**DIRECTORATE: LAND MANAGEMENT  
REGION 3**

**EIA REFERENCE NUMBER:** EG12/2/3/2/D6/27/1286/09  
**ENQUIRIES:** Shireen Pullen  
**DATE OF ISSUE:** 2013-05-27

The Municipal Manager  
Eden District Municipality  
PO Box 12  
**GEORGE**  
6530

**Attention: Mr. M. Hubbe**

Tel: 044 803 31572  
Fax: 086 555 6422

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2010: THE PROPOSED CONSTRUCTION OF A REGIONAL SOLID WASTE DISPOSAL FACILITY FOR THE EDEN DISTRICT MUNICIPALITY**

With reference to your application for the abovementioned, find below the outcome with respect to this application.

**ENVIRONMENTAL AUTHORISATION**

**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, 2006, ("NEMA EIA Regulations") the competent authority herewith **grants environmental authorisation** to the applicant to undertake the list of activities specified in section B below with respect to Alternative 1 described in the Environmental Impact Report ("EIR") dated October 2012 and received by this Department on 30 January 2013.

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**

The Municipal Manager  
c/o Mr. M. Hubbe  
Eden District Municipality  
PO Box 12  
**GEORGE**  
6530

Tel: (044) 693 0006  
Fax: (044) 693 3159

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

**B. LIST OF ACTIVITIES AUTHORISED**

Government Notice 386 of 21 April 2006

Activity 1(k)

*The construction of facilities or infrastructure, including associated structures or infrastructure, for the bulk transportation of sewage and water, including storm water, in pipelines with -*

- (i) an internal diameter of 0,36 metres or more; or*
- (ii) a peak throughput of 120 litres per second or more;*

Activity 1(m)

*The construction of facilities or infrastructure, including associated structures or infrastructure, for any purpose in the one in ten year flood line of a river or stream, or within 32 metres from the bank of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, including-*

- (i) canals;*
- (ii) channels;*
- (iii) bridges;*
- (iv) dams; and*
- (v) weirs.*

Activity 4

*The dredging, excavation, infilling, removal or moving of soil, sand or rock exceeding 5 cubic metres from a river, tidal lagoon, tidal river, lake, in-stream dam, floodplain or wetland.*

Activity 7

*The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic metres but less than 1 000 cubic metres at any one location or site.*

Activity 12

*The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).*

**Activity 13**

The abstraction of groundwater at a volume where any general authorisation issued in terms of the National Water Act, 1998 (Act No. 36 of 1998) will be exceeded.

**Activity 15**

The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.

**Activity 16**

The transformation of undeveloped, vacant or derelict land to –

- (a) establish infill development covering an area of 5 hectares or more, but less than 20 hectares; or
- (b) residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.

**Activity 18**

The subdivision of portions of land 9 hectares or larger into portions of 5 hectares or less.

**Activity 23**

The decommissioning of existing facilities or infrastructure, other than facilities or infrastructure that commenced under an environmental authorisation issued in terms of the Environmental Impact Assessment Regulations, 2006 made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006, for-

- (a) electricity generation;
- (b) nuclear reactors and storage of nuclear fuel;
- (c) industrial activities where the facility or the land on which it is located is contaminated or has the potential to be contaminated by any material which may place a restriction on the potential to re-use the site for a different purpose;
- (d) the disposal of waste;
- (e) the treatment of effluent, wastewater and sewage with an annual throughput capacity of 15 000 cubic metres or more;
- (f) the recycling, handling, temporary storage or treatment of general waste with a daily throughput capacity of 20 cubic metres or more; or
- (g) the recycling, handling, temporary storage or treatment of hazardous waste.

Government Notice 387 of 21 April 2006

**Activity 1 (q)**

The construction of facilities or infrastructure, including associated structures or infrastructure, for the incineration, burning, evaporation, thermal treatment, roasting or heat sterilisation of waste or effluent, including the cremation of human or animal tissue;

**Activity 1 (s)**

The construction of facilities or infrastructure including associated structures or infrastructure, for rail transportation, excluding railway lines and sidings in industrial areas and underground railway lines in mines, but including -

- (i) railway lines;
- (ii) stations; or
- (iii) shunting yards;

**Activity 2**

Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.

**Government Notice No. R544 of 18 June 2010 –****Activity 9****Activity Description:**

The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water -

- (i) with an internal diameter of 0,36 metres or more; or
- (ii) with a peak throughput of 120 litres per second or more,

excluding where:

- a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve; or
- b. where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.

