



REFERENCE: 16/3/3/5/B4/45/1020/23
NEAS REFERENCE: WCP/EIA/AMEND/0000772/2023
DATE OF ISSUE: 22 SEPTEMBER 2023

The Board of Directors
Voliere Development Company (Pty) Ltd.
P.O. Box 12731
CAPE TOWN
8010

Attention: Mr. S. Braun

Cell: 082 492 3545
Email: brauns@hodevco.com

Dear Sir

APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 8 JULY 2015 (REFERENCE NO.: 16/3/1/1/B4/45/1096/14), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 17 FEBRUARY 2020 (REFERENCE NO.: 16/3/3/5/B4/45/1005/20) IN TERMS OF PART 1 AND THE AMENDMENT OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME IN TERMS OF PART 3 OF CHAPTER 5 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED MIXED-USE AND RESIDENTIAL DEVELOPMENT ON FARM NO. 85, AND ERVEN 14425 AND 14426, STELLENBOSCH

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** an amendment of the Environmental Authorisation issued on issued on 8 July 2015 (Reference No.: 16/3/1/1/B4/45/1096/14) and the Amended Environmental Authorisation issued on 17 February 2020 (reference No.: 16/3/3/5/B4/45/1005/20), attached herewith, together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

Zaahir Toefy
Digitally signed by
Zaahir Toefy
Date: 2023.09.22
09:23:39 +02'00'

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. S. van der Merwe (Stellenbosch Municipality) Email: Schalk.vandermerwe@stellenbosch.gov.za
(2) Ms. E. Grundling (GNEC) Email: eg@gnec.co.za
(3) Mr. D. Opperman (GNEC) Email: divan@gndc.co.za



REFERENCE: 16/3/3/5/B4/45/1020/23
NEAS REFERENCE: WCP/EIA/AMEND/0000772/2023
DATE OF ISSUE: 22 September 2023

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 8 JULY 2015 (REFERENCE NO.: 16/3/1/1/B4/45/1096/14), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 17 FEBRUARY 2020 (REFERENCE NO.: 16/3/3/5/B4/45/1005/20) IN TERMS OF PART 1 AND THE AMENDMENT OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME IN TERMS OF PART 3 OF CHAPTER 5 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED MIXED-USE AND RESIDENTIAL DEVELOPMENT ON FARM NO. 85, AND ERVEN 14425 AND 14426, STELLENBOSCH

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

A. DECISION

By virtue of the powers conferred on me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), I herewith **grant** the amendment of the Environmental Authorisation ("EA") issued on 8 July 2015 (Reference No.: 16/3/1/1/B4/45/1096/14) and the Amended Environmental Authorisation issued on 17 February 2020 (reference No.: 16/3/3/5/B4/45/1005/20) in terms of Part 1 and Part 3 of the EIA Regulations, 2014 (as amended).

The EA is amended as set out below:

1. Title of the cover letter as well as the Environmental Authorisation and the Amended Environmental Authorisation:

PROPOSED MIXED-USE AND RESIDENTIAL DEVELOPMENT ON FARM NO. 85, AND ERVEN 14425 AND 14426, STELLENBOSCH

is amended to read:

PROPOSED VOLIERE RESIDENTIAL ESTATE ON FARM NO. 85 AND ERF NO. 14425, STELLENBOSCH

2. Section A: DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Neethlingstraat 12 Stellenbosch (Pty) Ltd
% Mr. S. Braun
P. O. Box 12731
STELLENBOSCH
8010

Tel: (021) 461 7178
Fax: (021) 461 3399

is amended to read:

Voliere Development Company (Pty) Ltd
% Mr. S. Braun
P.O. Box 12731
CAPE TOWN
8010

Cell: 082 492 3545
Email: brauns@hodevco.com

3. Section B: LIST OF ACTIVITIES AUTHORISED

The proposal entails the development of a residential development on Farm 85 and erven 14425 and 14426 that will be comprised of approximately 260 residential units complete with internal roads, parking, open space areas and service infrastructure. The development will be a combination of single and duplex town houses, group housing and apartment buildings. An access route to the site will be constructed from Hendriks Road on Erf No. 14426, via a new traffic circle located approximately 100m west of the R44 intersection.

is amended to read:

The Voliere development entails the development of a residential development on Farm 85 and Erf 14425, Stellenbosch. The development will comprise of 260 residential units complete with internal roads, parking, open space areas and service infrastructure. The development will be a combination of two story, duplex and triplex town houses, group housing and apartment buildings. Access to the development will be obtained directly from the R44 via a stop-controlled gatehouse.

