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**REFERENCE:** 16/3/3/1/A7/22/3026/21  
**NEAS REFERENCE:** WCP/EIA/0000922/2021  
**DATE OF ISSUE:** 14 April 2022

The Municipal Manager  
City of Cape Town  
Social Housing and Land Restitution  
Private Bag X9181  
**CAPE TOWN**  
8001

**Attention: Ms. Nomzamo Mlungu**

E-mail: [Nomzamo.Mlungu@capetown.gov.za](mailto:Nomzamo.Mlungu@capetown.gov.za)

Dear Madam

**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): PROPOSED PICKWICK SOCIAL HOUSING AND MIXED-USE DEVELOPMENT ON ERF NO. 13814/RE, SALT RIVER.**

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

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

CC: (1) Mr. Jeremy Rose (Infinity Environmental)  
(2) Ms. Debbie Evans (City of Cape Town)  
(3) Mr. André Oosthuizen (DEA&DP: DDF)

E-mail: [jeremy@infinityenv.co.za](mailto:jeremy@infinityenv.co.za)  
E-mail: [debbie.evans@capetown.gov.za](mailto:debbie.evans@capetown.gov.za)  
E-mail: [Andre.Oosthuizen@westerncape.gov.za](mailto:Andre.Oosthuizen@westerncape.gov.za)

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## ENVIRONMENTAL AUTHORISATION

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION 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): PROPOSED PICKWICK SOCIAL HOUSING AND MIXED-USE DEVELOPMENT ON ERF NO. 13814/RE, SALT RIVER.**

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

#### **DECISION**

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the Basic Assessment Report (“BAR”) dated December 2021.

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**

City of Cape Town  
Social Housing and Land Restitution  
c/o Ms. Nomzamo Mlungu  
Private Bag X9181

**CAPE TOWN**

8001

Tel.: (021) 400 1655

E-mail: [Nomzamo.Mlungu@capetown.gov.za](mailto:Nomzamo.Mlungu@capetown.gov.za)

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><b>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</b></p> <p><b>Activity 26:</b>  <i>“Residential, retail, recreational, tourism, commercial or institutional developments of 1 000 square metres or more, on land previously used for mining or heavy industrial purposes; -</i></p> <p><i>excluding -</i></p> <ul style="list-style-type: none"> <li><i>(i) where such land has been remediated in terms of part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or</i></li> <li><i>(ii) where an environmental authorisation has been obtained for the decommissioning of such a mine or industry in terms of this Notice or any previous NEMA notice; or</i></li> <li><i>(iii) where a closure certificate has been issued in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for such land”.</i></li> </ul>	<p>Residential development will occur on a site that was previously used for clay mining.</p>

Listed Activity	Activity/Project Description
<p><b>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</b></p> <p><b>Activity 15:</b>  <i>“The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</i></p> <p><b>f. Western Cape</b></p> <ul style="list-style-type: none"> <li><i>i. Outside urban areas, or</i></li> <li><i>ii. Inside urban areas:</i> <ul style="list-style-type: none"> <li><i>(aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</i></li> <li><i>(bb) A protected area identified in terms of NEMPAA, excluding conservancies; or</i></li> <li><i>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority”.</i></li> </ul> </li> </ul>	<p>The proposed development will transform approximately 2.4ha of the site which is zoned Open Space inside the urban area.</p>

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 proposed development entails the establishment of a social housing and mixed-use development on Erf No. 13814/RE, Salt River.

The proposed development entails the development of the following land uses:

- Social housing (affordable, subsidised rental units owned and managed by a Social Housing Institution);
- Commercial housing;
- Transitional housing (an existing use, which may be relocated within the site to allow for an optimal site configuration and density);
- Business, community services or institutional uses (on the ground floor of multi-storey buildings);
- Public space and streets; and
- Infrastructure such as parking, storm water management, and internal services.

The following is proposed as part of the development:

- Buildings of between four and eight storeys (25m) in height, accommodating approximately 1800 residential units and a housing split of one-third social housing and two-thirds commercial housing, as follows:
  - Approximately 600 social housing apartments in a high-density, high-rise configuration; and
  - Approximately 1200 commercial apartments or student housing units in a high-density, high-rise configuration.
- Transitional housing (an existing use, which may be relocated within the site to allow for an optimal site configuration and density);
- Basement parking;
- Approximately 1850m<sup>2</sup> of business, community infrastructure and services (e.g. coffee shops, laundromats, etc. located on the ground floor of buildings);
- Public space and streets; and
- Infrastructure for storm water management and internal services.

