

EIA REFERENCE NUMBER: 16/3/3/1/A5/20/2053/20
NEAS REFERENCE NUMBER: WCP/EIA/0000821/2020
ENQUIRIES: Mr. R. Chambeau
DATE OF ISSUE: 31 May 2021

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED DEVELOPMENT OF A FILLING STATION, CONVENIENCE STORE AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF ERF 41, ATLANTIC HILLS, DURBANVILLE.

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 Preferred Alternative, described in the Basic Assessment Report ("BAR") dated February 2021.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Atlantic Hills Fuelland
c/o Norton Rose Fulbright South Africa Incorporated
10th floor
Norton Rose House
8 Riebeeck Street
CAPE TOWN
8001

Tel: (021) 418 1205
Email: james.cresswell@abland.co.za

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

B. ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014, (as amended):</p> <p>Activity Number: 14 Activity Description:</p> <p><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></p>	<p>The proposed development on the Remainder of Erf 41, Durbanville will entail the storage of dangerous goods with a combined total capacity of approximately 120m³.</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 authorised development:

The authorised development entails the development of a filling station, convenience store and associated facilities on the Remainder of Erf 41, Durbanville.

The authorised development comprises of the following:

- A filling station, which includes the installation of four 30m³ storage tanks for the storage of dangerous goods;
- A forecourt;
- A convenience store;
- Parking bays;
- Landscaping; and
- Associated infrastructure.

Access to the development will be gained off Giel Basson Drive and an internal road, which will link to Welbeloond Road.

The total development footprint will be approximately 6523m² in extent.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on the Remainder of Erf 41, Durbanville.

The SG digit code for the proposed site is:

Remainder of Erf 41	CO1600800000041000000
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Site co-ordinates for the proposed site is:

Middle point	33° 49' 7.7" South	18° 33' 10.1" East
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Refer to Annexure 1: Locality Plan and Annexure 2: Site Development Plan.

The said parcel of land is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Khula Environmental Consultants
c/o Ms. Monique Sham
71 Kommetjie Road
Fish Hoek
7975

Cell.: 072 989 5119
Email: monique@khulaec.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 February 2021 on the site described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
3. The development/construction activities must be **concluded** within **ten (10) years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternatives described in section B above must be approved in writing by the Competent Authority, before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

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

Conditions: 7, 8 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Annexure 3;
 - 7.1.3. the date of the decision; and

- 7.1.4. the date when the decision was issued.
- 7.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G 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. name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2. name of the responsible person for this Environmental Authorisation,
 - 7.4.3. postal address of the holder,
 - 7.4.4. telephonic and fax details of the holder,
 - 7.4.5. e-mail address, if any, of the holder,
 - 7.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
8. The listed activity, including site preparation, must not be commenced with 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 be commenced with until the appeal is decided.

Management of activity

9. The Environmental Management Programme ("EMPr") (dated February 2021) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before commencing with development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept on the site of the authorised listed activity and must be made available to any authorised person on request.
13. Access to the site referred to in Section C above must be granted and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see these for the purpose of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr 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 EIA Regulations, 2014 (as amended).

- 14.1. The holder must undertake an environmental audit within 3 (three) months of the commencement of the listed activity and submit an Environmental Audit Report to the Competent Authority upon completion of the environmental audit.
- 14.2. A second Environmental Audit Report must be submitted to the Competent Authority within 1 (one) month after the completion of the development/construction activities.
- 14.3. Thereafter, an Environmental Audit Report must be submitted to the Competent Authority every 5 (five) years after the commencement of the operational phase while the environmental authorisation remains valid.
- 14.4. The holder must, within 7 (seven) days of the submission of the Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request.

Specific conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.
 - 15.1. Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; 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.
16. 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
17. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.
18. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
19. The tanks must be designed, installed and managed in accordance with the relevant SANS standards.
20. In the event of a product loss at the site (possibly a spillage during tanker delivery or a fuel line failure), the holder must rapidly respond in order to contain any spilled product. The holder must also ensure that no additional health risks to any of the surrounding developments result from such an incident
21. Firefighting equipment must be present on site and adhere to the Oil Industry standards.
22. During fuel tanker delivery, the tanker driver must be present at all times during product offloading. An emergency cut-off switch must be installed to immediately stop fuel delivery should an accident occur.
23. The holder must ensure that employees/contractors on site adhere to the requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

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 specified 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. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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 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.

G. APPEALS

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

1. An appellant must –
 - 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: Mr. M. 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 3721)
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 greatly appreciated.