4. Section C: PROPERTY DESCRIPTION AND LOCATION

The deletion of the SG 21 digit code for Erf 14426 Stellenbosch namely C06700220001442600000

5. Section E: CONDITIONS OF AUTHORISATION

- Condition 7:

7. The draft Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation must be amended to address the following aspects and must then be re-submitted to the competent authority and approved prior to commencement of construction:

- 7.1. A Maintenance Management Plan ("MMP") in terms of the NEMA EIA Regulations, 2010, relating to GN No. R. 544, Activity 18 and the NEMA EIA Regulations, 2014 relating to Activity 19 of GN No. R.983, for any future maintenance work to be undertaken within the streams must be included in the EMP. The MMP must include a plan for the ongoing clearance of alien vegetation.
- 7.2. The recommendations of the specialist assessments that were conducted during the process including but not limited to Traffic Impact recommendations, Heritage Impact recommendations, Freshwater Impact recommendations, Visual Impact recommendations must be included.

Should amendments to the EMP be required (other than the above-mentioned) before an audit is required in terms of this Environmental Authorisation, the applicant must:

- notify the competent authority of its intention to amend the EMP at least 60 days prior to the submission of the application for amendment to the EMP;
- obtain comment from potential I&APs, including the competent authority, by using any of the methods provided for in the NEMA for a period of at least 30 days; and
- submit the amended EMP to the competent authority for approval within 60 days of inviting comments on the proposed amendments.

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

is amended to read:

7. The draft Construction and Operational Environmental Management Programme ("EMPr") dated August 2023 submitted as part of this amendment application is hereby approved and must be implemented. The EMPr must be included in all contract documentation for all phases of implementation.

The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

- Condition 18:
 18. The following recommendations as indicated in the Freshwater Constraints Assessment, dated October 2014, must be implemented and adhered to:
 - 18.1. A buffer development setback of at least 15m must be provided for the tributary along the northern boundary and of at least 10m for the tributary along the south western boundary of the site.
 - 18.2. A qualified botanist or freshwater specialist must be appointed to assist with the rehabilitation of the riparian zone of the rivers and only indigenous vegetation must be used for the rehabilitation of the riparian zone.

is amended to read:

18. The following recommendations as indicated in the Freshwater Constraints Assessment, dated October 2014, must be implemented and adhered to:
 - 18.1. A buffer development setback of at least 15m must be provided for the tributary along the northern boundary i.e. no buildings or residential dwellings must be developed within this buffer area.
 - 18.2. A qualified botanist/ landscape architect specialist must be appointed to assist with the rehabilitation of the riparian zone of the watercourse and only indigenous vegetation must be used for the rehabilitation of the riparian zone.

6. ANNEXURE 1: REASONS FOR THE DECISION

2. Alternatives

Preferred Alternative 1 (Herewith authorised)

This alternative entails the development of a residential development on Farm 85 and erven 14425 and 14426 that will be comprised of approximately 260 residential units complete with internal roads, parking, open space areas and service infrastructure. The development will be a combination of single and duplex town houses, group housing and apartment buildings. An

access route to the site will be constructed from Hendriks Road on Erf No. 14426 around the existing dam, via a new traffic circle located approximately 100m west of the R44 intersection.

is amended to read:

This alternative entails the development of a residential development on Farm No. 85 and Erf No.14425, Stellenbosch. The development will comprise of 260 residential units complete with internal roads, parking, open space areas and service infrastructure. The development will be a combination of two story, duplex and triplex town houses, group housing and apartment buildings. Access to the development will be obtained directly from the R44 via a stop-controlled gatehouse.

7. Impacts, assessment and mitigation measures:

The deletion of 3.5 Transport Impacts

B. REASONS FOR THE DECISION

In reaching its decision, the Department took, inter alia, the following into consideration:

1. The amendment applied for is in terms of Part 1 and Part 3 of the NEMA EIA Regulations, 2014 (as amended) and will not change the scope of the Environmental Authorisation issued on 8 July 2015.
2. The amendments do not trigger any new listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) (Listing Notices 1, 2 and 3 in Government Gazette No. 40772 of 7 April 2017) promulgated in terms of the NEMA.
3. The amendment will not result in an increased level or nature of the impacts that were considered and assessed during the initial application for Environmental Authorisation.
4. The External Audit Report dated 17 June 2022 recommended that the EMPr be amended to be in line with the freshwater constraints on the site.
5. The tributary that runs along the southwestern boundary is not a watercourse, as confirmed by the freshwater specialist and Department of Water and Sanitation. This channel is to accommodate the overflow of the dam.
6. The Transport Impacts in Annexure 2 (3.5) was omitted because access will be from the r44, which was an alternative investigated during the initial assessment for Environmental Authorisation.
7. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.

