



REFERENCE NUMBER: 16/3/3/1/A6/36/2015/22
NEAS REFERENCE NUMBER: WCP/EIA/0001072/2022
ENQUIRIES: Ms. N. Wookey
DATE OF ISSUE: 10 October 2022

The Municipal Manager
City of Cape Town
Spatial Planning and Environment
16th Floor, 4 Bay side
Tower Block, Civic Centre
2 Hertzog Boulevard
CAPE TOWN
8000

Attention: Ms. M. Kamalie

Tel.: (021) 400 9419

Email: mariam.kamalie@capetown.gov.za

Dear Madam

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED UPGRADE OF THE HOUT BAY ROADS DEPOT AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF ERF 2848, HOUT BAY.

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

Yours faithfully

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

Copies to: (1) Mr. A. Greenwood (City of Cape Town: ERM)
(2) Ms. T. Solomon / Mr. A. Osborne (Infinity Environmental)

Email: Andrew.Greenwood@capetown.gov.za

Email: Taryn@infinityenv.co.za / Alexis@infinityenv.co.za

REFERENCE NUMBER: 16/3/3/1/A6/36/2015/22

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED UPGRADE OF THE HOUT BAY ROADS DEPOT AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF ERF 2848, HOUT BAY.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR") dated June 2022.

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

City of Cape Town
% Ms. M. Komalie
Spatial Planning and Environment
16th Floor, 4 Bay side
Tower Block, Civic Centre
2 Hertzog Boulevard
CAPE TOWN
8000

Cell: (083) 634 4948
Email: mariam.kamalie@capetown.gov.za

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

B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Activity / Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 19 Activity Description:</p> <p><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><i>(a) will occur behind a development setback;</i></p> <p><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p><i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i></p> <p><i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p><i>(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.</i></p>	<p>The proposed upgrade to the Hout Bay Roads Depot on the Remainder of Erf 2848, Hout Bay, will result in the excavation of approximately 200m³ of soil within a watercourse.</p>

The abovementioned is hereinafter referred to as “**the listed activity**”.

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

The authorised development entails the upgrade of the Hout Bay Roads Depot on the Remainder of Erf 2848, Hout Bay.

The upgrade to the existing development will comprise of the following:

- The development of a truck port and wash bay facility;
- The development of a mechanical plant shed, premix bins and storage facility;
- The development of buildings for administrative purposes;
- A new potable water connection along Hout Bay Main Road;
- A new sewer connection to the existing 150mm diameter sewer main;
- Walkways with a landscaped rain garden will be incorporated; and
- Associated infrastructure.

The new buildings will be located on the eastern part of the site currently occupied by a driveway and temporary stockpile area.

Retaining walls will be developed on the western and eastern side of the site. The retaining wall on the western side of the site will occur along the existing parking area and will be approximately 1.5m in height. A seasonal stream is located on the eastern boundary of the site and flows across the site to a catch basin conveying stormwater into the stormwater system and the Hout Bay River. The retaining wall on the eastern side of the site will result in the excavation of approximately 200m³ of soil within a seasonal stream. The retaining wall will be approximately 4m – 5.5m in height. A cut-off berm at the top of the retaining walls is proposed for the diversion for surface and stormwater flow into the stormwater chute. A piped stormwater network with catchpits along the trapezoidal channel will be developed for minor storm events.

Sufficient, spare and unallocated capacity for the provision of bulk water supply, sanitation and solid waste services are available.

Existing access is available off Hout Bay Main Road, which will be improved.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activity will take place on the Remainder of Erf 2848, Hout Bay.

The 21-digit Surveyor General code is:

Th Remainder of Erf 2848, Hout Bay	C01600240000284800000
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The central co-ordinate for the proposed upgrade is:

Middle (Point)	34° 1' 53.76" South	18° 21' 08.58" East
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Refer to **Annexure 1**: Locality Plan and **Annexure 2**: Site Development Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Infinity Environmental (Pty) Ltd.
% Ms. T. Solomon / Mr. A. Osborne
Suite 17, Private Bag X11
MOWBRAY
Cape Town
7705

Tel: (021) 834 1602

Email: tarryn@infinityenv.co.za / alexis@infinityenv.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative described in Section B above and in the BAR dated June 2022 on the site as described in Section C above.
2. The holder must commence with the listed activity on the site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **ten (10) years** from the date of commencement of the listed activity.

4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. A minimum of **seven (7)** calendar days' notice, in writing, must be given to the Competent Authority before commencement of the development activity.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 8, 11, 18 and 19.1.

