

**EIA REFERENCE:** 16/3/3/1/B2/32/1010/22  
**NEAS REFERENCE:** WCP/EIA/0001056/2022  
**DATE OF ISSUE:** 12 September 2022

The Director  
Western Cape Government: Department of Transport and Public Works  
Private Bag X9185  
**CAPE TOWN**  
8000

**Attention: Azni November**

Tel.: (021) 483 0536  
E-mail: [Azni.November@westerncape.gov.za](mailto:Azni.November@westerncape.gov.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE PROPOSED UPGRADE OF DIVISIONAL ROAD DR1400 FROM KM 8.2 TO KM 10.21, NUY STATION, WORCESTER.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant the Environmental Authorisation** ("EA") together with the reasons for the decision. With reference to the above application, the Department hereby notifies you of its decision to **grant Environmental Authorisation** ("EA") and **adopt the Maintenance Management Plan ("MMP")**, 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

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

CC: Ms. Heloise Groenewald (Guillaume Nel Environmental Consultants)  
Ms. Carina Becker (Guillaume Nel Environmental Consultants)  
Mr. Pieter Hartzenberg (Breede Valley Municipality)

E-mail: [hdp@gnec.co.za](mailto:hdp@gnec.co.za)  
E-mail: [carina@gnec.co.za](mailto:carina@gnec.co.za)  
E-mail: [pieter2@bvm.gov.za](mailto:pieter2@bvm.gov.za)

**EIA REFERENCE:** 16/3/3/1/B2/32/1010/22  
**NEAS REFERENCE:** WCP/EIA/0001056/2022  
**DATE OF ISSUE:** 12 September 2022

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE PROPOSED UPGRADE OF DIVISIONAL ROAD DR1400 FROM KM 8.2 TO KM 10.21, NUY STATION, WORCESTER.

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, the Competent Authority herewith **grants** Environmental Authorisation to the applicant to undertake the listed activities specified in section B below with respect to the Preferred alternative as described in the Basic Assessment Report ("BAR"), received on 27 May 2022.

In terms of the NEMA, viz, the EIA Regulations, 2014 (as amended) (in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the MMP** for the proposed maintenance activities along the DR1400 from km 8.2 to km 10.21. 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 Director  
Western Cape Government: Department of Transport and Public Works  
Private Bag X9185  
**CAPE TOWN**  
8000

Tel: (021) 483 0536  
E-mail: [Azni.November@westerncape.gov.za](mailto:Azni.November@westerncape.gov.za)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

## B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Project Description
<p><b>Listing Notice 1</b>  <b>Activity Number: 19</b>  <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse But excluding where such infilling, depositing, dredging excavation, removal or moving –</i></p> <p>a) will occur behind a development setback;  b) is for maintenance purposes undertaken in accordance with a maintenance management plan;  c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;  d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour or;  e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>Culverts will be developed across drainage lines and will result in the moving of more than 10m<sup>3</sup> of sand/soil/rock.</p>
<p><b>Listing Notice 1</b>  <b>Activity Number: 56</b>  <i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—</i>  (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;  <i>excluding where widening or lengthening occur inside urban areas.</i></p>	<p>The existing road will be widened by 7.1 and 8m along certain sections of the road.</p>
<p><b>Listing Notice 3</b>  <b>Activity Number: 18</b>  <i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><b>i. Western Cape</b>  i. Areas zoned for use as public open space or equivalent zoning;  ii. All areas outside urban areas:  (aa) Areas containing indigenous vegetation;  (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  iii. Inside urban areas:</p>	<p>The existing road will be widened by more than 4 metres and will result in the clearance of indigenous vegetation.</p>

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

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

The holder is herein authorised to undertake the following alternative as it relates to the listed activities:

The proposed development entails the upgrade of the Divisional Road DR1400 between km 8.2 to km 10.21, Nuy Station, Worcester.

The proposed development will include following:

- The upgrade of the gravel road to a surfaced road;
- The replacement of existing culverts and the development of new culverts; and
- The widening of the road at km 8.230 to km 8.400 by 7.1m and at km 8.400 to km 10.207 by 8m.

