



**EIA REFERENCE:** 16/3/3/1/E2/10/1093/18  
**NEAS REFERENCE:** WCP/EIA/0000536/2018  
**ENQUIRIES:** Lorretta Osborne  
**DATE OF ISSUE:** 2019 -06- 11

The Board of Directors  
Irvin & Johnson Limited  
PO Box 1628  
**CAPE TOWN**  
8000

**Attention: Mr M Ahmed**

Tel: (021) 440 7251  
E-mail: [Ashaque@ij.co.za](mailto:Ashaque@ij.co.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND THE ADOPTION OF A MAINTENANCE MANAGEMENT PLAN ("MMP") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE DEVELOPMENT OF AN ABALONE PROCESSING FACILITY ON REMAINDER OF FARM KLIPFONTEIN NO. 711, DANGER POINT NEAR GANSBAAI**

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 Environmental Authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), 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**

CC: (1) Mr C Bruwer (EnviroAfrica CC)  
(2) Mr FP Myburgh (Overstrand Municipality)  
(3) [bkondokter@overstrand.gov.za](mailto:bkondokter@overstrand.gov.za) (Overstrand Municipality)  
(4) [cgroenewald@overstrand.gov.za](mailto:cgroenewald@overstrand.gov.za) (Overstrand Municipality)  
(5) [mm@odm.org.za](mailto:mm@odm.org.za) (Overberg District Municipality)  
(6) [crampartab@capenature.co.za](mailto:crampartab@capenature.co.za) (CapeNature)

Fax: (086) 513 2141  
Fax: (086) 298 3393



**EIA REFERENCE:** 16/3/3/1/E2/10/1093/18  
**NEAS REFERENCE:** WCP/EIA/0000536/2018  
**ENQUIRIES:** Lorretta Osborne  
**DATE OF ISSUE:** 2019 -06- 11

## 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 DEVELOPMENT OF AN ABALONE PROCESSING FACILITY ON REMAINDER OF FARM KLIPFONTEIN NO. 711 DANGER POINT NEAR GANSBAAI

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 Southern Location Alternative described in the Basic Assessment Report ("BAR"), dated February 2019.

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

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

The Board of Directors  
Irvin & Johnson Limited  
% Mr M Ahmed  
PO Box 1628  
**CAPE TOWN**  
8000

Tel: (021) 440 7251  
E-mail: [Ashaque@ij.co.za](mailto:Ashaque@ij.co.za)

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	Activities/Project Description
<p>Listing Notice 1 of 2014-</p> <p><b>Activity Number: 8</b></p> <p><i>The development and related operation of hatcheries or agri-industrial facilities outside industrial complexes where the development footprint covers an area of 2000 square metres or more.</i></p>	<p>The development footprint of the processing facility will exceed 2000 square metres.</p>
<p>Listing Notice 3 of 2014 –</p> <p><b>Activity Number: 4</b></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</i></p> <p><i>(i) Western Cape:</i></p> <ul style="list-style-type: none"> <li><i>i. areas zoned for use as public open space or equivalent zoning</i></li> <li><i>ii. <b>areas outside urban areas;</b> <b>(aa) areas containing indigenous vegetation;</b> <i>(bb) areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</i></i></li> <li><i>iii. inside urban areas:</i> <ul style="list-style-type: none"> <li><i>(aa) areas zoned for conservation use; or</i></li> <li><i>(bb) areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</i></li> </ul> </li> </ul>	<p>Part of the access road to the site will be developed outside an urban area, which contains indigenous vegetation.</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 development:

The proposal entails the development of an abalone processing facility on Remainder of Farm Klipfontein No. 711, Danger Point near Gansbaai. The processing areas, offices, stores, a diesel fired boiler, off-loading areas and parking areas will be approximately 4000m<sup>2</sup> in extent. A 50m access road will be developed from Van Bloemenstein Street. The facility will produce approximately 350 000kg of sale weight abalone per annum. Electricity, water supply, sewage and solid waste services will be provided by the Overstrand Municipality.

### C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Remainder of Farm Klipfontein No. 711, Danger Point near Gansbaai.

