



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management
(Region 1)

EIA REFERENCE NUMBER: 16/3/3/2/A1/2/3001/19
NEAS REFERENCE: WCP/EIA/0000552/2019
ENQUIRIES: Ms. M. Schippers
DATE OF ISSUE: 2019 -10- 3 1

The Municipal Manager
City of Cape Town
Private Bag X9181
CAPE TOWN
8000

Attention: Mr. A. A. Human

Tel: (021) 400 2366
Fax: (021) 419 5303

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 CLEARANCE OF INDIGENOUS VEGETATION FOR THE DEVELOPMENT OF MANUFACTURING FACILITIES AND ASSOCIATED INFRASTRUCTURE FOR THE RENEWABLE ENERGY SECTOR ON A PORTION OF THE REMAINDER OF ERVEN 277, 246, 254 AND 171, 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 Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: (1) Ms. K. Stroebel CSIR)
(2) Ms. P. Titmuss (City of Cape Town)
(3) Ms. K. Rughoobeer (DEA&DP: DDF)

Fax: (021) 888 2472
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ENVIRONMENTAL AUTHORISATION

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE DEVELOPMENT OF MANUFACTURING FACILITIES AND ASSOCIATED INFRASTRUCTURE FOR THE RENEWABLE ENERGY SECTOR ON A PORTION OF THE REMAINDER OF ERVEN 277, 246, 254 AND 171, 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 and the Environmental Impact Assessment Regulations, 2014 as amended on 07 April 2017 ("NEMA EIA Regulations, 2014") 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 Final Environmental Impact Assessment Report ("EIAR") dated June 2019.

The granting of this environmental authorisation is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

City of Cape Town
c/o Mr. A. A. Human
Private Bag X9181
CAPE TOWN
8001

Tel: (021) 400 2366
Fax: (021) 419 5303

The abovementioned juristic person is the holder of this environmental authorisation and is hereinafter referred to as "the applicant".

B. LISTED ACTIVITIES AUTHORISED

The listed activities in terms of the NEMA EIA Regulations as amended on 07 April 2017.

Listed activities	Activity/Project description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 47 Activity Description:</p> <p><i>The expansion of facilities or infrastructure for the transmission and distribution of electricity where the expanded capacity will exceed 275 kilovolts and the development footprint will increase.</i></p>	<p>The proposed development will result in the expansion of facilities for the transmission and distribution of electricity.</p>
<p>Listing Notice 2 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 15 Activity Description:</p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding 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 will result in the clearance of more than 20ha of indigenous vegetation.</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>i. Western Cape <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</i></p>	<p>The proposed development will include the clearance of 300m² or vegetation classified as an endangered ecosystem.</p>

<p><i>that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <ul style="list-style-type: none"> <i>ii. Within critical biodiversity areas identified in bioregional plans;</i> <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 on erven in urban areas;</i> <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> <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> 	
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The abovementioned is hereinafter referred to as "the listed activities".

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The proposed development entails the removal of indigenous vegetation to accommodate the development of manufacturing facilities and associated infrastructure for the renewable energy sector on a Portion of the Remainder of Erven 277, 246, 254 and 171, Atlantis.

The proposal will entail the utilisation of the entire site for industrial development which is approximately 32.6ha in extent. The buildings that will be located on the proposed site will be in accordance with the existing zoning of the site and of the Atlantis Industrial Area. The relevant municipal building regulations and planning policies will be adhered to in this regard. The proposed development will also entail the expansion of facilities for the transmission and distribution of electricity.

In order to compensate for the loss of indigenous vegetation, an offsite off-set of equal size will be managed as part of the Atlantis Industrial Incentive Scheme.

All services (i.e. potable water, sewage disposal, electricity and solid waste disposal) will connect to the existing municipal infrastructure. Access to the site will be gained from existing roads.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place a Portion of the Remainder of Erven 277, 246, 254 and 171, Atlantis.

