



REFERENCE: 16/3/3/5/A3/54/2049/21
NEAS REFERENCE: WCP/EIA/AMEND/0000559/2021
DATE OF ISSUE: 11 April 2022

The Board of Directors
CShell 273 (Pty) Ltd.
Postnet Suite 22
Private Bag X1005
CLAREMONT
7735

Attention: Mr. John Cullum

E-mail: johnny@mulilo.com

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PART 2 AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 SEPTEMBER 2012 (REFERENCED: E12/2/3/2-A3/458-0218/07), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 22 SEPTEMBER 2017 (REFERENCED: 16/3/3/5/A3/54/2042/17) AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 28 JUNE 2019 (REFERENCED: 16/3/3/5/A3/54/2032/19): PROPOSED ESTABLISHMENT OF A BUSINESS PARK ON PORTION 15 OF FARM VERGENOEGD NO. 653, SOMERSET WEST.

1. With reference to the above application, the competent authority 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 EIA 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 are provided with access to and reasons for the decision, and that all registered interested and affected parties are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

CC: (1) Ms. Monique Sham (KHULA Environmental Consultants)
(2) Ms. Azanne van Wyk (City of Cape Town)

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AMENDED ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PART 2 AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 SEPTEMBER 2012 (REFERENCED: E12/2/3/2-A3/458-0218/07), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 22 SEPTEMBER 2017 (REFERENCED: 16/3/3/5/A3/54/2042/17) AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 28 JUNE 2019 (REFERENCED: 16/3/3/5/A3/54/2032/19): PROPOSED ESTABLISHMENT OF A BUSINESS PARK ON PORTION 15 OF FARM VERGENOEGD NO. 653, SOMERSET WEST.

With reference to your application for the abovementioned, find below the amendment to the Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") with respect to this application.

DECISION

By virtue of the powers conferred on it by the NEMA and Regulation 27(2) of the EIA Regulations, 2014 (as amended), the competent authority herewith grants the amendment of and **replace** the Environmental Authorisation issued on 27 September 2012 (Referenced: E12/2/3/2-A3/458-0218/07), the Amended Environmental Authorisation issued on 22 September 2017 (Referenced: 16/3/3/5/A3/54/2042/17) and the Amended Environmental Authorisation issued on 28 June 2019 (Referenced: 16/3/3/5/A3/54/2032/19).

In terms of the NEMA and the EIA Regulations, 2014 (as amended), the competent authority hereby adopts the Conservation Area Management Plan ("CAMP") dated November 2021 for the proposed maintenance or managements works to be undertaken in the conservation area to ensure the ecological functioning thereof.

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

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

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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>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 12: <i>“The development of-</i> (i) <i>dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> (ii) <i>infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs-</i> (a) <i>within a watercourse;</i> (b) <i>in front of a development setback; or</i> (c) <i>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</i></p> <p><i>excluding-</i> (aa) <i>the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> (bb) <i>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;</i> (cc) <i>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;</i> (dd) <i>where such development occurs within an urban area;</i> (ee) <i>where such development occurs within existing roads, road reserves or railway line reserves; or</i> (ff) <i>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”.</i></p>	<p>Infrastructure/structures of more than 100m² will be constructed within 32m from the edge of a watercourse.</p>
<p>Activity 19: <i>“The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i></p>	<p>The development proposal entails the removing or moving, dredging, excavation, infilling or depositing of material of more than 10m³ from the watercourse.</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>Activity 24: "The development of a road - (i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road - (a) which is identified and included in activity 27 in Listing Notice 2 of 2014; (b) where the entire road falls within an urban area; or (c) which is 1 kilometre or shorter".</p>	<p>The proposed development includes internal roads that are wider than 8m.</p>
<p>Activity 28: "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: (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".</p>	<p>The proposed site was zoned and used for agricultural use on or after 01 April 1998 and is located outside the urban area.</p>

Listed Activity	Activity/Project Description
<p>Listing Notice 2 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 15: <i>"The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for -</i></p> <p><i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan".</i></p>	<p>More than 20ha of indigenous vegetation will be cleared.</p>

Listed Activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 4: <i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p>i. Western Cape</p> <p><i>i. Areas zoned for use as public open space or equivalent zoning;</i> <i>ii. Areas outside urban areas;</i> <i>(aa) Areas containing indigenous vegetation;</i> <i>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</i> <i>iii. Inside urban areas:</i> <i>(aa) Areas zoned for conservation use; or</i> <i>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority".</i></p>	<p>The proposed development includes internal roads that are wider than 4m.</p>
<p>Activity 12: <i>"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.</i></p> <p>i. Western Cape</p> <p><i>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;</i></p>	<p>More than 300m² of critically endangered vegetation will be cleared.</p>

<ul style="list-style-type: none"> ii. <i>Within critical biodiversity areas identified in bioregional plans;</i> iii. <i>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 or even in urban areas;</i> iv. <i>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; or</i> v. <i>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".</i> 	
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The abovementioned list is hereinafter referred to as "the listed activities".

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

The proposal entails the establishment of a business park on Portion 15 of Farm Vergenoegd No. 653, Somerset West.

The layout includes seven (7) building platform areas and internal access roads, as follows:

- Area 1 is the most northern area, will be accessed off the Quarterlink Road and is approximately 43 440m² in extent;
- Area 2 is located on the eastern boundary within the northern half of the site. This area is approximately 84 257m² in size and will be accessed by an internal road from the main access off Baden Powell Drive;
- Area 3 is the smallest of the building platforms, and will be located along the northern boundary of the internal access road at the entrance off Baden Powell Drive and is approximately 20 853m² in size;
- Area 4 is located along Baden Powell Drive along the southern portion of the site and approximately 71 070m² in extent;
- Area 5 is located in the centre of the site and approximately 42 447m² in size;
- Area 6 is located between Areas 4 and 5 and approximately 31 489m² in size; and
- Area 7 is the southern-most area adjacent to the N2 Highway and approximately 105 120m² in size.

To provide internal access to the site, a road reserve area of 44 400m² will be established.

The proposed development will be landscaped in accordance with a Landscape Master Plan and the swales located between the developable areas will be designed and vegetated as per the recommendations of the freshwater specialist.

The portions that will not be developed will be rehabilitated and set aside as a conservation area, and includes the sensitive terrestrial vegetation and wetlands and associated buffers. The conservation area (40ha) and buffer area (9ha), will be zoned Open Space 1 and Open Space 3, respectively, and will be managed initially by the

holder and, after the first transfer of land portions, by the Master Property Owners Association ("MPOA").

Access will be via the existing Baden Powell Drive access located along the western boundary, aligned with the new bell-mouth entrance that has been constructed as part of the provincial road upgrades. The northern developable pocket (Area 1) will be accessed from the constructed Quarterlink Road. To maintain ecological connectivity between the conservation area and the swales, various culvert "bridges" will be established in the roadways, as recommended by the botanical and faunal specialists.

The bulk of the irrigation water demands in the dry season will be provided by boreholes (from the Malmesbury Aquifer), feeding the irrigation ponds located strategically to aid the roll out of the phases. Four irrigation ponds are linked to three phases of the development. All ponds will be lined to prevent seepage losses and potential oversupply to sensitive wetland areas that need to dry out seasonally.

The proposed development will be constructed in phases.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Portion 15 of Farm Vergenoegd No. 653, Somerset West.

Portion 15 of Farm Vergenoegd No. 653 is located on the northeastern corner of the N2 and Baden Powell Drive.

The Vergenoegd Löw Wine Farm is located to the east and the Cape Town Film Studios and iThemba Laboratory are located to the west. Eerste River is also located to the west with Houghton and Stratford Green (Blue Downs) located to the northwest. Various gated security estates are located to the east, including Croydon Olive Estate, Kelderhof Estate and Sitari. The Khayelitsha Waste Water Treatment Works is located to the south of the site.

The SG-21-digit code is: C06700000000065300015

Co-ordinates:

Latitude: 34° 01' 54" S

Longitude: 18° 43' 56" E

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

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

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E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the Amendment Report dated October 2021 on the site as described in Section C above.
2. Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure 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.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- (a) A period of ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of fifteen (**15**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information 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.

