



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT  
REGION 1**

**REFERENCE NUMBER:** 16/3/3/1/A1/2/3038/18

**ENQUIRIES:** MS. K. ADRIAANSE

**DATE OF ISSUE:** 2019 -03- 05

The Director  
Swartland Properties (Pty) Ltd.  
P.O. Box 216  
**MOORREESBURG**  
7310

**For Attention: Mr. F. Bester**

Tel: (021) 573 7500

Fax: (086) 512 2214

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): PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE DEVELOPMENT OF BUILDINGS AND ASSOCIATED INFRASTRUCTURE FOR INDUSTRIAL PURPOSES ON ERF 145, ATLANTIS.**

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

Yours faithfully

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

Copies to: (1) Mr. N. Hanekom (EcolImpact Legal Consulting (Pty) Ltd.)  
(2) Ms. P. Titmuss (City of Cape Town: Environmental Resource Management)  
(3) Ms. K. Rughoobeer (DEA&DP – Directorate: Development Facilitation)

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**REFERENCE:** 16/3/3/1/A1/2/3038/18  
**NEAS REFERENCE:** WCP/EIA/0000500/2018  
**ENQUIRIES:** MS. K. ADRIAANSE  
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### ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE DEVELOPMENT OF BUILDINGS AND ASSOCIATED INFRASTRUCTURE FOR INDUSTRIAL PURPOSES ON ERF 145, ATLANTIS.**

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 activities specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR"), dated December 2018.

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

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Director  
Swartland Properties (Pty) Ltd.  
c/o Mr. F. Bester  
P.O. Box 216  
**MOORREESBURG**  
7310

Tel: (021) 573 7500  
Fax: (086) 512 2214

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

## B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 27 Activity Description:</p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</i></p> <p><i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The proposed development entails the clearance of approximately 1.6ha of critically endangered vegetation on Erf 145, Atlantis.</p>
<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 12 Activity Description:</p> <p><i>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.</i></p> <p><b>i. Western Cape</b></p> <p><i>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;</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans;</i></p> <p><i>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 or even in urban areas;</i></p> <p><i>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</i></p> <p><i>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.</i></p>	<p>The proposed development entails the clearance of approximately 1.6ha of critically endangered vegetation on Erf 145, Atlantis.</p>

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

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

The proposed development entails the clearance of approximately 1.6ha of critically endangered vegetation for the development of buildings and associated infrastructure for industrial purposes on Erf 145, Atlantis.

The loss of critically endangered indigenous vegetation will be compensated by the Atlantis Industrial Incentive Land Bank Scheme, which is a mechanism used by the City of Cape Town to mitigate biodiversity loss and to facilitate development within the urban and industrial areas of Atlantis. This is achieved by an offsite biodiversity offset through the land banking component of the aforementioned Land Bank Scheme.

The site is located within an existing industrial area and the required services are available. Existing roads will be used to access the site.

### C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on Erf 145, Atlantis, which is located on the corner of Christopher Starke Road and Harry Alexander Close and has the following co-ordinates:

Point	Latitude	Longitude
Middle	33°35'06.49" South	18°29'40.72" East

The SG 21-digit code is:

Erf 145	C0160087000001450000
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Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Ecolmpact Legal Consulting (Pty) Ltd.  
c/o Mr. N. Hanekom / Ms. Y. Henstock  
P.O. Box 45070  
**CLAREMONT**  
7735

Tel: (021) 671 1660  
Fax: (021) 671 9976

### E. CONDITIONS OF AUTHORISATION

#### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Alternative described in the BAR dated December 2018 on the site as described in Section C above.
2. The holder must commence with the listed activities on site within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within 5 (five) years from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.

5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

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

6. 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, 11 and 17.

#### **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. the name of the holder (entity) of this Environmental Authorisation,
    - 7.4.2. name of the responsible person for this Environmental Authorisation,
    - 7.4.3. postal address of the holder,
    - 7.4.4. telephonic and fax details of the holder,
    - 7.4.5. e-mail address, if any, of the holder,
    - 7.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

### **Management of activity**

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved, on condition that the following amendments to the EMPr are made and must be implemented:
  - 9.1. The fuel storage must not exceed 80 m<sup>3</sup> (at any given time) and must be bunded (110% of the tank capacity).
  - 9.2. A Stormwater Management Plan must be compiled and 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"), or site agent where appropriate, before the commencement of any land clearing 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 at the site where the listed activities will be undertaken and must be made available to anyone 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 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 (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 Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
  - 14.1. The holder must undertake an environmental audit within 6 (six) months of the completion of the listed activities.
  - 14.2. The holder must, within 7 (seven) calendar days of the submission of the 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; 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. 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. In accordance with the recommendations of CapeNature (dated 11 December 2018), a botanical search and rescue of the site must be undertaken prior to the clearance of the site. The search and rescue must entail, *inter alia*, the following:
  - 17.1. A search and rescue with specific focus on of the *Lampranthus sp.*, *Ruschia sp.* and *Nemesia strumosa* must be undertaken by a suitably qualified botanist.
  - 17.2. The relocation of the vegetation of Conservation Concern must be determined in consultation with the City of Cape Town: Biodiversity Management Branch and the South African National Biodiversity Institute.
18. The total area to be cleared must be deducted from the land banking component of the City of Cape Town's Atlantis Industrial Land Bank Scheme.