The SG 21 digit codes are:

Portion of the Remainder Erf 277
C01600870000027700000

Portion of the Remainder Erf 246
C01600870000024600000

Portion of the Remainder Erf 254
C01600870000025400000

Portion of the Remainder Erf 177
C01600870000017100000

Co-ordinates of the site:

33° 35' 28.1" South
18° 28' 14.8" East

Refer to Annexure 1: Locality Map

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

CSIR
c/o Ms. K. Stroebel
P. O. Box 320
STELLENBOSCH
7599

Tel: (021) 888 2432
Fax: (021) 888 2472

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 EIAR dated June 2019 on the site as described in Section C above.
2. The holder must commence with the listed activities within the stipulated validity period which this environmental authorisation is granted for, or this environmental authorisation shall lapse and a new application for environmental authorisation must be submitted to the competent authority.
3. This environmental authorisation is granted for a period of five (5) years, from the date of issue, during which period the holder must commence with the authorised 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 preferred 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 seven calendar days notice, in writing, must be given to the competent authority before commencement of the development phase.
 - 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 condition described herein:

Condition: 7, 13 and 17.

Notification and administration of appeal

7. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4 (2) –
 - 7.1. Notify all registered interested and affected parties of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Annexure 2;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date of issue of the decision;
 - 7.2. Draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 detailed in section F below;
 - 7.3. Draw the attention of all registered interested and affected parties to the manner in which they may access the decision;
 - 7.4. Provide the registered Interested and Affected Parties with-
 - 7.4.1. the name of the holder (entity) of this environmental authorisation;
 - 7.4.2. the name of the responsible person for this environmental authorisation;
 - 7.4.3. the postal address of the holder;
 - 7.4.4. the telephonic and fax details of the holder;
 - 7.4.5. the e-mail address if any; and
 - 7.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.

Commencement

8. The listed activities, including site preparation, must not be commenced with within twenty (20) calendar days from the date the applicant notified the registered I&APs of this decision.
9. In the event that an appeal is lodged with the Appeal Authority, the effect of this environmental authorisation is suspended until the appeal is decided.

Management of activity

10. The draft Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is hereby approved and must be implemented.

11. An application for amendment to the EMPr must be submitted to the competent authority if any amendments are to be made to the EMPr other than those required by this environmental authorisation, and this may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO"), or site agent where appropriate to ensure compliance with the EMPr and the conditions contained herein.
14. A copy of the environmental authorisation and the EMPr, audit reports and compliance monitoring reports must be kept at the site and must be made available to anyone on request.
15. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The environmental authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Auditing

16. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the environmental authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority.
 - 16.1. The audit reports 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);
 - 16.2. The holder must undertake an environmental audit within 6 (six) months of the commencement of the listed activities.
 - 16.5. A final audit report must be submitted to the competent authority within 6 months of completion of the listed activities;
 - 16.6. The audit reports must indicate compliance status with the conditions of this environmental authorisation, and the EMPr and make recommendations for improved environmental management;
 - 16.7. The holder must, within 7 days of the submission of an audit report to the Competent Authority, notify potential and registered I&APs of the submission and make the report available to anyone on request; and
 - 16.8. If the audit reports are not submitted, the competent authority may give 30 days written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.

Specific conditions

17. A search and rescue programme for plant species that can be relocated must be carried out by a suitably qualified person and must be implemented before commencement of the proposed development.
18. Approximately 32.6ha must be deducted from the City of Cape Town's land banking Scheme to compensate for the loss of indigenous vegetation as a result of the proposed development. Proof of the transfer must be submitted to this Department for record purposes.
19. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.
20. 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.
21. All noise and sounds generated during the proposed development must comply with the relevant SANS codes and standards and the relevant noise regulations.
22. Dust suppression methods must be used to mitigate dust during the development phase. No potable water must be used for dust suppression. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation, etc.) must be implemented instead.
23. The use of all generators on site must include the use of drip trays.
24. The following conditions regarding the temporary storage of fuel on site during construction must be complied with:
 - 24.1. The combined capacity of the temporary fuel storage tanks must not exceed 30m³;
 - 24.2. Temporary fuel storage tanks must be bunded (110% of the proposed tank's capacity) to contain any possible spills and to prevent any infiltration of fuel into the ground; and
 - 24.3. Temporary fuel storage tanks must be designed and installed in accordance with relevant SANS codes. The tanks must be constructed to conform to the requirements of all relevant legislation.