Notification of authorisation and right to appeal

6. The holder of the authorisation 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;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 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 Appeal Regulations, 2014 (as amended);
 - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 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;
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

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.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 15, 22.2, 22.4, 22.5, 25 and 26.

Management of activity

10. The draft Environmental Management Programme (“EMPr”) dated November 2021 (as compiled by Khula Environmental Consultants) and submitted as part of the application for amendment is hereby approved and must be implemented;
11. The CAMP dated November 2021 (as compiled by Khula Environmental Consultants) and submitted as part of the application for amendment is hereby approved and must be implemented.
12. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
13. The EMPr, including the CAMP, must be included in all contract documentation for all phases of implementation.
14. A copy of the Environmental Authorisation, EMPr and CAMP must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr 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 EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

15. The holder must appoint a suitably experienced Environment Control Officer (“ECO”), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 15.1 be appointed prior to commencement of any construction activities commencing;
- 15.2 ensure compliance with the EMPr, CAMP and the conditions contained herein;
- 15.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 15.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and
- 15.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

Environmental audit reports

16. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 16.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;

- 16.2 submit an environmental audit report three (3) months after commencement of the construction phase to the relevant competent authority;
 - 16.3 submit an environmental audit report six (6) months after completion of the construction phase to the relevant competent authority; and
 - 16.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
17. The environmental audit reports must be prepared by an independent person with expertise and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 17.1 provide verifiable findings, in a structured and systematic manner, on-
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
 - 17.2 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 17.3 evaluate the effectiveness of the EMPr;
 - 17.4 identify shortcomings in the EMPr;
 - 17.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 17.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 17.7 include a photographic record of the site applicable to the audit; and
 - 17.8 be informed by the ECO reports.
18. The holder must, within 7 days of the submission of the environmental audit 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, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

19. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
20. 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 waste disposal facility licensed in terms of the applicable legislation.
21. 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.

22. As per the recommendations provided in the Freshwater Specialist Impact Assessment Report dated August 2021, and compiled by Liz Day Consulting (Pty) Ltd., as included in the EMP, the following must be implemented:
 - 22.1 The open space area and the 20m wetland buffer areas and swales must be managed as a conservation area in perpetuity, and no additional development encroachment (e.g. pipelines, power lines, pathways, road widening etc.) is allowed in these areas in future.
 - 22.2 Clearing of all invasive alien vegetation must be undertaken from the conservation area before commencement of construction activities.
 - 22.3 Ongoing clearing of invasive alien plants from the site must be undertaken so that the conservation areas and their buffers remain alien free.
 - 22.4 Removal of all fill and other waste material (rubble, organic waste, tyres etc.) from the conservation area must be undertaken before commencement of construction activities.
 - 22.5 Prior to the removal of the waste, sensitive areas which may not be crossed, must be identified by the botanical and wetland specialists, and these areas must be demarcated and managed as no-go areas for vehicles before commencement of construction. An ECO must oversee the demarcation of the identified sensitive areas.
 - 22.6 Infilling of some of the trenches/drainage ditches that currently traverse and/or drain parts of the conservation area must be planned and carried out with on-site input from the wetland ecologist and the storm water engineer, to ensure that the outcome remains compatible with the requirements of the Storm Water Management Plan.
 - 22.7 Where reseeding or planting of disturbed parts of the conservation area is required, only locally indigenous species may be used, preferably propagated from plants on site, and only with written approval from the botanical specialist.
 - 22.8 The main swales in the buffer area must be landscaped and planted with a range of locally indigenous plants such that a high quality wetland habitat is created, affording vertical, lateral and longitudinal cover to small wetland fauna.
 - 22.9 Allowance must be made for routine maintenance of the storm water swales, including cutting of vegetation, to prevent senescence and maintain flood capacity.
 - 22.10 Monthly to quarterly monitoring must be undertaken during the first three years of the operational phase of the development, and thereafter, as determined based on the results of monitoring and the degree to which changes in hydroperiod appear to be adequately mitigated against.
 - 22.11 The irrigation ponds must be lined and must not be allowed to overflow or be drained/flushed into the conservation area.
 - 22.12 The existing fence line between the site and Vergenoegd Farm to the east must be managed to improve ecological connectivity between the conservation areas and the Eerste River corridor.

- 22.13 Where the conservation area abuts the boundary fence between the site and Vergenoegd Farm, gaps must be included in the lower fence and must be at least 300mm wide and 200mm high at intervals of 30m to allow for the passage of small wetland and wetland/open space-associated fauna between the sites.
 - 22.14 Fencing must be erected along the Baden Powell Drive and Old Faure Road site boundaries to limit access for potential dumping and disturbance of the site.
 - 22.15 Along Baden Powell Drive, the fencing must be erected between the conservation area and the servitude in which the sewer and water pipelines will be located, to reduce risk of disturbance to the conservation area.
 - 22.16 Boreholes must not be located within the conservation area or its buffers.
23. As per the recommendations provided in the Botanical Impact Assessment Report dated 27 July 2021, and compiled by Nick Helme Botanical Surveys, as included in the EMPr, the following must be implemented:
- 23.1 Alien invasive plant clearing in the conservation areas must be audited by an independent botanist two years after issue of this Environmental Authorisation, and again four and six years later (six years and eight years after authorisation), to check that alien invasive vegetation has been properly controlled on site.
 - 23.2 Search and rescue of all succulents, bulbs and any other translocatable species (such as various smaller shrubs or restios) from within the approved development and infrastructure footprints must be undertaken prior to any construction activities. This work must be undertaken by an approved search and rescue specialist, in consultation with a botanist. The specimens must either be translocated immediately (if May - July, after first rains) or maintained in a nursery until the optimal planting out time the following year (May - June). Specimens must be translocated into suitable habitat within the designated conservation areas, in areas requiring rehabilitation.
 - 23.3 Any perimeter firebreaks must be brush cut to a height of no lower than 80mm, once per year (to be cut in early November) and soils in these areas must not be disturbed by any mechanical means such as rippers, ploughs or scrapers.
 - 23.4 Firebreaks must not be wider than 3m.
24. The Master Property Owner's Association ("MPOA") or similar owner's body must implement, enforce and oversee all requirements within the EMPr, CAMP and Environmental Authorisation once the development phase is completed.
25. All approved development footprints must be clearly demarcated and fenced off with temporary fencing and shade cloth up to 1m from ground level prior to any construction, to avoid inadvertent damage to adjacent areas and to prevent sand drift.
26. At least 50% of the designated conservation area must be burnt prior to the commencement of any development on site, with the remainder to be burnt within two years of the first management burn. The fire must be undertaken in autumn (March or April) for optimal ecological results. Follow-up management fires must be undertaken every 10-15 years thereafter.

27. As per the recommendations provided in the Visual Impact Assessment Report dated 17 March 2020, as endorsed by Heritage Western Cape and compiled by David Gibbs, the following must be implemented:
- 27.1 Facades of buildings facing the Vergenoegd Löw Wine Farm must have muted tones and darker shades so that the forms are visually recessive and understated.
 - 27.2 New buildings must respond to historical patterns in terms of form and placement, but may not mimic existing buildings as direct copies.
 - 27.3 In addition to screen planting, earth berms and clusters of indigenous plants must be used to further obscure and filter views of the new dwellings.
 - 27.4 Apart from gateway thresholds, solid masonry boundary walls and galvanized steel palisade are not allowed.
 - 27.5 Visually transparent fencing (e.g. welded mesh, Betafence, Clearvu or similar) can be installed, especially along wetland and farmland boundary edges.
 - 27.6 Light pollution must be avoided and lighting must be carefully controlled and well-integrated into the design proposal, and must coordinate with signage.
 - 27.7 Light sources must be shielded to reduce light spillage.
 - 27.8 Up-lighting onto the outer sides of the buildings must be used sparingly.
 - 27.9 Shielded down-lights must be used on all open public areas and neon or unshielded bright security lights may not be used.
 - 27.10 With respect to the site boundary interface with the historic Vergenoegd farmstead (Vergenoegd Löw Wine Estate), lighting is only permitted at the entrance gateway.
28. As per the recommendations provided in the Socio- Economic Impact Assessment Report dated March 2020, and compiled by Tony Barbour Environmental Consulting and Research, the following must be implemented:
- 28.1 The holder must establish a database of local construction companies in the area, specifically Small, Medium and Micro Enterprises ("SMME's") owned and run by Historically Disadvantaged Individuals ("HDIs") prior to the commencement of the tender process.
 - 28.2 The above companies must be notified of the tender process and be invited to bid for project related work.
 - 28.3 The holder must establish a monitoring committee for the construction phase, consisting of representatives from surrounding communities and landowners.
 - 28.4 The monitoring committee must meet on a regular basis to ensure that the mitigation measures are implemented, and incidents are addressed.
 - 28.5 The holder must seek to appoint locally based contractors, where possible.
 - 28.6 The holder, in consultation with the appointed contractor, must implement an HIV/AIDS awareness programme for all construction workers at the onset of the construction phase.
 - 28.7 The holder, in consultation with the City of Cape Town, must inform the ward councillors, community leaders and organisations of the potential job opportunities associated with the different components associated with the operational phase of the proposed development.
 - 28.8 The holder, in consultation with the City of Cape Town, must establish a database of local service providers in the area, specifically SMME's owned and run by HDI's and these companies must be notified of the potential opportunities associated with the operational phase of the proposed development.