Erf No. 13814/RE abuts Pickwick Street along the western property boundary, which provides direct access to the site. Two access points will be provided along Pickwick Street; an access opposite the existing Store-All access, and an access opposite the existing Upper East Side access. A third access point will be provided as an extension of Dickens Road.

## **C. LOCATION AND SITE DESCRIPTION**

The listed activities will be undertaken on Erf No. 13814/RE, Salt River.

There are two existing buildings located along the northeastern boundary of the site, *i.e.*, the Pickwick Transitional Housing Facility, and the Cape Town Multi Service Centre, which utilises older buildings along the northern corner. The western part of the site is used as an informal parking lot.

The property is bounded to the west by Pickwick Street, to the southwest by a steep embankment with Nelson Mandela Boulevard beyond it, to the east by student residences and to the north by Copperfield Road. Adjacent land uses include a self-storage facility (west); a hotel, residential and commercial precinct (west); to the north are warehousing and light-industrial facilities.

The SG 21-digit code is: C01600070001381400000

Co-ordinates:

Latitude: 33° 56' 12.50" S

Longitude: 18° 27' 29.90" 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")**

Infinity Environmental  
c/o Mr. Jeremy Rose  
Suite 17  
Private Bag X11  
**MOWBRAY**  
7705

Tel.: (021) 834 1602

Fax: (086) 591 8616

E-mail: [jeremy@infinityenv.co.za](mailto:jeremy@infinityenv.co.za)

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

##### **Scope of authorisation**

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated December 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 ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities 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, 14 and 23.

## **Management of activity**

10. The draft Environmental Management Programme ("EMPr") dated December 2021 (as compiled by Infinity Environmental) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
11. 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.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr 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**

14. 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–

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



## **Environmental audit reports**

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
  - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
  - 15.2 submit an environmental audit report three (3) months after commencement of the construction phase to the relevant competent authority;
  - 15.3 submit an environmental audit report six (6) months after completion of the construction phase to the relevant competent authority; and
  - 15.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
  
16. 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 -

- 16.1 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;
  - 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
  - 16.3 evaluate the effectiveness of the EMPr;
  - 16.4 identify shortcomings in the EMPr;
  - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 16.6 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;
  - 16.7 include a photographic record of the site applicable to the audit; and
  - 16.8 be informed by the ECO reports.
- 
17. 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**

18. 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.
  
19. 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.



20. 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.

21. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
22. The following recommendations provided in the Revised Traffic Impact Assessment Report dated 28 October 2021, and compiled by Royal HaskoningDHV (Pty) Ltd., must be implemented:
- 22.1 A traffic signal must be placed at the Victoria Road and Dickens Road intersection, coordinated with the Victoria Road/Durham Avenue signalised intersection, to improve the egress capacity from Dickens Road into Victoria Road.
  - 22.2 An extra left turn lane must be added at the Pickwick Road/Victoria Road intersection to allow for a separate right and left turn out of Pickwick Road to minimise the obstruction to the right turn traffic.
  - 22.3 The no-stopping road marking (RM12), with no-parking (R216) and no-stopping (R217) road signs, must be implemented on the western side of Pickwick Road, between Victoria Road and Copperfield Road to ensure acceptable two-way traffic flow along Pickwick Road.
23. A copy of the Landscape Plan, as approved by the City of Cape Town, must be submitted to the competent authority prior to the commencement of construction.
24. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
- 24.1 Dual-flush toilet systems.
  - 24.2 All taps must be fitted with water saving devices (i.e., tap aerators, flow restrictors and low flow shower heads).
  - 24.3 Water-wise landscaping must be established.
25. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
- 25.1 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.
  - 25.2 Street lighting must be kept to a minimum and down lighting must be used to minimise light impacts. Streetlights must be switched off during the day.
  - 25.3 All geysers must be covered with geyser “blankets”.

