



REFERENC REFERENCE: 16/3/3/5/E2/9/1052/22
NEAS REFERENCE: WCP/EIA/AMEND/0000650/2022
ENQUIRIES: Ntanganedzeni Mabasa
DATE OF ISSUE: 23 September 2022

The Members
Equisale 2 CC
P.O. Box 1177
GANSBAAI
7220

Attention: Mr Johannes Groenewald

Tel: (028) 388 0052
Email: guanoorganic@lantic.net

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 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 13 OCTOBER 2017: PROPOSED RESIDENTIAL AND BUSINESS COMPLEX DEVELOPMENT, PORTION 29 OF FARM FRANSCHE KRAAL NO. 708, FRANSKRAAL.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the amendment of the environmental authorisation issued on 13 October 2017 (DEA&DP Ref: 16/3/3/1/E2/9/1013/17) attached herewith, together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached environmental authorisation.

Yours faithfully

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

CC: (1) Duncan Heard (Duncan Heard Environmental Consulting)
(2) Liezl de Villiers (Overstrand Municipality)
(3) Mr R. Smart (Cape Nature)
(4) Ms T. Bushula (BGCMA)

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REFERENCE: 16/3/3/5/E2/9/1052/22
NEAS REFERENCE: WCP/EIA/AMEND/0000650/2022
ENQUIRIES: Ntanganedzeni Mabasa
DATE OF ISSUE: 23 September 2022

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 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 13 OCTOBER 2017: PROPOSED RESIDENTIAL AND BUSINESS COMPLEX DEVELOPMENT, PORTION 29 OF FARM FRANSCHE KRAAL NO. 708, FRANSKRAAL.

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 issued on 13 October 2017 (DEA&DP Ref: 16/3/3/1/E2/9/1013/17), in terms of Part 1 of the EIA Regulations, 2014.

The Environmental Authorisation is amended as set out below:

1. Section E: CONDITIONS OF AUTHORISATION: Condition 2:

The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.

is amended to read:

The holder must commence with, and conclude, the listed activities within the stipulated validity period for which this amended Environmental Authorisation is granted, or this amended Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority

This amended Environmental Authorisation is granted for-

- (a) A period of **ten (10) years** from the date of issue of the original Environmental Authorisation dated 13 October 2017, 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.

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 EIA Regulations, 2014 and will not change the scope of the Environmental Authorisation issued on 13 October 2017.
2. The amendment does not trigger any new listed activities in terms of the EIA Regulations, 2014 (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 13 October 2017 (attached as Annexure A) still 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 on which notification of the decision was sent to the holder by the Competent Authority –
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr 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 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)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 23 SEPTEMBER 2022

CC: (1) Duncan Heard (Duncan Heard Environmental Consulting)
(2) Liezl de Villiers (Overstrand Municipality)
(3) Mr R. Smart (Cape Nature)
(4) Ms T. Bushula (BGCMA)

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Email: ldevilliers@overstrand.gov.za
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Directorate: Development Management
(Region 2)

REFERENCE: 16/3/3/1/E2/9/1013/17
NEAS REFERENCE: WCP/EIA/0000252/2017
ENQUIRIES: Arabel McClelland
DATE OF ISSUE: 2017 -10- 13

The Members
Equisale 2 cc
P.O. Box 1177
GANSBAAI
7220

Attention: Mr. A. Wiehahn/J. Groenewald

Tel: (028) 388 0052
Email: guanoorganic@lantic.net

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): PROPOSED RESIDENTIAL AND BUSINESS COMPLEX DEVELOPMENT, PORTION 29 OF FARM FRANSCH KRAAL NO. 708, FRANSKRAAL

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to, and reasons for, the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. D. Heard (Duncan Heard Environmental Consultants)
(2) Ms. L. de Villiers (Overstrand Municipality)
(3) Mr. R. Smart (CapeNature)
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REFERENCE: 16/3/3/1/E2/9/1013/17
NEAS REFERENCE: WCP/EIA/0000252/2017
ENQUIRIES: Arabel McClelland
DATE OF ISSUE: 2017 -10- 13

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED RESIDENTIAL AND BUSINESS COMPLEX DEVELOPMENT, PORTION 29 OF FARM FRANSCHE KRAAL NO. 708, FRANSKRAAL

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the revised preferred Alternative, namely Alternative 4, as described in the additional information to the Basic Assessment Report ("BAR"), dated 17 September 2017.

