



REFERENCE: 16/3/3/1/A5/88/2006/22
NEAS REFERENCE: WCP/EIA/0001041/2022
DATE: 02 September 2022

The Board of Directors
Kaap Agri (Pty) Ltd
Private Bag X3401
PAARL
7620

Attention: Mr. David Gempies

Tel.: 021 860 3745

E-mail: david.gempies@kaapagri.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF A DIESEL STORAGE AND DISTRIBUTION DEPOT AT WESGRAAN KLIPHEUWEL SILO ON PORTION 17 OF THE FARM VRYHEID NO. 55, KLIPHEUWEL.

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

Yours faithfully

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

Copies to:

1. Mr. Anthony Mader (SEC)
2. Ms. Sonja Warnich-Stemmet (City of Cape Town: ERM)

E-mail: anthony@environmentalconsultants.co.za

E-mail: sonja.warnich.stemmet@capetown.gov.za



REFERENCE: 16/3/3/1/A5/88/2006/22
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF A DIESEL STORAGE AND DISTRIBUTION DEPOT AT WESGRAAN KLIPHEUWEL SILO ON PORTION 17 OF THE FARM VRYHEID NO. 55, KLIPHEUWEL.

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 (Site Layout Plan Option 1), described in the Basic Assessment Report ("BAR"), dated May 2022.

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

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

Kaap Agri (Pty) Ltd
c/o Mr. David Gempies
Private Bag X3401
PAARL
7620

Tel.: 021 860 3745
Cell: 083 440 0165
E-mail: david.gempies@kaapagri.co.za

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

B. AUTHORISED ACTIVITY

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 51</p> <p><i>The expansion of facilities for the storage, or for the storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic meters.</i></p>	<p>The proposed development entails the expansion of an existing diesel storage facility by an additional fuel storage capacity of 415m³.</p>

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

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

The proposal entails the expansion of an existing diesel depot, comprised of 2 x 23m³ aboveground storage tanks ("ASTs"), with a total storage capacity of 46m³ at the Wesgraan Klipheuwel Silo Facility on Portion 17 of Farm Vryheid No. 55, Klipheuwel, with the addition of 5 x 83m³ ASTs and associated infrastructure resulting in an increase in fuel storage capacity from 46m³ to 461m³.

The proposal is comprised of the following components with a total development footprint of approximately 2391m²:

- 5 x 83m³ aboveground diesel storage tanks and associated infrastructure -approximately 430m²;
- 2 x spill containment slabs - approximately 190m²
- Proposed brick paved roads - approximately 1429m²
- New raised island - approximately 342m²

C. SITE DESCRIPTION AND LOCATION

The proposed expansion will take place at the Wesgraan Klipheuwel Silo Facility on Portion 17 of Farm Vryheid No. 55, Klipheuwel. The property is zoned Agriculture with a spot zoning of General Industry 1 for the facility.

The site co-ordinates:

Latitude (S)	33°	42'	08.53"
Longitude (E)	18°	42'	07.72"

The SG digit codes:

Portion 17 of Farm Vryheid No. 55, Klipheuwel	C0160000000005500017
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The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Sillito Environmental Consulting (Pty) Ltd ("SEC")
c/o Mr. Anthony Mader
P. O. Box 30134
TOKAI
7966

Tel.: 021 712 5060
Cell: 083 309 9211
E-mail: anthony@environmentalconsultants.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated May 2022 on the site as described in Section C above.
2. Authorisation for the activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.
4. This Environmental Authorisation is granted for–
 - (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity for the construction phase, must be concluded.
5. The authorised activity must only be carried out at the site described in Section C above in terms of the approved "Environmental Management Programme" ("EMPr").
6. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

7. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 7.1. notify all registered Interested and Affected Parties of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date of issue of the decision;

- 7.2. draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
- 7.3. draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
- 7.4. provide the registered Interested and Affected Parties 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;
 - 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 Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

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

Written notice to the competent authority

- 10. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activity. Commencement for the purpose of this condition includes site preparation.
 - 10.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 10.2. The notice must also include proof of compliance with the following conditions described herein:
Conditions: 7, 8, and 15.