- 28.9 The holder, in consultation with the City of Cape Town, must look to identify measures to maximise employment opportunities for members from the local HDI communities.
29. Construction areas must be secured using simple, open rectilinear grid metal mesh fencing; unobtrusive rough timber laths and/or a combination of these; or other natural materials of a light, permeable nature able to merge with the surrounding landscape.
30. Razor wire fences must be avoided at all costs.
31. Electric fences may only be used where these can be convincingly mitigated using natural planting and screen vegetation.
32. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
- 32.1 Dual-flush toilet systems.
- 32.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
- 32.3 Water-wise landscaping must be done.
33. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
- 33.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.
- 33.2 Street lighting must be kept to a minimum and down lighting must be used to minimize light impacts. Streetlights must be switched off during the day.
- 33.3 All geysers must be covered with geyser "blankets".
- 33.4 The installation of solar water heaters and solar panels must be considered for all buildings.
34. Any development proposed in any of the phases and which constitute any additional listed activity as defined in Listing Notice 1, 2 or 3 of the EIA Regulations, 2014 (as amended), and which are not authorised in this Environmental Authorisation, must obtain the required Environmental Authorisation from the competent authority before it may be developed.

F. General matters

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activities, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.

3. 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.

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, other than those mentioned above, 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.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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: Attention: Mr. Marius Venter

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

By facsimile: (021) 483 4174; or

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

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

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

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

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

DATE OF DECISION: 11 APRIL 2022

CC: (1) Ms. Monique Sham (KHULA Environmental Consultants)
(2) Ms. Azanne van Wyk (City of Cape Town)

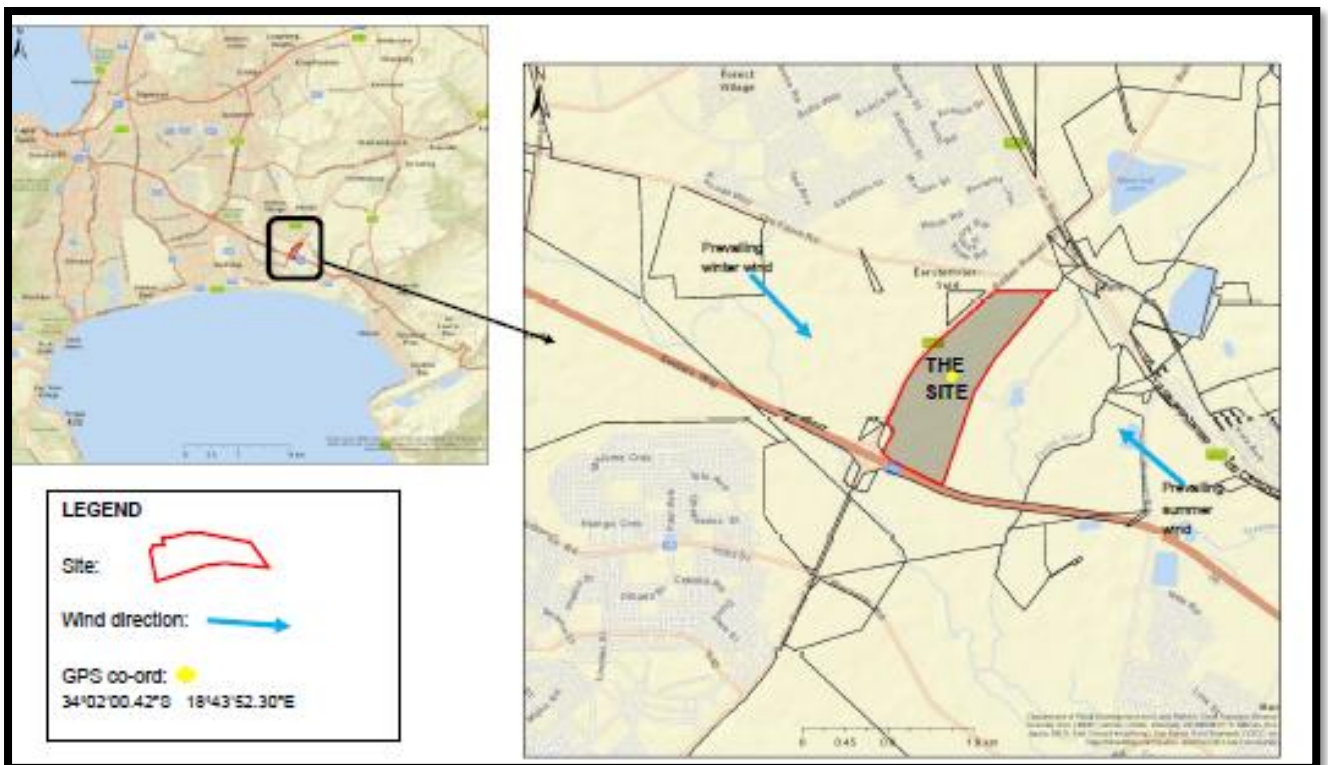
E-mail: monique@khulaec.co.za
E-mail: Azanne.vanwyk@capetown.gov.za

FOR OFFICIAL USE ONLY:

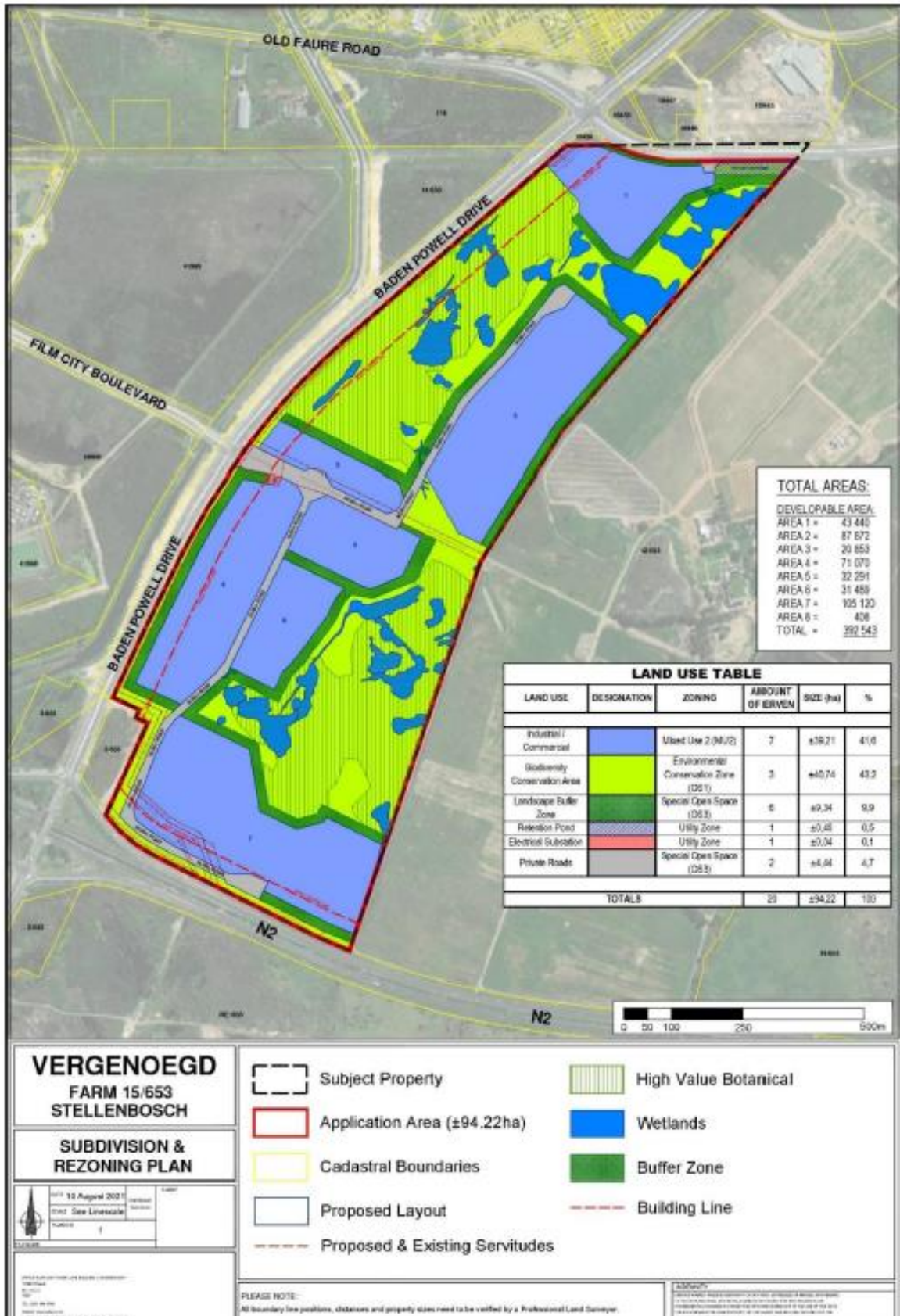
EIA REFERENCE NUMBER: 16/3/3/5/A3/54/2049/21