C. CONDITIONS

1. All other conditions contained in the Environmental Authorisation issued on 8 July 2015 and the Amended Environmental Authorisation issued on 17 February 2020 (Attached as Annexure A), remain unchanged and in force.

D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

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

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
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 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 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA 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

**Zaahir
Toefy**

Digitally signed by
Zaahir Toefy
Date: 2023.09.22
09:24:05 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 22 SEPTEMBER 2023

CC: (1) Mr. S. van der Merwe (Stellenbosch Municipality)
(2) Ms. E. Grundling (GNEC)
(3) Mr. D. Opperman (GNEC)

Email: Schalk.vandermerwe@ Stellenbosch.gov.za

Email: eg@gnec.co.za

Email: divan@gndc.co.za

ANNEXURE A

ENVIRONMENTAL AUTHORISATION ISSUED ON 8 JULY 2015 (REFERENCE NO.: 16/3/1/1/B4/45/1096/14) AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 17 FEBRUARY 2020 (REFERENCE NO.: 16/3/3/5/B4/45/1005/20)



REFERENCE: 16/3/3/5/B4/45/1005/20
NEAS REFERENCE: WCP/EIA/AMEND/0000421/2020
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE: **2020 -02- 17**

The Board of Directors
Neethlingstraat 12 Stellenbosch (Pty) Ltd
P. O. Box 15243
VLAEBERG
8018

Attention: Mr. P. Louw

Tel.: (021) 423 4302
Fax: (021) 426 1915

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 8 JULY 2015: THE PROPOSED MIXED-USE AND RESIDENTIAL DEVELOPMENT ON FARM NO. 85, AND ERVEN 14425 AND 14426, STELLENBOSCH

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** amendment of the Environmental Authorisation issued on 8 July 2015 (Reference No.: 16/3/1/1/B4/45/1096/14), 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 Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully


MR. ZAHIR DEYF
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. G. Erasmus (Planning Services)
(2) Mr. S. van der Merwe (Stellenbosch Municipality)

Fax: (086) 621 5474
Fax: (021) 886 6899



REFERENCE: 16/3/3/5/B4/45/1005/20
NEAS REFERENCE: WCP/EIA/AMEND/0000421/2020
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE: 2020 -02- 17

ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 8 JULY 2015: THE PROPOSED MIXED-USE AND RESIDENTIAL DEVELOPMENT ON FARM NO. 85, AND ERVEN 14425 AND 14426, STELLENBOSCH

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

A. 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 Department herewith **grants** the amendment of the Environmental Authorisation ("EA") issued on 8 July 2015 (Reference No.: 16/3/1/1/B4/45/1096/14) in terms of Part 1 of the EIA Regulations, 2014 (as amended).

The EA is amended as set out below:

1. Section E: CONDITIONS OF AUTHORISATION: Condition 1

This Environmental Authorisation is valid for a period of **five years** from the date of issue. The holder must commence with 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, **at least three (3) months prior to** the expiry of this Environmental Authorisation.

Note that: (1) in terms of Regulation 28(2) of the NEMA EIA Regulations, 2014, failure to lodge an application for amendment at least three months prior to the expiry of the validity period of the Environmental Authorisation may result in the competent authority being unable to process the application for amendment and in the lapsing of the Environmental Authorisation, and (2) it is an

offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activities, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.

is amended to read:

This amended Environmental Authorisation is valid for a period of **5 years** from the date of issue of this amended Environmental Authorisation. If the holder does not commence with the listed activities within the said period, this amended Environmental Authorisation shall lapse, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the amended Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the amended Environmental Authorisation.

B. REASONS FOR THE DECISION

In reaching its decision, the Department took, inter alia, the following into consideration:

1. The amendment applied for is in terms of Part 1 of the NEMA EIA Regulations, 2014 (as amended) and will not change the scope of the Environmental Authorisation issued on 8 July 2015.
2. The amendment does not trigger any new listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) (Listing Notices 1, 2 and 3 in Government Gazette No. 40772 of 7 April 2017) promulgated in terms of the NEMA.
3. The amendment will not result in an increased level or nature of the impacts that were considered and assessed during the initial application for Environmental Authorisation.
4. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.

C. CONDITIONS

1. All other conditions contained in the Environmental Authorisation issued on 8 July 2015 (Attached as Annexure A), remain unchanged and in force.