The SG21 digit code is: C01300090000000000711,

Co-ordinates: Latitude: 34° 37' 36.33" South  
Longitude: 19° 18' 26.06" East,

Co-ordinates of 50m access road:

	Latitude (S):			Longitude (E):		
Starting point	34°	37'	34.58"	19°	18'	21.96"
Middle point	34°	37'	35.13"	19°	18'	22.64"
End point	34°	37'	35.28"	19°	18'	24.09"

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Enviro Africa CC

% Mr C Bruwer

PO Box 4

**ONRUS**

7201

Tel.: (028) 316 2888

Fax: (086) 513 2141

### 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, Southern Location Alternative, described in the BAR dated February 2019 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue within which commencement must occur.
3. The construction phase of the development must be concluded within **ten (10) years** from the date of commencement of the first 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. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of clearing and construction activities. The notice must:
  - 6.1 make clear reference to the site details and EIA Reference number given above; and
  - 6.2 also include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 11, 17 and 18.

#### **Notification and administration of appeal**

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1 the outcome of the application;
    - 7.1.2 the reasons for the decision as included in Annexure 3;
    - 7.1.3 the date of the decision; and
    - 7.1.4 the date when the decision was issued.
  - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals 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; and
  - 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; and
    - 7.4.6 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 (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

## **Management of activities**

9. The draft Environmental Management Programme (hereinafter referred to as the "EMPr") dated August 2018, submitted as part of the application for Environmental Authorisation, is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

## **Monitoring**

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including on a publicly accessible website.
13. Access to the site referred to in Section C 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, 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).

The holder must undertake an environmental audit quarterly for the duration of the construction phase and submit Environmental Audit Reports to the Competent Authority once every six months during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority six months after operation commenced.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

## **Specific Conditions**

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. 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.
17. The development area must be clearly demarcated prior to commencement of clearing and construction activities. All areas outside the development footprint must be treated as no-go areas.
18. A Search and Rescue operation must be conducted within the development footprint during late autumn and late spring. Bulbs, succulents and any other species deemed to be transplantable must be relocated to areas already under rehabilitation or into the remaining property. This relocation must be undertaken by a suitably qualified and experienced botanical specialist prior to commencement of clearing activities and confirmation thereof submitted to CapeNature.
19. The abalone wash water may not be used for irrigation purposes at the abalone processing facility. The wash water must be discarded via existing conservancy tanks on the abalone farm.

## **F. GENERAL MATTERS**

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

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

## **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 on which 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 on which 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 Organs 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 Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile:           (021) 483 4174; or

By hand:                 Attention: Mr Jaap de Villiers (Tel: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001



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

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

Your interest in the future of our environment is appreciated.

Yours faithfully

---

**MR ZAHIR JOFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

DATE OF DECISION: 11/06/2019

- CC: (1) Mr C Bruwer (EnviroAfrica CC)  
(2) Mr FP Myburgh (Overstrand Municipality)  
(3) [bkondokter@overstrand.gov.za](mailto:bkondokter@overstrand.gov.za) (Overstrand Municipality)  
(4) [cgroenewald@overstrand.gov.za](mailto:cgroenewald@overstrand.gov.za) (Overstrand Municipality)  
(5) [mm@odm.org.za](mailto:mm@odm.org.za) (Overberg District Municipality)  
(6) [crampartab@capenature.co.za](mailto:crampartab@capenature.co.za) (CapeNature)