Management of activity

- 11. The draft Environmental Management Programme ("EMPr") (dated May 2022) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
- 12. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
- 13. The EMPr must be included in all contract documentation for all phases of implementation.
- 14. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must be made

available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

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

Environmental audit reports

17. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid–
 - 17.1. ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 17.2. submit at least two environmental audit reports to the competent authority during the construction phase. The holder must submit the first audit report within four (4) months after commencement of the construction phase and another audit report within six (6) months after completion of the construction period; and
 - 17.3. submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
18. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

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

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

Specific conditions

20. The storage tank installation and associated pipework must be done in accordance and compliance with the relevant South African National Standards ("SANS") codes.
21. The storage tank installation must comply with the relevant local authority bylaws and all procedures and equipment used must be in accordance with the Occupational Health and Safety Act, 1993 (No. 85 of 1993).
22. Surface and ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
23. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
24. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape ("HWC"). Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.

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

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. If the holder does not commence with the listed activity within the period referred to in Condition 3 this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.
3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.
 - 3.1. Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.
4. The manner and frequency for updating the EMPr is as follows:
 - 4.1. Amendments to the EMPr, must be made in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -
 - a) Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - b) Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

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

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

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)

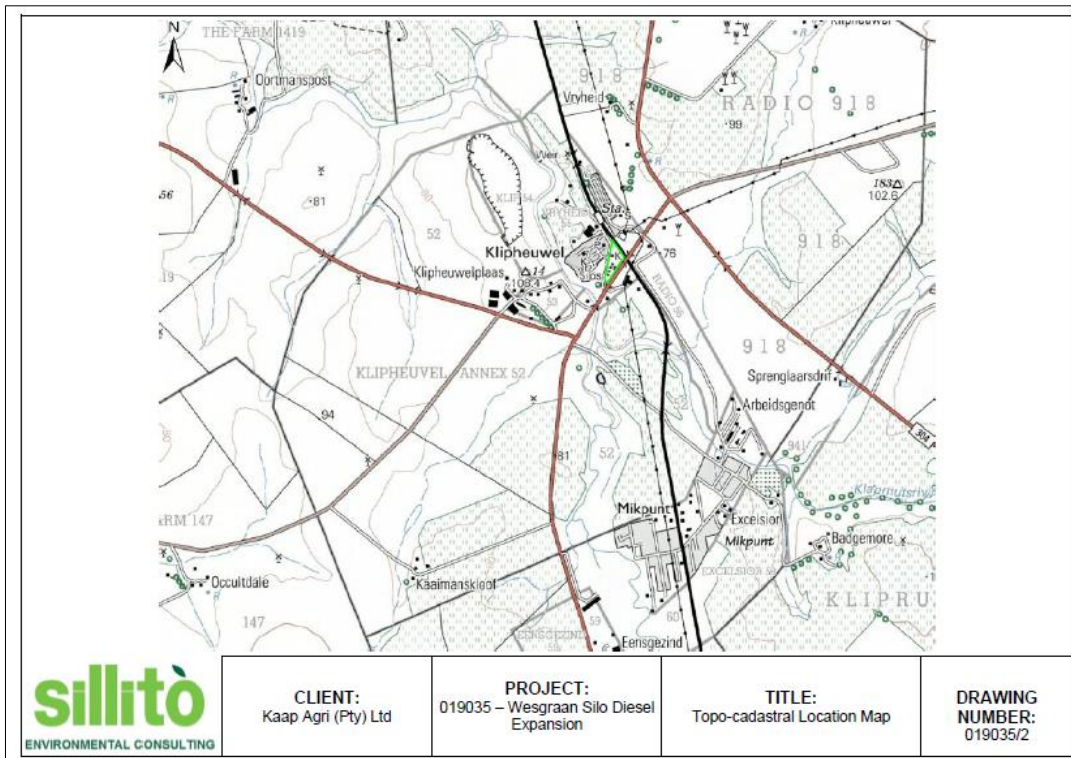
DATE OF DECISION: 02 SEPTEMBER 2022

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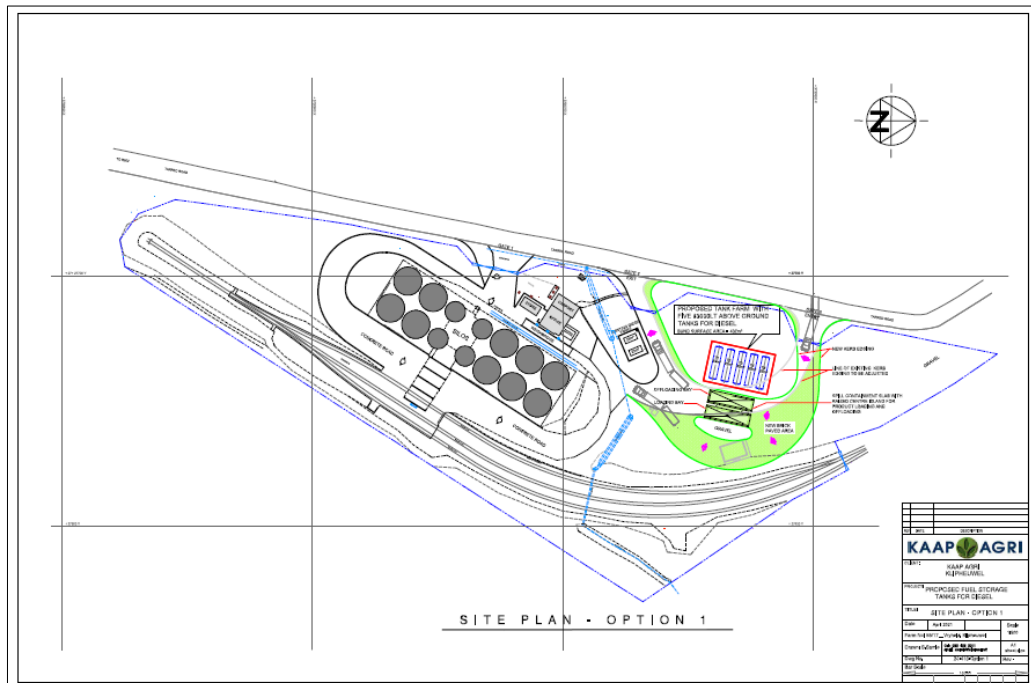
1. Mr. Anthony Mader (SEC)
2. Ms. Sonja Warnich- Stemmet (City of Cape Town: ERM)

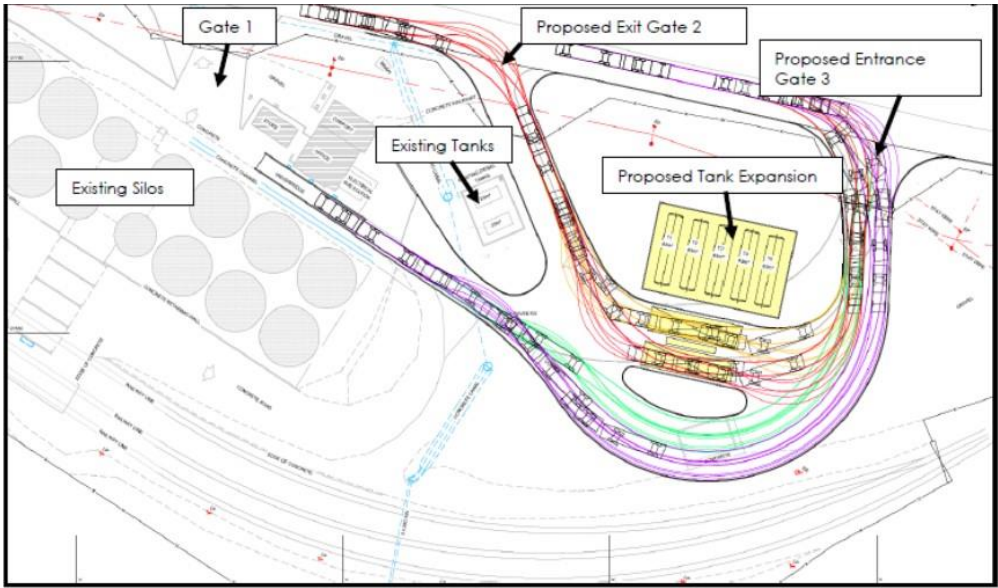
E-mail: anthony@environmentalconsultants.co.za
E-mail: sonja.warnichstemmet@capetown.gov.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 1: SITE DEVELOPMENT PLAN





ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in, the Application Form received on 16 February 2022, the BAR and the EMPr submitted together with the BAR on 19 May 2022;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA; and
- d) The comments received from Interested and Affected Parties and responses to these, included in the BAR dated May 2022.

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

1. Public Participation

The public participation process included:

- identification of and engagement with Interested and Affected Parties ("I&APs");
- notification letters to all potential and registered I&APs including the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity, about the availability of the report with reminders sent to submit comments;
- distribution of the pre-application draft BAR to I&AP's for public review and comment during the first round of public participation from 4 February 2021 until 5 March 2021;
- fixing notices at the site where the listed activity will be undertaken;
- the placing of a newspaper advertisement in the "Tygerburger" on 3 February 2021; and
- the distribution of the draft BAR to I&APs for public review and comment during the second round of public participation from 16 February 2022 until 18 March 2022.

2. Alternatives

Site Alternatives

The investigation of site alternatives was not undertaken as the proposal is the expansion of an existing diesel storage facility which is equipped with existing resources and sufficient space for the proposed installation of five new 83m³ aboveground diesel fuel storage tanks and associated infrastructure.

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

Layout Alternatives

The investigation of layout alternatives was considered, based on the existing access roads and operational function of the grain trucks traveling to and from the existing silos on site, viz. Site Layout Plan Option 1 and Site Layout Plan Option 2. The key operational concern is for two grain trucks to be able to move around the outer edge of the site which would allow trucks to stack in two queues during peak harvest time.

Both layout alternatives allow for two grain trucks to travel side by side from the entry gate to when they merge at approximately 35m prior to the weighbridge. The fuel delivery and dispatch trucks have two slabs and the initial path from the gate indicates that the fuel trucks will "share" the inner lane of the grain route before splitting off to the right to align with the slabs. The trucks travelling to and from the proposed new fuel depot will therefore have a negligible impact on the existing grain operations on site. It should also be noted that as part of both options, the existing gates will also be widened making entry and exit easier.

Site Layout Plan Option 1- Preferred Alternative (herewith authorised)

The preferred alternative entails the proposed installation of the aboveground fuel storage tanks and associated infrastructure located approximately 17m away from the fence of the property. This alternative is preferred for the following reasons:

- it is located the furthest distance from the residential community; and
- allows for more stacking of the trucks which minimises interference with the existing fuel depot operations.

Site Layout Plan Option 2

This alternative entails the proposed installation of the tanks to be located in a similar location to Option 1, but more towards the existing tar road. This alternative is not preferred for the following reasons:

- it requires the existing path followed by the grain trucks to be moved further away from the railway line; and
- it requires the proposed tank installation to be located closer to the road which is undesirable as it encroaches an electrical cable that runs between the road and the tanks which is used as a guide that limits the installation of the tanks towards the road.

"No-Go" Alternative (Rejected)

The "no-go" alternative implies that the "status quo" would remain and maintaining the existing operational function of the facility. This alternative is not preferred as the current operation of the facility would be less efficient and will not address the demand for increased productivity of the facility. Since the proposed development will not result in any high negative impacts, the "no-go" alternative is not warranted.