D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA 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)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 17/02/2020

CC: (1) Mr. G. Erasmus (Planning Services)

Fax: (086) 621 5474

(2) Mr. S. van der Merwe (Stellenbosch Municipality)

Fax: (021) 886 6899

-----END-----

ANNEXURE A
ENVIRONMENTAL AUTHORISATION ISSUED ON 8 JULY 2015



EIA REFERENCE: 16/3/1/1/B4/45/1096/14
ENQUIRIES: D'mitri Matthews
DATE: 2015 -07- 0 8

The Board of Directors
Neethlingstraat 12 Stellenbosch (Pty) Ltd
P. O. Box 12731
STELLENBOSCH
8010

Attention: Mr. S. Braun

Tel: (021) 461 7178
Fax: (021) 461 3399

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT AMENDMENT REGULATIONS, 2010: PROPOSED MIXED-USE AND RESIDENTIAL DEVELOPMENT ON FARM NO. 85, AND ERVEN 14425 AND 14426, STELLENBOSCH

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) ("NEMA"), the Environmental Impact Assessment ("EIA") Amendment Regulations, 2010, and the EIA Regulations 2014, the competent authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative described in the Basic Assessment Report ("BAR") dated April 2015.

The granting of this Environmental Authorisation (hereinafter referred to as the "EA") is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Neethlingstraat 12 Stellenbosch (Pty) Ltd
c/o Mr. S. Braun
P. O. Box 12731
STELLENBOSCH
8010

Tel: (021) 461 7178
Fax: (021) 461 3399

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

B. LIST OF ACTIVITIES AUTHORISED

Government Notice No. R544 of 18 June 2010 –
Activity Number: 11

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 Number: 18

The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from:

- (i) a watercourse;
- (ii) the sea;
- (iii) the seashore;
- (iv) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater but

excluding where such infilling, depositing, dredging, excavation, removal or moving;

- (a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or
- (b) occurs behind the development setback line.

Activity Number: 23

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 –

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

Government Notice No. R983 of 4 December 2014 –

Activity Number: 19

The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—

- (i) a watercourse;
- (ii) the seashore; or
- (iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater—

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies.

Activity Number: 28

Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:

- (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or
- (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;

excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.

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:

This alternative entails the development of a residential development on Farm 85 and Erven 14425 and 14426 that will be comprised of approximately 260 residential units complete with internal roads, parking, open space areas and service

infrastructure. The development will be a combination of single and duplex town houses, group housing and apartment buildings. An access road to the site will be constructed from Hendriks Road on Erf No. 14426 around the existing dam, via a new traffic circle, located approximately 100m west of the R44 intersection.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on Farm 85 and erven 14425 and 14426, Stellenbosch.

The SG 21 digit codes are: C0670000000008500000
 C06700220001442500000
 C06700220001442600000

Co-ordinates: 33° 53' 56" South
 18° 51' 25" East

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Planning Services
c/o Mr. G. Erasmus
8 Glaudina Crescent

PAROW

7500

Cell: (084) 955 1060

Fax: (086) 621 5474

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 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, **at least three (3) months prior to** the expiry of this Environmental Authorisation.

Note that: (1) in terms of Regulation 28(2) of the NEMA EIA Regulations, 2014, failure to lodge an application for amendment at least three months prior to the expiry of the validity period of the Environmental Authorisation may result in the competent authority being unable to process the application for amendment and in the lapsing of the Environmental Authorisation, and (2) it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.

2. 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 notice and subsequent appeal is

lodged with the competent authority, the effect of this Environmental Authorisation is 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 I&APs 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 I&APs 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 I&APs to the manner in which they may access the decision;
 - 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 I&APs of the decision;
 - 3.4.2 informs all I&APs where the decision can be accessed; and
 - 3.4.3 informs all I&APs that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations;
 - 3.5 provide the registered I&APs with:
 - 3.5.1 the name of the holder (entity) of this environmental authorisation,
 - 3.5.2 name of the responsible person for this environmental authorisation,
 - 3.5.3 postal address of the holder,
 - 3.5.4 telephonic and fax details of the holder,
 - 3.5.5 e-mail address, if any, of the holder,
4. Seven calendar days' notice, in writing, must be given to the competent authority before commencement of the 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 and 13.
5. 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.

6. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
7. The draft Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation must be amended to address the following aspects and must then be re-submitted to the competent authority and approved prior to the completion of construction:
 - 7.1. A Maintenance Management Plan ("MMP") in terms of the NEMA EIA Regulations, 2010, relating to GN No. R. 544, Activity 18 and the NEMA EIA Regulations, 2014 relating to Activity 19 of GN No. R.983, for any future maintenance work to be undertaken within the streams must be included in the EMP. The MMP must include a plan for the ongoing clearance of alien vegetation.
 - 7.2. The recommendations of the specialist assessments that were conducted during the process including but not limited to, heritage impact recommendations, freshwater impact recommendations, and visual impact recommendations must be included.