Fax: (086) 513 2141

Fax: (086) 298 3393

**ANNEXURE 1: LOCALITY MAP**

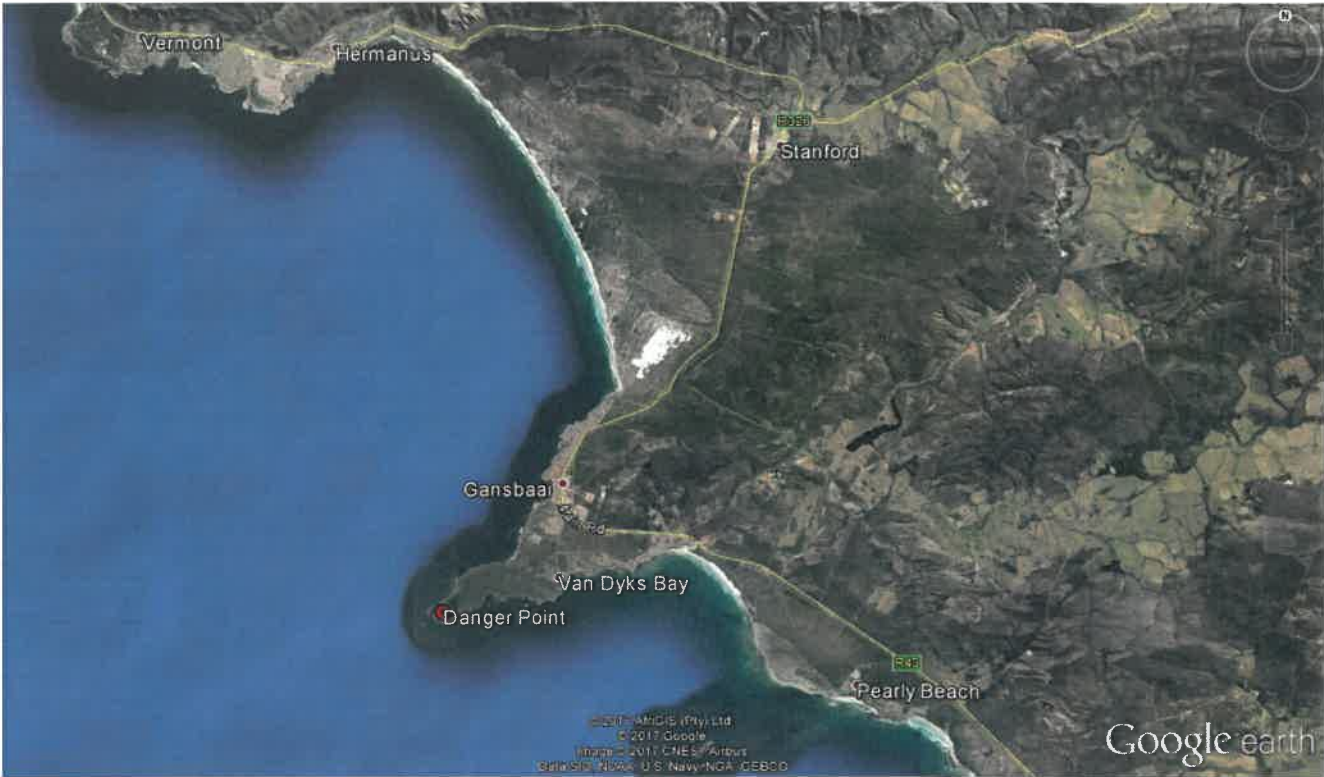


Figure 1: Locality map of Remainder of Farm Klipfontein No. 711, Danger Point near Gansbaai