NEAS EIA REFERENCE NUMBER: WCP/EIA/AMEND/0000559/2021

ANNEXURE 1: LOCALITY PLAN



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the application for amendment received by the competent authority via electronic mail correspondence on 22 September 2021; the landowner consent form received by the competent authority via electronic mail correspondence on 07 October 2021; the final Amendment Report dated October 2021, as received by the competent authority via electronic mail correspondence on 02 December 2021; and the EMPr and CAMP submitted together with the final Amendment Report;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from I&APs and the responses provided thereon, as included in the final Amendment Report dated October 2021;
- d) The pre-application meeting held on 12 March 2020;

Attended by: Mr. Eldon van Boom and Ms. Rondine Isaacs of the Department of Environmental Affairs and Development Planning; Ms. Terry Winstanley of Winstanley Inc.; Mr. Nick Steytler and Ms. Monique Sham of Khula Environmental Consultants and Mr. Marios Michaelides of Abland/Abenviro (Pty) Ltd.

- e) 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 comprised of the following:

- Letters were posted via registered mail on 30 June 2020;
- E-mails were sent on 01 July 2020;
- A notice was placed on site on 01 July 2020;
- Advertisements were placed in the "Cape Times" and "Bolander" newspapers on 01 July 2020, respectively;
- The pre-application Amendment Report was placed on the website of Khula Environmental Consultants for the duration of the commenting period;
- The pre-application Amendment Report was made available from 01 July 2020 until 31 August 2020;
- E-mails were sent on 11 October 2021 to announce the availability of the draft Amendment Report;
- The draft Amendment was placed on the website of Khula Environmental Consultants for the duration of the commenting period; and
- The draft Amendment Report was made available from 11 October 2021 until 11 November 2021.

Authorities consulted

The authorities consulted included the following:

- Western Cape Department of Agriculture;

- Heritage Western Cape;
- City of Cape Town;
- Department of Water and Sanitation;
- Western Cape Department of Transport and Public Works; and
- CapeNature.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were responded to and included in the final Amendment Report.

2. Alternatives

The following layout alternatives were investigated:

Previously authorised layout:

The layout authorised on 27 September 2012 entailed the establishment of a business park and biodiversity conservation area on Portion 15 of the Farm Vergenoegd No. 653, Somerset West. However, five erven were not approved which were:

- The two erven to the east of the proposed access road in the development pocket referred to as "Area C"; and
- The three erven which protrude into the conservation area adjacent to the proposed Flood Alleviation Basin ("FAB") in the development pocket referred to as "Area A South". The accompanying access road to these three erven were also not approved.

The authorised development therefore comprised the following:

- 4 pockets of development comprising Business Zone IV erven as follows:
 - Area A North: 7 erven;
 - Area A South: 33 erven (which excludes the 3 erven not approved);
 - Area B: 8 erven; and
 - Area C: 2 erven (which excludes the 2 erven not approved).

A conservation area of approximately 45.35ha plus the area of the five erven excluded from the approval would be established and would be rezoned to Open Space III.

The proposed development also comprised approximately 6.5ha of roads and a 4.26ha FAB to cater for the storm water on the property that would be generated by the infilling of the areas to be developed that lie below the 1:50 year flood line. Approximately 60 000m³ of fill volume would be required to infill the development areas in "Area A North and South".

Bulk services would be installed. The development would discharge sewage to either the Macassar Waste Water Treatment Works ("WWTW") for treatment as this WWTW had available capacity or to the Zandvliet WWTW if the upgrades were completed in time. However, the Blacmac bulk sewer line had been re-commissioned for the development to discharge to the Macassar WWTW. The development would not be able to discharge sewage until the necessary cleaning and lining of the Blacmac line has been completed, or until the Zandvliet upgrade was complete and able to handle the sewage. The proposed development would utilise the 300mm diameter bulk water main connection that was constructed on the 2400mm diameter Faure bulk water supply pipeline.

The existing 20m wide right of way in favour of Portion 12 of Farm Vergenoegd No. 653 would be used as the main access road to development Areas A and B. This access point is located opposite the entrance to the Cape Town Film Studios site and takes access directly from the R310, Baden Powell Drive. Access to development Area C would be gained off the "quarter loop" re-alignment of Old Faure Road.

Eskom confirmed electrical capacity available on the local HV/MV substations in the area. The holder would be responsible for the reticulation infrastructure required as no established electrical infrastructure capable of supplying the required energy currently passes the site boundaries.

The previously authorised layout entailed the following land uses:

- Area A North: General Business area of approximately 8.3ha;
- Area A South: General Business area of approximately 19.48ha;
- Area B: Subdivisional area of approximately 4.73ha;
- Roads: 5.87ha;
- Conservation Area: 49.14ha; and
- Other, including landscaped buffer, retention pond and Public Open Space.

The authorised layout is not preferred and therefore discarded since a number of shortcomings/inaccuracies were identified, including:

- The developable areas are fragmented with irregular edges and therefore not cost effective to develop;
- Access to some development parcels would be via access roads that cut through the conservation area and the northern developable area would only be accessible from the new Quarterlink Road;
- The building platforms would need to be infilled by 60 000m³ to lift the site above the flood line. This was incorrect as calculations indicate that the actual infilling required to ensure adequate drainage is approximately three times this amount. This is due to the extensive pipe runs required along the roadways, the minimum falls required and the requirement to cover the pipes;
- The entrance to the site off Baden Powel Drive would be 6.5m above the road with a very steep/near impossible grade to contend with;
- The FAB would need to be substantially excavated to a depth of approximately 7.5m which would result in the penetration of the water table and would therefore not function as required;
- The FAB would be located below the 1:10 to 1:100-year flood lines, and since the FAB would need to be very deep, the flood detention volume would not be met due to regular inflows from the water table and rainfall;
- The FAB would not be drained as there is no surrounding storm water infrastructure and the surrounding natural ground levels are below the basin invert;
- Given the wide extent of the flood plains, the benefits of a FAB as originally proposed would be inconsequential;
- Drainage channels are required across the conservation area to drain the central development area to the basin;
- Phasing of the development would be difficult as the retention basin and pipework to the basin would need to be installed for the initial phases. This would require the roadway earthworks to be constructed to place the pipework;
- Risks to the wetlands associated with accidental spillage were identified. The perimeters of the developed areas could overtop resulting in unpolished storm water entering into the conservation area and wetlands; and

Preferred layout alternative – herewith authorised:

The preferred alternative entails the establishment of a business park on Portion 15 of Farm Vergenoegd No. 653, Somerset West.