The existing culverts at km 9.136 and km 9.68 will be replaced with larger culverts. All the road upgrading activities will take place within the existing road reserve.

### C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken within the existing road reserve, along Divisional Road DR1400 from km 8.2 to km 10.21, Nuy Station, Worcester, and has the following co-ordinates:

#### Co-ordinates of the route along Divisional Road DR1400.

Starting point:

Latitude (S)	33°	37'	58.90"
Longitude (E)	19° "	36'	48.40"

Middle point:

Latitude (S)	33°	38'	11.00"
Longitude (E)	19° "	37'	21.50"

End point:

Latitude (S)	33°	38'	25.50"
Longitude (E)	19° "	37'	57.10"

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

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

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants (GNEC)  
c/o Mr. Heloise Groenewald  
P.O. Box 2632  
**PAARL**  
7620

Tell: (021) 870 1874  
Email: [guillaume@gnec.co.za/hdp@gnec.co.za](mailto:guillaume@gnec.co.za/hdp@gnec.co.za)

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred Alternative described in the BAR received on 27 May 2022 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for-

- (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
  - (b) A period of ten (10) years, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities, must be concluded.
3. 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.
  4. 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

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.

- 5.2. The notice must also include proof of compliance with the following conditions described herein:  
Conditions: 6, 7, 11 and 18.

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

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
- 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
- 6.1.1. the outcome of the application;
  - 6.1.2. the reasons for the decision as included in Annexure 3;
  - 6.1.3. the date of the decision; and
  - 6.1.4. the date when the decision was issued.
- 6.2. 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 detailed in Section F below;
- 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
- 6.4. provide the registered I&APs with:
- 6.4.1. the name of the holder (entity) of this Environmental Authorisation,
  - 6.4.2. name of the responsible person for this Environmental Authorisation,
  - 6.4.3. postal address of the holder,
  - 6.4.4. telephonic and fax details of the holder,
  - 6.4.5. e-mail address, if any, of the holder,
  - 6.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.
7. The listed activities, including site preparation, may 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.

### **Management of activity**

8. The draft or Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The Maintenance Management Plan ("MMP") adopted as part of this Environmental Authorisation must be implemented.
10. The EMPr and MMP 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 the proposed development to ensure compliance with the provisions of the EMPr, and the conditions contained herein. The ECO must conduct site visits as prescribed in the EMPr and must submit ECO Reports on a monthly basis to the competent authority.
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 a publicly accessible website.
13. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

## Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, 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, that is not the ECO referred to in Condition 11 above and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The audit reports must be compiled and subsequently submitted to the Department in the following manner:

- 14.1. The holder must undertake an environmental audit and submit an Environmental Audit Report to the Competent Authority once every 6 months for the duration of construction activities.
- 14.2. A final Environmental Audit Report must be submitted within three months after the development is completed.

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. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.
18. The development areas must be clearly demarcated prior to the commencement of the proposed development. All areas outside the demarcated areas must be regarded as “no-go” areas.

## **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 the 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 date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 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 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.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and

- 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and
  - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile:           (021) 483 4174; or

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

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, e-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

---

**MR. ZAAHIR TOEFY**

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

DATE OF DECISION: 12 SEPTEMBER 2022

CC: Ms. Heloise Groenewald (Guillaume Nel Environmental Consultants)  
Ms. Carina Becker (Guillaume Nel Environmental Consultants)  
Mr. Pieter Hartzenberg (Breede Valley Municipality)

E-mail: [hdp@gnec.co.za](mailto:hdp@gnec.co.za)  
E-mail: [carina@gnec.co.za](mailto:carina@gnec.co.za)  
E-mail: [pieter2@bvm.gov.za](mailto:pieter2@bvm.gov.za)





## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form received by the Department on 16 March 2022 and the EMPr and MMP submitted together with the Basic Assessment Report on 27 May 2022.
- 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 Basic Assessment Report received on 27 May 2022; 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 in the consideration of the application for Environmental Authorisation. A summary of the issues that were the most significant for the decision is set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board at the site where the listed activities are to be undertaken were placed at the site entrance from 26 November 2021;
- the placing of a newspaper advertisement in the local newspaper "*Worcester Standard*" on 25 November 2021;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities, on 26 November 2021;
- making the pre-application draft BAR available to I&APs for comment from 29 November 2021 to 21 January 2022; and
- making the post application draft BAR available to I&AP's for comment from 17 March 2022 to 19 April 2022.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and that the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

## 2. Alternatives

### Preferred alternative – (Herewith authorised)

The preferred alternative entails the upgrade of the existing Divisional Road DR1400 between km 8.2 to km 10.21, Nuy Station, Worcester.