Should amendments to the EMP be required (other than the above-mentioned) before an audit is required in terms of this Environmental Authorisation, the applicant must:

- notify the competent authority of its intention to amend the EMP at least 60 days prior to the submission of the application for amendment to the EMP;
- obtain comment from potential I&APs, including the competent authority, by using any of the methods provided for in the NEMA for a period of at least 30 days; and
- submit the amended EMP to the competent authority for approval within 60 days of inviting comments on the proposed amendments.

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

8. A copy of the Environmental Authorisation and EMP must be kept at the site where the listed activity 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.
9. A Property Owners Association must be formed and the Operational EMP requirements adopted in the Constitution of the Property Owners Association. The Constitution must be included in the Deed of Sale.
10. 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, save that such application for

amendment shall not include the personal details of the holder of the environmental authorisation.

10.1. Where an amendment relates to the change of ownership or transfer of rights and obligations, the applicant must:

10.1.1. submit an amendment application 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 activity/ies was/were lawfully commenced with); (b) the contact details of the person who will be the new holder; (c) the reasons for the transfer; and (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.

10.1.2. The competent authority will issue an amendment to the new holder either by way of a new Environmental Authorisation/s or an addendum to the existing Environmental Authorisation/s if the transfer is found to be appropriate.

10.2. Any changes to, or deviations from the scope of the description set out in Section B above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such 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. 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.
12. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activities. This includes complying with the requirements of the Department of Water and Sanitation in terms of the relevant legislation.
13. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or operational activities to ensure compliance with the EMP and the conditions contained herein.
14. 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.
15. No surface or ground water may be polluted due to any actions on the site.

16. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
17. 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.

18. The following recommendations as indicated in the Freshwater Constraints Assessment, dated October 2014, compiled by Toni Belcher, must be implemented and adhered to:
 - 18.1. A development setback (buffer area) of at least 15m must be provided from the top of the bank of the tributary along the northern boundary and of at least 10m from the top of the bank of the tributary along the south western boundary of the site.
 - 18.2. A qualified botanist or freshwater specialist must be appointed to assist with the rehabilitation of the riparian zone of the rivers and only indigenous vegetation must be used for the rehabilitation of the riparian zone.
19. Post development stormwater runoff must not exceed pre-development runoff.
20. The stormwater system must be designed in accordance with the principles of Sustainable Urban Drainage Systems ("SUDS"), which would include mitigation measures such as those indicated in the Stormwater Report dated 11 March 2015, including:
 - 20.1. The use of permeable paving systems within the development.
 - 20.2. The use of stormwater ponds to detain water on site.
21. The following recommendations as included in the Visual Impact Assessment conducted by Karen Hansen Landscape Architect Visual Impact Assessments, dated October 2014, must be implemented and adhered to:
 - 21.1. Retaining the existing line of trees along the R44, and reinforcing this visual screening through additional planting.
 - 21.2. New planting of trees along the boundary of Farm 103 before commencement of construction of the development.

- 21.3. Planting of trees along the boundary between the site and Welgevonden Estate.
 - 21.4. Retaining the old olive trees along the historic farm road and replacing trees where required.
22. Effluent discharge from the development can only take place after the upgrade of the Stellenbosch Wastewater Treatment Works ("WWTW") is completed and upon written confirmation from the Municipality that the WWTW is ready to accept effluent. A copy of the written confirmation must be submitted to the Department before operation.
23. An audit report, showing compliance with the EMP and with conditions of this environmental authorisation must be submitted to this Department six (6) months after commencement of construction and 6 months after the completion of construction. The audit report must include a copy of the Constitution of the Property Owners Association.

F. APPEALS

Appeals must comply with the provisions contained in Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010.

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;
 - 1.1.1 If the appellant is an applicant, the appellant must provide each person and organ of state which was a registered interested and affected party in relation to the applicant's application, within 10 (ten) days of having submitted the notice with the Minister, with —
 - (a) a copy of the notice lodged with the Minister; and
 - (b) a notice indicating that the appeal submission will be made available on the day of lodging it with the Minister and where and for what period the appeal submission will be available for inspection by such person or organ of state.
 - 1.1.2 If the appellant is a person other than an applicant, the appellant must provide the applicant, within 10 (ten) days of having lodged the notice with the Minister, with —
 - (a) a copy of the notice lodged with the Minister and
 - (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
- 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. 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 and
- 1.4. if a respondent introduces any new information not dealt with in the appeal submission of the appellant, the appellant is entitled to submit an answering statement to such new information to the Minister within 30 (thirty) days of receipt of the responding statement.
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. All notice of intention to appeal and appeal forms must be submitted in hard copy by means of one of the following methods:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9086
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

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

PLEASE NOTE: NO appeal, responding and answering statement may be lodged by e-mail.