The layout includes seven (7) building platform areas and internal access roads, as follows:

- Area 1 is the most northern area, will be accessed off the Quarterlink Road and is approximately 43 440m² in extent;

- Area 2 is located on the eastern boundary within the northern half of the site. This area is approximately 84 257m² in size and will be accessed by an internal road from the main access off Baden Powell Drive;
- Area 3 is the smallest of the building platforms, and will be located along the northern boundary of the internal access road at the entrance off Baden Powell Drive and is approximately 20 853m² in size;
- Area 4 is located along Baden Powell Drive along the southern portion of the site and approximately 71 070m² in extent;
- Area 5 is located in the centre of the site and approximately 42 447m² in size;
- Area 6 is located between Areas 4 and 5 and approximately 31 489m² in size; and
- Area 7 is the southern-most area adjacent to the N2 Highway and approximately 105 120m² in size.

To provide internal access to the site, a road reserve area of 44 400m² will be established.

The proposed development will be landscaped in accordance with a Landscape Master Plan and the swales located between the developable areas will be designed and vegetated as per the recommendations of the freshwater specialist.

The portions that will not be developed will be rehabilitated and set aside as a conservation area, and includes the sensitive terrestrial vegetation and wetlands and associated buffers. The conservation area (40ha) and buffer area (9ha), will be zoned Open Space 1 and Open Space 3, respectively, and will be managed initially by the holder and, after the first transfer of land portions within the development, by the MPOA.

Access will be via the existing Baden Powell Drive access located along the western boundary, aligned with the new bell-mouth entrance that has been constructed as part of the provincial road upgrades. The northern developable pocket (Area 1) will be accessed from the constructed Quarterlink Road. To maintain ecological connectivity between the conservation area and the swales, various culvert "bridges" will be established in the roadways, as recommended by the botanical and faunal specialists.

The bulk of the irrigation water demands in the dry season will be provided by boreholes (from the Malmesbury Aquifer), feeding the irrigation ponds located strategically to aid the roll out of the phases. Four irrigation ponds are linked to three phases of the development. All ponds will be lined to prevent seepage losses and potential oversupply to sensitive wetland areas that need to dry out seasonally.

The proposed development will be constructed in phases.

Reasons for the preferred alternative:

The preferred layout takes cognisance of the sensitive vegetation and wetlands on the site. The preferred layout aligns better with the applicable policies and guidelines of the City of Cape Town. A number of benefits have been identified, including:

- The preferred layout is informed by more accurate and up-to-date specialist input with regards to the receiving environment, particularly vegetation and wetlands;
- The layout aligns with current storm water design policies based on Sustainable Urban Drainage Systems ("SUDS") principles and fully integrates a water sensitive urban design;
- The storm water detention and treatment philosophy is better suited to phasing, with each phase being self-contained;
- The swales are able to contain even the extreme 1:100-year events, and the water quality treatment is distributed along a number of practices, forming a treatment train approach;

- The storm water design is fully adaptable and can be adjusted based on monitoring results;
- The perimeter swales and interventions at source offer better protection to the wetlands from accidental spillages;
- The bulk terracing for platform levels is kept to a minimum as storm water runoff has shorter distances to travel to the perimeter and roadside swales. The anticipated bulk filling is a third of the volume estimated for the previously authorised scheme;
- The design does not require extensive undercutting, removal and replacement of materials below the topsoil levels;
- The perimeter swales offer opportunities for enhancement of rehabilitated conservation areas, as the planting of the swales will integrate with the vegetation in the conservation area; and
- Boreholes and irrigation ponds align with the requirements of the City of Cape Town Water By-law (2010) and the Water Amendment By-Law (2018) to reduce the demand on municipal supply.

"No-Go" Alternative:

This alternative entails maintaining the *status quo* and as such, the site can be developed in accordance with the Environmental Authorisation issued on 27 September 2012, and subdivision and rezoning approval. This alternative was not deemed as preferred as the proposed development provides for greater protection of the sensitive botanical and freshwater features on the site. The "no-go" alternative is therefore not warranted.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

The previously authorised layout is not regarded as feasible from an engineering perspective and does not respond optimally to the current and predicted market, which is showing a trend towards big box warehousing.

The key differences between the preferred layout and the previously approved layout include the following:

- The area allocated to private and public roads has decreased from 4.85ha to 4.36ha; and
- The storm water management system does not make use of a centralised FAB, but rather proposes a system of storm water swales and infiltration areas which are aligned with the SUDS principles. This will ensure that storm water discharges into the wetlands, mimicking the natural pre-development patterns, thereby minimising any adverse effect that storm water may have on the seasonality of the wetlands.

Provincial Spatial Development Framework ("PSDF") (2014):

There are four principles of the PSDF (2014) that are relevant to the proposed development, *i.e.*, spatial justice, sustainability and resilience, spatial efficiency and accessibility.

The proposed development is located in close proximity to a number of historically disadvantaged residential areas and will create employment opportunities for residents in these communities. The site is located within the urban edge and the general area has been identified as suitable for development.

The sections of the site that are environmentally sensitive are excluded from development. The site is not located on high potential agricultural land. The site is located close to and is accessible to a number of historically disadvantaged residential

areas. The proximity to the N2, R102 and the Northern Rail Line linking Strand to the City of Cape Town Central Business District also supports public transport access to the site. The proposed development is therefore in line with the principles of the PSDF (2014).

Municipal Spatial Development Framework ("MSDF") (2018):

The MSDF's (2018) long term vision is aimed at a more compact, integrated and inclusive City which uses natural resources more efficiently and suffers from less traffic congestion pressure. This places an emphasis on densification, infill and incremental growth in existing areas within or in adjacency to the existing urban edge. At the same time, the MSDF emphasises the key importance of the City's biodiversity and scenic resources. The proposed development is aligned with and supports the principles of the MSDF (2018), specifically the principles of affordability and accessibility. The proposed development will help to unlock industrial development close to areas of socio-economic need through non-financial incentives (Policy 31).

In terms of the Socio-Economic Index (2014), the site is located in an area considered "good" compared to the neighbouring area just southwest of the site, which is considered "very needy".

Helderberg District Plan (2012):

The Helderberg District Plan (2012) outlines specific aspects regarding the Vergenoegd/Macassar Environs:

- The area is acknowledged as an area of change, located in-between existing urban areas and currently outside the City's urban edge. Any potential future development is to be considered holistically in terms of visioning and planning in order to balance development and conservation opportunities found on the farm.
- Future development is to be undertaken in a manner that will not negatively affect the character of the Vergenoegd Löw Wine Farm. Details of the scale and form of development must be appropriate to the unique setting of the site.

The District Plan identifies three key strategies, of which Strategy 1: "*Plan for employment and improve access to economic opportunities*", is the most relevant to the proposed development. The other two strategies are:

- "*Strategy 2: Manage urban growth and create a balance between urban development and environmental protection;*
- "*Strategy 3: Build an inclusive, integrated and vibrant City*".

The benefits to society include:

- Significant socio-economic benefits for the local and regional communities associated with employment opportunities in both the construction and operational phases.
- Increased expenditure (including purchase of goods and services) locally during both the construction and operational phases which will support local businesses.
- Improvement of security in the area.
- Improved sense of place with the open spaces being rehabilitated.
- Provision of certainty in terms of future land use, as land invasion is a real and immediate issue for the site.

3.2 Botanical impacts

A Botanical Impact Assessment Report dated 27 July 2021 was compiled by Nick Helme Botanical Surveys, to assess the botanical impacts of the proposed development.

The City of Cape Town Biodiversity Network Map ("BioNet") indicates large areas mapped as Critical Biodiversity Area ("CBA"), notably CBA1b. The CBA1b category supports critically endangered habitat remnants, often also with rare and localised plant (and often invertebrate and other small animal) species, and in some cases also provide ecological connectivity at a regional scale.

