



**REFERENCE:** 16/3/3/1/E4/5/1007/19  
**NEAS REFERENCE:** WCP/EIA/0000565/2019  
**ENQUIRIES:** Ms. S. Adams  
**DATE OF ISSUE:**

~~2019-08-23~~

Municipal Manager  
Overstrand Municipality  
P.O. Box 20  
HERMANUS  
7200

**Attention: Mr. H. Blignaut**

Tel: (028) 313 5047  
Fax: (028) 312 1894

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 GATEWAY WELLFIELD EXPANSION PROJECT, HERMANUS**

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

Yours faithfully

**MR ZAAMIR TOEFY**

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

Copies to:

- (1) Mr. K. Gerstner/P. Lee (Umvoto Africa (Pty) Ltd)
- (2) Ms. P. Aplon (Overstrand Municipality)
- (3) Mr. R. Le Roux (BGCMA)
- (4) Ms. J. Gouws (Cape Nature)

E-mail: kristian.g@umvoto.com/paul@umvoto.com

Fax: (028) 316 4953

E-mail: rleroux@bgcma.co.za

Fax: (021) 866 1523



**REFERENCE:** 16/3/3/1/E4/5/1007/19  
**NEAS REFERENCE:** WCP/EIA/0000565/2019  
**ENQUIRIES:** Ms. S. Adams  
**DATE OF ISSUE:**

### 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 GATEWAY WELLFIELD EXPANSION PROJECT, HERMANUS

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 activity specified in section B below with respect to Alternative 1 as described in the Basic Assessment Report ("BAR"), dated 10 May 2019 and borehole location alternative as described in Annexure 2 of this Environmental Authorisation.

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

Overstrand Municipality  
Directorate: Infrastructure and Planning  
c/o Mr. Hanrè Bignaut  
P. O. Box 20  
**HERMANUS**  
7200

Tel: (028) 313 5047  
Fax: (028) 312 1894

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  | Project Description  |
|--|--|
| <p>EIA Regulations Listing Notice 3 of 2014:<br/>Activity 12:<br/>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 Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; 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 clearance of critically endangered and endangered indigenous vegetation for the construction of access tracks to the boreholes GWP 15, GWP 18 and GWP 19 and the drilling of GWP 15 and GWP 18- GWP 20.</p> |

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

The holder is herein authorised to undertake the following alternative:

The expansion will involve the following:

1. The drilling of five new production boreholes to increase output of the Gateway Wellfield to 1.6 million m<sup>3</sup>/a;
2. The drilling of seven new monitoring boreholes, to monitor the effects of increased pumping on the aquifer;
3. The construction of pipelines linking the new production boreholes to the existing main arterial pipeline that currently feeds abstracted water from Gateway to the Preekstoel Water Treatment Works ("WTW"); and

- The additional associated works which includes the construction of access roads and borehole wellheads which are housed in security chambers.

### C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on the Remainder of Farm No.'s 1291, 1289, 1253 and 243 and Farm No. 243, Hermanus at the following co-ordinates:

| <b>Gateway New Monitoring Boreholes</b> | <b>Farm No.</b> | <b>Latitude</b> | <b>Longitude</b> | <b>SG code</b>         |
|---|-----------------|-----------------|------------------|------------------------|
| HAV8M                                   | RE/1291         | 34°23'7.26"S    | 19°13'21.72"E    | C01300200000129100000  |
| HAV9M                                   | RE/1291         | 34°24'48.33"S   | 19°11'3.56"E     | C01300200000129100000  |
| GWM14                                   | RE/1289         | 34°25'40.67"S   | 19°12'17.98"E    | C01300200000128900000  |
| FK03                                    | RE/1253         | 34°24'4.95"S    | 19°15'16.61"E    | C01300130000125300000  |
| GWM21                                   | RE/1253         | 34°24'19.70"S   | 19°14'36.90"E    | C01300130000125300000  |
| GWM22                                   | RE/243          | 34°25'28.19"S   | 19°12'26.49"E    | C01300130000024300000  |
| GWM20                                   | RE/243          | 34°24'44.30"S   | 19°14'7.51"E     | C013001300000α24300000 |
| <b>Gateway New Production Boreholes</b> |                 |                 |                  |                        |
| GWP15                                   | RE/243          | 34°25'3.27"S    | 19°13'20.40"E    | C01300130000024300000  |
| GWP16                                   | RE/243          | 34°25'3.57"S    | 19°13'28.29"E    | C01300130000024300000  |
| GWP18                                   | RE/243          | 34°25'50.55"S   | 19°13'21.28"E    | C01300130000024300000  |
| GWP19                                   | RE/243          | 34°25'1.32"S    | 19°12'58.99"E    | C01300130000024300000  |
| GWP17                                   | 243             | 34°25'4,40"S    | 19°13'38,45"E    | C01300130001144000000  |