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

Equisale 2 cc
c/o Mr. A. Wiehahn/J. Groenewald
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Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 12</p> <p>The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	<p>The development will occur on a site characterised as constituting a network of wetland areas. As such, structures and infrastructure, including the boardwalk network, will be constructed in and adjacent to wetland areas.</p>
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 19</p> <p>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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p>	<p>The development will result in the construction of a road across, as well as a boardwalk network within the identified wetlands in the private open space area.</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>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 27</p> <p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for —</p> <p>(i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>An area of approximately 9.7ha will be cleared of scattered indigenous vegetation for the proposed development.</p>
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 28</p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <p>(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;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	<p>An area of approximately 9.7ha will be cleared for the proposed development on a property previously used for agricultural purposes.</p>
<p>Government Notice No. 324 of 7 April 2017 -</p> <p>Activity Number: 4</p> <p>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</p> <p>(i) Western Cape:</p> <ol style="list-style-type: none"> i. Areas zoned for use as public open space or equivalent zoning ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine 	<p>The development includes a road network servicing the residential and business components, which will in places exceed 4m in width.</p>

<p>functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	
<p>Government Notice No. 324 of 7 April 2017 -</p> <p>Activity Number: 12</p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>(i) Western Cape:</p> <ol style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister. 	<p>The upper north western area of the property comprises intact Agulhas Sand Fynbos. This portion has been incorporated into the private open space network, however, establishment of the boardwalks and the edge of the peripheral erven of Portion 3 of the development in this area may result in the clearance of 300m² or more of indigenous vegetation that is considered to be endangered in terms of NEMBA.</p>

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

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

The development proposal entails the establishment of a residential and business complex comprising of the following:

- 205 single residential erven;
- A business zone covering an area of approximately 0.4ha;
- Roads with an approximate extent of 2.6ha;

- A total development footprint, including roads, residential and business development, of approximately 9.7ha;
- A contiguous Private Open Space Environmental Corridor Network running through the site, which is approximately 11.7ha in extent. The open space will include a network of formalised boardwalks and a bird-hide; and
- Two existing dams that are to be retained and reshaped and a third added on the southern portion of the site to act as attenuation dams.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 29 of Farm Fransche Kraal No. 708, Franskraal.

The co-ordinates of the development are:

Latitude (S)	Longitude (E)
34° 35' 45.74" South	19° 24' 31.27" East

The SG digit code is: C0130000000070800029

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

Duncan Heard Environmental Consulting
 c/o Mr. Duncan Heard
 12 Sepia Avenue
 Vermont
ONRUSRIVIER
 7201

Tel: (028) 316 3386

Fax: (086) 513 4462

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 Alternative 4, described in the additional information to the BAR, dated 17 September 2017, on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
3. The 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, 8, 10, 16, 17, 21 and 26.

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 (as amended) detailed in Section G 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, and

- 6.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).

7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activity

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation must be amended and resubmitted to this Department for authorisation before site preparation or clearance activities commence. The EMPr must be amended as follows:
 - 8.1. The development description in Section 2 must be in line with the preferred development alternative, namely Alternative 4.
 - 8.2. Annexures 1 and 2 of the EMPr must refer to the authorised alternative, namely Alternative 4.
9. The amended EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
11. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
12. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

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

The holder must, within 7 days of the submission of the report 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

14. 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.