Notification and administration of appeal

7. The holder must in writing, within **fourteen (14)** calendar days of the date of this decision–
 - 7.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Section H;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date when the decision was issued.
 - 7.2. 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) detailed in Section F below;
 - 7.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 7.4. Provide the registered I&APs with:
 - 7.4.1. The name of the holder (entity) of this Environmental Authorisation;
 - 7.4.2. The name of the responsible person for this Environmental Authorisation;
 - 7.4.3. The postal address of the holder;
 - 7.4.4. The telephonic and fax details of the holder;
 - 7.4.5. The e-mail address, if any, of the holder; and
 - 7.4.6. 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).
8. The listed activity, including site preparation, must not commence within **twenty (20)** calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The Environmental Management Programme ("EMPr") (compiled by Infinity Environmental and dated June 2022) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented:
10. The EMPr must be included in all relevant contract documentation for the applicable phases of implementation.

Monitoring

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

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 14.1. The holder must undertake an environmental audit within three (3) months of the commencement of the listed activity and submit an Environmental Audit Report to the Competent Authority one (1) month after the completion of undertaking the environmental audit.
 - 14.2. Thereafter, the holder must undertake an environmental audit every two (2) years during the construction period and submit the Environmental Audit Reports to the Competent Authority one (1) month after the completion of undertaking each of the environmental audits.
 - 14.3. A final Environmental Audit Report must be submitted to the Competent Authority one (1) month after the completion of the development/construction activities.
 - 14.4. The holder must, within seven (7) days of the submission of the reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to any I&APs upon request.

Specific Conditions

15. Should any heritage resources be discovered during the execution of the activities above, all works must be stopped immediately and the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape must be notified without delay.

Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil bones and fossil shells); coins; indigenous and/ or colonial ceramics; any articles of value or antiquity; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate.
17. Surface, storm 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.
18. The site must be clearly demarcated prior to the commencement of the development activities and remain in place for the duration of the development phase. The development footprint of the proposed development must be limited to the demarcated area.
19. In accordance with the recommendations of the Aquatic Biodiversity Assessment (compiled by BlueScience and dated October 2021), a detailed Rehabilitation Plan must be compiled and implemented for the rehabilitation of the “no-go” area identified by the specialist.
 - 19.1. The “no-go” area as recommended by the freshwater specialist and depicted on the Site Development Plan (contained in Annexure B), must be demarcated prior to commencement of any site preparation / clearance activities.
 - 19.2. The Rehabilitation Plan must include the maintenance activities required for the maintenance of the retaining walls during the operational phase of the development.
 - 19.3. The Rehabilitation Plan must be submitted to this Directorate within one (1) month of the completion of the development phase for approval. No rehabilitation or maintenance activities must occur prior to the approval of the Rehabilitation Plan.
20. Dust suppression measures must be used to mitigate dust during the construction phase. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/ or straw stabilisation, etc.) must be implemented instead.
21. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

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 activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. An application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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

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

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

G. APPEALS

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

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

By post: Attention: 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 M. Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building
1 Dorp Street
CAPE TOWN
8001

By e-mail: DEADP.Appeals@westerncape.gov.za

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the 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 Addendum to the Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