Refer to Annexure 1: Locality Map: Location of the proposed boreholes for the Gateway Expansion Project (production boreholes are marked in blue and monitoring boreholes are marked in yellow), Caledon.

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Umvoto Africa(Pty) Ltd.  
c/o Kristian Gerstner/ Paul Lee  
P. O. Box 61  
**MUIZENBERG**  
7950

Tel: (021) 709 6700

E-mail: Kristian.g@umvoto.com/paul@umvoto.com

### E. CONDITIONS OF AUTHORISATION

#### Scope of authorisation

- The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to Alternative 1 as described in the Basic Assessment Report ("BAR"), dated 10 May 2019 on the site as described in Section C above.

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

#### **Written notice to the Competent Authority**

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

Conditions: 7, 8, 9, 11, 17 and 18

#### **Notification and administration of appeal**

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1 the outcome of the application;
    - 7.1.2 the reasons for the decision as included in Annexure 3;
    - 7.1.3 the date of the decision; and
    - 7.1.4 the date when the decision was issued;
  - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National 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; and
  - 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; and
- 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 Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation must be amended to include:
  - A project description
  - Coordinates of the proposed borehole site (note this needs to take into consideration the Botanical Specialist recommendations);
  - Maps clearly indicating the locations of the boreholes as well as the no-go areas;
  - Borehole specific management actions;
  - The demarcation of "no-go" areas as an impact management action at all phases of development as per the recommendation of the botanical specialist; and
  - The frequency and person responsible for each impact management action.

The amended EMPr must be re-submitted to and approved by the Competent Authority prior to commencement of construction activities.

10. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein.
12. 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.
13. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, 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 and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit quarterly for the duration of the construction phase and submit Environmental Audit Reports to the Competent Authority once every six months during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within six months after operation commenced.

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**

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.

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.

16. 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.
17. The construction footprint must be demarcated prior to the commencement of construction activities.
18. Areas of biodiversity concern, especially the area at GWP 18 that contains an endangered population of *Restio anomalus* (that extends as far east as 34°24'51.41"S and 19°13'51,53"E), must be excluded from the construction footprint and must be treated as "no-go" areas.

## **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 a 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 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, other than those mentioned above, 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 (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 and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to Marius.Venter@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za 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: 23/08/2019

CC: (1) Mr. K. Gerstner/P. Lee (Umvoto Africa (Pty) Ltd) E-mail: kristian.g@umvoto.com/paul@umvoto.com  
(2) Ms. P. Aplon (Overstrand Municipality) Fax: (028) 316 4953  
(3) Mr. R. Le Roux (BGCMA) E-mail: rleroux@bgcma.co.za  
(4) Ms. J. Gouws (Cape Nature) Fax: (021) 866 1523