25.4 The installation of solar water heaters and solar panels must be considered for all buildings.

### **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.

### **F. APPEALS**

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

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

## G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

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

**DATE OF DECISION: 14 APRIL 2022**

CC: (1) Mr. Jeremy Rose (Infinity Environmental)  
(2) Ms. Debbie Evans (City of Cape Town)  
(3) Mr. André Oosthuizen (DEA&DP: DDF)

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E-mail: [debbie.evans@capetown.gov.za](mailto:debbie.evans@capetown.gov.za)  
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**EIA REFERENCE NUMBER: 16/3/3/1/A7/22/3026/21**  
**NEAS EIA REFERENCE NUMBER: WCP/EIA/0000922/2021**



# 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 form received by the competent authority via electronic mail correspondence on 08 June 2021; the request for an extension of time in terms of Regulation 3(7) of the EIA Regulations, 2014 (as amended), as received by the competent authority via electronic mail correspondence on 03 September 2021; the letter from the competent authority dated 08 September 2021, granting the R3(7) extension; the BAR dated December 2021, as received by the competent authority via electronic mail correspondence on 08 December 2021; the EMPr submitted together with the BAR; and the additional information received by the competent authority on 09 and 14 December 2021, respectively.
- 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 BAR dated December 2021.
- d) The meeting held on 31 August 2022

Attended by Ms. Taryn Dreyer and Ms. Rondine Isaacs of the Department of Environmental Affairs and Development Planning ("DEA&DP"), and Mr. Jeremy Rose of Infinity Environmental.

- 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:

- An advertisement was placed in the "*Southern Suburbs Tatler*" newspaper on 12 November 2020;
- Two notice boards were placed on site on 12 November 2020;
- Background Information Documents were made available on 13 November 2020;
- The occupiers of the site were notified through delivery of notices to the facility manager, and the Multi Service Centre was notified by email;
- A pre-application registration and commenting period commenced on 13 November and ended on 14 December 2020;
- An online meeting with local civic organisations was held on 29 March 2021;
- A Public Forum took place online on 01 July 2021;
- An electronic copy of the draft BAR was placed on the website of Infinity Environmental on 14 June 2021;
- The draft BAR was made available from 14 June 2021 until 15 July 2021;
- E-mails were sent on 02 November 2021 to announce the availability of the revised draft BAR; and
- The revised draft BAR was made available from 02 November 2021 until 02 December 2021.



## **Authorities consulted**

The authorities consulted included the following:

- Various departments within the City of Cape Town;
- DEA&DP Directorate: Pollution and Chemicals Management;
- DEA&DP Directorate: Waste Management;
- Department of Water and Sanitation; and
- Heritage Western Cape.

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

## **2. Alternatives**

The proposed development forms part of a programme to obtain rights for a social housing development on vacant, underutilised land close to economic and employment opportunities and owned by the City of Cape Town. The site has been identified for inclusionary housing in the relevant policy and planning frameworks of the City. Therefore, site or property alternatives are not feasible.

The following options were considered in terms of their financial feasibility, and include the following:

- A. High-rise, high-density, mixed-income, cross-subsidy concept (the proposed development), with varying proportions of social housing and market housing units;
- B. Low-rise, low-density, mixed-income concept, with and without cross-subsidy from market housing units; and
- C. A mix of high-rise, high-density market housing and low-rise social housing units, with varying proportions of social housing units.

Three options were considered for the high-rise, high-density, mixed-income, cross-subsidy concept, as follows:

### Option A1 (preferred alternative) – herewith authorised:

The preferred alternative is a high-rise, mixed-income, mixed-use concept with one third of all units being social housing units. The mix between social housing and open market units was arrived at after an iterative process to reach a break-even point taking into account existing market conditions in the area:

- Social housing: one third of all 1804 residential units = 601 units;
- The standard social housing funding required for financial viability covers approximately 62% only of total capital development costs per unit;
- The funding gap of around 38% amounts to more than R150m, but it is possible to make it up with cross-subsidy within the project through a share of the profits from the sale of open market units; and
- To make the cross-subsidisation work, market units will be sold to a target market in the middle-income range and at selling prices comparable to current market rates.

Option A1 is the preferred option as it is financially viable under current open market conditions and the existing social housing funding structure.

### Option A2:

This alternative is for a high-rise, mixed-income, mixed-use concept with 40% of all units being social housing units.