Yours faithfully

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

DATE OF DECISION: 31 MAY 2021

Copies to: (1) Ms. M. Sham (Khula Environmental Consultants)
(2) Mr. M. Theron (City of Cape Town: ERM)

E-mail: monique@khulaec.co.za
E-mail: Morne.Theron@capetown.gov.za

ANNEXURE 1: LOCALITY MAP

Remainder of Erf 41, Durbanville (outlined in red below).



PROPOSED FILLING STATION LOCALITY MAP – ATLANTIC HILLS

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 and received by the competent authority on 26 October 2020, the BAR and EMPr dated February 2021 and received by the competent authority on 10 February 2021;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated February 2021;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision, is set out below.

1. Public Participation

The public participation process ("PPP") included:

A pre-application process which entailed the following:

- Identification of and engagement with Interested and Affected Parties ("I&APs");
- Fixing a notice board on the site where the listed activity is to be undertaken on 16 September 2020;
- 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 councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 16 September 2020;
- The placing of a newspaper advertisement in the "Tabletalk" on 16 September 2020;
- Making the pre-application draft BAR available to I&APs for comment from 17 September 2020 to 19 October 2020.

The post-application public participation process on the draft BAR entailed the following:

- Identification of and engagement with I&APs;
- An electronic mail notification to registered Interested and Affected Parties I&APs was sent on 06 November 2020 notifying I&APs of the availability of the draft BAR for comment.
- Making the draft BAR available to I&APs for public review from 06 November 2020 until the 07 December 2020.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation processes. This Department is satisfied that the PPP that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

2. Alternatives

Two layout alternatives and the “no-go” alternative were identified and assessed.

The Preferred alternative – herewith authorised

The Preferred Alternative entails the development of a filling station, convenience store and associated facilities on the Remainder of Erf 41, Durbanville.

The development comprises of the following:

- A filling station, which includes the installation of four 30m³ storage tanks for the storage of dangerous goods;
- A forecourt;
- A convenience store;
- Parking bays;
- Landscaping; and
- Associated infrastructure.

Access to the development will be gained off Giel Basson Drive and an internal road, which will link to Welbeloond Road.

The total development footprint will be approximately 6523m² in extent.

The Preferred Alternative takes cognisance of the fact that the proposed site has been fully serviced as part of the Environmental Authorisation (“EA”) issued by this Department on 31 March 2017 (Ref: 16/3/3/5/A5/20/2093/16) for the proposed Mixed-Use Industrial Park on the Remainder of Erf 1, Altantic Hills, Durbanville formerly referred to as Portion A of the Remainder of Farm Lelievallei No. 202 and a Portion of Farm Mellish No. 205, Durbanville. The proposed site forms part of the larger development area authorised in the EA (Ref: 16/3/3/5/A5/20/2093/16). As such, the associated municipal services have already been confirmed as part of the EA (Ref: 16/3/3/5/A5/20/2093/16). In addition, the Preferred Alternative takes cognisance of the design aspects highlighted by the Site Traffic Assessment (compiled by Gibb (Pty) Ltd and dated 23 October 2020) and the City of Cape Town (in their correspondence dated 10 December 2020).

Alternative 2

Alternative 2 entails the same development as the Preferred Alternative with changes to the proposed location of the underground storage tanks, a slightly smaller convenience store and fewer parking bays. The overall footprints remain generally the same for each alternative and both have the same infrastructure components.

Alternative 2 is not preferred from an operational perspective as the filling of the underground storage tanks will affect internal traffic flow and is not preferred from a design perspective.

“No-Go” Alternative

The “no-go” alternative entails maintaining the “status quo”. This alternative is not deemed to be a reasonable or feasible alternative given that it does not present the optimal use of the site, which has already been earmarked for development and would not generate the socio-economic benefits associated with the proposed development. The “no-go” alternative is therefore not warranted.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The proposed site is zoned Mixed-Use and a rezoning application will not be required. The Atlantic Hills development is located within the industrial business node in terms of the Environmental Management Framework (EMF) for the Northern District of the City of Cape Town (2012).

The proposed development is in line with the Spatial Planning Land Use Management Act (Act 16 of 2013) and The Western Cape Land Use Planning Act (Act 3 of 2014) in that no agricultural land or sensitive environmental land are impacted upon, and considering the filling station will be located within an existing mixed-use development within the urban edge, urban sprawl is negated. Infrastructure is existing, so no further costs are envisaged.

In terms of the City of Cape Town Municipal Spatial Development Framework (2017-2022): MSDF states that "*Fundamental to the MSDF is the vision of achieving spatial transformation via dense and transit-oriented growth and development*". The proposed development falls within the MSDF's Consolidation Areas. The proposed development thus fulfills the requirements of the MSDF.

The construction phase of the project will provide short-term employment, while the operational phase will provide long-term employment opportunities to the surrounding communities.