**Activity 11****Activity Description:**

"The construction of:

- (i) canals;
- (ii) channels;
- (iii) bridges;
- (iv) dams;
- (v) weirs;
- (vi) bulk storm water outlet structures;
- (vii) marinas;
- (viii) jetties exceeding 50 square metres in size;
- (ix) slipways exceeding 50 square metres in size;
- (x) buildings exceeding 50 square metres in size; or
- (xi) infrastructure or structures covering 50 square metres or more

where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line";

**Activity 13****Activity Description:**

The construction of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres

#### Activity 22

##### Activity Description:

The construction of a road, outside urban areas,

- (i) with a reserve wider than 13,5 meters or,
- (ii) where no reserve exists where the road is wider than 8 metres, or
- (iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 2 of 2010.

#### Activity 23

##### Activity Description:

The transformation of undeveloped, vacant or derelict land to –

- (i) residential, retail, commercial, recreational, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, or
- (ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; -

except where such transformation takes place for

(i) linear activities;

(ii) for purposes of agriculture or afforestation, in which case Activity 16 of Notice No. R. 545 applies.

#### Activity 37

##### Activity Description

The expansion of facilities or infrastructure for the bulk transportation of water, sewage or storm water where:

- (a) the facility or infrastructure is expanded by more than 1000 metres in length; or
- (b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more–

excluding where such expansion:

- (i) relates to transportation of water, sewage or storm water within a road reserve; or
- (ii) where such expansion will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.

#### Activity 39

##### Activity Description

The expansion of

- (i) canals;
- (ii) channels;
- (iii) bridges;
- (iv) weirs;
- (v) bulk storm water outlet structures;
- (vi) marinas;

within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, where such expansion will result in an increased

development footprint but excluding where such expansion will occur behind the development setback line.

#### Activity 47

##### Activity Description

The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre -

- (i) where the existing reserve is wider than 13,5 meters; or
- (ii) where no reserve exists, where the existing road is wider than 8 metres – excluding widening or lengthening occurring inside urban areas.

### **Government Notice No. R545 of 18 June 2010–**

#### Activity Number 5

##### Activity Description

The construction of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent and which is not identified in Notice No. 544 of 2010 or included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case that Act will apply.

#### Activity Number 15

##### Activity Description

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more;

except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply.

#### Activity 26

##### Activity Description

Commencing of an activity, which requires an atmospheric emission license in terms of section 21 of the National Environment Management: Air Quality Act, 2004 (Act No. 39 of 2004), except where Activity 28 in Notice No. R. 544 of 2010 applies.

### **Government Notice No. R546 of 18 June 2010–**

#### Activity 4

##### Activity Description:

The construction of a road wider than 4 metres with a reserve less than 13,5 metres.

##### **(d) In Western Cape:**

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:
  - (aa) Areas zoned for use as public open space within urban areas; and

- (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.

#### Activity 10

##### Activity Description

The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.

#### **(e) In Western Cape:**

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. Inside urban areas:
  - (aa) Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;
  - (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.

#### Activity 12

##### Activity Description

The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

- (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- (b) Within critical biodiversity areas identified in bioregional plans;
- (c) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line or erven in urban areas.

#### Activity 13

##### Activity Description

The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

- (1) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list.
- (2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN No 544 of 2010.

#### **(a) In the Western Cape:**

- i. In an estuary;
- ii. Outside urban areas, the following:
  - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;

- (bb) National Protected Area Expansion Strategy Focus areas;
  - (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
  - (dd) Sites or areas identified in terms of an International Convention;
  - (ee) Core areas in biosphere reserves;
  - (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;
  - (gg) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.
- iii. In urban areas, the following:
- (aa) Areas zoned for use as public open space;
  - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;
  - (cc) Areas seawards of the development setback line;
  - (dd) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.

#### Activity 14

##### Activity Description

The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

- (1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;
- (2) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: W
- (3) Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list;
- (4) the undertaking of a linear activity falling below the thresholds in Notice 544 of 2010.
  - a) In Eastern Cape, Free State, KwaZulu-Natal, Gauteng, Limpopo, Mpumalanga, Northern Cape, Northwest and Western Cape:
    - i) All areas outside urban areas.

#### Activity 16

##### Activity Description

The construction of:

- (i) jetties exceeding 10 square metres in size;
- (ii) slipways exceeding 10 square metres in size;
- (iii) buildings with a footprint exceeding 10 square metres in size; or
- (iv) infrastructure covering 10 square metres or more



where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

**d) In Western Cape:**

- i. All watercourses;
- ii. In an estuary;
- iii. Outside urban areas, in:
  - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
  - (bb) National Protected Area Expansion Strategy Focus areas;
  - (cc) World Heritage Sites;
  - (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
  - (ee) Sites or areas identified in terms of an International Convention;
  - (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;
  - (gg) Core areas in biosphere reserves;
  - (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;
- (ii) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.
- iv. Inside urban areas:
  - (aa) Areas zoned for use as public open space;
  - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;
  - (cc) Areas seawards of the development setback line or within 100 metres of the high water mark where no setback line.