F. GENERAL MATTERS

1. The holder is 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.
2. Any changes to, or deviations from the scope of the description set out 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 such information as it deems necessary 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.
3. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.

4. The applicant must submit an application for amendment in terms of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended) of the environmental authorisation to the competent authority where any detail or scope with respect to the environmental authorisation must be amended, added, substituted, corrected, removed or updated.
5. 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.
6. Non-compliance with a condition of this environmental authorisation or EMPr may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the holder) must –
 - 1.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the Competent Authority of this decision:
2. An appellant (if NOT the holder) must –
 - 2.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&AP, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of the decision.
3. The holder (if not the appellant), the decision-maker, I&AP and 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. This appeal and responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

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

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to mailto: DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail to mail to: DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where development or operation subsequent to development 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: 31/10/2019

Copies to: (1) Ms. K. Stroebel (CSIR)
(2) Ms. P. Timuss (City of Cape Town)
(3) Ms. K. Rughoobee (DEA&DP: DDF)

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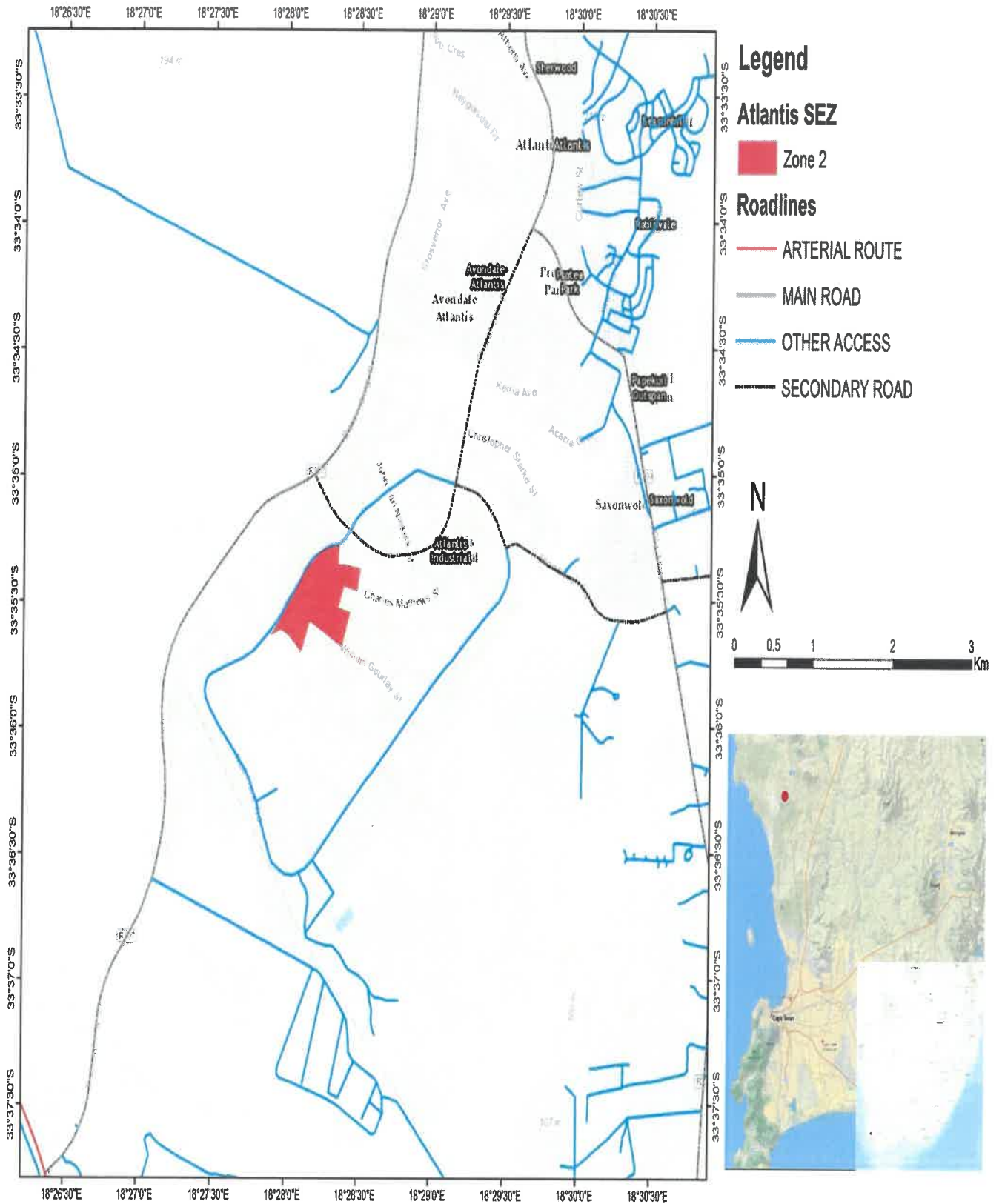
EIA REFERENCE NUMBER:

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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The listed activities applicable in terms of the NEMA EIA Regulations as amended on 07 April 2017.
- b) The information contained in the application form dated 17 January 2019 and received by the competent authority on 18 January 2019, the EIAR received by the competent authority on 18 July 2019 and the EMPr submitted together with the EIAR;
- c) The assessment of the activities in the EIAR received by the competent authority on 18 July 2019;
- d) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- e) 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);
- f) The comments received from interested and affected parties and the responses provided thereon, as included in the EIAR received by the Department on 18 July 2019; and
- g) 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 which, according to the competent authority, were the most significant reasons for the decision, is set out below.

1. Public Participation

The public participation process ("PPP") included, *inter alia*, the following:

- identification of and engagement with interested and affected parties;
- fixing a notice board at the site where the listed activities are to be undertaken;
- giving written notice to the owners of the land and 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; and
- the placing of a newspaper advertisement in the 'Cape Times' on 25 October 2019 and the 'Die Burger' on 25 October 2019.

Specific management and mitigation measures have been considered in this environmental authorisation and in the EMPr to adequately address significant concerns raised.

2. Alternatives

A site selection investigation was undertaken to determine which sites within the City of Cape Town were suitable for the proposed development. The contributing factors in selecting the site was the location to supply large components to the wind energy developments along the West Coast and the sites proximity to the N7 and R27 which will allow for significant transportation advantages. The site in the Atlantis Industrial Area was therefore selected.

Preferred alternative (herewith authorised)

The preferred alternative entails the removal of indigenous vegetation to accommodate the development of manufacturing facilities and associated infrastructure for the renewable energy sector on a Portion of the Remainder of Erven 277, 246, 254 and 171, Atlantis.

The proposal will entail the utilisation of the entire site for industrial development which is approximately 32.6ha in extent. The buildings that will be located on the proposed site will be in accordance with the existing zoning of the site and of the Atlantis Industrial Area. The relevant municipal building regulations and planning policies will be adhered to in this regard. The proposed development will also entail the expansion of facilities for the transmission and distribution of electricity.

In order to compensate for the loss of indigenous vegetation, an offsite off-set of equal size will be managed as part of the Atlantis Industrial Incentive Scheme.

"No-Go" Alternative

The "no-go" alternative was not considered appropriate as there is a great need for industrial opportunities in the area. The potential impacts associated with the proposed development are regarded as acceptable and with the implementation of the environmental authorisation and the EMP, will be managed to acceptable levels.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

The site is zoned General Industrial and is located in the Atlantis Industrial Area. The need for renewable energy is becoming important to South Africa in light of the energy shortages that are being experienced in the country. The development of these manufacturing facilities for the renewable energy sector is therefore important.

