



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management
(Region 1)

REFERENCE: 16/3/3/1/A7/4/3008/18
NEAS REFERENCE: WCP/EIA/0000387/2018
ENQUIRIES: Mr. S. Abrahams
DATE OF ISSUE:

2018 -08- 0 8

The Director
Chevron South Africa (Pty) Ltd.
5 Century Boulevard
CENTURY CITY
7441

Attention: Mr. M. V. Fortuin

Tel: (021) 508 3838
Email: morne.fortuin@chevron.com

Dear Sir

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 DECOMMISSIONING OF THE UNDERGROUND STORAGE TANKS AND ASSOCIATED INFRASTRUCTURE ON ERF 176801 WATERFRONT, CAPE TOWN.

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 summarised in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: (1) Mr. J. Schonken (Sillito Environmental Consulting)
(2) Ms. R. Clarke (City of Cape Town: ERM)

Fax: (021) 712 5060
Fax: (086) 201 1241

7th Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 0780 Fax: +27 21 483 4372
Email: safwaan.abrahams@westerncape.gov.za

Private Bag X 9086, Cape Town, 8000
www.westerncape.gov.za/eadp



REFERENCE: 16/3/3/1/A7/4/3008/18
NEAS REFERENCE: WCP/EIA/0000387/2018
ENQUIRIES: Mr. S. Abrahams
DATE OF ISSUE: 2018 -08- 0 8

ENVIRONMENTAL AUTHORISATION

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 DECOMMISSIONING OF THE UNDERGROUND STORAGE TANKS AND ASSOCIATED INFRASTRUCTURE ON ERF 176801 WATERFRONT, CAPE TOWN.

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, described in the BAR, dated 10 May 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

Chevron South Africa (Pty) Ltd.
c/o Mr. M. V. Fortuin
5 Century Boulevard
CENTURY CITY
7441

Tel: (021) 508 3838
Email: morne.fortuin@chevron.com

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><i>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</i></p> <p>Activity Number: 31 Activity Description:</p> <p>The decommissioning of existing facilities, structures or infrastructure for—</p> <p>(i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(ii) any expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(iii) ...</p> <p>(iv) any phased activity or activities for development and related operation activity or expansion or related operation activities listed in this Notice or Listing Notice 3 of 2014; or</p> <p>(v) any activity regardless the time the activity was commenced with, where such activity:</p> <p>(a) is similarly listed to an activity in (i) or (ii) above; and</p> <p>(b) is still in operation or development is still in progress; excluding where—</p> <p>(aa) activity 22 of this notice applies; or</p> <p>(bb) the decommissioning is covered by part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies.</p>	<p>The proposed activity entails the decommissioning of 6 x 23 m³ Underground Storage Tanks (UST's), and associated infrastructure.</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 as it relates to the proposed decommissioning:

The proposed activity entails the decommissioning of a service station and associated infrastructure on Erf 176801, Waterfront Cape Town.

The activity entails the decommissioning and the removal of 6 x 23 m³ UST's with a combined capacity of 138m³. In addition, the above ground building infrastructure will be demolished in order to remove the UST's. The removal of the UST's will occur once the fuel levels are as low as possible within the UST's. The remaining fuel in the UST's will be pumped into a waste disposal skip by an accredited service provider.

The associated infrastructure to be decommissioned includes *inter alia* the following:

- Pump dispensers;
- Fuel tank filler points;
- Separator system for surface runoff;
- Associated underground fuel and filler lines;
- A convenience store;
- ATM's;
- An exhibition centre;

- An office building and forecourt canopy; and
- A car wash.

Access to the site will be obtained via Dock Road, Waterfront.

C. SITE DESCRIPTION AND LOCATION

The listed activity will take place on Erf 176801, Waterfront, Cape Town.

The SG 21 digit code is: C01600070017680100000

Co-ordinates: 33° 54' 44.90" South
 18° 25' 24.24" East

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Petrostrcut & Design
 c/o Ms. L. Elston
 Tokai Village Centre
 Suite 105
TOKAI
 7966

Tel: (021) 712 5060
 Fax: (021) 712 5061

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 10 May 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 decommissioning 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 decommissioning.

- 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 activity, 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 ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved.
10. 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

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any decommissioning activities to

ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activity during the decommissioning activities whereafter it must be kept at the office of the applicant, 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 three (3) months of the decommissioning of the UST's. A final Environmental Audit Report must be submitted to the Competent Authority within 1 (one) year after the proposed decommissioning has been completed. The environmental audit report, that includes proof of compliance with conditions 18, 19 and 20 of this Environmental Authorisation, must be submitted to this Directorate.
 - 14.2. Groundwater sampling of the existing monitoring wells must be conducted within three (3) months of the decommissioning of the UST's. The groundwater sampling must be conducted bi-annually for a one-year period and the results must be reported on and submitted to the Directorate's Pollution and Chemicals Management Directorate.
 - 14.3. The holder must, within 7 (seven) days of the submission of the audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request.

Specific Conditions

15. The requirements of the Occupational Health and Safety Act No. 85 of 1993 (OHSA) must be adhered to.
16. Fire-fighting equipment must be present on site during decommissioning and must adhere to the Oil Industry standards.
17. No surface or groundwater may be polluted due to any actions on the site.
18. No contaminated soil must be used as fill material on site. Contaminated soil removed during the decommissioning must be disposed of at an appropriately licensed landfill facility.
19. Gas-free certification must take place prior to any tank removal commencing, to ensure that the UST's is free of flammable or explosive vapours and that it is safe to dismantle and to transport.
20. The UST's and fuel lines must be emptied prior to decommissioning of the infrastructure.
21. Spill kits must be on hand during the dismantling of the UST's.