**Activity 19**

**Activity Description**

The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.

**(d) In Western Cape:**

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:
  - (aa) Areas zoned for use as public open space within urban areas;
  - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.

**Activity 24**

**Activity Description**

The expansion of -

- (a) jetties where the jetty will be expanded by 10 square metres in size or more;
  - (b) slipways where the slipway will be expanded by 10 square metres or more;
  - (c) buildings where the buildings will be expanded by 10 square metres or more in size; or
  - (d) infrastructure where the infrastructure will be expanded by 10 square metres or more
- where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

**(d) In Western Cape**

- i. In an estuary;
- ii. All watercourses;
- iii. Outside urban areas, in:
  - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
  - (bb) National Protected Area Expansion Strategy Focus areas;
  - (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
  - (dd) Sites or areas identified in terms of an International Convention;
  - (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;
  - (ff) Core areas in biosphere reserves;
  - (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;
  - (hh) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.
- iv. Inside urban areas:
  - (aa) Areas zoned for use as public open space;
  - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.

The abovementioned list is hereinafter referred to as "the listed activities".

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

**Alternative 1:**

This entails the establishment of a regional landfill site on Portion 9 of the Farm Drie Fontein Nr 243, Portion 1 of the Farm Patryfontein Nr 228 and Remainder of Farm 310 and is located immediately north of the N2, approximately 1 km west of PetroSA and 13 km west of Mossel Bay. The site will receive general waste and hazardous waste and will serve the Municipalities of Bitou, George, Hessequa (Albertinia and Gouritsmond), Knysna and Mossel Bay.

The proposed site will be approximately 185 hectares in extent and will comprise of the following:

- The landfill site (approximately 147 hectares);
- Materials recovery facility (approximately 2 hectares);
- Composting plant (approximately 4 hectares);
- An area allocated for crushing of building and demolition waste (approximately 4 hectares)
- and associated infrastructure including access control and entry facility complex (approximately 2 hectares); and stormwater and leachate ponds (approximately 5 hectares)

The landfill site will reach a maximum height of 12m above the natural ground level. Access to the landfill site is via a fenced-off entrance complex with gated controlled access road access will be via an access road from the main road.

#### **C. PROPERTY DESCRIPTION AND LOCATION**

The listed activities will take place on Portion 9 of the Farm Drie Fontein 243, Portion 1 of the Farm Patryfontein 228 and Remainder of Farm 310, Mossel Bay, which is located approximately 13km from the Central Business District of Mossel Bay and west of PetroSA/Mossdustria.

The SG 21 digit codes are:

C051 0007 00000 243 00009

C051 0007 00000 228 00001

C051 0007 00000 310 00000

Co-ordinates:	34° 10' 22.66" South
	21° 57' 06.73" East

hereinafter referred to as "the site".

#### **D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER**

Anèl Blignaut Environmental Consultants  
c/o Mrs. A. Blignaut  
PO Box 12268  
Die Boord  
**STELLENBOSCH**  
7613

Tel: (021) 887 9900

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#### **E. CONDITIONS OF AUTHORISATION**

1. This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with all the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority, unless the holder has lodged a valid application for the

amendment of the validity period of this environmental authorisation, before the expiry of this environmental authorisation. In such instances, the validity period will be automatically extended ("the period of administrative extension") from the day before this environmental authorisation would otherwise have lapsed, until the amendment application for the extension of the validity period is decided. The listed activities, including site preparation, may not commence during the period of administrative extension.

2. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days of the date of issue of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation may be suspended until such time as the appeal is decided.
3. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2)–
  - 3.1 notify all registered interested and affected parties of –
    - 3.1.1 the outcome of the application;
    - 3.1.2 the reasons for the decision as included in Annexure 1;
    - 3.1.3 the date of the decision; and
    - 3.1.4 the date of issue of the decision;
  - 3.2 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 Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section F below;
  - 3.3 draw the attention of all registered interested and affected parties to the manner in which they may access the decision. and
  - 3.4 publish a notice in the newspapers contemplated in regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that –
    - 3.4.1 informs all interested and affected parties of the decision;
    - 3.4.2 informs all interested and affected parties where the decision can be accessed; and
    - 3.4.3 informs all interested and affected parties that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations;
4. Seven calendar days notice, in writing, must be given to the competent authority before commencement of construction activities.
  - 4.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 4.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 2, 3, 6, 7, 12, and 17