## ANNEXURE 2: SITE PLAN

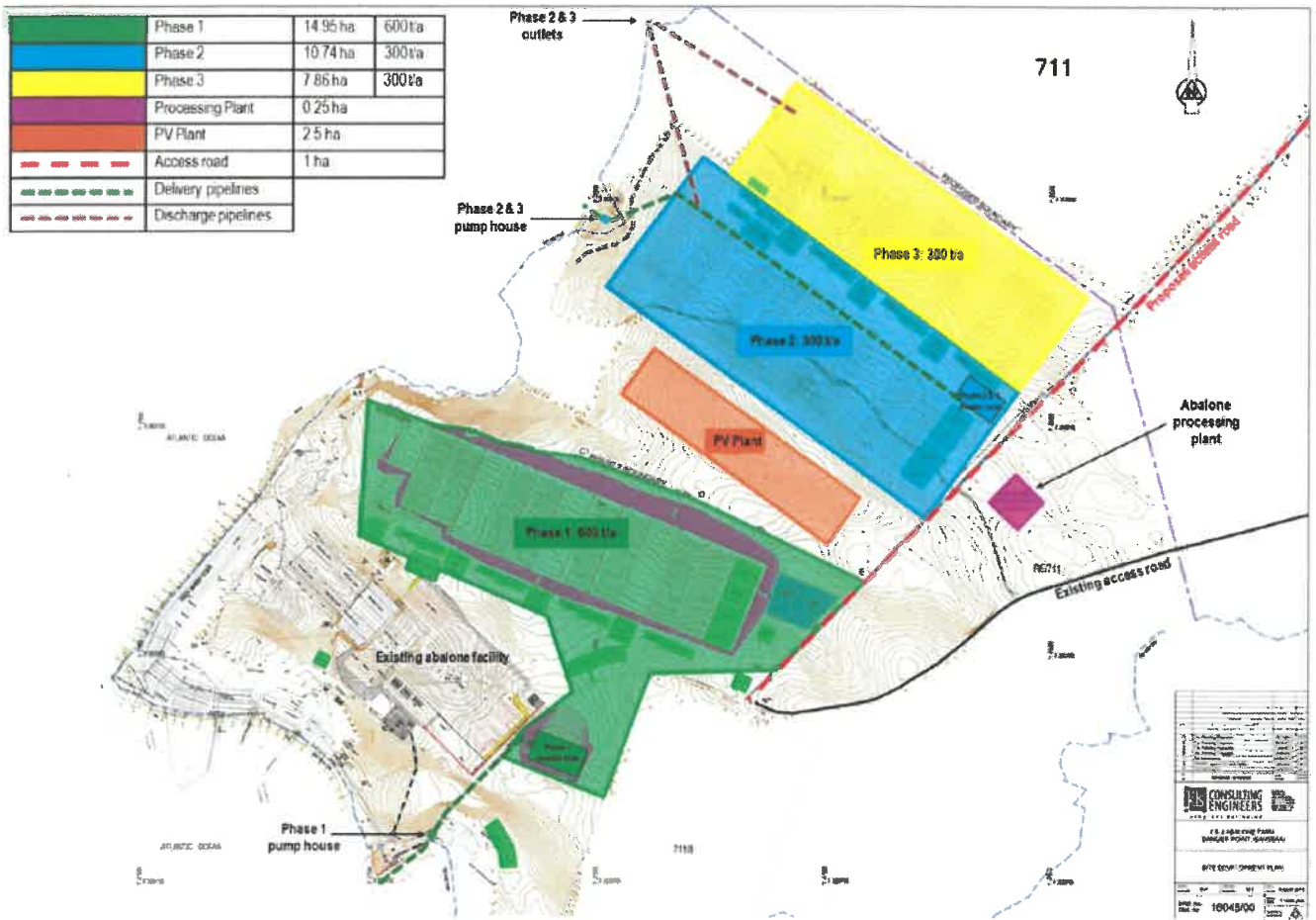


Figure 2: Site Plan indicating the location of the processing facility (purple block) on Remainder of Farm Klipfontein No. 711, Danger Point near Gansbaai. The other components will be developed as part of the authorized expansion for the existing abalone facility (Reference number: 16/3/3/2/E2/4/1027/18).

## **ANNEXURE 3: REASONS FOR THE DECISION**

In reaching its decision, the Competent Authority considered, amongst others, the following:

- a) The information contained in the Application Form submitted on 26 November 2018, the BAR submitted on 20 February 2019, the EMPr submitted together with the BAR on 20 February 2019 and the amended Application form submitted on the same day;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated February 2019; and
- e) The balancing of negative and positive impacts and proposed mitigation measures;

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 during 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:

- Giving written notice and Background Information documents to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 15 November 2017 and 26 November 2018;
- Placing site notices on 16 November 2017;
- Placing newspaper advertisements in the "Hermanus Times" newspaper and "Gansbaai Courant" newspaper on 16 November 2017;
- Public meetings were held on 12 January 2018 and 26 February 2018; and
- Circulating the in-process draft BAR to I&APs for public review from 26 November 2018.

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

The Competent Authority notes 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

The following alternatives were considered:

### 2.1 Location Alternatives:

Due to the sensitivity of both internal and external biosecurity as well as security against criminal elements from outside the abalone farm, certain factors were taken into consideration when selecting alternative locations for the processing facility i.e. placement inside the security fence of the abalone farm. There were only two locations identified on the property where the processing plant could be developed. Both sites are located between the eastern boundary of the existing abalone farm and the existing twin-track that will be developed to a new access road as per the approved expansion application (Reference number: 16/3/3/2/E2/4/1027/18).

#### Southern Location Alternative (Herewith authorised):

This alternative entails the development of an abalone processing facility on Remainder of Farm Klipfontein No. 711, Danger Point near Gansbaai. The processing areas, offices, stores, a diesel fired boiler, off-loading areas and parking areas will be approximately 4000m<sup>2</sup> in extent. A 50m access road will be developed from Van Bloemenstein Street. The facility will produce approximately 350 000kg of sale weight abalone per annum. Electricity, water supply, sewage and solid waste services will be provided by the Overstrand Municipality.