22. All noise and sounds generated must comply with the relevant SANS codes and standards.
23. Working hours for decommissioning activities must be restricted to 8h00am to 5h00pm.
24. Dust suppression methods must be used to mitigate dust during the decommissioning activities. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods must be implemented instead.
25. 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.
26. 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.
 - 26.1. 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.
 - 26.2. 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.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse, 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
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 decommissioning 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: 08/08/2018

Copies to: (1) Mr. J. Schonken (Sillito Environmental Consulting)
(2) Ms. R. Clarke (City of Cape Town: ERM)

Fax: (021) 712 5060
Fax: (086) 201 1241

ANNEXURE 1: 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 17 January 2018 and received by the Competent Authority on 06 March 2018, the BAR dated 10 May 2018 and received by the Competent Authority on 15 May 2018 and the EMPr submitted together with the BAR dated 10 May 2018 and received by the Competent Authority on 15 May 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 10 May 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 activity is to be undertaken on 13 March 2018;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 13 March 2018;
- the placing of a newspaper advertisement in the 'Peoples Post' on 06 March 2018; and
- making the BAR available to I&As for public review from 13 March 2018 to 18 April 2018.

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

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

Decommissioning and disposal (Preferred Alternative) – Herewith Authorised

The proposed activity entails the decommissioning of a service station and associated infrastructure on Erf 176801, Waterfront Cape Town.

The activity entails the decommissioning and the removal of 6 x 23 m³ UST's with a combined capacity of 138m³. In addition, the above ground building infrastructure will be demolished in order to remove the UST's. The removal of the UST's will occur once the fuel levels are as low as

possible within the UST's. The remaining fuel in the UST's will be pumped into a waste disposal skip by an accredited service provider.

The associated infrastructure to be decommissioned includes *inter alia* the following:

- Pump dispensers;
- Fuel tank filler points;
- Separator system for surface runoff;
- Associated underground fuel and filler lines;
- A convenience store;
- ATM's;
- An exhibition centre;
- An office building and forecourt canopy; and
- A car wash.

Access to the site will be obtained via Dock Road, Waterfront.

This alternative is deemed as preferred since the decommissioning and the disposal process of the UST's and associated infrastructure will be in accordance with the relevant standards. All fuel lines will be drained of product and flushed before being disconnected from the UST's. The fuel lines will be cold cut, vented and removed from site. All sludge, product and potential contaminated water will be collected by an accredited service provider and sent to a licensed landfill facility. The UST's will be removed from site after being drained and degassed before being sent off-site for disposal or re-use.

Decommissioning without removal

This alternative entails decommissioning of the UST's without the removal of the UST's and having the UST's remain underground with the UST's being slurry filled (concrete filled). However, this alternative is not regarded as feasible as the site must be considered for re-development in the future. In addition, this alternative presents potential environmental impacts that may be unwarranted.

"No-Go" Alternative

The "No-Go" alternative would result in maintaining the *status quo*. However, since the preferred alternative 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 decommissioning and removal of UST's is necessary since the UST's are no longer required. Various re-development options for the site are currently being considered and assessed.

3.2. Groundwater Impacts

No free phase product was found within the groundwater monitoring wells sampled. Traces of hydrocarbon contaminate properties was found in the groundwater sampled however, the risk of groundwater contamination is to be considered to be minimal. Mitigation measures have also been included the EMPr and this Environmental Authorisation.

3.3. Fire Hazard Risk

All employees, contractors and construction staff will be required to comply with Chevron's Health and Safety Policies. The basic fire-fighting equipment, such as portable extinguishers, fire hydrants with hoses and foam based injection into tanks will be available. The contractor will keep the necessary materials and equipment on site to deal with potential spills, leaks and fires. Mitigation measures have however been incorporated into the EMPr and this Environmental Authorisation to ensure potential risks remain minimal.

3.4. Traffic Impacts

An increase in the number of construction vehicles is anticipated during decommissioning of the UST's and associated infrastructure. The access road to and from the site will be temporarily affected during the decommissioning process. However, the increase in the number of construction vehicles is not anticipated to be significant. The traffic impacts will be negligible during the decommissioning phase.

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

3.5. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their comment dated 19 April 2018) that since there is no reason to believe that the proposed decommissioning 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.

3.6. Noise and Dust Impacts

Noise related impacts are anticipated during the decommissioning activities. As such, mitigation measures have been included as conditions set in this Environmental Authorisation and in the EMPr.

Dust related impacts are anticipated during decommissioning activities. However, dust related impacts will be limited to decommissioning activities. Mitigation measures have been included as conditions in this Environmental Authorisation and in the EMPr.

3.7. Impact Assessment and significance rating

- 3.7.1. Potential groundwater contamination has been identified in the BAR as being of low-medium significance prior to and low significance post mitigation.
- 3.7.2. Potential fire risk, health and safety related impacts are identified in the BAR as being of low significance prior and low-medium significance post mitigation.
- 3.7.3. Potential traffic impacts are identified in the BAR as being of low significance post mitigation.
- 3.7.4. Potential noise impacts are identified in the BAR as being of low significance prior to and post mitigation.
- 3.7.5. Potential dust impacts during the decommissioning activities are identified in the BAR as being of low significance prior and post mitigation.

The decommissioning will result in both negative and positive impacts.

Negative Impacts include:

- Decommissioning related impacts (Dust, Noise and traffic); and
- Potential spills and leaks through the decommissioning of the UST's and fuel lines.

Positive impacts include:

- Removing the source (UST's and fuel lines) of potential hydrocarbon contamination;
- Removal of an environmental risk; and
- Future re-development opportunities.

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-----