5. This authorization is only for the establishment of a landfill site on Portion 9 of the Farm Drie Fontein Nr 243, Portion 1 of the Farm Patryfontein Nr 228 and Remainder of Farm 310, which is 1km west of PetroSA and 13km west of Mossel Bay. The site will house and dispose general waste as well as hazardous waste on-site. The landfill site will reach a maximum height of 12m above the natural ground level.
6. A buffer area of 50 meters wide on each side measured from the edge of the on-site stream and 75 meters wide on each side measured from the edge of the seasonal wetland must be demarcated, prior to commencement of construction activities and throughout the life cycle of the development. No encroachment of landfill activities or waste material must be allowed in these areas
7. Access routes and associated structures must be marked clearly with danger tape, prior to the commencement of construction activities to allow for a proper search and rescue mission for the patch of *Aloe Arborescens* that are located on-site, which must be translocated to an established nursery for the use in rehabilitation of the disturbed areas after construction was completed.
8. The intensity of any storm water discharge into the freshwater systems must be dissipated in accordance with the prescribed measures in the EMP to prevent or mitigate any erosion that might take place.
9. 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.
10. 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.
11. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
12. The Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation must be amended. The contents of such an EMP must be adopted and implemented by the applicant, and
  - 12.1. be submitted to the Directorate for consideration at least three weeks prior to the commencement of construction activities;
  - 12.2. be approved by the Department before the commencement of any construction activities;

- 12.3. incorporate the conditions of authorisation given in this Environmental Authorisation;
- 12.4. incorporate mitigation measures that address storm water management to prevent or minimize erosion on the site and potential pollution of the freshwater stream and wetland that are within close proximity of the site;
- 12.5. incorporate measures pertaining to identifying and allocating environmental management roles, responsibilities and accountability as well as timeframes for the implementation of the EMP;
- 12.6. Make provision for the compilation of method statements to the satisfaction of the appointed Environmental Control Officer ("ECO");
- 12.7. describe the level and type of competency required of the Environmental Control Officer, ("ECO");
- 12.8. define and allocate the roles and responsibilities of the ECO referred to above
- 12.9. determine the frequency of site visits by the ECO.

An application for amendment to the EMP must be submitted to the competent authority if any further amendments are to be made to the EMP, other than those mentioned above, and this may only be implemented once the amended EMP has been authorised by the competent authority.

The EMP must be included in all contract documentation for all phases of implementation.

13. A copy of the environmental authorisation and the approved EMP must be kept at the site where the listed activities will be undertaken. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMP 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 EMP must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.
14. The applicant 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. Further, the rights granted by this environmental authorisation are personal rights (i.e. not attached to a property, but granted to a natural or juristic person). As such, only the holder may undertake the activities authorised by the competent authority. Permission to transfer the rights and obligations contained herein must be applied for in the following manner:
  - 14.1. The applicant must submit an originally signed and dated application for amendment of the environmental authorisation to the competent authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including (a) confirmation that the environmental authorisation is still in force (i.e. that the validity period has not yet expired or the activities were lawfully commenced with); (b) the contact details of the person who will be the new holder;

(c) the reasons for the transfer; (d) an originally signed letter from the proposed new holder acknowledging the rights and obligations contained in the environmental authorisation and indicating that he/she has the ability to implement the mitigation and management measures and to comply with the stipulated conditions.

- 14.2. The competent authority will issue an amendment to the new holder either by way of a new environmental authorisation or an addendum to the existing environmental authorisation if the transfer is found to be appropriate.
15. Non-compliance with a condition of this environmental authorisation or EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
16. Notwithstanding this environmental authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activities.
17. The holder must appoint a suitably experienced environmental control officer ("ECO") for the construction phase before commencement of any land clearing or construction activities to ensure compliance with the EMP and the conditions contained herein.
18. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed.
19. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
20. The applicable requirements with respect to relevant legislation pertaining to cutting, damaging, disturbing or destroying protected trees must be adhered to.
21. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
22. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). 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: archaeological remains (including fossil bones and fossil shells); 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; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

## **F. APPEALS**

Appeals must comply with the provisions contained in Chapter 7 of the NEMA EIA Regulations.