15. 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.
16. A wetland rehabilitation plan and open space management plan for the protected area must be compiled by a suitably qualified and experienced ecologist. This plan must include, *inter alia*, the following:
 - 16.1. A description of the funding mechanism for the implementation thereof;
 - 16.2. A Maintenance Management Plan ("MMP"), which includes the following aspects:
 - 16.2.1. A description of the proposed maintenance activities and the relevant triggered listed activities in terms of the NEMA EIA Regulations;
 - 16.2.2. The frequency of maintenance activities to be carried out on any structures or infrastructure within the wetlands, including the road linking portions 1 and 2 of the development, boardwalks, bird-hide and storm water infrastructure;
 - 16.2.3. The manner in which maintenance activities will be implemented. i.e. will maintenance activities be done by hand or mechanically. Method statements for each scenario must be included in the MMP;
 - 16.2.4. The access to the site if maintenance is carried out mechanically. (i.e. is the existing access to be used, or will a new access be created for the maintenance activity, and, if a new access is created, will the access be rehabilitated after maintenance activities are completed or will it be permanent); and
 - 16.2.5. An appropriately scaled map that highlights the specific area where maintenance will occur, the access routes to be used and where applicable, potential site camp areas, must be included in the MMP.
 - 16.3. Alien vegetation management;
 - 16.4. Fire management.

The rehabilitation, open space and maintenance management plan must be submitted to CapeNature, the Environmental Section of the Overstrand Municipality, and the Breede Gouritz Catchment Management Agency. The plan must be submitted to this Department for adoption prior to the commencement of any construction activities.

17. The construction phase disturbance footprint must be limited as far as possible with construction areas clearly demarcated before commencement of construction activities. Construction areas must be strictly adhered to. All areas beyond the construction footprints must be considered as no-go areas.
18. The identified wetland offset area is to be protected. Development, with the exception of the establishment of the boardwalks and the road linking portions 1 and 2, limited to that depicted in the Site Development Plan, Drawing Number Rev 26, is not permitted to encroach into the protected wetland offset area.
19. Direct access is not permitted from abutting residential properties onto the private open space area.
20. A buffer of a minimum of 10m must be maintained around the high conservation value wetland areas.
21. A comprehensive search and rescue operation of all translocatable bulbs within the development footprint must be undertaken by a suitably qualified and experienced horticulturalist or restoration ecologist prior to the commencement of any site preparations or construction activities, with all retrieved plant material immediately transplanted into the private open space corridor.
22. Raft foundations must be utilised to avoid alteration of the hydrology of the wetlands on site.
23. The road design of the section of the road network that crosses the open space area must allow for unhindered flow of water within the wetland and drainage below the road.
24. The following recommendations included in the Traffic Impact Report, compiled by DECA Consulting Engineers, dated 11 March 2016, must be implemented:
 - 24.1. Right and left turning lanes must be provided on DR01205 at the proposed access intersection.
 - 24.2. A sidewalk must be provided on at least one side of the internal access road, which links the development to DR01205.
 - 24.3. A public transport embayment must be provided near the commercial component of the development.
25. Open vegetated swales must be used for storm water pathways to aid storm water management as well as habitat creation for faunal movement.
26. A comprehensive storm water management plan for the authorised layout, namely Alternative 4, must be compiled and submitted to the Overstrand Municipality for approval. A copy of the approved storm water management plan must be submitted to the Breede Gouritz

Management Agency and this Department for record-keeping purposes prior to the commencement of construction activities.

27. Vegetation within the development footprint must remain in place for as long as possible during construction of the roads and installation of services to limit dust generation.

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 a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, 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 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

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

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of GN No. 326 of 7 April 2017 or any relevant legislation that may be applicable at the time.

F. APPEALS

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

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

2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–

2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and

2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021 483 3721)
Room 809
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 Jaap.DeVilliers@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 Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. HENRI FORTUIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

DATE OF DECISION: 13-10-17

CC: (1) Mr. D. Heard (Duncan Heard Environmental Consultants)
(2) Ms. L. de Villiers (Overstrand Municipality)
(3) Mr. R. Smart (CapeNature)
(4) Ms. T. Bushula (BGCMA)

Fax: (086) 513 4462
Fax: (028) 316 3721
Fax: (086) 529 4992
Email: TBushula@bgcma.co.za

ANNEXURE 1: LOCALITY MAP

FRANSCHÉ KRAAL
29/708

LOCAL CONTEXT

Application Area

APPENDIX
A 2

PLEASE NOTE: This map is only a guide and does not constitute a guarantee of accuracy. It is subject to change without notice. It is not to be used for any other purpose than that for which it was prepared.

