



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management
(Region 1)

REFERENCE: 16/3/3/1/A8/49/3048/17
NEAS REFERENCE: WCP/EIA/0000305/2017
ENQUIRIES: Mr. S. Abrahams
DATE OF ISSUE: 2018 -05- 3 1

The Director
LSP Holdings
P.O. Box 3770
SOMERSET WEST
1911

Attention: Mr. A. Du Randt

Tel and Fax: (016) 422 8901

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 INSTALLATION OF ABOVEGROUND STORAGE TANKS AND ASSOCIATED INFRASTRUCTURE FOR THE ESTABLISHMENT OF A FUEL DEPOT ON ERF 150255, EPPING.

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

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copies to: (1) Mr. R. Samaai (City of Cape Town: ERM)
(2) Mr. T. Thackwray (PetroStruct and Design)

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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): THE PROPOSED INSTALLATION OF ABOVEGROUND STORAGE TANKS AND ASSOCIATED INFRASTRUCTURE FOR THE ESTABLISHMENT OF A FUEL DEPOT ON ERF 150255, EPPING.

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 BAR, dated February 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

LSP Holdings
c/o Mr. A. Du Randt
P.O. Box 3770
SOMERSET WEST
1911

Tel and Fax: (016) 422 8901

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: 51 Activity Description: <i>The expansion and related operation of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres.</i></p> <p>Activity Number: 67 Activity Description: <i>Phased activities for all activities—</i></p> <p><i>(i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>excluding the following activities listed in this Notice-</i></p> <p><i>17(i)(a-d); 17(ii)(a-d); 17(iii)(a-d); 17(iv)(a-d); 17(v)(a-d); 20; 21; 22; 24(i); 29; 30; 31; 32; 34; 54(i)(a-d); 54(ii)(a-d); 54(iii)(a-d); 54(iv)(a-d); 54(v)(a-d); 55; 61; 64; and 65; or</i></p> <p><i>(ii) listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices; where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</i></p>	<p>The proposed development entails the installation of aboveground storage tanks for the establishment of a fuel depot. The second phase of the proposed development entails the installation of an additional 2 x 83 m³ aboveground storage tanks on the site which will exceed 80 m³.</p> <p>Phase 3 of the proposed development will be conducted after phase 2 has commenced. Phase 3 entails the decommissioning of 4 existing aboveground storage tanks which were developed in the first phase with an additional 4 x 83m³ aboveground tanks installed thereafter.</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 development of a fuel depot consisting of aboveground storage tanks and associated infrastructure on Erf 150255, Epping. The proposed development will occur in three phases.

The first phase entailed the establishment of 4 aboveground storage tanks each with a capacity of 19.5 m³. The combined capacity of this phase amounted to 78 m³ and did not require environmental authorisation.

The second phase of the proposed development entails the establishment of an additional 2 x 83 m³ vertical aboveground storage tanks located to the south of the existing tanks established in the first phase. The combined capacity of the tanks installed in this phase will amount to 163 m³.

The third phase of the proposed development will result in the decommissioning of the 4 existing aboveground storage tanks which were developed in the first phase. In addition, the third phase will result in the establishment of a further 4 x 83m³ aboveground tanks, amounting to a combined capacity of 332 m³.

The combined capacity of all tanks on completion of the proposed development will amount to 498m³. The development footprint will be approximately 354m².

C. SITE DESCRIPTION AND LOCATION

The listed activities will take place on Erf 150255, Epping.

Access to the site will be obtained via Techno Crescent.

The SG 21 digit code is: C04600000000003400000

Co-ordinates:	33°	55'	31.20"	South
	18°	32'	53.60"	East

hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Environmental Assessment Practitioner:

Petrostrcut & Design
c/o Mr. T. Thackwray
P.O. Box 894
WEST COAST VILLAGE
7442

Tel: (021) 426 5688

Fax: (086) 520 4872

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 February 2018 on the site as described in Section C above.
2. The holder must commence with the listed activity 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 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. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activities.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Annexure 1;
 - 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 activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The draft Environmental Management Programme report ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved on condition that the following amendments are made to the EMPr and must be implemented:
- 9.1. An Emergency Response Plan ("ERP") must be established for the proposed development. The Emergency Plan must be updated for all phases of the proposed development.
 - 9.2. The ERP must include, inter alia:
 - 9.2.1 The ERP must be updated as and when required, to ensure the relevant emergency response procedures are adhered to;
 - 9.2.2. All staff must be provided with the necessary emergency response training;
 - 9.2.3. Staff must be regularly reminded of their respective roles in emergencies; and
 - 9.2.4. Relevant signage must be erected at the facility warning staff and visitors of the hazards in relation to the goods stored on site.
10. The following recommendations of the Major Hazardous Installation ("MHI") Risk Assessment Report, (compiled by Major Hazard Risk ("MHR") Consultants cc, dated 20 October 2017), must be implemented and included in the EMPr:
- 10.1. Good housekeeping must be observed on site at all times;
 - 10.2. Emergency stop switches must be clearly identified;
 - 10.3. Emergency stop switches must be evaluated in terms of the risks included in the MHI risk report; and
 - 10.4. Emergency stop switches must be located in safe areas away from any potential risks.
11. 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.