1. An appellant must –

- 1.1. submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
- 1.2. submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal; and
- 1.3. within 10 (ten) calendar days of having lodged the notice of intention to appeal, provide each person and organ of state registered as an interested and affected party in respect of the application, or the applicant, with –
  - 1.3.1. a copy of the notice of intention to appeal form; and
  - 1.3.2. a notice indicating where and for what period the appeal submission will be made available for inspection by such person, organ of state, or applicant, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister.
2. A person, organ of state or applicant who submits a responding or answering statement in terms of regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.
3. If the person, organ of state or applicant fails to meet a timeframe with respect to the requirements as detailed above, the person, organ of state or applicant must immediately submit a written explanation to the Ministry providing a concise explanation for the non-compliance.
4. All notice of intention to appeal and appeal forms must be submitted by means of one of the following methods:

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 J. de Villiers  
Room 305 A  
3rd Floor Leeusig Building (Entrance at: Utilitas Building, 1 Dorp Street, Cape Town, 8001)

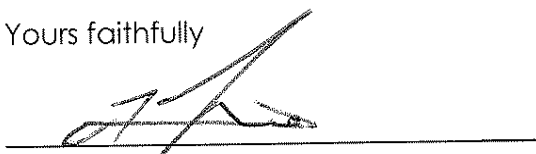
5. A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail [Jaap.DeVilliers@westerncape.gov.za](mailto:Jaap.DeVilliers@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

#### G. 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. KOBUS MUNRO**  
**DIRECTOR: LAND MANAGEMENT (REGION 3)**

DATE OF DECISION: 27/5/2013

Copied to: (1) Ms. A. Blignaut

(EAP)

Fax: 0866079900

(2) Mr. E. Hanekom

(Waste Management)

Fax: (021) 483 4425

(3) Ms. J. Leaner

(Pollution Management)

Fax: (021) 483 3254

#### **FOR OFFICIAL USE ONLY:**

**EIA REFERENCE NUMBER:**

EG12/2/3/2/D6/27/1286/09

## ANNEXURE 1: REASONS FOR THE DECISION

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

- a) The information contained in the application form received by the competent authority on 7 May 2009, the Environmental Impact Report (EIR) received by the competent authority on 30 January 2013 and the EMP submitted together with the EIR;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated October 2011);
- 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 interested and affected parties and the responses provided thereon, as included in the EIR;
- e) This application was submitted in terms of the previous NEMA EIA Regulations, and was pending at the time of the promulgation of the Environmental Impact Assessment Amendment Regulations, 2010. Some of the listed activities herein authorised may not have been listed under the previous NEMA EIA Regulations, but are now listed in terms of the Environmental Impact Assessment Regulations, 2010. In accordance with Regulation 76(3) of GN No. R. 543, these activities may be authorised as if applied for;
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures; and

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 included:

- identification of and engagement with interested and affected parties;
- fixing a notice board on 19 September 2009 at the site and any alternative site where the listed activities are to be undertaken;
- giving written notice on 2-6 June 2008 to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities; and
- the placing of a newspaper advertisement in the Die Burger, The Cape Times, Knysna-Plett Herald and The Mossel Bay Advertiser on 17 and 18 September 2009.

Numerous concerns were raised by interested and affected parties pertaining to the process, the alternatives, visual, noise and odour impacts. Supported by the specialist reports and the findings of the Environmental Impact process, this department is convinced that the approved alternative is best environmental option when all the legs of sustainability is considered. This Department is further of the opinion that all the concerns raised by interested and affected parties were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this environmental authorization and in the EMP to adequately address the concerns raised.

The Department 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 authorization and in the EMP.

## **2. Alternatives**

### Alternative 1 (Preferred alternative herewith authorized)

This entails the establishment of a regional landfill site on Portion 9 of the Farm Drie Fontein Nr 243, Portion 1 of the Farm Patryfontein Nr 228 and Remainder of Farm 310 and is located immediately north of the N2, approximately 1 km west of PetroSA and 13 km west of Mossel Bay. The site will receive general waste and hazardous waste and will serve the Municipalities of Bitou, George, Hessequa (Albertinia and Gouritsmond), Knysna and Mossel Bay. The landfill site will reach a maximum height of 12m above the natural ground level. Individual cells (with a lifespan of 5 years) will be excavated and filled sequentially.

The proposed landfill site will be approximately 185 hectares in extent and will comprise of the following:

- The landfill site (approximately 147 hectares);
- Materials recovery facility (approximately 2 hectares);
- Composting plant (approximately 4 hectares);
- An area allocated for crushing of building and demolition waste (approximately 4 hectares)
- and associated infrastructure including access control and entry facility complex (approximately 2 hectares); and stormwater and leachate ponds (approximately 5 hectares)

The landfill site will reach a maximum height of 12m above the natural ground level. Access to the landfill site is via a fenced-off entrance complex with gated controlled access road access will be via an access road from the main road.