DATE	SCALE	REVISION
BY	LANGUAGE	
PROJECT	PROJECT	





ANNEXURE 2: SITE PLAN

Portion 29 of Farm 708 Franschekraal

Site Development Plan

Portion	Measurement	Single Residential	Residential Core 1	Residential Core 2	Open Space	Total
1	Area / ha	1,954	0	0,548	0	2,49
	No of erven / units	51	0	0	0	51
2	Area / ha	1,740	0	0,574	0,107	2,43
	No of erven / units	51	0	0	0	51
3	Area / ha	2445	0	0,724	0,054	3,19
	No of erven / units	75	0	0	0	75
4	Area / ha	0,091	0	0,309	0	1,32
	No of erven / units	29	0	0	0	29
5	Area / ha	0	0	0,340	0	0,63
	No of erven / units	0	0	0	0	0
Total	Area / ha	6,740	0	2,186	1,161	21,37
	No of erven / units	205	0	0	0	205
	Average Size / m ²	329	0	329	329	329
	% of Total	32%	0%	12,1%	5,7%	100%

3.5 ha conservation area added

PREPARED BY: INTERACTIVE TOWN & REGIONAL PLANNING
DATE: 14 MARCH 2018
PROJECT NUMBER: 1801
PROJECT NAME: PORTION 29 OF FARM 708 FRANSCHIEKRAAL
PROJECT NUMBER: 1801
DATE: 14 MARCH 2018

APPROVED BY: INTERACTIVE TOWN & REGIONAL PLANNING
DATE: 14 MARCH 2018



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 dated 28 March 2017, and the EMPr submitted together with the BAR on 30 June 2017;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR, dated June 2017, and the additional information received on 19 September 2017;
- e) The Breede Gouritz Catchment Management Agency, CapeNature and Overstrand Municipality's comments received on 19 September 2017;
- f) The additional comments received from I&APs on 24 September 2017;
- g) The balancing of negative and positive impacts and proposed mitigation measures; and
- h) The site visit conducted on 20 July 2017, attended by officials of this Department, the Environmental Assessment Practitioner, Overstrand Municipality, the applicant and members of the project team.

This application was submitted in terms of the NEMA Environmental Impact Assessment ("EIA") Regulations, 2014. This decision takes into account the relevant amendments to the text of the said regulations promulgated on 7 April 2017.

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 considered to be 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;
- 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 councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities between 21 and 22 July 2016;
- the placing of a newspaper advertisement in the 'Hermanus Times' on 21 July 2016;
- fixing notice boards at the site where the listed activities are to be undertaken on 21 July 2016;
- making the BAR available to I&APs for public review from 28 March 2017 to 11 May 2017;
- making additional information available to I&APs for review on 17 September 2017.

The Competent Authority notes the Environmental Assessment Practitioner's responses to the issues raised during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and EMP to adequately address the concerns raised.

2. Alternatives

The proposal is for the development of a residential and business complex on the subject property. Specialists and the project team informed and guided the initial site development plans, which later evolved as additional specialist and authority input culminated in a fourth and preferred alternative:

Alternative 1

The development of a residential and business complex, covering an area of approximately 14ha, comprising the following:

- 273 single residential erven;
- 49 general residential units;
- A general business area with an extent of approximately 0.7ha, including business, filling station and storage components;
- A clinic;
- Roads with an approximate extent of 2.8ha;
- Private open space of approximately 7.4ha;
- Retention of the two existing dams on site;
- A sewage package plant installed underground within the open space area.

This alternative is not preferred for the following reasons:

- The proposal did not take into consideration the access requirements for the development in terms of the Provincial Road Access Guidelines.
- A 32m buffer had not been allowed for around the existing dams within the open space area.