Monitoring

12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
13. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activity during the development activities whereafter it must be kept at the office of the applicant, and must be made available to anyone on request.
14. 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

15. 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).
 - 15.1. The holder must undertake an environmental audit within 6 (six) months of the commencement of the listed activity and submit Environmental Audit Reports to the Competent Authority 1 (one) month after the completion of the listed activities. The final Environmental Audit Report must be submitted to the Competent Authority within 1 (one) year after the proposed development has been completed.
 - 15.2. The holder must, within 7 (seven) 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

16. The storage tanks must be designed, installed and managed in accordance with the relevant South African National Standard ("SANS") codes and standards pertaining to inter alia:
 - 16.1. aboveground tanks and pipe installation standards; and
 - 16.2. tank manufacturer standards.
17. Leak detection equipment must be installed in accordance with the relevant SANS codes.
18. Corrosion resistant tanks, non-corrosive pipes and detectors must be used and must conform to the relevant Oil Industry and SANS codes and standards.
19. The tanks must be fitted with an overfill protection device to prevent tank overfills during filling operations.
20. The requirements of the Occupational Health and Safety Act No. 85 of 1993 (OHSA) must be adhered to.

21. During fuel tanker delivery, the tanker driver must be present at all times during product offloading. An emergency cut-off switch must allow immediate stopping of fuel delivery should an accident occur.
22. Stock reconciliation must be undertaken regularly to ensure effective stock monitoring, recording and regular auditing for early identification of possible leaks, and maintaining a leak history for the site.
23. Fire-fighting equipment must be present on site and must adhere to the Oil Industry standards.
24. 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 licensed landfill in terms of the applicable legislation.
25. 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.
 - 25.1. 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.
 - 25.2. 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.
26. The recommendations of the Traffic Impact Assessment Report (compiled by Trafficon cc, dated February 2018), must be implemented and included in the EMPr:
 - 26.1. The existing road space of Techno Crescent cul-de-sac must be upgraded with the road markings as depicted in annexure 1 and must be consulted with the City of Cape Town for approval.
27. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

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 (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.

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
8th 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.

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 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 JOEFTY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