90% of the site's vegetation is of Very Low botanical sensitivity and presents no constraints to the proposed development. A seasonal pan, a large milkwood tree and a patch of Aloe arborescens are the only areas on the site that is sensitive from a botanical perspective and should ideally be conserved. The Aloe Arborescens could however be successfully translocated. A single plant species of Conservation Concern (SCC) is present on site, within the seasonal pan. The pan and the aloes are designated Critical Biodiversity Areas (CBAs), as determined by the Fine Scale Conservation Plan for the Riversdale Plain

(Pence 2008), as is a small, partly disturbed wetland (of minor conservation value) in the southeast.

Site 1 is located the furthest from Gondwana Nature reserve, which is a great tourist attraction to Mossel Bay. Since site 1 is already used as a landfill site the overall potential environmental impacts can be mostly avoided and where it cannot be avoided, it can be mitigated most effectively on Site 1 when compared to the other site alternatives.

Mitigation measures include the maintenance of a buffer area of approximately 75m around the water course and wetland located on site as well as the translocation of the aloes present on site. The site will be fenced to prohibit unauthorized entry and to control windblown litter. Unpolluted storm water will be diverted away from the site through storm water cut-off trenches

#### Alternative 2

This entails the establishment of a regional landfill site on Remainder of the Farm Zuur-Rug No. 207. The site will house general waste and hazardous waste will be disposed of on this landfill site. The regional landfill site will serve the Municipalities of Bitou, George, Hessequa (Albertinia and Gouritsmond), Knysna and Mossel Bay. The landfill site will reach a maximum height of 12m above the natural ground level. Individual cells (with a lifespan of 5 years) will be excavated and filled sequentially.

From a botanical perspective this site is not desirable as the entire site is a Critical Biodiversity Area and therefore is undesirable.

#### Alternative 3

This entails the establishment of a regional landfill site on Portion 1 of the Farm Kruisvallei Nr 232, Portion 2 (Portion of Portion 1) of the Farm Kruisvallei Nr 232. The current landuse of the site and surrounding areas are agriculture and it consists mainly of cultivated lands and pastures. There is almost no indigenous vegetation on the site and very little indigenous vegetation on the surrounding farms.

The site will house general receive and hazardous waste will be disposed on and that will serve the Municipalities of Bitou, George, Hessequa (Albertinia and Gouritsmond), Knysna and Mossel Bay. The landfill site will reach a maximum height of 12m above the natural ground level. Individual cells (with a lifespan of 5 years) will be excavated and filled sequentially.

Although this site is not very sensitive in terms of vegetation, the site is more flat/open and therefore will result in more air pollution compared to the other sites. The preferred access to site 3 is via Divisional Road 1549, this is a gravel road. This access road will however have to traverse a large section of privately owned land.

#### "No-Go" Alternative

This alternative entails the continuation of the waste disposal that is currently taking place at the PetroSA waste disposal facility and also the continuation of the mainly agricultural landuse of the alternative sites. The PetroSA waste disposal facility does not have the capacity to receive waste from the other Municipalities and therefore does not satisfy the need for a long-term waste disposal site for the Eden District Municipality. This alternative is therefore not considered to be a feasible option.

The design of the facilities at all the alternative sites makes provision for recycling (materials recovery, building rubble, crushing and garden waste).

#### **4. Impacts, assessment and mitigation measures**

##### **4.1. Activity Need and Desirability**

Accordinging to the applicant a need exists for a suitable site for the establishment of a longterm waste disposal facility in the Eden District Municipality that caters for general waste, as well as hazardous waste with low hazard ratings. The Municipalities of Bitou, Knysna, George, Mossel Bay and Hessequa (Albertinia and Gouritsmond) cannot meet the long-term capacity demand at their waste disposal sites.

##### **4.2. Regional/ Planning Context**

The Mossel Bay Integrated Development Plan ("IDP") Vision states "good and accessible basic municipal services are to be provided for all within a dynamic, growing economy". In the proposals section of the Mossel Bay Spatial Development Framework ("SDF") it is indicated that in terms of community facilities current planning dictates the provision of a system of waste transfer stations and the provision of regional landfill sites. A proposal has been included in the proposals section of the Mossel Bay SDF (TV3, 2008) to establish Mossel Bay as the industrial core of the Garden Route. Therefore the establishment of a regional waste disposal site within the Mossel Bay Municipal area will not detract from the planning proposal to establish Mossel Bay as the industrial core of the Garden Route.

The Eden IDP recognizes the need for a regional waste disposal site and has allocated funds in its implementation plan for 2011/12 for the Environmental Impact Assessment Process and associated specialist studies. The Eden District Municipality's SDF has established a number of principles that should be carried forward and implemented in the local Municipality's SDF's. All of the three properties proposed for the use as a waste disposal facility are zoned for Agricultural use. The Spatial Development Framework (SDF) for Mossel Bay has not catered for the proposed Regional Waste Disposal Site in its current planning framework and all three proposed properties fall outside the urban edge.