This alternative is preferred since it is less intrusive on the skyline as seen from Marine Drive scenic route. From a visual perspective, this alternative is preferred, as the height will be 8m high. The access required for this alternative will result in the removal of 120m<sup>2</sup> of indigenous vegetation as opposed to 250m<sup>2</sup> as required for the Northern Location Alternative. It is located closer to the existing abalone production area from where the abalone to be processed will be sourced.

#### Northern Location Alternative:

This alternative will be similar to the Southern Location Alternative, except that it will be located approximately 450m to the north of the Southern Location Alternative.

This alternative was not preferred since it will result in a negative visual impact along Marine Drive, as the height will be 11m high. The access that will be required from Van Bloemenstein Street will result in the removal of 250m<sup>2</sup> of indigenous vegetation as opposed to 120m<sup>2</sup> as required for the Southern Location Alternative. It is located further away from the existing abalone production area from where the abalone to be processed will be sourced.

### 2.2 Design Alternative:

#### Visual Design Alternative:

The initial design for the abalone processing facility was at a height restriction of 11m. However, the Visual Impact Assessment dated August 2018, recommended a height restriction of 8m. From a visual perspective, the 8m height restriction is the preferred option.

#### "No-Go" Alternative:

The option of not developing the abalone processing facility was considered. However, it is not preferred since it will not provide an opportunity to increase the economic viability of the farm, job creation and community upliftment. The risk of hijacking of vehicles transporting unprocessed abalone en route from the abalone farm to the existing processing facility in Hermanus will continue taking place.

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

#### **3.1 Activities need and desirability**

Unprocessed abalone transported to the processing facility in Hermanus has become a target for criminal elements, as the current demand for abalone surpasses the supply of the commodity. Thus there is a need for the on-site processing facility. The development of the abalone processing facility will lead to better biosecurity between the farming area and the processing facility being within the same security area. It will also lead to more efficient operation of the existing Abalone Culture Division, which will increase job security.

#### **3.2 Biodiversity and Biophysical Impacts**

The facility will be located on Remainder of Farm Klipfontein No. 711, Danger Point. According to the Botanical Assessment, most of the area is characterized by Overberg Dune Strandveld, which is classified as least threatened in terms of Section 52 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA"). Large portions of the site are mapped as a Critical Biodiversity Area. A search and rescue operation (included in Section E, Condition 18) of all conservation worthy species will be conducted prior to the commencement of construction activities. The remainder of the farm will be managed as a conservation area. The potential impacts on vegetation that may result from the proposed development will be further mitigated by the implementation of the conditions of this Environmental Authorisation and the mitigation measures in the EMPr (accepted in Section E, Condition 9). No freshwater resources occur on site or within the development footprint.

#### **3.3 Construction Phase Impacts, e.g. Noise, Dust**

The construction phase of the development will result in dust impacts. However, this impact will be of low significance with the implementation of the mitigation measures in the EMPr.

Noise during the construction phase is anticipated, but will be of a temporary nature and noise during the operational phase will be negligible. With the implementation of mitigation measures from the Environmental Noise Specialist Study, dated March 2018, conducted by Airshed Planning Professionals, the residual noise impact would be of low significance.

#### **3.4 Visual Impact**

The development of the building in the lowest depression area and limiting the height restriction to 8m, together with the implementation of the mitigation measures provided in the Visual Impact Assessment, dated August 2018, will minimize the impact on the surrounding environment significantly.

#### **3.5 Traffic Impact**

The development of the facility will result in an increase in traffic on the road network during the construction phase and the operational phase. Heavy vehicles will be redirected off Marine Drive via Van Bloemenstein Street, to be upgraded as part of the authorized expansion for the existing abalone facility (Reference number: 16/3/3/2/E2/4/1027/18). The Traffic Impact Assessment dated July 2018, conducted by Deca Consulting Engineers, concluded that the proposed development will be accommodated subject to the implementation of the recommendations made in the abovementioned Traffic Impact Assessment. These have been included in the EMPr.

The development will result in both negative and positive impacts.

**Negative Impacts:**

- The development will result in the loss of natural vegetation, which will be effectively mitigated to a low negative significance.
- It was determined that the potential negative impacts during the construction phase of the development, such as noise, traffic and visual impacts, will be of low significance after mitigation.

**Positive impacts:**

- The development will strengthen the economic viability of the farm and provide additional employment opportunities.
- The risk of hijacking of vehicles transporting unprocessed abalone will be minimised.
- The remainder of the farm will be managed as a conservation area.

**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, 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.

-----END-----