3.2. Botanical Impacts

The proposed site is completely transformed due to fact that the proposed site forms part of the larger area authorised for a mixed-use development, Atlantis Hills, Durbanville (i.e. the amended EA issued on 31 March 2017 (Ref. No. 16/3/3/5/A5/20/2093/16)).

Therefore, there are no botanical impacts associated with the proposed development.

3.3. Geotechnical and groundwater impacts

A Geotechnical investigation (compiled by R.A. Bradshaw and Associated and dated 24 August 2016) was conducted to investigate and report on the subsoil conditions of Phases 2 and 3 for the Atlantic Hills Business Park, which included the Remainder of Erf 41, Durbanville.

The following was investigated:

- the soil and rock profiles including their description and distribution;
- the excavation conditions;
- the suitability of excavated materials for use as engineered fill;
- the stability of cut slopes and embankments;
- the founding conditions in cut and filled areas, and
- the foundation layouts in cut and filled areas.

Several trial holes were excavated on the remainder of Erf 41, Durbanville. From the trial holes the specialist confirmed the site is underlain by sandy soils overlying transported clayey soils, with some development of ferricrete and gravels overlying the variably weathered greywacke of the Tygerberg Formation, Malmesbury Group, of which the upper 0.1m – 0.15m containing fine roots and loose sands.

The geotechnical specialist encountered no groundwater in the trial pits. The geotechnical specialist noted that given the non-cohesive nature of the on-site site soils, no significant problems should be experienced when excavating material to depths of up to 2,3m below ground level, with the use of conventional light earthmoving equipment.

The Department of Water and Sanitation indicated (in their correspondence dated 23 November 2020) that the proposed development must install monitoring borehole and must monitor the proposed fuel tanks for potential leaks. This recommendation has been included in the EMPr. Further, this Department's Directorate: Pollution and Chemicals Management indicated (in their correspondence dated 07 December 2020) that the proposed site is located in the region of a major aquifer and recommended that strict monitoring be implemented. The recommendations of the Directorate: Pollution and Chemicals Management have been included in the EMPr.

3.4. Stormwater Management

A Stormwater Management Plan (compiled by Aurecon and dated June 2017) was developed as part of the larger area authorised for a mixed-use development, Atlantis Hills, Durbanville (i.e. the amended EA issued on 31 March 2017 (Ref. No. 16/3/3/5/A5/20/2093/16)). The proposed development will therefore form part of the existing Stormwater Management Plan for the larger development.

3.5. Traffic Impacts

A Site Traffic Assessment (compiled by GIBB (Pty) Ltd. and dated 23 October 2020) was undertaken to determine the potential traffic impacts associated with the proposed development.

The access to the proposed development will be gained via a left-in, left-out ("LILLO") access on Giel Basson Drive and a full access on Farmers Drive. The proposed LILLO access on Giel Basson Drive will be approximately 14m wide to accommodate the turning circles of fuel trucks entering and exiting the development. The proposed full access on Farmers Drive will be approximately 12.1m wide. Approximately Seventeen (17) parking bays, which includes a disabled parking bay are provided for.

The potential traffic impacts associated with the proposed development have been identified in the BAR as being of low negative significance prior to mitigation and very low negative significance after mitigation. The recommendations of the traffic specialist has been included in the design of the Preferred Alternative.

3.6. Dust, Noise and Visual Impacts

No significant dust, noise and visual impacts are anticipated. Potential dust noise and visual impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr.

3.7. Archaeological impacts

Heritage Western Cape indicated (in their correspondence dated 16 September 2020) that there is no reason to believe that the proposed development on the Remainder of Erf 41, Durbanville, will impact on heritage resources and therefore no further action under Section 38 of the National Heritage Resources Act (Act No. 25 of 1999) is required.

3.8. Fire, health and safety impacts

Potential fire, health and safety impacts associated with the operational phase of the proposed development have been identified and assessed. Mitigation measures have been included in the EMPr. The potential fire, health and safety impacts are anticipated to be of low negative significance after the implementation of mitigation measures during the construction phase and very low negative during the operational phase.

3.9. Services

The proposed site is fully serviced as it forms part of the overall Atlantic Hills development (Amended EA issued on 31 March 2017 (Ref: 16/3/3/5/A5/20/2093/16)). No additional services are required.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential visual, dust and noise impacts during the construction and operational phase;
- Potential soil and groundwater contamination during the construction and operational phases;
- Potential traffic impacts during the construction and operational phases; and
- Potential fire, health and safety impacts during the construction and operational phases.

Positive impacts include:

- The fuel service station will provide some employment opportunities during the construction phase and operational phase;
- An additional fuel service station with convenience store to residents and commuters in the area; and
- Economic gain for the applicant.

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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