Approximately 70% of the site is mapped as CBA1b. Approximately 50% of the southern half and 15% of the northern half is mapped as CBA1d. Two areas of high sensitivity vegetation occur on the site, one in the northern half (14.8ha) and one in the southern half (13.9ha). These patches support the highest plant diversity on site, and more than 90% of the site populations of the 35 plant species of conservation concern that have been recorded on the site. These areas are considered botanically irreplaceable, with exceptionally high numbers of species and individuals of plant species of conservation concern. All habitat within these areas is likely to have very good rehabilitation potential, even if currently under dense alien invasive Port Jackson.

The northern patch borders on Baden Powell Drive, runs the length of the northern half of the site (800m) and at its widest point extends 320m east of the road. The northern patch is characterised by species such as *Oedera fruticosa*, *Muraltia macropetala*, *Elegia recta*, *Elegia verreauxii*, *Elegia nuda*, *Restio duthieae*, *Restio rigoratus*, *Micranthus junceus*, *Searsia laevigata*, *Nenax acerosa*, *Watsonia meriana*, *Aristida juncifolia*, *Tribolium uniolae* and *Phyllica plumosa* var *plumosa*.

The southern patch is more irregular in shape, but essentially borders the eastern fence line, and is about 420m wide at its widest point. The western edge includes two seasonally wet marshes (each about 0.1 to 0.2ha) dominated by the bulb *Watsonia meriana*. Six of the 35 recorded plant species of conservation concern have been recorded only in the southern part (*Arctotheca forbesiana*, *Aponogeton angustifolius*, *Leucadendron linifolium*, *Marasmodes polycephalus*, *Ruschia diversifolia* and *Cliffortia hirta*). It is possible that drying of the area has resulted in recent loss of the first four species. The overall botanical diversity in the southern areas appears to be lower than in the less alien invaded northern areas.

The vegetation on the site is Swartland Shale Renosterveld, which is listed as critically endangered on a national basis.

Two medium sensitivity areas (5.3ha in total), border on the northern high sensitivity area. The two areas reflect a gradient of declining species diversity, from the least disturbed high sensitivity area to the most disturbed low sensitivity areas to the east. Indigenous plant species diversity is low to moderate. The areas are dominated by weedy indigenous species and annual alien grasses with part of the southern patch being dominated by alien pine trees.

Low botanical sensitivity areas make up about 60% of the site. These areas have generally been previously cultivated or otherwise heavily disturbed and support a low diversity of indigenous vegetation. The plant community is heavily dominated by a few weedy species, many of which are alien invasive weeds or disturbed or cultivated areas. Rehabilitation potential in these areas is low or low to moderate. Common indigenous plant species include *Cynodon dactylon*, renosterbos, Cape weed, gansogies, *Ursinia anthemoides*, *Ornithogalum thyrsoides*, suuring, *O. luteola*, *O. flava* and glastee. No plant species of conservation concern are likely to occur in these areas in significant numbers.

The primary construction phase botanical impact would be the permanent loss of natural and partly natural vegetation within the development footprint (49ha, excluding buffers and 4ha retention pond). Associated with this direct loss is the loss of approximately 1 to 20% of the site populations of 7 to 10 of the 35 recorded plant species of conservation concern and degradation of the buffer areas bordering the development footprint (approximately 3ha).

Approximately 2ha of high sensitivity vegetation (2ha out of 28.7ha or 7%) will be lost, and approximately 5ha of medium sensitivity vegetation will be lost (about 85% of the medium sensitivity areas). The remainder is of low botanical sensitivity, and approximately 6ha will be retained (for wetland conservation; i.e., 8% of the low sensitivity areas), plus a further 4ha for a retention pond.

According to the botanical specialist, between 7 and 10 plant species of conservation concern will be impacted. However, the magnitude of the loss will be fairly small, with none of the species likely to lose more than 20% of their total site populations, which typically amount to less than 0.5% of the regional populations. Thus, none of the recorded species of conservation concern are likely to lose significant percentages of their site populations to the proposed development. The significance of this combined loss of species of conservation concern and habitat is low to medium negative prior to and after mitigation.

The anticipated operational phase impacts of the proposed development are medium negative before mitigation, and neutral to low positive after mitigation.

The botanical specialist's recommendations have been included in the conditions of this Environmental Authorisation and the EMP and CAMP.

3.3 Freshwater Impacts

A Freshwater Specialist Impact Assessment Report dated August 2021 was compiled by Liz Day Consulting (Pty) Ltd., to assess the freshwater impacts of the proposed development.

The Eerste River lies to the east of the site and there are no natural surface drainage lines on the site, although there are multiple artificial drains. Portions of the site lie beneath the 1:100-year flood line of the Eerste River. However, the site is not characterised by surface in-flows. During the wet season, the site is characterised by localised standing water pools.

Most of the wetlands on the site comprise CBA (2) wetlands. There is also a CBA (1) wetland in the southern part of the site and one Critical Ecological Support Area in the northeastern corner of the site.

A dam, classified as an Other Ecological Support Area is situated just east of the site, while west and south of the site is a broad swathe of CBA (2) wetlands, associated with the Kuils River and the Cape Town Film Studios.

Dumping of rubble and other waste (e.g. bricks, tyres, wood, mattresses and organic material) is evident along the western boundary of the site, mainly along tracks onto the site. There has also been an increase in the extent of *Acacia saligna* in the southern portion of the site. Invasion into some of the areas mapped as wetland by the Freshwater Consulting Group in 2009 has also occurred. The open grassed areas

previously identified as the *Triglochin bulbosa*-*Agathosma capensis* Unit G remains largely open along the southwestern portion of the site.

A number of disturbed areas also occur. An informal track that is parallel with the N2 has been created along the southern boundary, presumably for access to/installation of pipelines along this section, leading to the Zandvliet WWTW to the south. There is also disturbance along the edge of Baden Powell Drive and across the northern boundary, due to the construction of the new link road between Baden Powell Drive and Old Main Road to the east.

The wetlands in the areas of high botanical importance are rated as having a Present Ecological Status Category B, *i.e.*, wetlands showing only small changes from the natural state, with natural vegetation showing low levels of disturbance. These wetlands have very high Ecological Importance and Sensitivity. These wetlands support key populations of rare and/or endangered plant species.

Some of the seasonally shallow inundated pools/pans, also contain important invertebrate taxa, with very high sensitivity to changes in hydro-period or water quality. With the exception of the wetland abutting Old Faure Road in the far north of the site, the remaining wetlands are of high wetland conservation importance. These wetlands are not located in areas of botanical importance and are considered of high Ecological Importance and Sensitivity, because they do, despite floral impacts, support important invertebrate taxa. The most northerly wetland just south of Old Faure Road is of moderate Ecological Importance and Sensitivity.

Wetlands in areas of low and medium botanical importance are rated as having a Present Ecological Status Category C, due to significant loss of indigenous vegetation. The exception to the aforementioned rating, is the most southerly wetland which is of medium conservation importance. This wetland has been fragmented by the construction of pipelines, extensive infill and dumping, as well as the construction of an access road. This southerly wetland has a Present Ecological Status Category D and is of low/marginal Ecological Importance and Sensitivity.

The preferred layout will result in the definite loss of about 1.09ha or 12.3% of seasonally inundated to saturated wetlands, with all of the wetlands of medium importance being lost and 7.7% of the wetlands of high importance being lost. In light of the increasing rarity of this seasonal wetland type as a whole, particularly in a context of surrounding terrestrial areas of high botanical importance, the impact significance of wetland loss is considered to be high negative.

The wetlands with the least impacted condition (Present Ecological Status Category B) will all be conserved in the preferred layout. Of the Category C wetlands, all of the wetlands providing shallow seasonally inundated habitat, known to support important endemic wetland invertebrate fauna and possibly providing breeding areas for important frog taxa, are excluded from the proposed development footprint.

The affected wetlands are perched wetlands, in which local rainfall accumulates and then generally evaporates in the dry season. This means that the wetlands' functional importance in terms of provision of ecosystem services other than those relating to biodiversity is relatively low. The significance of loss of 12.3% wetland function will thus be low since the main (non-biodiversity related) ecosystem function performed by the wetlands is flood attenuation for the Eerste River, and the area of lost wetland contributing to this function is considered negligible.