- Social housing: 40% of all 1804 residential units = 722 units;

- The standard social housing funding required for financial viability covers approximately 62% only of total capital development costs per unit; and
- Due to the increase in social housing units and resultant decrease in market units available for cross-subsidy, the funding gap of around 38% per unit now amounts to more than R200m. To make this up with cross-subsidy through a share of the profits from the sale of open market units, such units will have to be sold at a premium of around 10% over existing market rates in the area and to a target market in the income range of R26 000 to R47 000 per month.

Option A2 was discarded as it can only be considered financially viable if the premium over current open market selling prices are achieved and/or if upward adjustments are made to the existing social housing funding structure in the future.

#### Option A3:

This alternative is for a high-rise, mixed-income, mixed-use concept with 50% of all units being social housing units.

- Social housing: 50% of all 1804 residential units = 902 units;
- The standard social housing funding required for financial viability covers approximately 62% only of total capital development costs per unit;
- Due to the increase in social housing units and resultant decrease in market units available for cross-subsidy, the funding gap of around 38% per unit now amounts to more than R234m; and
- To make this up with cross-subsidy through a share of the profits from the sale of open market units, such units will have to be sold at a premium of around 15% over existing market rates in the area and to a target market in the income range of R26 000 to R49 000 per month.

Option A3 was discarded as it can only be considered financially viable if the premium over current open market selling prices are achieved and/or if upward adjustments are made to the existing social housing funding structure in the future.

The following options were considered for the low-rise, low-density, mixed-income concept. The options were based on a density of 200 dwelling units per hectare, as follows:

#### Option B1:

This alternative entails 100% social housing units in 4-storey walk-ups (no market units = no cross-subsidy available).

- Yield = 660 social housing units;
- Due to high per-unit development costs resulting from geotechnical (sub-soil) and topographic (slopes) conditions, the standard existing social housing funding structure will cover only about 82% of total development cost per unit;
- As such, the total social housing funding gap will amount to around R60m; and
- Since there is no source of cross-subsidy funding, the gap will have to be made up from alternative public funding streams and/or an increase in the social housing grant of at least 34%.

#### Option B2:

This alternative entails 50% social housing units in 4-storey walk-ups and 50% market units in 4-storey towers with lifts.

- Yield = 330 social housing units;
- Due to high per-unit development costs resulting from geotechnical (sub-soil) and topographic (slopes) conditions, the standard existing social housing funding structure will cover only about 82% of total development cost per unit;

- The total social housing funding gap will amount to around R30m;
- To make this up with cross-subsidy within the project through a share of the profits from the sale of open market units, such units will have to be sold at a premium of around 8% over existing market rates in the area and to a target market in the income range of R26 000 to R49 000 per month; and
- If premiums of 8% on existing market selling rates are not achieved, the gap will have to be made up from alternative public funding streams and/or an increase in the social housing grant of at least 34%.

Option B (low-rise, low-density, mixed-income concept) was discarded for the following reasons:

- The low-rise, low-density option, without market units for cross-subsidy (100% social housing) will deliver a social housing yield of around 660 units. This is not much more than the existing high-density concept, but without the added benefits to the City of some land market value recovery and increased economic injection, rates base and sale of consumable services and still with a social housing funding gap of around R60m; and
- Should some low-density market units be brought into the mix to provide potential reduction in the social housing funding gap through cross-subsidy, the social housing yields can only reduce well below the 600 to 700 range, and still with a social housing funding gap.

The following options were considered for the medium-density approach comprising a mix of low-rise social housing and high-rise, high-density market units:

#### Option C1:

This alternative entails social housing units in 4-storey walk-ups and market units in 8-storey towers.

- Yield is high; and
- To achieve a social housing yield of 600 to 700 units similar to the existing high-rise concept and the 100% low-rise social housing concepts, respectively, will use up almost all the land area and leave nothing for market units and cross-subsidy potential.

#### Option C2:

This alternative entails social housing units in 4-storey walk-ups and market units in 8-storey towers.

- Yield is low.
- If the social housing yield is reduced to 330 units in walk-ups, the social housing funding gap will be around R30m in total;
- It will be mathematically possible (subject to actual site layout and massing constraints in the detailed design) to include up to 900 market units in towers, and these will have to be sold at a premium of around 15% over existing market rates to make up the funding gap; and
- Alternatively, the existing social housing grant will have to be increased by at least 34% to make up the shortfall.

