monitoring, recording and regular auditing must take place for the early identification of possible leaks and keep a leak history for the site. Should any leaks be discovered, remediation of the pollution must take place immediately after consultation with the competent authority.
18. The following, with respect to the loading and offloading of fuel, must be implemented during the operational phase:
 - 18.1. The delivery lines must be equipped with emergency cut off valves to mitigate the possibility of leaks.

18.2. The tanker driver must be present at all times during the loading and offloading procedure.

18.3. Other vehicles must not be permitted in close proximity to tankers while dispensing is in progress.

18.4. Should any spills be detected, then the appropriate clean-up procedures (as detailed in the EMPr) must be implemented.

F. GENERAL MATTERS

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

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

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr, other than those required by this Environmental Authorisation, must be done in accordance with Regulations 35 to 37 of the NEMA EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

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

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

- 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
- 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal form/s must be submitted by means of one of the following methods:
 - By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000
 - By facsimile: (021) 483 4174; or
 - By hand: Attention: Mr. M. Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully


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

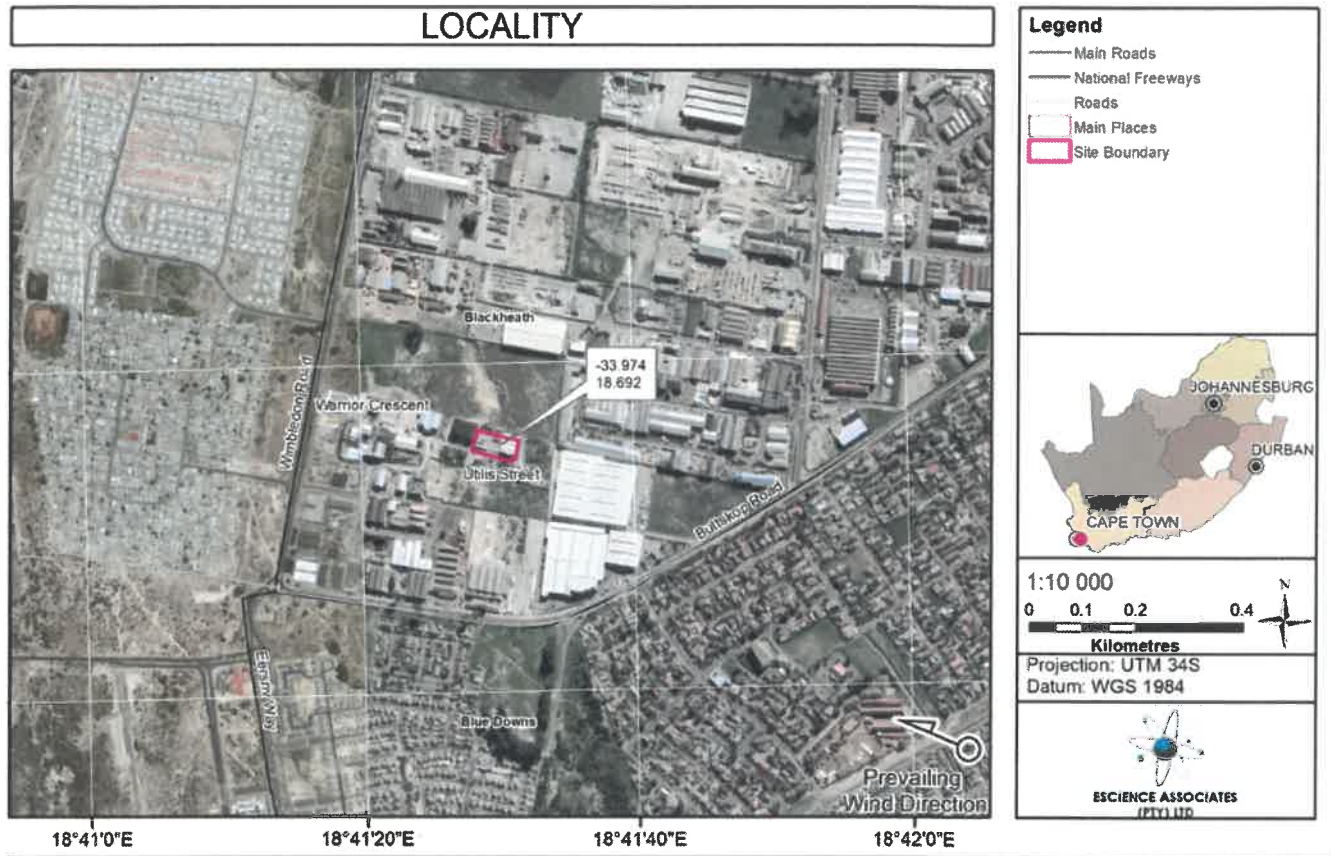
DATE OF DECISION: 30/09/2019

Copies to: (1) Mr. S. Leyde (Escience Associates (Pty) Ltd.)
 (2) Mr. I. Geldenhys (City of Cape Town: Air Quality)
 (3) Mr. A. Forbes (City of Cape Town: Environmental Resource Management)
 (4) Mr. D. Daniels (Department of Water and Sanitation)
 (5) Ms. A. La Meyer (Directorate: Development Facilitation)

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ANNEXURE 1: LOCALITY MAP

Locality map of the proposed site.



ANNEXURE 2: SITE PLAN

Site plan of the proposed development.



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 26 March 2019, the BAR received by the Competent Authority on 01 July 2019, the EMPr received by the Competent Authority on 01 July 2019 and the additional information received by the Competent Authority on 01 August 2019;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives and Need and Desirability (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated 28 June 2019;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) The site visit conducted on 26 April 2019.