The proposed storm water management system has been designed so as to minimise hydrological impacts on the wetlands to be conserved (and associated terrestrial conservation areas). The design is based on the understanding that the wetlands are naturally perched systems, relying mainly on local precipitation and, other than when the Eerste River overtops its banks in large flood events, they are not linked to surface flows other than at a very limited on-site level between adjacent areas. Thus, the design intention is that rainfall from storm events up to 1:5 year return interval will be contained in the swales that edge each development platform. A system of check dams will ensure ponding and storage of flows. The check dams can also be used to facilitate lateral infiltration into the downslope conservation areas, if required.

Events in excess of the 1:5 year return interval will, however, result in water spreading out into the open space areas, and flowing into the wetlands as surface flows or as lateral seepage flows. Swale design capacity is intended to be such that such flows do not result in an increase in water depth in existing wetlands above 100mm, compared to pre-development levels, and that such increases dissipate within 24 hours.

The preferred layout affords high levels of protection to the wetlands on the site, and is able to conserve them within the surrounding mosaic of terrestrial habitat of high botanical importance. The preferred layout will, however, result in a definite loss of some wetlands, including wetlands of high significance. The losses are largely unavoidable, partly because of the already constructed access point off Old Faure Drive, which puts a fix on the internal road in this area.

With the implementation of mitigation measures, particularly long-term alien clearing, maintenance of the conservation area, and monitoring and adaptive management of the storm water system, the impacts to the aquatic ecosystems are considered acceptable.

A CAMP has been compiled, whose purpose is to ensure that the conservation area is effectively managed in perpetuity and to ensure compliance with the Environmental Authorisation and EMPr. The CAMP further aims to maximise the diversity and ecological functioning of the conservation area.

3.4 Faunal impacts

A Faunal Impact Assessment Report dated September 2021 was compiled by Marius Burger of Sungazer Faunal Surveys, to assess the potential faunal impacts associated with the proposed development.

Approximately 37 mammal species may potentially occur on site. However, only about 23 species are likely to be associated with the site itself, of which 11 species have been confirmed. Several other species, such as insectivorous bats and canid carnivores, may occasionally visit or pass through the site. A few species of small antelope appear to be still present on the site. An adult Steenbok and several patches of small antelope dung were observed during the most recent survey, whereas Common Duiker and Cape Grysbok were recorded during a previous survey (Pepler 2008). Almost all of the mammal species are listed as being of least concern. The only exception is the African Striped Weasel which is a near threatened species.

The potential bird species richness of the site and immediate surroundings is approximately 146 species, with about 132 species known or likely to occur. Of these, the occurrence of 75 bird species has been confirmed. A large proportion of the avifauna are seasonal or irregular visitors to the site.

Approximately 32 reptile species may potentially occur on the site, but realistically, only approximately 25 species are likely to actually occur on the site itself. Almost all of the species are listed as being of least concern. The only exception is the Cape Dwarf Chameleon, which is listed as near threatened.

Approximately eight amphibian species may potentially occur on site, but realistically only about five species are likely to actually occur on the site itself. The Western Leopard Toad is unlikely to be present on the site. The species has never been recorded on the site before and the wetlands are not of the type that are generally favoured by Western Leopard Toads. The only species of toad with confirmed breeding activity at Vergenoegd is the Cape Sand Toad. The Cape Rain Frog was listed as a species that may potentially occur at Vergenoegd, but this is unlikely, since no Cape Rain Frog calls were observed during the 2019 and 2020 winter season site visits.

The construction of the various development precincts will result in the permanent loss of some faunal habitat, thus the overall ecological potential of the site will be reduced. This will result in a reduction of shelter/foraging resources available to the remnant faunal communities. The potential impact associated with preferred layout will be medium to low negative without mitigation and low negative with mitigation.

The preferred layout is more refined with regards to the protection and management of the areas of conservation importance, especially in terms of the management and minimisation of impacts associated with storm water. As such the preferred layout is considered to afford higher levels of protection to the wetlands on the site, and accommodates the high value sensitive terrestrial habitats.

The ecological connectivity for faunal movements between the northern and southern sectors provided for in the preferred layout is more constricted. However, the entire site is too small to function as a significant or important faunal sanctuary at a regional scale. The conservation area is large enough to maintain long-term ecological viability for most species of small mammals, reptiles and amphibians, whilst also serving as supplementary habitat for visiting fauna (e.g. birds).

3.5 Socio-economic impacts

A Socio- Economic Impact Assessment Report dated March 2020 was compiled by Tony Barbour Environmental Consulting and Research, to assess the potential socio-economic impacts associated with the proposed development.

The positive impact of the proposed development during the construction phase is the creation of business and employment opportunities. The construction phase will create approximately 9000 employment opportunities and the establishment of the bulk services will create in the region of 3000 employment opportunities. The construction of the top structures will create in the region of 6 000 jobs.

Approximately 45% of the employment opportunities will be available for low skilled workers, 45% for semi-skilled workers and 10% for skilled workers. This applies to both the bulk services and the top structures. The majority of employment opportunities associated with the low and semi-skilled categories will be taken up by HDIs. The majority of the skilled employment opportunities (more than 50%) are also likely to be taken by HDIs.

The majority of the total wage bill for the construction phase will be earned by HDIs, which represents a significant socio-economic benefit. The majority of the wage bill will also be spent locally and will therefore benefit the economy of the City of Cape Town.

The proposed development also represents a significant opportunity for the local building sector and members of the local community who are employed in the building sector. Most of the work associated with the construction phase is likely to be undertaken by local contractors and builders. The proposed development therefore represents a positive benefit for the local construction and building sector in the Cape Town Metropolitan Area.

Most of the building materials associated with the construction phase will be sourced from locally based suppliers in the City of Cape Town. This represents a positive injection of capital into the local economy. The proposed development therefore represents a significant opportunity for the local construction and building sector. The project will also benefit professionals involved in the construction sector, including quantity surveyors, engineers, and architects.

The positive impact of the proposed development during the operational phase is as follows:

- Creation of employment and business opportunities;
- Benefit for Vergenoegd Farm; and
- Broadening of the rates base.

The proposed development will provide a range of premises targeted towards light industrial uses, cold storage, warehousing, logistic companies and small commercial parks. It is estimated that approximately 1 400 employment opportunities will be created during the operational phase. The operational phase will also create opportunities for local businesses, such as local maintenance and building companies, garden services and security companies, and create opportunities for new businesses to develop.

The establishment of a well-designed and managed business park is likely to benefit Vergenoegd Löw Wine Farm by improving security in the area and providing certainty in terms of a future land use on what is currently a vacant site. In addition, the establishment of a business park adjacent to Vergenoegd Löw Wine Farm will generate additional business for the farm. Employees are likely to make use of the facilities on the farm, such as the deli, for example, during lunch breaks and for business meetings etc. This will also increase the exposure of the farm to a wider audience, which in turn may result in more visitors.

3.6 Traffic impacts

A Traffic Impact Assessment Report dated 11 February 2020 was compiled by Gibb (Pty) Ltd., to assess the traffic impacts of the proposed development.

The existing road network surrounding the site includes Baden Powell Drive, Old Main Road, Old Faure Road (M49), Govan Mbeki Road (M9) and the existing Quarter Link.

Access:

A servitude is registered across Portion 15 of Farm No. 653 to provide access to the Vergenoegd Farm (Portion 12 of Farm No. 653) via Baden Powell Drive. A new access was formalised for Vergenoegd Farm via the new Quarter Link Road. Since a new access to Vergenoegd Farm has been provided, the need for the servitude access via

Baden Powell Drive is redundant. Negotiations are currently underway to remove the servitude access across Portion 15 of Farm No. 653 to Vergenoegd Farm.

Two separate vehicle accesses are proposed as follows:

- The primary access will be via Baden Powell Drive and is positioned opposite the existing Cape Town Film Studios, forming a four-legged intersection. This access will provide internal site access to Areas 2 to 7; and
- The second access serving Area 1 only, is proposed via the new Quarter Link Road. This access has already been accommodated as part of the new Quarter Link upgrade project.

A total of 987 new vehicle trips are estimated to be generated by the proposed development during the am (632 in/354 out) and pm (364 in/623 out) peak hour.