Alternative 2

The outcome of the Transport Impact Assessment necessitated shifting the main access road resulting in the business and clinic precincts being moved to align with the new entrance. In addition, although the total area of the open space corridor was reduced, the buffer area around the dams was widened. This resulted in an open space area of approximately 7.1ha. This alternative comprised the following:

- 265 single residential erven;
- 101 general residential units;
- A general business area of approximately 0.4ha, including business, clinic and filling station components;
- An industry zone (for storage) of approximately 0.1ha;
- Roads with an approximate extent of 3.4ha;
- Private open space of approximately 7.1ha;
- Retention of the two existing dams on site;
- Installation of a sewage package plant.

This alternative was not preferred for the following reasons:

- The inclusion of the proposed sewage package plant and filling station posed a significant potential pollution and contamination risk to the wetlands on site as well as the nearby Uilkraal River and estuary.
- Storm water management measures did not meet the requirements as outlined by the project engineers and Overstrand Municipality whereby a retention pond capable of handling the 1:50 year run-off was incorporated within the development.

Alternative 3

Initial consultation with the relevant commenting authorities and additional specialist input, specifically from the wetland and geotechnical specialists, resulted in further adjustments to the development proposal. The open space corridor and clinic were expanded and the sewage package plant and filling station components were removed. To address storm water management, a third attenuation dam was added. This alternative comprised the following:

- 251 single residential erven;
- 95 general residential units;
- A general business area of approximately 0.4ha;
- An industry zone (for storage) of approximately 0.1ha;
- Roads with an approximate extent of 3.1ha;
- Private open space of approximately 8.2ha;
- Retention of the two existing dams and the addition of a third attenuation dam.

This alternative was not preferred for the following reasons:

- The development proposal was not supported by CapeNature or the Breede Gouritz Catchment Management Agency ("BGCMA") as it resulted in the loss of wetlands of conservation and ecological functional value.
- The proposed layout did not align with the findings and recommendations of the freshwater specialist and wetland delineation study.
- Engineering solutions would be required to address seasonally wet conditions on site.
- This alternative did not make provision for a sufficient on-site wetland offset.

Alternative 4 (Herewith authorised)

Further consultation with the relevant commenting authorities and the undertaking of additional specialist studies resulted in the final iteration of the development proposal. This proposal entails the establishment of a residential and business complex comprising of the following:

- 205 single residential erven;
- A business zone covering an area of approximately 0.4ha;
- Roads with an approximate extent of 2.6ha;
- A total development footprint, including roads, residential and business development, of approximately 9.7ha;
- A contiguous Private Open Space Environmental Corridor Network running through the site, which is approximately 11.7ha in extent. The open space will include a network of formalised boardwalks and a bird-hide; and
- Two existing dams that are to be retained and reshaped and a third added on the southern portion of the site to act as attenuation dams.

This alternative is preferred for the following reasons:

- This layout allows for an open space area which is larger, less fragmented and enables greater ecological functionality.
- The larger open space area includes all the high and moderate to high conservation value wetland areas as well as a portion of the low to moderate conservation value wetland areas. In addition, it also contains the remaining intact Agulhas Sand Fynbos portion, which has a high conservation value.
- This alternative takes into account the outcome of the hydrogeology study and requirements of the wetland offset calculator. A sufficient on-site wetland offset has been incorporated into the development proposal for the property.
- The preferred alternative addresses the concerns of and is supported by the BGCMA and CapeNature.