4. 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 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 Addendum to the 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. HENRI FORTUIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION:

7-7-15

CC: (1) Mr. G. Erasmus (Planning Services)

(2) Mr. B. de la Bat (Stellenbosch Municipality)

Fax: (086) 621 5474

Fax: (021) 808 8200

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:

16/3/1/1/B4/45/1096/14

NEAS EIA REFERENCE NUMBER:

WCP/EIA/0001880/2014

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 dated 25 August 2014, the Environmental Management Programme ("EMP") submitted together with the final Basic Assessment Report ("BAR") dated April 2015;
- 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) ("NEMA");
- d) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereon, as included in the final BAR dated April 2015; and
- e) The sense of balance of the negative and positive impacts and proposed mitigation measures.

This application was submitted in terms of the NEMA Environmental Impact Assessment ("EIA") Regulations, 2010, and was pending at the time of the promulgation of the EIA Regulations, 2014. Some of the listed activities herein authorised may not have been listed under the previous NEMA EIA Regulations, 2010, but are now listed in terms of the EIA Regulations, 2014. In accordance with Regulation 53(3) of Government Notice ("GN") No. R. 982, activities similarly listed in terms of the NEMA EIA Regulations, 2014 may be authorised as if applied for.

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 the following:

Deviations requested from certain PPP requirements of Regulation 54 of Government Notice No. R. 543 were granted by the Department.

- Site notices were placed on 9 September 2014.
- An advertisement was placed in the "Stellenbosch Gazette" newspaper on 9 September 2014.
- The background information document ("BID") was hand delivered and circulated to interested and affected parties ("I&AP's") on 9 and 10 September 2014, respectively.
- The draft BAR was made available for comment on 31 October 2014, and
- The final BAR was made available for comment on 23 March 2015.

Authorities Consultation:

The following authorities commented and have no objection to the proposed development subject to mitigation measures being implemented:

- CapeNature;
- Department of Agriculture;
- Heritage Western Cape;
- The Department of Water and Sanitation.

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

2. Alternatives

Preferred Alternative (Herewith authorised)

This alternative entails the development of a residential development on Farm 85 and Erven 14425 and 14426 that will comprise of approximately 260 residential units complete with internal roads, parking, open space areas and service infrastructure. The development will be a combination of single and duplex town houses, group housing and apartment buildings. An access route to the site will be constructed from Hendriks Road on Erf No. 14426 around the existing dam, via a new traffic circle, located approximately 100m west of the R44 intersection.

This alternative is preferred for the following reason:

- The development will be visually integrated with the adjacent Welgevonden Estate because the appearance and density of the development will be similar in nature. Furthermore, it complies with the Stellenbosch Municipality Spatial Development Framework, November 2012 in terms of appropriate densities and use of available land for urban development.

Design Alternative 1

This alternative entails establishing a lower density residential development, which will be comprised of approximately 150 single residential units and group housing units. The size of erven ranges between 200m² and 350m². The average density will be approximately 15 dwellings per hectare.

This alternative is not preferred for the following reason:

- The proposed design will not comply with the forward planning documents (Stellenbosch Municipality Spatial Development Framework, November 2012) in

terms of promoting appropriate densities and optimum use of available land for urban development.

Design Alternative 2

This alternative is of a higher density than the other alternatives. It is proposed to establish approximately 350 dwelling units of which the majority will consist of multi-storey apartments and town houses. The average density of this alternative is approximately 37 units per hectare.

This alternative is not preferred for the following reason:

- The design will not be compatible with the adjacent Welgevonden Estate because the density and character of the units would significantly differ and will not be absorbed visually by the existing Welgevonden development.