Due to the exceptional nature of the site (steep slopes, poor soil conditions), none of the standard funding mechanisms currently available provide adequately for the estimated development costs of the social housing component. If the site is to be considered for high density, affordable housing, ways of enhanced funding which makes use of all available funding streams, and creating some new ones, will have to be explored, as well as looking at all cross-subsidy models both on and off site through inclusionary housing projects.

The high-density, mixed-income, cross subsidy concept, based on existing market conditions and social housing funding structure, provides the best social housing yield together with a mechanism to make up any social housing funding shortfalls.

Preferred layout alternative – herewith authorised:

The preferred alternative entails the establishment of a social housing and mixed-use development on Erf No. 13814/RE, Salt River.

The proposed development entails the development of the following land uses:

- Social housing (affordable, subsidised rental units owned and managed by a Social Housing Institution);
- Commercial housing;
- Transitional housing (an existing use, which may be relocated within the site to allow for an optimal site configuration and density);
- Business, community services or institutional uses (on the ground floor of multi-storey buildings);
- Public space and streets; and
- Infrastructure such as parking, storm water management, and internal services.

The following is proposed as part of the development:

- Buildings of between four and eight storeys (25m) in height, accommodating approximately 1800 residential units and a housing split of one-third social housing and two-thirds commercial housing, as follows:
  - Approximately 600 social housing apartments in a high-density, high-rise configuration; and
  - Approximately 1200 commercial apartments or student housing units in a high-density, high-rise configuration.
- Transitional housing (an existing use, which may be relocated within the site to allow for an optimal site configuration and density);
- Basement parking;
- Approximately 1850m<sup>2</sup> of business, community infrastructure and services (e.g. coffee shops, laundromats, etc. located on the ground floor of buildings);
- Public space and streets; and
- Infrastructure for storm water management and internal services.

Erf No. 13814/RE abuts Pickwick Street along the western property boundary, and provides direct access to the site. Two access points will be provided along Pickwick Street; an access opposite the existing Store-All access, and an access opposite the existing Upper East Side access. A third access point will be provided as an extension of Dickens Road.

This is the preferred alternative as it is financially viable under current open market conditions and the existing social housing funding structure.

“No-Go” Alternative:

This alternative entails maintaining the *status quo* and as such, the site will retain its current land use, *i.e.*, an underused open space. The social housing and mixed-use development will thus not be constructed. This alternative was not deemed as preferred as the proposed development will augment the economic activities, provide for much needed housing and the benefits to the holder and creation of jobs would not be realised. The “no-go” alternative is therefore not warranted.

### 3. Impacts, assessment and mitigation measures

#### 3.1 Activity Need and Desirability

10% of the site is currently developed with transitional housing units and a youth care centre. An area of approximately 2500m<sup>2</sup> is being used for informal parking. The site has three split-zonings. The undeveloped part of the site is zoned Public Open Space and the child/youth care facility being zoned Community Zone 1: Local and Utility Zone.

The proposed development will require a rezoning to permit the proposed uses. An application for rezoning to Mixed Use 2 will be made to the City of Cape Town. A conveyancer's certificate confirmed that there are no restrictive conditions registered against the property.

The proposed development is consistent with the policies set out in the Provincial Spatial Development Framework ("PSDF") (2014), especially the following key concepts:

- *"Incentivise mixed land use and economic diversification in urban and rural markets; and*
- *"Regenerate and revitalise existing economic nodes in the urban space economy".*

The proposed development is consistent with the City of Cape Town Integrated Development Plan (2017-2022), which identifies transit orientated development and associated densification as the key to achieving spatial transformation.

The proposed land use is consistent with the City of Cape Town Municipal Spatial Development Framework ("MSDF") (2018-2023). The site is located in an urban inner core area, prioritised for land use intensification, development, and investment in support of spatial transformation.

Policy 1 of the MSDF encourages integrated settlement patterns by supporting mixed land uses and higher density residential development to support Transit Orientated Development. Policy 3 intends to transform the apartheid city by supporting inclusionary housing in well-located areas; prioritising affordable housing in areas that are transit orientated and economic potential areas; and develop a land assembly strategy to focus resources on strategically owned, underutilised state and City-owned land to secure citywide accommodation opportunities for lower income households and communities.

Social housing provides well-located, affordable rental accommodation to low and middle income households. This is a programme that is specifically intended to improve access to areas where the housing market prices will otherwise exclude them. Approximately 600 households may benefit from affordable rental housing access on the Pickwick site.