"No-Go" Alternative

The "no-go" option was also investigated and was not preferred as the *status quo* would be maintained, where the site would continue to be under-utilised. Although alien vegetation removal would be undertaken on site, it is unlikely that any further action would be taken to enhance the environmental condition of the site beyond basic maintenance to allow its ongoing use as a guano processing facility. This would mean that the wetlands would not be protected or rehabilitated. The option of not proceeding with the development would result in residential opportunities within the specific portion of the Franskraal residential and retirement market not being realised. Furthermore, the business and clinic facilities would not be established leading to a lost opportunity for both permanent employment and health care facilities as well as temporary employment during the construction phase of the greater complex.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The subject property is zoned "Special Zone" and located on the eastern fringe of Franskraal, part of the Franskraal Smallholdings, at the intersection of the R43 and DR01205. In terms of strategic forward planning for the Overstrand Municipality, although located outside the urban area, the subject property is situated within the urban edge, as per the Overstrand Municipality's Spatial Development Framework ("SDF"). The Franskraal small holding area is considered as a future possible urban expansion area. Furthermore, the Overstrand Growth Management Strategy identified the area as a densification zone for residential development. The proposal is also aligned with the development policies of the Integrated Development Framework and will provide a range of housing opportunities in terms of price and type that is currently not catered for in the area. Forecasts indicate a demand for additional secure and more affordable residential development, attracting family, holiday and retirement home markets. It would also be marketable as the associated small business development makes provision for commercial outlets and a residents' care clinic facility. Green spaces, in the form of the open space corridor, would also enhance the living environment. Although various bulk infrastructure upgrades are required, specifically relating to linkage or connection of the site to the existing networks, the service providers have confirmed that sufficient bulk service capacity is available to service the proposed residential and business complex.

3.2 Biophysical Impacts

A botanical assessment was undertaken by Fynbos Ecoscapes Botanical Consulting, dated 26 August 2015. According to the assessment, the upper north western area of the property is

characterised by a patch of intact Agulhas Sand Fynbos, which has a high conservation value and is to be protected. The botanical specialist also identified the semi-intact natural wetland running from this sand fynbos patch in an easterly direction across the property and noted its importance and the need to restore and protect it. Other natural vegetation across the majority of the property has been severely impacted in the past through ploughing and subsequent invasion by alien vegetation. Approximately 80% of the property had been ploughed for agriculture in the past resulting in it now being dominated by weedy annuals, perennials, grasses and alien invasive trees (although alien clearing is currently underway on the property). Due to this, the ploughed areas have a low biodiversity and conservation value from a botanical perspective, although a number of geophytes were recorded. Therefore, a comprehensive search and rescue operation of all translocatable bulbs is required with all retrieved plant material immediately transplanted into the open space corridor. In addition, one species of conservation concern, namely *Leucadendron linifolium*, was recorded on site. A portion of the property has been mapped as an ecological support area, however, it is not aligned with the findings of the site investigation and location of the intact Agulhas Sand Fynbos unit, although it shows the property as providing an important ecological link between conservation areas to the west and the Uilkraals estuary to the east.

The Freshwater Consulting Group undertook a wetland delineation of the property. The report, dated November 2016, using indicators of wetland presence from across the site, confirmed that a large proportion of the property comprised a combination of channeled valley-bottom and hillslope seep wetlands. These wetlands occupy approximately 20.3ha and are seasonal. Portions of the wetland are considered to be in a good condition and to be of high conservation value, while the remainder has been impacted by ploughing and alien infestation. Portions of low and moderate conservation value wetlands were subsequently also delineated. The specialist noted that the presence of the extensive wetland posed an issue for the proposed development and identified the potential need for a wetland offset, protection of some portions and the need for buffers.

A geotechnical investigation of the site was compiled in December 2016 by Geotechnics Consulting Engineering Geologists. The investigation aimed to highlight potential drainage, founding and excavation problems and for the early detection of conditions that need to be taken into account during the planning and design phases of the proposed development. It was noted that the investigation was undertaken in the first half of an above average dry season and advised that the groundwater regime would likely change in the wet season, particularly if the region experienced an above average wet season. Therefore, monitoring of the drainage conditions on and around the site is important for formalising appropriate drainage measures to be incorporated into the urban development plan. Due to a number of factors a combination of foundation solutions is recommended for construction, including compaction and rafts. Additional precautionary measures are advised including the installation of cut-off drains and subsoil drainage systems and protection of structures and infrastructure from highly corrosive soil conditions.