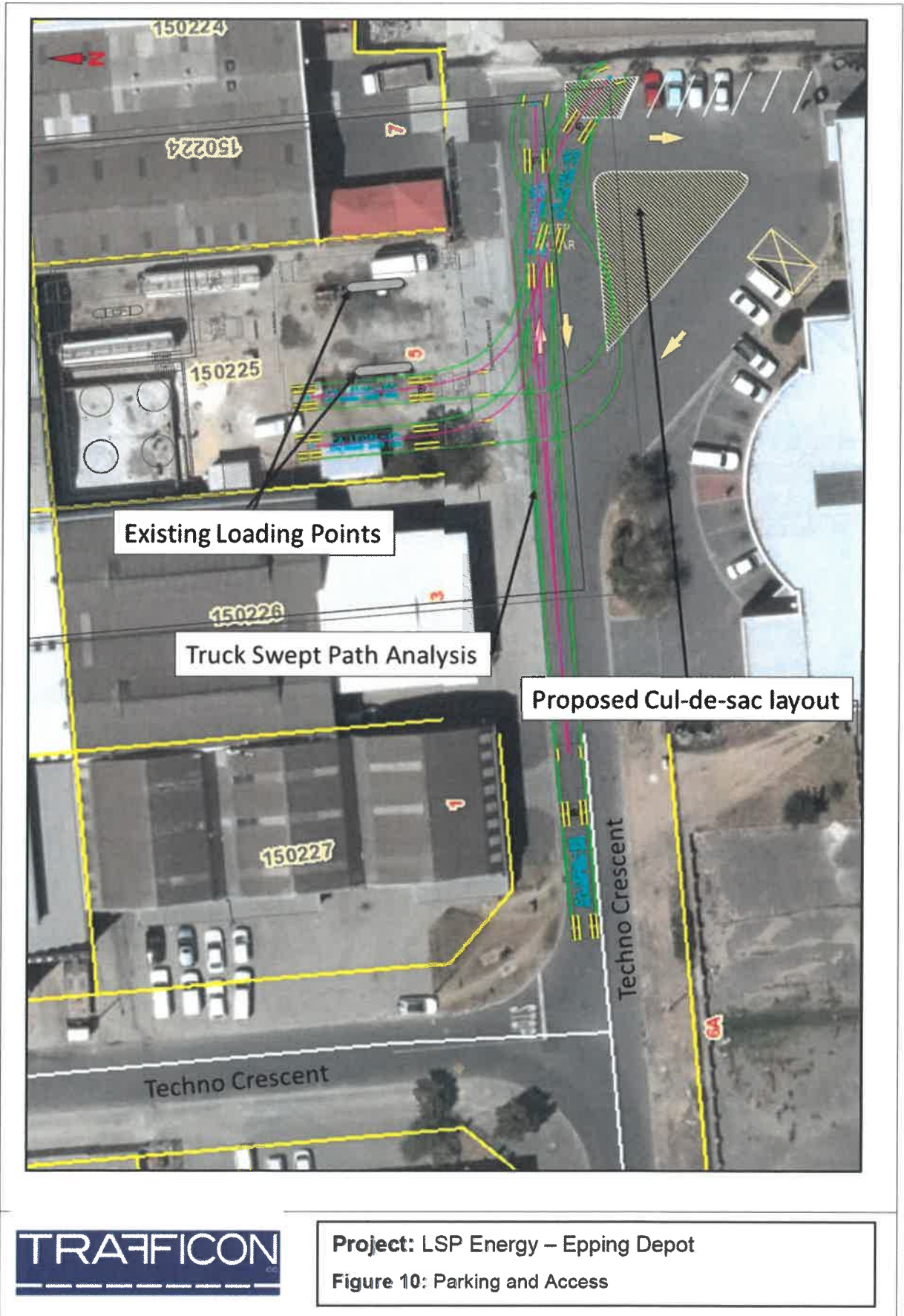
DATE OF DECISION: 31/05/2018

Copies to: (1) Mr. R. Samaai (City of Cape Town: ERM)
(2) Mr. T. Thackwray (PetroStruct and Design)

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ANNEXURE 1: TRAFFIC LAYOUT

Proposed road markings



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 and received by the Competent Authority on 04 September 2017, the BAR received by the Competent Authority on 15 February 2018, the EMPr submitted together with the BAR and the additional information dated and received by the Competent Authority on 30 April 2018;
- 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&As and responses to these, included in the BAR dated 15 February 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&As;
- fixing a notice board at the site where the listed activities are to be undertaken on 13 September 2017;
- 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 councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 19 September 2017;
- the placing of a newspaper advertisement in the 'Argus' on 13 September 2017; and
- making the BAR available to I&As for public review from 19 September 2017 to 24 October 2017.

All the concerns raised by I&As 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

Three layout alternatives and the "No-Go" alternative were identified and comparatively assessed:

Layout Alternative 1 (Preferred Alternative) – Herewith Authorised

The proposed development entails the development of a fuel depot consisting of aboveground storage tanks and associated infrastructure on Erf 150255, Epping. The proposed development will occur in three phases.

The first phase entailed the establishment of 4 aboveground storage tanks each with a capacity of 19.5 m³. The combined capacity of this phase amounted to 78 m³ and did not require environmental authorisation.

The second phase of the proposed development entails the establishment of an additional 2 x 83 m³ vertical aboveground storage tanks located to the south of the existing tanks established in the first phase. The combined capacity of the tanks installed in this phase will amount to 163 m³.

The third phase of the proposed development will result in the decommissioning of the 4 existing aboveground storage tanks which were developed in the first phase. In addition, the third phase will result in the establishment of a further 4 x 83m³ aboveground tanks, amounting to a combined capacity of 332 m³.

The combined capacity of all tanks on completion of the proposed development will amount to 498m³. The development footprint will be approximately 354m².

This layout alternative is deemed as preferred since the proposed vertical tanks will result in less space constraints which would ultimately lessen the traffic movement on site. In addition, potential tank leaks will be observed with ease.

Layout Alternative 2

This layout alternative entails the establishment of 2 x 83 m³ horizontal aboveground storage tanks located to the east of the existing tanks established in phase 1 of the proposed development. The combined capacity of the tanks in phase 2 will amount to 163 m³.

This alternative will cost less to install and potential leaks will be observed with ease as a result of the tanks being visible and aboveground. However, the horizontal positioning of the tanks will result in a larger footprint being utilised. Further, the eastern location on the site and horizontal orientation of the tanks are not ideal.