The proximity of the site to the Central Business District ("CBD") will allow people, who will reside on the site, to better access the opportunities. Other economic opportunities close to the site, which offer a wide range of employment and commercial opportunities within walking distance, are Paarden Eiland, Salt River and the entire Main Road/Victoria Road corridor.

The proposed development will maximise the use of well-located public land close to employment opportunities and economic nodes, to redress some of the spatial inequities of the City, and to provide an opportunity for social housing close to the CBD.

Social housing will provide well located, medium to high density and well managed formal rental accommodation that is affordable to low and moderate-income households. The proposed social housing on the site is likely to be only partially funded by subsidies, and will be cross subsidised by housing to be developed on the site for commercial sale or rental.

The City intends on obtaining rights to develop before inviting proposals from Social Housing Institutions. The final design will depend on the proposals proposed by Social Housing Institutions and/or developers and will ultimately be selected by the City of Cape Town.

#### Financial model and feasibility:

The proposed development parameters are based on a financial feasibility model that considered various options for funding of the proposed social housing development on the Pickwick site. The two primary sources of capital funding for social housing are the Social Housing Consolidated Capital Grant ("CCG"), which is a once-off capital contribution from national government, and any cross-subsidy which may be possible through the development of commercial housing on the balance of the site.

The proposed development is consistent with the following urban design principles, amongst others:

#### Mobility:

- Non-motorised transport and pedestrian movement are prioritised;
- Linkage across the site between important existing urban networks/ infrastructure is considered in the orientation and alignment of structures on the site;
- Vehicular movement and access points are considered in their relationship to the individual and greater urban fabric; and
- Private vehicular movement/parking is considered, with emphasis on pedestrians. Basement parking and the removal of vehicular movement across the surface levels of the site emphasises the importance of the individual whilst not limiting vehicle ownership.

#### Permeability:

- Visual connections will be allowed and created which enhance the urban environment.
- Access between places and spaces will be considered at a greater level than just the individual structure and form, with safety being considered;
- Urban block creation will follow the underlying urban form while responding to the requirements of the site within its metropolitan context; and
- Mobility through and to the site will be considered on the greater urban scale and its surroundings.

#### Hierarchy:

- Public and private spaces and their intended uses will be defined;
- Public/semi-public/semi-private/private spaces will be created;
- Easy identification of spaces and their intended users/uses within the context of their environment;
- Articulation of importance of space/place through the orientation/placement of forms and their organisation on the site;
- Street interfaces will be carefully considered to understand the human scale and the design implications this will have on the architecture proposed; and
- Street interfaces will be clearly defined through structure orientation and design.



#### Richness:

- A combination of multiple urban design principles and how they relate to the urban form will create a liveable environment;
- The goal of creating a considered urban environment will enhance the lives/liveability of spaces and the greater city; and
- Green urbanism principles will be followed which enhance the site and its users lives.

#### Environmental:

- Renewable energies and water collection will be considered to create a robust environment;
- Structure orientation will be cognitive of the solar/heat island effects seen within the urban fabric;
- Sustainable Urban Drainage Systems principles and designs will be utilised to mitigate adverse runoff;
- Tree planting will be encouraged and enforced along pedestrian spaces. The design will consider trees which respond to the weather conditions of the site as well as the limiting surface depth which can be provided through raised planter beds. Surfacing tree planting will be encouraged on the northern slopes of the site;
- Storm water management will be considered within the boundaries of the site. Underground basement internal water management systems will be considered; and
- Permeable surfaces will be designed for ground level platforms, with water management being considered.