Following the recommendations from the above specialists and commenting authorities, particularly CapeNature and the BGCMA, it was apparent that additional consideration would need to be given to the constraints posed by the extensive wetlands on site and the requirement for further specialist input in identifying the portion of potentially developable land on the property, as well as any additional mitigation measures. Due to the minor discrepancies of the findings between the botanical, freshwater and geotechnical specialists with respect to the extent of the wetland and areas of conservation value, a hydrogeology study was undertaken by Professor Pieter le Roux, dated 22 August 2017. This study confirmed the presence and nature of the wetlands,

water content and movement. Recommendations included that all construction should be as shallow as possible, interflow pathways should not be significantly restricted or increased, and that a wetland offset should be proposed. Therefore, in keeping with the outcomes of the hydrogeology study and the BGCMA's requirements, the Freshwater Consulting Group undertook a wetland offset calculation, dated 14 September 2017. Using the appropriate calculator allowing for the determination of an offset for Water Resources and Ecosystem Services, in addition to an offset for Ecosystem Conservation, it was concluded that an alternative layout was required that resulted in a larger corridor as an offset for wetland functionality and ecosystem conservation. Within this corridor, a buffer of 10m to 20m of low to moderate wetland should be established around the high conservation value wetland areas. This "wetland offset", in the form of private open space within the development, would need to be protected and rehabilitated to be in good ecological condition to meet the offset requirements. As a result, the project team revised the proposed development layout, significantly reducing the number of erven and the development footprint and increasing the Private Open Space Environmental Corridor Network to an area of 11.685ha. This area includes all high and moderate to high conservation value wetland areas as well as a portion of the low to moderate conservation value wetland areas. In addition, it also contains the remaining intact Agulhas Sand Fynbos portion. Through the revised development layout, the required wetland offset can be accommodated on-site through the inclusion, protection and rehabilitation of the open space corridor. This approach is supported by the BGCMA and CapeNature and various conditions have been carried through to the Environmental Authorisation to ensure rehabilitation and management of the protected wetland open space corridor.

A Water Use Licence Application ("WULA") has been made to the Department of Water and Sanitation's ("DWS") delegated authority, the BGCMA, in terms of the National Water Act, 1998 (Act No. 36 of 1998). Furthermore, the BGCMA, in collaboration with the DWS, will finalise the proposed wetland offset through the WULA process.

3.3 Traffic Impacts

A Traffic Impact Report was compiled by DECA Consulting Engineers, dated 11 March 2016. This report assessed the potential transport impacts associated with the proposed development resulting in the finding that the residential and business complex will have a moderate potential traffic impact. The intersection of the R43 with the DR01205 will continue to operate at a level of service A during both peak hours. However, the additional trips generated will necessitate a right turn lane for vehicles approaching from the northeast as well as a left turn lane for vehicles approaching from the southwest on DR01205. It is expected that the development will attract some public transport trips, therefore a public transport embayment should be provided near the commercial component of the proposed development. In addition, a sidewalk is required on at least one side of the internal access road linking to DR01205.

The development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will result in construction related impacts such as dust, visual, security and noise during the construction period.
- Some modified, degraded and relatively low conservation value wetlands and wetland margins will be lost to the development on the property.
- Localised disturbance will occur to wetlands during the construction phase for roads and infrastructure as well as the establishment of the network of boardwalks and bird-hide.

- The potential exists for pollution of surface and groundwater resources during the construction phase.
- Construction works will result in an increase in potential traffic and an increased volume of construction vehicles entering the site.
- Significantly disturbed indigenous vegetation will be cleared to allow for development on some portions of the property.
- The development of the complex will result in a visual impact.
- Traffic impacts will occur in terms of additional trips and the addition of turning lanes on DR01205.

Positive impacts:

- The development will provide temporary employment opportunities during the construction phase.
- Residential and retirement opportunities will be provided for within the local Franskraal market.
- Business and employment opportunities and health care facilities will be provided within the local community.
- Wetlands of conservation value and an intact portion of Agulhas Sand Fynbos will be retained within the private open space corridor.
- Protection, rehabilitation and management of the wetland offset area and private open space corridor will improve the ecological functioning and integrity of the site.

3 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.

4 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.

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