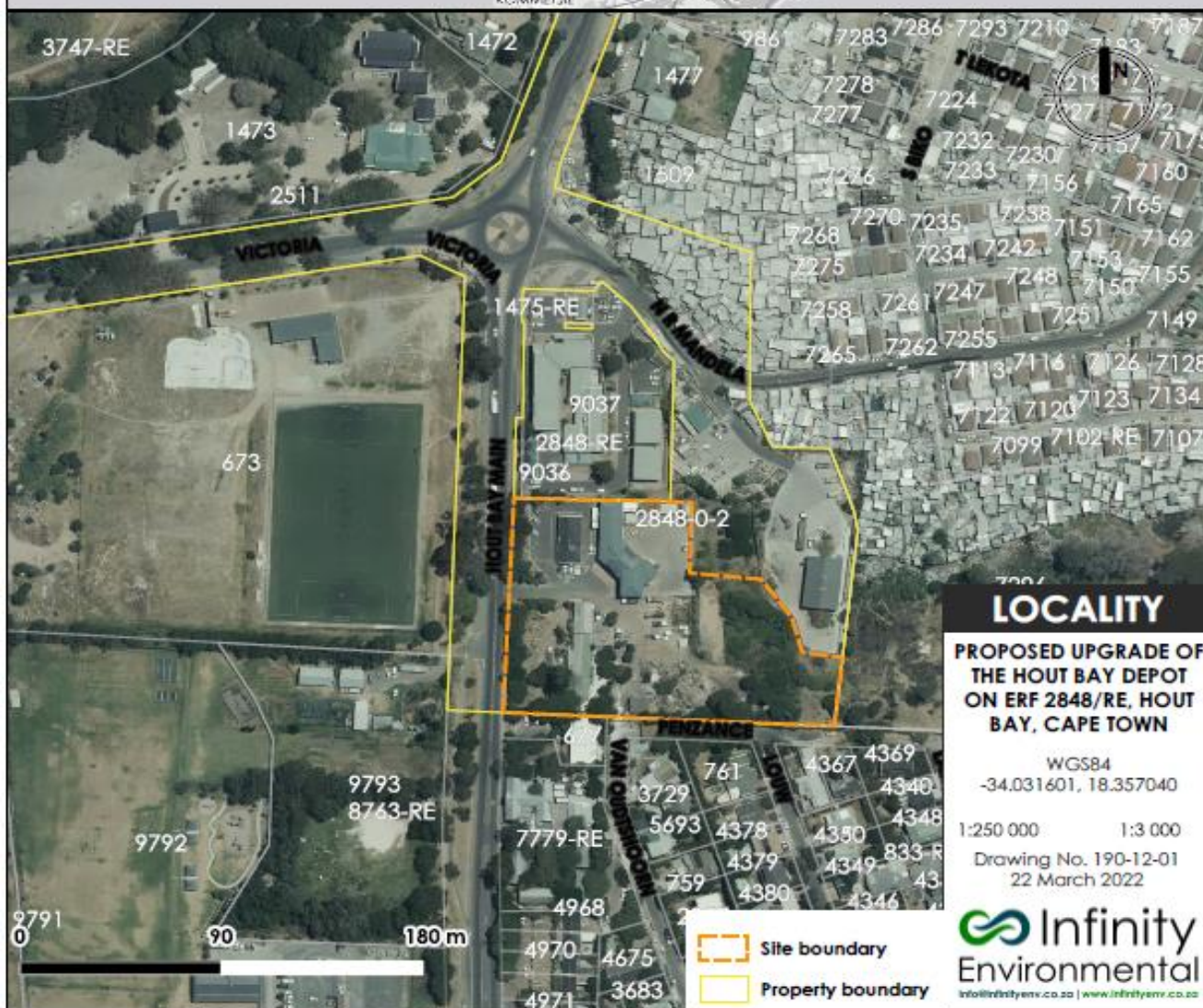
MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 10 OCTOBER 2022

Copies to: (1) Mr. A. Greenwood (City of Cape Town: ERM)
(2) Ms. T. Solomon / Mr. A. Osborne (Infinity Environmental)