"No-Go" Alternative

The "no-go" option, where the site would remain in its current state and continue to be used for equestrian purposes, was also investigated. Land earmarked in the Stellenbosch Municipality SDF for urban development- for which a need has been identified in the Stellenbosch area- would thereby not be utilized for this purpose. Therefore this alternative was not considered to be warranted.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

In terms of the approved Stellenbosch Municipality's Spatial Development Framework, 2012, the site is located within the urban edge of Stellenbosch and is earmarked for future urban development. There is a demand for a variety of housing options in the Stellenbosch area, which the proposed development addresses. The site is on the remainder of the original farm that was developed as Welgevonden Estate, which is located adjacent to and west of the site. The proposed residential development will integrate visually with the existing adjacent estate, which comprises of single residential units, duplex town houses and a small commercial node with shops, flats and offices. Furthermore, bicycle and pedestrian paths will assist with linking the two residential estates.

3.2. Biophysical Impacts

Two water courses exist along the western and northern site boundaries. According to the Freshwater Constraints Assessment dated October 2014, compiled by Toni Belcher and Dana Grobler of BlueScience (Pty) Ltd, the tributary of the Plankenbrug River that runs along the northern boundary of the site is in the form of a deeply incised stream, constrained by large exotic trees on both banks and by a levee on the northern bank. This tributary is largely modified in terms of in-stream habitat and largely to severely modified in terms of its riparian habitat.

A shallow drainage channel runs along the south-western border of the site (the common boundary of Farm 85 and Welgevonden Estate), until it is piped via open space on Welgevonden Estate. This channel is fed from run-off from the site and with the dam overflow in the south eastern corner of the site. The irrigation dam, on Erf 14426, is fed with stormwater run-off from a portion of the Welgevonden Estate and from the R44 road reserve.

The banks of the two watercourses are demarcated as Ecological Support Areas ("ESA"). Although they have both been modified and are in poor ecological condition, the ESA may fulfill a limited connectivity function. This will be enhanced by the proposed upgrading of the dam overflow trench as part of the proposed development. Furthermore, the riparian vegetation of the watercourses will be enhanced with appropriate indigenous plants and included into the proposed landscaping buffer areas.

With the implementation of the recommendations of the specialists (Condition 17), the impacts on water resources are rated as being of low negative significance, with an overall improvement in the riparian zones of the rivers being achieved through the implementation of the proposed rehabilitation measures.

According to the Baseline Botanical Assessment dated October 2014, compiled by Dr. D.J. McDonald of Bergwind Botanical Surveys and Tours, the site is currently used for equestrian purposes and is completely transformed. It is mostly covered with Kikuyu grass and annual weeds, with no remnant of any sensitive vegetation.

A small portion of the site, on the south eastern portion of the existing irrigation dam on Erf 14426 is designated as a Critical Biodiversity Area ("CBA"). The CBA was not verified by the specialist report, however, the site is devoid of natural vegetation and is therefore demarcated as No Natural Areas remaining. The specialist report confirmed that the proposal would not have an impact on any sensitive areas and natural habitats.

With the implementation of landscaping within the 30m buffer zone at the interface of Welgevonden Estate and the landscaping of the green areas within the development, the impact will be of a positive nature in terms of vegetation. There will be an improvement within the riparian zone of the rivers and the current state of the site.

3.3. Stormwater Management

The stormwater management system will be designed in accordance with the principles of Sustainable Urban Drainage Systems ("SUDS"). Attenuation of the stormwater peak runoff (to pre-development levels) is proposed through a combination of measures including permeable paving and stormwater ponds. The stormwater ponds will be located in the lower half of the site and positioned to fit in with the landscaping of the green spaces. The use of permeable paving to attenuate the peak stormwater run-off has the benefit of improving the quality of the run-off through the removal of pollutants. Rainwater harvested at the outflow of the stormwater system will be pumped to the Green Oaks Dam from where it can be used for the irrigation of green spaces.

3.4. Services

Bulk Water Reticulation

In their letter dated 24 October 2014 Stellenbosch Municipality confirmed that the proposed development will connect via a new 160mm diameter pipe to the existing 110mm diameter water supply pipeline in Fynbos Street

and the 225mm diameter water supply pipeline in Hendrikse Road. This will be at the developer's cost, as it only serves the proposed development.

Bulk Water Supply

The proposed development will receive bulk water supply from the Cloetesville Reservoir zone. Although this has capacity to accommodate only partial demand from the proposed development, the Stellenbosch Municipality has confirmed that it has allocated funding for, and will be constructing, a new 5ML reservoir adjacent to the existing reservoir in the financial year of 2016/17. This will be sufficient to accommodate the total demand of the proposed development.

Bulk Sewer Reticulation

The proposed development will connect to the existing link sewer reticulation system in the direct vicinity of the proposed development. Currently, the existing link sewer system does not have sufficient capacity to accommodate the development and therefore will need to be upgraded to the cost of the developer as indicated in the letter dated 24 October 2014 from Stellenbosch Municipality.