Stop-Controlled Intersections:

2019 Background Traffic:

The Baden Powell Drive/site access intersection currently operates poorly during the am and pm peak hour with lengthy vehicle queues experienced on the northern and southern approaches. Road upgrades are therefore required as a result of existing traffic volumes. The intersection upgrades as part of the dualling of Baden Powell Drive will address many of these problems.

2024 Background Traffic:

The stop-controlled intersection on the new Quarter Link Road (to the Sanbury Square development) will operate acceptably and no upgrades are therefore required as a result of the future background traffic volumes.

2024 Total Traffic:

The new Quarter Link Road/site access stop-controlled intersection will continue to operate acceptably and no upgrades are therefore required as a result of the future total traffic volumes. A lengthy average vehicle queue is present on the eastern approach to the intersection, but this is as a result of traffic generated by the adjacent latent development.

Signalised Intersections:

2019 Background Traffic:

The site currently has no signalised intersections.

2024 Background Traffic:

Multiple intersections in the area will be upgraded to signalised intersections as part of the dualling of Baden Powell Drive. The proposed upgraded (*i.e.*, signalised) Baden Powell Drive/site access intersection will operate well, functioning at an intersection Level of Service A during the am and pm peak hours.

2024 Total Traffic:

The upgraded Baden Powell Drive/site access intersection will continue to operate well during the am and pm peak hours, functioning at an overall intersection Level of Service A.

Non-motorised transport:

Adequate sidewalks/walkways between the site entrances and public transport facilities are required. Surfaced sidewalks (2m wide) will be provided around all of the new public transport embayments and intersections. Surfaced sidewalks (2m wide) will

be provided internally from the site access to the public transport embayment (southbound) on Baden Powell Drive. The existing and proposed cycling facilities in the vicinity of the site are considered adequate to accommodate any additional cycling activity generated by the proposed development.

Public transport:

The public transport services within the immediate vicinity of the site are currently adequate and public transport embayments will be provided at both accesses to the site.

A large proportion of workers are expected to make use of public transport to commute and, therefore, adequate sidewalks/walkways between the site entrances and public transport facilities are required. The detailed design of the new Quarter Link shows that 2m wide sidewalks will be provided around all of the new public transport embayments and intersections. Sidewalks of the same width will also be provided on both sides of Baden Powell Drive in the direction of Simons Way, and on the northern side of the road in the direction of the Cape Town Film Studios.

3.7 Groundwater impacts:

A Groundwater Specialist Report dated January 2020 was compiled by SRK Consulting, to assess the groundwater impacts of the proposed development.

The use of groundwater for irrigation was not previously considered as part of the previously authorised layout. Due to the drought of 2017/2018, the option of using groundwater instead of municipal water, was considered. The proposed development will require water for landscape irrigation. The irrigation water will be obtained solely from the landscape pond, through runoff collection during winter (wet season) and topped up with borehole water during the summer (dry season).

The depth to bedrock varies from north to south. The bedrock is approximately 25m below ground level and there are no indications of the presence of any fault zones. A Secondary Aquifer (Malmesbury Aquifer) is situated at depth and separated by a thick clay layer from the Primary Aquifer.

Both aquifers are associated with expected borehole yields of between 0.5 and 2 L/s. The Secondary Aquifer will be targeted for groundwater abstraction. Boreholes will be constructed so that the Cape Flats Aquifer is sealed off and with the combination of the thick clay layer, the groundwater abstraction from the Malmesbury Aquifer will not impact on the Cape Flats Aquifer.

Due to the expected moderate hydraulic conductivity of the local fractured aquifer, together with the low recommended abstraction rate (180KL/d), the zone of drawdown at the site is likely to be limited and likely localised to the immediate surroundings. Since there are no known other water users downstream of the site, the impact significance is markedly reduced. The impacts associated with the amended layout will be of low negative significance and with the implementation of mitigation measures, the impact is reduced to a very low negative.

Whilst the potential impact without mitigation has been assessed as being of low negative significance, mitigation will be achieved by minimising the demand on groundwater resources and implementing a monitoring system that ensures early detection of depletion of the groundwater resource and curtailment of abstraction, if necessary.

3.8 Visual impacts:

A Visual Impact Assessment ("VIA") Report dated 17 March 2020 was compiled by David Gibbs, to assess the visual impacts of the proposed development.

The VIA Report indicated that apart from a few clusters of existing trees, the site lacks significant landscape features. The site is in no way visually dominant within its context, though its openness and unbuilt nature contributes to a rural sense of place, particularly with respect to the historic Vergenoegd farmstead east of the site. From the lawn area adjacent the old 'werf', uninterrupted views northwest towards Table Mountain are currently afforded.

The site is located within the designated urban edge, adjacent to areas with proclaimed heritage resources (Vergenoegd farmstead, Vergenoegd Löw Wine Farm) and scenic routes (Baden Powell Drive) immediately adjacent to the site. The site does not include visually prominent ridgelines or skylines, however, the nearby Stellenbosch Winelands area has particular rural qualities which contribute to the recognised character of the region with a special sense of place.

Although the site, nor its attributes, have particularly high significance, they nonetheless form part of the broader cultural landscape, which is considered to be an environment of medium scenic, cultural and historical significance.

The site is relatively low-lying, but enjoys strong visual connections to the distinctive Stellenbosch, Helderberg and Hottentots Hollands mountain landforms towards the north east and east, as well as more distant mountain views towards the northwest and west.

Due to its exposure, the site is highly visible from the N2 and Baden Powell Drive, but does not dominate the visual experience. Middle distance glimpses of the Vergenoegd farmstead on the adjacent property are afforded, through gaps in the existing vegetation.

The portion of the field-of-view dominated by the proposed development decreases substantially at distances beyond 500m from the site. The area is therefore considered to have medium or moderate visual sensitivity. The sensitivity to visual change is deemed to be of moderate significance.

The preferred layout has been carefully designed to maximise the visual absorption capacity of the site as far as it is possible, given the scale of the proposed structures, and the relative flatness of the site. The simulated views indicate that the proposed development will be visually recessive to a certain degree, especially as the proposed buildings have a predominantly horizontal form; and that landscape implementation can further augment the visual absorption capacity of the site.

The proposed development will have an impact of moderate significance, reducing from moderate to low with mitigation in the form of landscaping and architectural controls.

3.9 Heritage impacts:

A Heritage Impact Assessment Report dated July 2021 was compiled by ARCON Specialist Architectural and Heritage Consultants, to assess the heritage impacts of the proposed development.

The site falls within a landscape that has been in the process of incremental transformation from rural to urban since the early 2000s. The site itself contains no historic townscapes of any particular significance with most of the surrounding area only being developed as of the beginning of the century.

The surrounding area includes two highly noteworthy historic settlements in the form of the neighbouring Vergenoegd Werf and the Meerlust Werf further to the northeast. The Meerlust Werf is far enough removed from the site to be significantly impacted by the proposed development. The only other precinct of historic significance within the immediate area is the historic St Paul's Anglican Church and graveyard at Faure off the northeast corner of the site.

The historic Vergenoegd Werf complex, which is a Provincial Heritage Site, is 350m from the eastern boundary of the site. However, the Werf complex will not be physically affected by the proposed development.

The site is adjacent to the N2 and Baden Powell Drive, both of which are proclaimed scenic routes.

Portions of the site have high botanical and eco-significance. These are the only significant heritage resources on the site itself which contains no buildings. The site has been identified as having low archaeological significance.

Heritage Western Cape endorsed the recommendations of the HIA in their final comment dated 3 November 2021 and the mitigation measures as set out in 8.2 to 8.5 of the VIA Report dated 17 March 2020. The recommendations of the HIA and VIA have been included in the EMPr and conditions of this Environmental Authorisation.

3.10 Dust and noise impacts

Potential dust and noise impacts are anticipated during the construction phase. However, no significant potential dust and noise impacts are anticipated as these impacts will be mitigated by the implementation of the mitigation measures included in the EMPr.

The development will result in both negative and positive impacts.

Negative Impacts:

- Loss of indigenous vegetation;
- Impacts on aquatic ecosystems; and
- Potential traffic impacts.

Positive impacts:

- Employment opportunities will be created during the construction and operational phases of the development;
- Optimal use of available vacant land;
- Additional business opportunities in the Somerset West area; and
- Contribution to the local economy.

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.

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 NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

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