# ANNEXURE 1: LOCALITY MAP

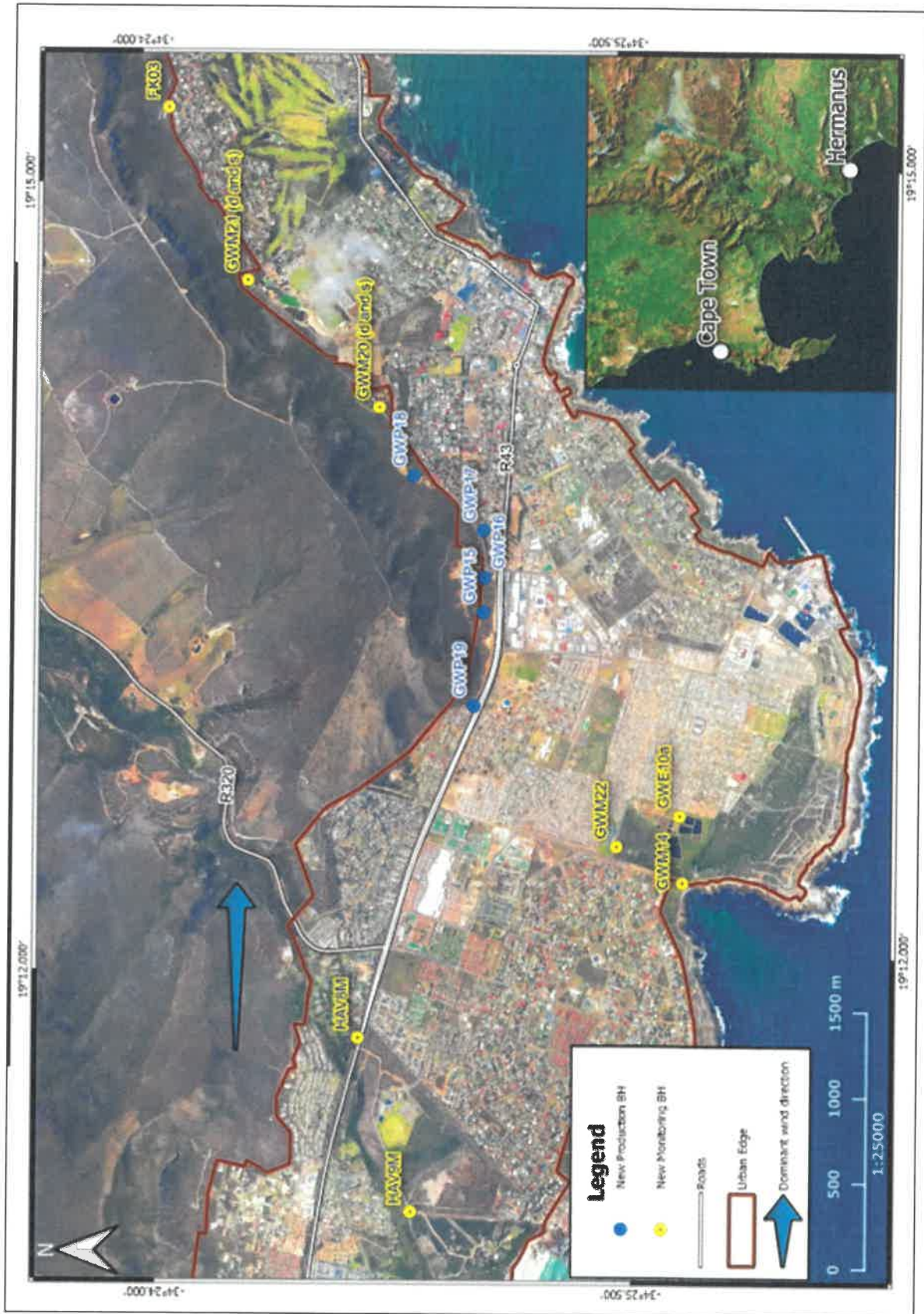


Figure 1: The location of the proposed boreholes for the Gateway Expansion Project (production boreholes are marked in blue and monitoring boreholes are marked in yellow), Hermanus.

## **ANNEXURE 2: 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 8 February 2019, the draft Basic Assessment Report ("BAR") submitted on 8 February 2019, the final BAR submitted on 10 May 2019 and the EMPr submitted together with the final BAR;
- 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; 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 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&AP's;
- the placing of a newspaper advertisement in the '*Hermanus Times*' on 31 January 2019;
- notice boards were placed at the existing wellfield where the listed activity is to be undertaken on 31 January 2019;
- giving written notice to the owners and occupiers of land adjacent along the route 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 activities on 8 February 2019; and
- making the draft BAR available to I&APs for public review on 22 March 2019.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements.

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

### **2. Alternatives**

#### **Activity alternatives**

The following activity alternatives were assessed:

- Alternative 1 (herewith authorised)

The expansion will involve the following:

1. The drilling of five new production boreholes to increase output of the Gateway Wellfield to 1.6 million m<sup>3</sup>/a;
2. The drilling of seven new monitoring boreholes, to monitor the effects of increased pumping on the aquifer;
3. The construction of pipelines linking the new production boreholes to the existing main arterial pipeline that currently feeds abstracted water from Gateway to the Preekstoel Water Treatment Works ("WTW"); and
4. The additional associated works which includes the construction of access roads and borehole wellheads which are housed in security chambers.