3. Impact Assessment and Mitigation measures

3.1 Need and Desirability

The proposed installation of the additional storage tanks will take place at an existing operational facility located on Portion 17 of Farm Vryheid No. 55, Klipheuwel. The activity is needed and desired by Kaap Agri at this point in time due to the demand for diesel by the farmers in the region. The fuel depot will enable some existing Kaap Agri Moorreesburg clients to be serviced from the Klipheuwel depot. Fuel will be delivered to the depot typically by 40m³ tankers. This will enable Kaap Agri to deliver fuel from the proposed depot directly to Kaap Agri farm clients. A smaller 16m³ tanker will be used to make the local farm deliveries. The increase in trade will also increase regional profit, and specifically the local economy. The proposal allows for optimal use of land designated for industrial use as the proposed tank installation will be located within the existing Wesgraan Klipheuwel Silo grain storage facility rather than obtaining a new undeveloped erf. The site is on previously disturbed land comprising of brick and gravel and the property is completely transformed and currently an operational facility (Zoned General Industry – Grain Storage Facility).

3.2 Planning Context

The proposal is an expansion of an existing facility which is located within an area zoned Agriculture on a property with a spot zoning for General Industry. Due to the nature of the proposed development and the increased volume of diesel stored on site, it was anticipated that a rezoning of the property from General Industry to Risk Industry may be required. However, in the correspondence from the City of Cape Town: Spatial Planning and Environment, Development Management Department dated 5 March 2021, it is confirmed that the City of Cape Town's Fire and Safety Department was satisfied that the proposal will be in terms of the current zoning approval.

3.3 Fire, Health and Safety Impacts

The most significant impact associated with the proposed development is the potential health and safety risks. A Major Hazard Installation ("MHI") Risk Assessment was undertaken by Nature & Business Alliance Africa (Pty) Ltd to assess the health and safety risks associated with the proposed development. The findings of the MHI Risk Assessment dated 29 October 2020 indicates that the facility does not classify as a major hazard installation, as a major incident on site would not impact

on members of the public outside the boundaries of the site. The EMPr includes the mitigation measures recommended by the MHI Risk specialist. With the implementation of the mitigation measures, the likelihood of an event occurring is low. The proposed development will be located within the property boundary of an operational facility with a retaining (bund) wall to be constructed around the AST's. The potential fire, health and safety risk impacts were identified as being of low negative significance post mitigation. An Emergency Response Plan has been included as an Appendix to the EMPr (herewith approved and to be implemented as per Condition 11 of this EA).

3.4 Biophysical Impacts

The proposed installation of tanks and associated infrastructure will take place on a property that is completely transformed and is the expansion of the current operational function of the existing facility. The site has an insignificant ecological function, as it is comprised of hardened and gravel surfaces. There are no environmental features of a significant nature located on the site, thus, no biophysical impacts are anticipated.

3.5 Heritage impacts

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

3.6 Traffic Impacts

The proposed expansion of the existing Wesgraan Kilpheuwel Silo grain storage facility will result in an increase in truck traffic by approximately 10 trucks moving in and out of the facility with less than 2 trucks during the peak morning and afternoon periods. Based on the findings of the Traffic Impact Statement compiled by EFG Engineers (Pty) Ltd dated September 2020, Klipheuwel Road is not operating at its full capacity and the existing road network has the capacity to accommodate the proposed development. The traffic impacts associated with the proposed development is expected to be of low significance.

3.7 Dust and Noise impacts

A Dust Management Plan dated May 2021 was compiled by Sillito Environmental Consultants to address the potential dust impacts associated with the proposed development. The EMPr has been updated to include dust control measures that will be implemented on site and at areas of high dust generation during all phases of the development.

A Noise Impact Assessment was undertaken and Noise Management Plan was compiled by Jongens Keet Associates dated June 2021 to address the potential noise impacts associated with the proposed development. Concerns raised by the City of Cape Town: Specialised Environmental Health: Noise Control Unit in the correspondence dated 17 March 2022 was addressed by the aforementioned specialist in the Final BAR and the relevant sections of the EMPr (herewith approved and to be implemented as per Condition 11 of this EA) has been updated to include the mitigation measures and recommendations made.

The development will result in negative and positive impacts

Negative impacts:

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

Positive impacts:

- Positive contribution to the local economy;
- Additional employment opportunities; and
- Increase in the operational function of the existing facility.

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.*"

-----END-----