Historically, Atlantis was a de-centralised zone for manufacturing. The Atlantis area will benefit from the proposed development as it has the potential to attract large investments into the area. The planned roll out of renewable energy in South Africa has the potential to result in significantly high investments.

3.2. Biophysical Environment

According to the Botanical Impact Assessment Report (dated September 2018 and compiled by Bergwind Botanical Surveys), the vegetation occurring on the site is Cape Flats Dune Strandveld classified as an endangered ecosystem in terms of the National Environmental Management: Biodiversity Act of 2004 ("NEM:BA"), List of Threatened Ecosystems in Need of Protection, December 2011). The site supports 11.92ha of intact vegetation, 1.81ha of semi-intact vegetation, 6.67ha of degraded vegetation, 0.9ha of highly degraded vegetation and 4.26ha of the site has been transformed. The areas that contain the intact and semi-intact vegetation on the proposed site is regarded to be of high botanical sensitivity and the areas that contain degraded vegetation is regarded to be of low to medium botanical sensitivity. To compensate for the loss of endangered vegetation, an offsite off-set of equal size will be managed as part of the Atlantis Industrial Incentive Scheme.

3.3. Visual Impacts

The proposed development may result in visual impacts on the surrounding environment as a result of the new buildings to be developed. Mitigation measures have been included in the final EIAR to ensure that potential visual impacts are minimised. In addition, the site is located within the Atlantis Industrial Area and other industrial and manufacturing facilities exist on the sites in the area.

3.4. Heritage Impacts

Heritage Western Cape in comment (dated 14 March 2019) indicated that there is no reason to believe that the proposed development will have an impact on heritage resources and that no further action under Section 38 of the National Heritage Resources Act (Act No. 25 of 1999) is required.

3.5. Services

The proposed development will connect to the existing municipal infrastructure for the required municipal services (i.e. potable water, sewage disposal, electricity and solid waste disposal). The local authority has confirmed in correspondence dated 02 October 2019, 10 October 2019 and 23 October 2019 that sufficient capacity exists to provide the necessary services as mentioned above.

3.6. Noise Impacts

All noise and sounds generated during the development and operational phase of the proposed development will comply with the relevant SANS codes and standards and the municipal by-laws. Furthermore, noise impacts will be mitigated by the implementation of the conditions in this environmental authorisation and the EMPr.

3.7. Dust Impacts

Potential dust generated during the development phase will be mitigated by the implementation of the conditions of this environmental authorisation and the mitigation measures included in the EMPr. No potable water will be used to mitigate dust nuisance as far as is practically possible. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation) will be implemented instead.

3.8. Impact Assessment and significance rating

- 3.8.1. The loss of indigenous vegetation as a result of the proposed development phase has been identified in the EIAR as being of low negative significance after mitigation. An offsite off-set of equal size will be managed as part of the Atlantis Industrial Incentive Scheme. The impacts will be further mitigated by the implementation of the EMPr and conditions of this environmental authorisation.
- 3.8.2. Potential noise impacts as a result of the proposed development have been identified in the EIAR as being of negligible negative significance after mitigation. Potential impacts will be mitigated by the implementation of the EMPr and conditions of this environmental authorisation.
- 3.8.3. The generation of dust as a result of the proposed development has been identified in the EIAR as being of low negative significance as appropriate dust suppression methods will be implemented. Potential impacts will be mitigated by the implementation of the EMPr and conditions of this environmental authorisation.

National Environmental Management Act Principles

The National Environmental Management Act 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.

The development will result in both negative and positive impacts.

Negative Impacts Include:

- Loss of indigenous vegetation;
- Potential visual impact; and
- Potential noise and dust impacts.

Positive impacts Include:

- Some employment opportunities during development operation;
- Optimal use of available land in the area; and
- Economic benefits.

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 the 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-