Layout Alternative 3

This layout alternative entails the establishment of 2 x 83 m³ underground storage tanks located to the east of the existing tanks established in phase 1 of the proposed development. The combined capacity of the tanks in phase 2 will amount to 163 m³.

This alternative will have less visual impacts as the tanks will be concealed and will provide an additional parking area for on site vehicles. However, this alternative will have a higher installation cost. In addition, potential tank leaks will not be detected with ease and may result in contamination of soil and groundwater.

"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 proposed development is located within an industrial area and is in line with the City of Cape Town's Spatial Development Plan (2012) and the Integrated Development Plan (2012-2017). The existing diesel storage depot has been supplying diesel however, due to an increased demand for diesel, the applicant identified the need to expand the facility. There is currently a deficiency of oil storage facilities in the Western Cape and the proposed development will help to address the current need for diesel supply.

3.2. Contamination Impacts

The tanks will be constructed on an imperviously bunded surface above ground to prevent any potential contamination from occurring. Therefore, potential risks of contamination will be minimal. Mitigation measures have also been included the EMPr and the environmental authorisation.

3.3. Traffic Impacts

In terms of potential traffic impacts, potential direct impacts are anticipated during development. Potential traffic concerns will mainly be attributed to the delivery of construction material and construction vehicles. The potential traffic implications will however be limited and mitigation measures will be implemented.

According to the Traffic Impact Assessment Report (compiled by Trafficon cc, dated February 2018) the proposed upgrades will generate an additional two fuel tanker vehicle trips per day, making a total of four fuel tanker trips per day to the facility. The traffic impacts will be negligible with the implementation of mitigation measures.

Mitigation measures have been incorporated into the EMPr and this environmental authorisation to ensure potential impacts remain minimal.

3.4. Fire Hazard Impacts and MHI Assessment

The basic fire-fighting equipment, such as portable extinguishers, fire hydrants with hoses, foam base injection into tanks and bund foam pouring will be in place. Adequate training of all staff in emergency response situations will be carried out.

According to the MHI Report (compiled by MHR Consulting cc, dated 20 October 2017) the bulk flammable tanks were identified as the main risk associated with the proposed development. The risk assessment found that the proposed development is acceptable within an industrial area. Various scenarios were computed under different environmental and risk factors. Potential related incidents will be confined to the boundaries of the site and will not directly impact other MHI facilities in the area. Further, the employees on site will not be subjected to a risk of more than one-in-a-thousand chance of a fatality nor will the general public located beyond the boundaries of the site be subjected to a risk of more than one-in-a-million chance of a fatality. Based on this, the site is not considered to be a MHI facility.

Mitigation measures have however been incorporated into the EMPr and this environmental authorisation to ensure potential impacts remain minimal.

3.5. Socio-Economic Impacts

Temporary employment opportunities will be afforded to the local community (as far as possible) during all phases of the proposed development. The proposed development is expected to realise financial benefits to the holder of the EA.

3.6. Noise and Dust Impacts

Noise related impacts are anticipated during development. As such, mitigation measures have been included as conditions set in this environmental authorisation and in the EMPr.

Dust related impacts are anticipated during development. However, dust related impacts will be limited to development activities. Mitigation measures have been included as conditions set out in this environmental authorisation and in the EMPr.

3.7. Sense of Place

During the Public Participation Process, the City of Cape Town expressed their concerns with regards to the existing land use zoning, indicating that the site does not accommodate for noxious trade and risk activities. However, based on the finding of the MHI report, the proposed development is not regarded as an industrial risk as the proposed development will contain diesel product which is not considered as a noxious substance. Further, the site is located within an existing industrial area which conforms with the surrounding land use. Any further concerns from the local authority will be dealt with under local authority's legislative requirements.

3.8. Impact Assessment and significance rating

- 3.8.1. Potential subsurface contamination has been identified in the BAR as being of low significance prior to and post mitigation.
- 3.8.2. Potential traffic impacts are identified in the BAR as being of medium significance prior and low significance post mitigation.
- 3.8.3. Potential fire, health and safety related impacts are identified in the BAR as being of high significance prior and medium significance post mitigation.
- 3.8.4. Potential noise impacts during development are identified in the BAR as being of low significance prior to and post mitigation.
- 3.8.5. Potential dust impacts during development are identified in the BAR as being of low significance prior and post mitigation.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Development phase impacts (Dust, Noise and traffic).

Positive impacts include:

- Increase in diesel storage capacity and availability to clients;
- Some temporary employment opportunities; and
- Potential financial benefits.

4. National Environmental Management Act Principles

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

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

5. Conclusion

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

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

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