#### **F. GENERAL MATTERS**

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

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

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

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

## G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal 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 Jaap de Villiers (Tel: 021 483 3721)  
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 [Jaap.DeVilliers@westerncape.gov.za](mailto:Jaap.DeVilliers@westerncape.gov.za).

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



## H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



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

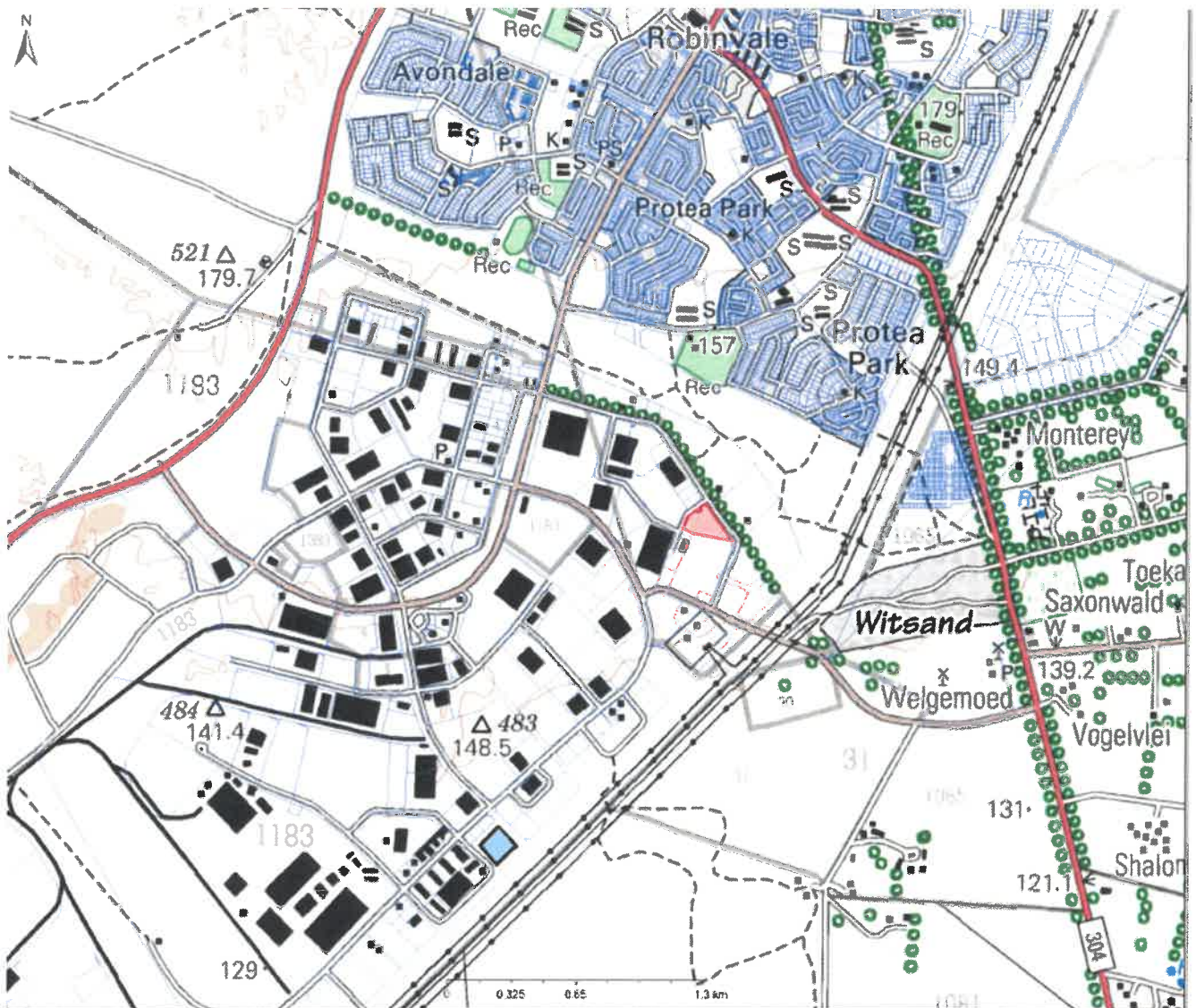
DATE OF DECISION: 05/03/2019

Copies to: (1) Mr. N. Hanekom (EcoImpact Legal Consulting (Pty) Ltd.)  
(2) Ms. P. Titmuss (City of Cape Town: Environmental Resource Management)  
(3) Ms. K. Rughoobeer (DEA&DP – Directorate: Development Facilitation)

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# ANNEXURE 1: LOCALITY MAP

Locality map of the proposed site (shaded in pink).