This alternative will include following:

- The upgrade of the gravel road to a surfaced road;
- The replacement of existing culverts and the development of new culverts; and
- The widening of the road at km 8.230 to km 8.400 by 7.1m and at km 8.400 to km 10.207 by 8m.

The existing culverts at km 9.136 and km 9.68 will be replaced with larger culverts. All the road upgrading activities will take place within the existing road reserve.

### The “No-Go” Alternative

The “No-Go” option will result in the road and culvert infrastructure remaining as it is presently. This alternative is not preferred as it will not result in a safer road with improved infrastructure that would minimize damage in the event of a flood.

## 3. Impact Assessment and Mitigation measures

### 3.1. Activity need and desirability

The gravel road spans through an area primarily used for agricultural activities, with some of the properties also being used for tourism as well as recreation activities. The proposed upgrade is required to provide safe infrastructure for the surrounding community and tourists. This will also promote accessibility to the surrounding area. The installation and replacement of culverts are required to minimise flooding.

### 3.2. Biophysical impacts

According to the Botanical Impact Assessment Report (dated October 2021 and compiled by Capensis Ecological Consulting (Pty) Ltd), two vegetation types, namely Breede Alluvium Renosterveld and Breede Shale Renosterveld occurs on the site. Breede Alluvium Renosterveld is classified as Vulnerable and Breede Shale Renosterveld is classified as Least Threatened in terms of the National Environmental Management: Biodiversity Act, (Act 10 of 2004) (“NEM:BA”), List of Threatened Ecosystems in Need of Protection, December 2011. The proposed upgrade of the DR1400 road occurs in an area of moderate botanical importance. No species of conservation concern (SCC) were found within the development footprint, however, one SCC was found in the vegetation adjacent to the site that is likely to be impacted by the proposed development. A search and rescue programme for the SCC will be carried out to conserve these plants. The specialist indicated that the upgrade of the DR1400 is supported from a botanical perspective, should the recommended mitigation measures be implemented.

According to the Freshwater Ecological Assessment (dated October 2021 and compiled by (FEN) Consulting (Pty) Ltd), a riparian drainage line traverses the DR 1400. Several episodic drainage lines (lacking in either wetland or riparian characteristics) were identified along the DR1400 to be

upgraded. One of these episodic drainage lines traverse a section of the DR1400. The specialist indicated that the episodic drainage lines do not meet the definition of a watercourse as defined in the National Water Act, 1998 (Act No. 36 of 1998)). However, the Breede-Gouritz Catchment Management Agency has confirmed (in comment dated 4 February 2022) that the episodic drainage lines are regarded as watercourses. No development will occur within the riparian drainage line, but culverts will be developed within 2 episodic drainage lines. The specialist indicated that the identified watercourses are degraded and it is not anticipated that there will be an irreplaceable loss of the watercourses. The impacts on the watercourses as a result of the proposed development have therefore been identified as being of low negative significance after mitigation.

### 3.3. Impact on Heritage Resources

Heritage Western Cape confirmed in correspondence dated 3 December 2021, that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required. Additionally, the applicant will comply with Conditions 17 and 18 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

- Loss of vegetation; and
- Traffic delays during the construction phase.

#### **Positive impacts:**

- The upgrade of the culverts to a bigger size will allow for adequate passage of the water, will improve stormwater management and will prevent potential flooding;
- Employment opportunities will be provided during the construction phase; and
- Providing the community and surrounding area with improved roads for motor vehicle users.

## 4. National Environmental Management Act Principles

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

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

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed 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-----