This alternative is preferred as groundwater abstraction is deemed to be the most efficient and affordable option for the municipality as the development will utilise existing infrastructure to monitor and maintain the site. The borehole site locations have been positioned cognisant of recommendations made by Cape Nature, the Fernkloof Nature Reserve and the botanical specialist which have been strategically placed in areas previously disturbed or in areas where additional disturbance would not be of concern.

- The No-Go alternative

The alternative not to supplement the available surface water resources to meet Hermanus's growing needs is not preferred as, from a socio-economic impact, Hermanus will not be able to sustain the projected population growth.

#### **Borehole location alternative**

The borehole location for GWP 17 will be relocated to a site 20-40m (centre point co-ordinates: 34°25'4,40"S 19°13'38,45"E) to the south. This is the preferred alternative as the site is currently a degraded, open space with negligible natural vegetation. The site also has a low sensitivity rating and is based on a recommendation made by the Botanical Specialist.

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

#### **3.1 Activity need and desirability**

Groundwater has become essential to supplement the available surface water resources in Hermanus, in order to meet the town's growing needs. The positioning of the boreholes was done based on the availability/accessibility of the groundwater source, as well as sensitivity of sites for possible boreholes.

#### **3.2 Biophysical Impacts**

The majority of the study area is located in an area historically comprised of Overberg Sandstone Fynbos with boreholes GWP 15 and GWP 19 being located within Hangklip Sandstone Fynbos and GWM 14 being located within Overberg Dune Strandveld. These vegetation types are located within ecosystems categorised as Critically Endangered, Endangered and Least Threatened, respectively, in terms of Section 52 of the National Environment Management: Biodiversity Act, 2004. However, the proposed boreholes are located within previously disturbed areas and areas containing varying degrees of alien vegetation where additional disturbance will not be of concern. Because of the minor disturbance footprint required for the construction of the boreholes and access routes, the associated impact significance can be mitigated to an acceptable level. According to the botanical scan undertaken by Nick Helme from Nick Helme Botanical Surveys, dated 26

November 2018, the botanical sensitivity of most of the borehole location sites range from low to medium, except for the site location of GWP 18 being of high sensitivity. as per the recommendations of the specialist, the location of GWP 17 is being relocated 20 – 40m south, from its original footprint, to a degraded area comprised of negligible natural vegetation and the area at GWP 18 that contains an endangered population of *Restio anomalus* (that extends as far east as 34°24'51.41"S and 19°13'51,53"E), will be excluded from the construction footprint and will be treated as a "no-go" area (Condition 18 of this Environmental Authorisation and also requested to also be incorporated in the EMPr as per Condition 9).

A site visit was conducted by representatives of UMVOTO to determine the extent of the freshwater features on site and it was found that the proposed sites for the boreholes are located in terrestrial areas within the urban fringe of Hermanus town. The Water Source Development and Management Plan for the greater Hermanus area regarding the potential Section 21 (c) and (i) Water Uses Associated with the Expansion of Gateway Wellfield compiled by Umvoto Africa dated July 2019, concludes that, although the borehole locations occur within watercourse regulation areas identified as Freshwater Ecosystem Priority Areas ("FEPAs"), the site location and development footprint thereof, does not pose a risk to these watercourses and do not require a Water Use License for water use in terms of Section 21 (c) and (i) of the National Water Act, 1998. The Breede- Gouritz Catchment Management Agency indicated that the scope of the development can be incorporated within the current water use license approval for the site, dated 14 July 2011.

The development will result in both negative and positive impacts.

**Negative Impacts:**

- The development will result in impacts such as noise and dust during the construction phase.
- Impact on indigenous vegetation is anticipated but will be mitigated to an acceptable level and managed in terms of the EMPr.

**Positive impacts:**

- The municipality will be able to cater for the projected population growth for Hermanus as groundwater will supplement the available surface water resources.
- Temporary employment opportunities will be created during the construction phase of the development.

#### **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.

-----END-----