Attended by Ms. T. Dreyer of the Western Cape Government Department of Environmental Affairs and Development Planning, Ms. W. Kloppers and Mr. M. Julies of the City of Cape Town: Air Quality Management, Mr. A Forbes of the City of Cape Town: Environmental Resources Management and Mr. S. Leyde of EScience and Associates (Pty) Ltd.

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

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board on the site where the listed activity is to be undertaken on 22 October 2018;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 29 March 2019;
- the placing of a newspaper advertisement in the 'Cape Argus' and 'Daily Sun' on 26 October 2018; and
- making the BAR available to I&APs for public review from 29 March 2019 to 02 May 2019.

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

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

2. Alternatives

The following alternatives were investigated:

- Technology alternatives for burner fuel. The use of diesel and paraffin as burner fuel were investigated. Paraffin fuel is readily available and is a cleaner burning fuel when compared to diesel. The use of diesel as a burner fuel creates an undesirable odorous impact on the final product. Paraffin fuel was therefore the preferred burner fuel.
- A 3m dryer stack and 8m dryer stack was identified and assessed. The specialist indicated that an 8m dryer stack was preferred from an air quality perspective.
- Aboveground and belowground storage tanks were considered. Aboveground storage tanks are preferred from a financial perspective since the installation and maintenance of aboveground storage tanks are less expensive, when compared to underground storage tanks.
- The orientation of the aboveground storage tanks was considered. Horizontal storage tanks were preferred since the potential visual impacts associated with horizontally placed tanks are less when compared to vertically placed tanks.

The preferred alternative and the "no-go" alternative were therefore considered as part of the proposed development as follows:

The Preferred Alternative (herewith authorised)

The proposed development entails the storage of dangerous goods associated with the establishment of a tile adhesive manufacturing facility and associated infrastructure on Erven 1280 and 1372, Blackheath.

The proposed development will comprise:

- 3 (three) aboveground fuel storage tanks with a total volume of approximately 95m³;
- A hopper (into which sand will be tipped to feed sand into the sand dryer);
- A sand drying kiln, which includes a fuel burner and 8m dryer stack;
- A screw conveyor (to feed dried sand from the sand dryer to a bucket elevator that will convey the sand into a silo); and
- Associated infrastructure.

The storage tanks will be horizontally placed in a bunded area.