The SDF allows the growth of industries to the east of PetroSA, but industrial growth to the west of PetroSA was not included in the planning framework. The proposed sites will therefore not inhibit industrial development. The location of Site 1 adjacent to PetroSA and to the west of PetroSA could therefore be seen as supplementary to the existing landuse at PetroSA, as it is located adjacent to the PetroSA waste disposal facility that currently serves as a Regional Waste Disposal Site. No sites that could be potentially suitable for a regional waste disposal facility could be found to the east of PetroSA.

##### **4.3. Stormwater Management**

Storm water will be channelled to ensure that contaminants and contaminated stormwater flow do not impact upon surface water. All contaminated storm water flows will be channelled and impounded in the proposed contaminated stormwater dam. Erosion control measures as indicated in the EMP will be implemented to ensure that erosion is kept to a minimum.

#### 4.4. Cumulative Impacts

Due to its proximity to the PetroSA GTL Refinery, site 1 is expected to have a higher level of air pollution currently. However, actual measurements of SO<sub>2</sub>, NO<sub>2</sub> and H<sub>2</sub>S were all observed to be relatively low when compared to the National Ambient Air Quality Standard ("NAAQS") limit values. The maximum concentrations at the three alternative sites were 0.3 µg/m<sup>3</sup>, 2.3 µg/m<sup>3</sup> and 1.1 µg/m<sup>3</sup>, respectively. Cumulatively therefore, any of these pollutants generated on site would be the main contributor and the cumulative predictions would therefore be marginally higher than the incremental predictions.

The predicted benzene impact from the landfills is low and would still be below the NAAQS limit when added to the highest concentrations observed at the refinery boundary. Current PM<sub>10</sub> concentrations, on the other hand, were shown to be more significant, with a number of exceedances of the NAAQS limit value. The relatively high PM<sub>10</sub> concentrations are expected to be due to nearby farming activities. The landfill operation would add to the existing particulate air concentrations and, unless adequately mitigated, result in further violations of the daily average NAAQS. Since Sites 2 and 3 would be accessed by significantly longer gravel roads than Site 1, the cumulative impact would be higher.

#### 4.5. Biodiversity

##### **Vegetation**

According to the EIR the preferred site does not form part of any identified ecological corridor and has very little significant natural vegetation, mainly due to intensive agricultural landuse practices. The EIR submits that the South African Vegetation Map describes the original vegetation in this area as *Albertinia* Sand Fynbos. It is however the opinion of the specialist that this cannot be true as the soil on the site is not acid sand, but rather a sandy shale-derived loam, more likely to have supported a *Renosterveld* and *Thicket* vegetation.

According to the EIR the only areas of any notable ecological sensitivity on site are the seasonal pan, the single milkwood present on site, the patch of *Aloe arborescens* and associated *Thicket* and the single dam, which is of minor importance. *Gnaphalium declinatum* a near Threatened plant was found in the pan and the single milkwood tree. Otherwise no conservation worthy vegetation was found. The EIR submits that the botanical impacts associated with development of the preferred site can be reduced to Low negative with basic mitigation.

##### **Birds**

The avifaunal report done by Dr. AJ Williams indicates that preference for the site next to PetroSA is given in terms of impact on the bird life. This site poses the least negative impacts to human interests, other than potential transfer of disease to local livestock and no major risks to scavenger birds except through food poisoning.

##### **Freshwater character**

The preferred site is characterised by a seasonal stream on the eastern border of the site, a small stream which discharges into Vlees Bay to the west of Mossel Bay; a seasonal wetland /pan and a number of isolated depression related wetland areas that are likely the result of past human related activities.

The EIR submits that the National Freshwater Ecosystem Priority Areas ("NFEPA") maps these natural freshwater features (seasonal pan and Blinderivier system) as FEPA priority areas. FEPAs are strategic spatial priorities for conserving freshwater ecosystems and associated biodiversity. The areas were determined through a process of systematic biodiversity planning and were identified using a range of criteria for serving ecosystems and associated biodiversity of rivers, wetlands and estuaries. The study confirmed that the seasonal stream that forms part of the Blinderivier system and the seasonal wetland area needs to be protected from a biodiversity point of view.

As both systems are seasonal, it would be important to ensure that the hydrology (both surface and groundwater) feeding these systems does not change significantly in terms of its flow patterns and volumes. The 'clean' runoff water and sub-surface flows entering the landfill site from the upper catchment area should be diverted around the site and discharged to the freshwater systems on either side of the landfill site.