## **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 05 October 2018, the BAR received by the Competent Authority on 07 December 2018, the EMPr received by the Competent Authority on 07 December 2018 and the additional information received by the Competent Authority on 23 January 2019 and 20 February 2019;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives and Need and Desirability (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated December 2018;
- 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 that were considered to be the most significant for the decision is set out below.

### **1. Public Participation**

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board on the site where the listed activities are to be undertaken on 03 July 2018;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 09 July 2018;
- the placing of a newspaper advertisement in the 'Weskus Nuus' on 17 July 2018; and
- making the BAR available to I&APs for public review from 15 October 2018 to 16 November 2018.

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

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

### **2. Alternatives**

No other site or location alternatives were considered for the proposed development as the site is located within an industrial area earmarked for industrial development.



### Preferred Alternative (herewith authorised)

The proposed development entails the clearance of approximately 1.6ha of critically endangered vegetation for the development of buildings and associated infrastructure for industrial purposes on Erf 145, Atlantis.

The loss of critically endangered indigenous vegetation will be compensated by the Atlantis Industrial Incentive Land Bank Scheme, which is a mechanism used by the City of Cape Town to mitigate biodiversity loss and to facilitate development within the urban and industrial areas of Atlantis. This is achieved by an offsite biodiversity offset through the land banking component of the aforementioned Land Bank Scheme.

The site is located within an existing industrial area and the required services are available. Existing roads will be used to access the site.

### "No-Go" Alternative

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

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

### 3.1. Activity Need and Desirability

The site is located within an existing industrial area earmarked for industrial development and is zoned General Industrial 1. Furthermore, the site is located within the Atlantis Special Economic Zone, promulgated in terms of the Special Economic Zones Act, 2014 (Act 16 of 2014) (G.N. 41100, dated 08 September 2017)). The proposed clearance of indigenous vegetation on the site is required to prepare the site for the development of buildings and associated infrastructure for industrial purposes.

### 3.2. Botanical Impacts

A Botanical Assessment (compiled by EcolImpact Legal Consulting (Pty) Ltd. and dated October 2018) was undertaken. The site contains Atlantis Sand Fynbos, which is classified as a Critically Endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) - National list of ecosystems that are threatened and in need of protection (dated 09 December 2011). The site also falls within the City of Cape Town's Biodiversity Network. The specialist indicated that the vegetation is in a poor to moderate ecological condition, with the western section of the site previously disturbed. No species of conservation concern were recorded during the specialists' field survey. The specialist recommended that a search and rescue of all translocatable species be undertaken and that the loss of critically endangered vegetation be compensated for by securing an offsite biodiversity offset through the land banking component of the Atlantis Industrial Incentive Land Bank Scheme of the City of Cape Town. The recommended mitigation measures have been included in this Environmental Authorisation and in the EMP. The botanical impacts are therefore expected to be of low negative significance post mitigation.

CapeNature indicated (in their comment dated 11 December 2018) that they do not object to the proposed development provided that a search and rescue be implemented specifically focussing on the *Lampranthus sp.*, *Ruschia sp.* and *Nemesia strumosa* and that a stormwater management plan be compiled. These mitigation measures have been included as conditions in the Environmental Authorisation.

The City of Cape Town confirmed (in their comment dated 31 January 2019) that the proposed site has been included in the land bank register of the Atlantis Industrial Incentive Land Bank Scheme.

### 3.3. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their comment dated 26 June 2018) that since there is no reason to believe that the proposed clearance of vegetation will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

### 3.4. Dust and Noise Impacts

Potential dust and noise impacts associated with the proposed clearance of vegetation will be mitigated by the implementation of the mitigation measures included in the EMPr.

### 3.5. Traffic Impacts

The proposed development may result in an increase in traffic. However, the proposed development will occur within an industrial area, on a site that is earmarked for industrial development. The road network was therefore designed to accommodate future industrial development. The traffic impacts associated with the development of the site are therefore expected to be of very low negative significance.

The development will result in both negative and positive impacts.

Negative Impacts include:

- The loss of critically endangered vegetation; and
- Potential dust and noise impacts during land clearing.

Positive impacts include:

- The proposed development will facilitate future investment opportunities in the area;
- Job creation; and
- Economic benefits.

## 4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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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