Existing access off Utilis Street will be used to gain access to the site. No additional municipal services are required.

The development footprint will be approximately 3314m² in extent.

The Preferred Alternative incorporates the recommendations of the Atmospheric Impact Assessment (compiled by EScience Associates (Pty) Ltd. and dated June 2019) in terms of stack height. Horizontal storage tanks were preferred since the potential visual impacts associated with horizontally placed tanks are less when compared to vertically placed tanks. Further, aboveground storage tanks are preferred from a financial perspective since the installation and maintenance of aboveground storage tanks are less expensive, when compared to underground storage tanks.

"No-Go" Alternative

The "No-Go" alternative would result in maintaining the "*status quo*". However, since the Preferred Alternative will not result in unacceptable environmental impacts, the "No-Go" alternative was not warranted.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The proposed development is located within the industrial area of Blackheath. The site contains warehouses and is fully paved. The proposed site is zoned as General Industrial 1 and is in line with the relevant planning policies applicable to the area. Currently, dried sand is trucked to the existing facility for the tile adhesive manufacturing process. The proposed development will eliminate the trucking in of dried sand, since the sand will be dried at the existing facility. The proposed development will result in a reduction in the cost of trucking in dried sand and will result the existing facility becoming more operationally sustainable and financially feasible.

3.2. Air Quality Impacts

An Atmospheric Impact Report (compiled by Escience Associates (Pty) Ltd. and dated June 2019) was undertaken to determine the potential air quality impacts associated with the proposed development. The specialist modelled the potential emissions (i.e. particulate matter, Sulphur dioxide and nitrogen oxides) and the potential air quality impact associated with a 3m dryer stack and an 8m dryer stack. The modelling results indicated that the potential emissions were generally more concentrated with the 3m dryer stack, when compared to the 8m dryer stack. In some instances, the potential emissions of the 3m dryer stack exceeded the National Ambient Air Quality Standards. The specialist recommended that the height of the dryer stack is at least 1m higher than the immediate surrounding buildings. The 8m dryer stack was therefore preferred from an air quality perspective. The potential air quality impacts will be of low negative significance post mitigation. An Atmospheric Emissions Licence in terms of the National Environmental Air Quality Act, 2004 (Act No. 39 of 2004) is required from the relevant licensing authority (in this instance the City of Cape Town) and will be applied for.

3.3. Soil and groundwater contamination

Potential soil and groundwater contamination as a result of potential product loss associated with pipe leaks and road tanker deliveries, has been identified in the BAR as being of negligible significance post mitigation. Mitigation measures have been included in the EMPr and all storage tanks and associated infrastructure will be designed in accordance with the relevant SANS codes.

3.4. Dust Impacts

Potential dust impacts may occur as a result of the delivery and storage of sand. Wet sand will be delivered and stored on the proposed site. Once dried, the dry sand will be placed in a silo, which will be used in the tile adhesive manufacturing process. A dust management plan will be compiled and included in the EMPr prior to the commencement of the operational phase. The potential dust impacts are anticipated to be of low negative significance post mitigation.

3.5. Traffic Impacts

The site is located within an existing industrial area. The BAR (dated 28 June 2019) indicates that there will be no significant increase in the existing traffic conditions. The potential traffic impacts are therefore anticipated to be of negligible significance.

3.6. Noise Impacts

Noise associated with the drying kiln, delivery vehicles and vehicles collecting or dispatching products were identified as potential noise impacts. Noise impacts are not considered to be significant as the site is located in an existing industrial area and mitigation measures have been included in the EMPr. The potential traffic impacts are therefore anticipated to be of negligible significance post mitigation.

3.7. Heritage Impacts

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

3.8. Services/ Bulk Infrastructure

The site is an existing serviced industrial site and does not require additional municipal services.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential air quality impacts;
- Potential dust impacts; and
- Potential groundwater and soil contamination.

Positive impacts include:

- The provision of dried sand for the manufacturing of tile adhesive;
- A sustainable and economically viable process; and
- Economic 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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