The intensity of any storm water discharge into the freshwater systems should be dissipated as far as possible to prevent any erosion from taking place. The study recommends a buffer of approximately 50m wide for the stream and 75m wide for the wetland (pan) (based on the natural topography and drainage on the site) area to mitigate the impacts of the surrounding activities on both the seasonal wetland and the stream for the seasonal wetland.

The EIR further submits that contaminated storm water emanating from the site will as far as possible be collected and discharged into a storm water attenuation dam at the lowest point on the site to reduce the risk of contamination of the freshwater ecosystems.

#### 4.6. Visual / Sense of Place

According to the EIR the preferred site has a predominantly industrial character, as it is located next to the PetroSA and Eskom power generation facilities along the N2. Due to its location in a flat area that has been significantly impacted by agriculture and industrial development, the visual quality of the preferred site is considered to be the lowest. The preferred alternative is considered to result in the least significant visual impacts, with significance after mitigation similar to that of the existing landfill and therefore is also the preferred alternative from a visual perspective.

#### 4.7. Traffic

The traffic impact study indicated that the impacts related to an increase in traffic, road safety and geometric issues are negligible for Site 1. A moderate impact is expected on the road pavement conditions of the N2 due to a natural growth in waste volumes and the addition of the waste from the Bitou Municipality.

Both Sites 2 and 3 requires partial reconstruction of public roads. In the case of Site 2 it is DR1549 and in the case of Site 3 it is DR1549 or MR341. For Site 2 a right turn lane will have to be constructed on the N2 westbound and an acceleration lane will have to be provided on the N2 eastbound at the DR1549 intersection.

Access to Site 3 requires a short dedicated right turn lane on the N2 westbound and an acceleration lane on the N2 eastbound at either the DR1549 or MR341 intersection if either of these routes is selected.

Site 2 would require the construction of a new road over private property. The existing access off the MR342 is too steep for heavy vehicles.

The preferred Access route to Site 3 is from the N2 onto the MR341 northwards to Site 3 where access via an existing road over private property needs to be obtained to gain access to the site. As mentioned earlier the landowner of Farm 232 over which access is required did not provide consent to gain access over the said property.

#### 4.8. Heritage

##### **Archaeological**

The archaeological assessment has shown that not one site is preferred over the other and each of the proposed candidate sites would be suitable for development. While development of a regional landfill site at Eden 1 will impact negatively on potentially important archaeological remains centered around a seasonal pan, archaeological mitigation of the site also presents opportunities for generating information for research, which otherwise might be lost due to ongoing ploughing and clearing of stone from the affected farmland.

##### **Paleontological**

According to the paleontological study the preferred site is mantled with Late Caenozoic superficial sediments (soils, possible buried gravels) of very low paleontological sensitivity. Underlying Palaeozoic bedrocks of the Bokkeveld Group or Table Mountain Group are likely to be deeply weathered and /or cleaved with little or no preserved fossil heritage. According to the specialist no moderately or highly significant impacts on fossil heritage are anticipated during the construction or operational phase of the proposed regional waste disposal facility or facilities and therefore no mitigation is required.

The Heritage Impact Assessment concluded that the preferred site is also the preferred site from a Heritage point of view considering that all the mitigation measures mentioned in the final HIA is put in place and strictly adhered to.

#### 4.9. Socio-economic

The overall impacts at all three sites are anticipated to be positive and the overall impact for the no-go option would be neutral. Although construction of the facility at alternatives 1, 2 or 3 will have the same overall impact, alternative 1 will have the least negative impact on the surrounding environment and is complementary to the surrounding land use activities.

### **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:

- 2 (3) development must be socially, environmentally and economically sustainable;
- 2(4)(a) sustainable development requires the consideration of all relevant factors including the following:



- i) that the disturbance of ecosystems and loss of biodiversity are avoided or, where they cannot be altogether avoided, are minimized and remedied;
  - ii) that pollution and degradation of the environment are avoided, or where they cannot be altogether avoided, are minimized and remedied;
  - iii) that the disturbance of landscapes and sites that constitute the nation's cultural heritage is avoided, or where it cannot be altogether avoided, is minimized and remedied;
  - iv) that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions;
  - v) that negative impacts on the environment and on people's environmental rights be
- 2(4)(b) Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option.
  - 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:

The development may result in loss of biodiversity; piping or diversion of the drainage line is likely to result in negative impacts on the vegetation and freshwater environment. However, this Department is of the opinion that if all the mitigation measures are strictly adhered to these impacts will be considerably negligible.

#### Positive impacts:

The approval of this development will satisfy the need for a regional landfill site, as the current landfill at PetroSA is not sufficient anymore. It will also have a positive impact on employment, as the development will create job opportunities during both the construction and operational phase.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this environmental authorisation, and compliance with the EMP, 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 activity/ies can be mitigated to acceptable levels.

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