Currently, the existing bulk sewer reticulation system via the Plankenbrug system does not have the capacity to accommodate the proposed development. However, the bulk sewer reticulation upgrades identified as minimum requirements for this development are earmarked for construction in the 2015/2016 and 2016/2017 financial year as per the current approved municipal budget.

Waste Water Treatment

The municipality has confirmed that sewage will be treated at the existing Stellenbosch Waste Water Treatment Works ("WWTW") in Devon Valley, which is currently under pressure to treat effluent from new developments. The environmental authorisation ("EA") for the upgrading of the WWTW was issued by the Department of Environmental Affairs and Development Planning on 5 June 2014, however, and sufficient spare capacity will exist by the middle of 2017 to accept the additional sewage from the proposed development.

Solid Waste

The Stellenbosch Municipality has confirmed that it will manage the solid waste from the development as per the normal waste removal policy.

Electricity

In their letter dated 30 September 2014, the Stellenbosch Municipality confirmed that capacity is available and/or planned for in the upgrades programme of the municipality. The municipality indicated that the developer will be responsible for the cost of upgrades required for the development.

3.5. Transport Impacts

According to the Transport Impact Assessment dated October 2014, compiled by ITS Engineers (Pty) Ltd, no significant conflict situations were observed at the study intersections during the typical weekday peak hours at this stage. However, the additional traffic from this and other proposed new developments in the area will have a cumulative impact on the future capacity at the R44/Hendrikse Road intersection. The traffic assessment report therefore recommended upgrades at the R44/Hendrikse intersection, which include dual right-turn lanes eastbound along Hendriks Road, by extending the existing eastbound left-turn lane along Hendriks Road and remarking it as a shared left and right-turn lane. It was also recommended that the painted island on the southern R44 approach should also be changed to a receiving lane to accommodate two receiving lanes southbound along the R44. With the implementation of the recommendations of the Traffic Impact Assessment Report, the impacts on future traffic conditions are rated as being of low significance. The developer will contribute and/or implement the recommendations according to the requirements of the Stellenbosch Municipality.

3.6. Heritage Impacts

The Heritage Impact Assessment dated October 2014, compiled by Aikman Associates Heritage Management identified a small store building on the site (Erf 85) as having heritage significance. This building is likely to have been built in the 19th century, was altered at a later date, and may originally have been a stable. This was considered to be of some historic and aesthetic significance, and the specialist proposed it be rated as of Grade III B significance. A historic farmstead on the adjacent site was also rated as being of heritage significance.

According to the Heritage Impact Assessment however, the retention of the row of olive trees and the proposed tree planting along the boundary of the R44 and the northern boundary of the site will provide screening and *curtilage* for these buildings. Furthermore, through the implementation of the recommendations of the specialist (Condition 20), the impact on sense of place is rated as being of medium significance.

3.7. Visual Impacts

According to the Visual Impact Assessment Report dated October 2014, compiled by Karen Hansen Landscape Architect Visual Impact Assessments, sensitive visual receptors at the adjacent Weltevreden Historic Farm and the adjacent housing estate at Welgevonden were identified. The development would alter the view from that of a field to that of urban development. However, several measures to mitigate the potential visual impacts resulting from the proposed development have been proposed in the aforementioned Visual Impact Assessment Report and are included under in Condition 20, and the EMP, as conditions of approval. These include screen planting, landscaped buffer areas and that the building colours and elevation are to be compatible with that of the adjacent Welgevonden estate. This would assist with integrating the proposed development into the local environment which comprises the transition between an urban and rural landscape.

In summary, the proposed development is predicted to have both negative and positive impacts.

Negative Impacts:

The negative impacts include construction-related impacts, such as temporary visual impacts, impacts on aquatic features, dust and noise impacts. The proposed development will permanently alter the sense of place from a rural character to an urban landscape. These impacts will be mitigated as per the measures contained in the EMP and the conditions in this environmental authorisation.

Positive impacts:

Temporary employment opportunities will be created during the construction phase. Some permanent employment opportunities are likely to be created during the operational phase. The development will also provide for the protection of the remaining natural area on site through the implementation of the landscaping and rehabilitation within the riparian zone and green open areas of the development. The development will contribute to the identified need for medium density housing in the Stellenbosch area, and will be in line with the Stellenbosch Municipality's forward planning documents (SDF).

4. National Environmental Management Act Principles

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

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

5. Conclusion

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 activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

- Adherence to the NEMA principles;
- Compliance with the conditions stipulated in this Environmental Authorisation;
- Compliance with the mitigation measures in the EMP.

-END-