#### Conceptual design:

- The surrounding buildings and spaces will face away from the site. The Upper East Side to the west will face the parking garage and service entrance onto the site. The Rochester and Catsville Student Residences to the east have security fencing or blank walls backing onto the site; and the southern boundary is a steep embankment up to Nelson Mandela Boulevard;
- The site is located close to employment nodes and to the Cape Town CBD. The surrounding land uses, particularly to the west, are high density and mixed-uses, and the site has high accessibility at a broader scale from several arterial routes. Very little undeveloped land in public ownership is available to address the need for new social housing, and the opportunity will be maximised to avoid wasting the site's potential.
- The topography of the site is sloping, requiring the construction of a series of cut and fill platforms to accommodate development. The platforms will form the basis for a number of courtyard blocks.
- Access to the site will consider both vehicles and pedestrian routes. Vehicle access will be from Pickwick Street. The site will be structured around a central pedestrian spine running from Copperfield Road to the upper end of the site. This will become the primary route for pedestrians through the development, as well as a separation element between blocks.
- The proposed design will incorporate basement parking beneath the buildings, with one or two levels, depending on the topography of the site and in accordance with the Development Management Scheme parking requirements.
- Pickwick Street to the west is both an important access route to the site and important for connectivity with the surrounding environment. The buildings along Pickwick Street will establish a higher density edge to the environment. The ground floor will be an active space while the rest of the buildings will reflect the surrounding apartment building context. This will be achieved through placing social facilities and mixed-use activities on the ground floor street frontage.



- Public spaces will be situated at either end of the site (*i.e.*, on Copperfield Street and at the sloping southwestern edge) and centrally within the block structure, with the latter having a dual function of storm water retention. Existing uses at the Copperfield Street interface will be absorbed into new development elsewhere on the site, making room for a public space.
- The City of Cape Town has confirmed the availability of services such as water supply, solid waste removal, electricity supply and sewerage disposal. A new substation is also required on the site to service the development with electricity.

### 3.2 Biophysical impacts

A preliminary geotechnical investigation was conducted by SMEC in 2016, and determined that the site had been subjected to considerable bulk earthworks during historical quarrying and development of the neighbouring sites. A thick mantle of fill masks the underlying natural ground, ranging in thickness from 2.5m to 6m. A high cut face is situated on the southwestern boundary.

Site clearing is required prior to construction to remove previously disturbed ground and fill material, unless the fill can be incorporated in the earthworks design with due consideration given to its settlement potential.

The site is a brownfield site and partially developed and Erf 13814/RE was previously part of a brickworks and quarry. The previous uses are visible in the local topography, which is extensively excavated and reshaped.

No significant biophysical impacts are therefore anticipated, as the site is completely transformed from its natural state.

### 3.3 Visual impacts

The site's location within the landscape is important in considering the potential impacts of the proposed development on the adjacent scenic route, *i.e.*, Nelson Mandela Boulevard.

Erf No. 13814/RE was quarried in the early twentieth century and is thus in a depression relative to the surrounding landscape. The site is between 20m and 40m lower than Nelson Mandela Boulevard, and will be further lowered during the removal of unsuitable fill material for construction of the proposed development. This will render the proposed building envelope (*i.e.*, the maximum height and extent proposed) on the site largely invisible from the scenic route.

The road in the vicinity of the site crests a small rise, and turns as it rounds the corner of Devils Peak. It is cambered toward the mountain as it rounds the corner. This directs the view of road users upward and outward, rather than down toward the site. Coupled with the tree canopy of a row of pines and palms on the eastern shoulder and median, respectively, the proposed building envelope on the Pickwick site is effectively invisible from the northbound N2 and has very limited visibility from the southbound N2. Where it is visible, the angle is such that the proposed building envelope is aligned with the roofs of buildings on Victoria Road and with the adjacent Upper East Side building.

The proposed maximum building height will be equivalent to the Upper East Side height and therefore below the horizon as viewed from the scenic route.

### 3.4 Storm water impacts

The proposed storm water ponds or enhanced swales will meet the following criteria to achieve Sustainable Urban Drainage Systems:

- Sufficient storage capacity will be provided for the 24-hour extended detention of the 1-year return interval, 24-hour storm event;
- Reduction of the 1:10 year peak flow to pre-development levels will be achieved;
- Reduction of the 1:50 year peak flow to existing development level will be achieved; and
- The effect of the 1:100-year storm event was evaluated and can be managed within the proposed layout and existing storm water system provided within the proposed development.

The volume and area allocation for storm water retention management exceeds the minimum requirements as per the City of Cape Town's Standards.

### 3.5 Traffic impacts

A Revised Traffic Impact Assessment Report dated 28 October 2021, was compiled by Royal HaskoningDHV (Pty) Ltd, to assess the traffic impacts of the proposed development. The revisions to the initial Traffic Impact Assessment Report were done in response to the City of Cape Town's comments and recommendations.

The proposed development feeds directly into the intentions of the City's implementation of the Urban Development Zone on Victoria Road. The site is located adjacent to Victoria Road and is therefore in close proximity to a network of public transport services, namely Metrorail (Salt River Station), minibus taxis and the Golden Arrow public bus services along Victoria Road. There is a high reliance on public transport services for people commuting along Victoria Road. The walking distance from the nearest public transport services to the site is in line with the objectives of the White Paper on National Transport, which aims to limit the walking distance to public transport to less than 1km.

There will be a negligible impact on existing traffic conditions due to an increase in future traffic with a marginal increase in the traffic volume on the roads. Capacity analysis of the Victoria Road/Durham Road intersection indicate that no mitigation measures are required, since the capacity analysis shows that no traffic congestion will occur.

The capacity analysis of the Dickens Road/Victoria Road intersection indicates that the south approach for the combined left and right turn movements on Pickwick Road will operate with an unacceptable Level of Service E during the am peak hour. The capacity analysis of Pickwick Road/Victoria Road indicated that the south approach at a stop-control will operate with an unacceptable Level of service F during both the am and pm peak hour. Both Pickwick Road and Dickens Road are significantly impacted and indicate a high level of congestion and delay that require mitigation.

The implementation of the proposed upgrades, *i.e.*, the introduction of an additional left turn lane at the Pickwick Road/Victoria Road intersection and the placement of a traffic signal at the intersection of Victoria Road and Dickens Road will improve the traffic conditions significantly. The vehicles turning right from Pickwick Road into Victoria Road also have the option of using the signalised Dickens/Victoria Road intersection. This will improve the Level of Service of the approach movements on Pickwick Road. In addition, public transport usage in the area is expected to increase and limit the growth

in private vehicle traffic. It is therefore anticipated that the Level of Service at these intersections will improve over time.

Vehicular access to the site will be provided from Pickwick Road. Three access points from the site are proposed to stagger the arrivals and departure to and from the site. An access point be aligned with Store-All Self Storage (to the centre of the site) and another with Upper East Side Rentals (to the north) which have accesses on Pickwick Road and are located approximately 90m apart. The third access point will be located to the south of the site, giving direct access via Dickens Road, which is currently a greenfield area.

The number of parking bays required is approximately 1835. The proposed development will provide an additional 15 parking bays, therefore, approximately 1850 parking bays will be provided.

Vehicles currently park along the western side of Pickwick Road, between Copperfield Road and Victoria Road, which further contribute to the current congestion along Pickwick Road. An embayment for formal parking is provided on the eastern side of Pickwick Road. The road width, however, cannot accommodate the unobstructed two-way traffic when vehicles informally park on the western road verge. The no-stopping road marking (RM12), with no-parking (R216) and no-stopping (R217) road signs, must therefore be implemented on the western side of Pickwick Road, between Victoria Road and Copperfield Road, to ensure acceptable two-way traffic flow.

The introduction of a left turn lane in Pickwick Road will lead to the loss of six formal parking bays on the eastern side of Pickwick Road. The proposed development will incorporate these six parking bays in the development's excess parking provision.

The background traffic conditions have been reviewed for both the am and pm weekday peak commuting periods and were found to be moderate with limited overall delay which is typical for urban commuter traffic. In addition, an adjacent development (Pickwick Court) has been included in the traffic analysis to ensure that an accurate future traffic scenario is reflected.

The existing scenario for all analysed intersections shows limited peak period congestion and delays along Pickwick Road. The five-year post development (2026) assessment includes the Pickwick development trips, plus development trips generated by the Pickwick Court Social Housing Development, with and without upgrades to the existing road network.

The future traffic scenario (2026: without upgrades) indicates that all intersections deteriorate to poor Levels of Service due to the addition of all development traffic. The future traffic scenario (2026: with upgrades) presents an improvement in the traffic operations at all the analysed intersections and concludes acceptable Levels of Service.

The potential traffic impacts were assessed as medium negative prior to mitigation and low negative post mitigation. The traffic specialist's recommendations have been included as conditions of the Environmental Authorisation.

### 3.6 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:**

- Potential traffic and visual impacts; and
- Potential storm water impacts.

**Positive impacts:**

- The establishment of significant affordable housing opportunities on a well located and strategic public land parcel;
- Optimal use of available land in accordance with objectives of spatial planning policies applicable to the area; and
- Employment opportunities will be created during the construction phase of the development.

**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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