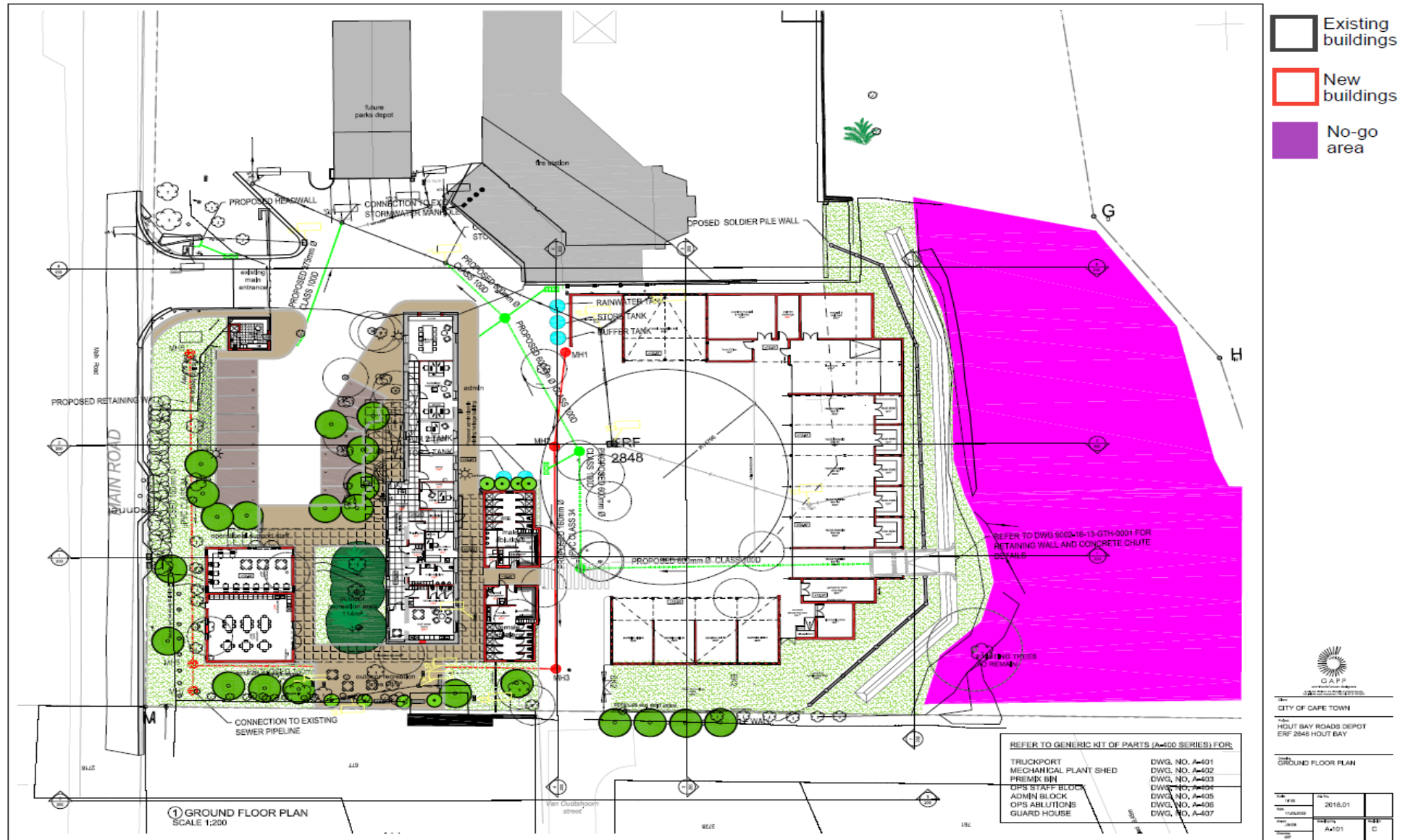
Email: Andrew.Greenwood@capetown.gov.za
Email: Tarryn@infinityenv.co.za / alexis@infinityenv.co.za

ANNEXURE 1: LOCALITY PLAN



ANNEXURE 2: SITE DEVELOPMENT PLAN

SITE DEVELOPMENT PLAN FOR THE PROPOSED UPGRADE OF THE HOUT BAY ROADS DEPOT ON REMAINDER OF ERF 2848, HOUT BAY.



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated 18 March 2022 and received by the Competent Authority on 22 March 2022, the BAR and the EMPr dated June 2022 received by the Competent Authority on 27 June 2022 and additional information received by the Competent Authority on 13 September 2022 and 06 October 2022;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from interested and affected parties and the responses to these, included in the BAR dated June 2022;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visits were conducted, the Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision, is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the boundary of the proposed site where the listed activity is to be undertaken on 22 March 2022;
- the placing of a newspaper advertisement in the 'Sentinel News' on 18 March 2022;
- giving written notice to the occupiers of land adjacent to the site where the listed activity is to be undertaken and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 18 and 22 March 2022;
- Making the draft BAR available to I&APs for public review from 18 and 22 March 2022 to 25 April 2022;
- The PPP undertaken was in accordance with the approved Public Participation Plan as agreed to by the Competent Authority in accordance with this Directorate previous correspondence (dated 09 December 2021, Ref. No. 16/3/3/6/7/1/A6/36/2178/21).

All concerns raised by I&APs were responded to and adequately addressed during the public participation process. The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address concerns raised.

2. Alternatives

No site, activity, design / layout, and technology alternatives were investigated due to the fact that the proposed upgrade is to an existing development and the site is owned by the holder. The proposed design and technology will incorporate energy reduction and climate change considerations.

Although the holder's initial alternative is largely similar to the Preferred Alternative, the Preferred Alternative takes cognisance of the recommendations of the freshwater specialist pertaining to the development of the retaining walls and stormwater considerations. The Preferred Alternative and the "No-Go" Alternative were therefore assessed as follows:

The Preferred Alternative - herewith authorised

The Preferred Alternative entails the upgrade of the Hout Bay Roads Depot on the Remainder of Erf 2848, Hout Bay.

The upgrade to the existing development will comprise of the following:

- The development of a truck port and wash bay facility;
- The development of a mechanical plant shed, premix bins and storage facility;
- The development of buildings for administrative purposes;
- A new potable water connection along Hout Bay Main Road;
- A new sewer connection to the existing 150mm diameter sewer main;
- Walkways with a landscaped rain garden will be incorporated; and
- Associated infrastructure.

The new buildings will be located on the eastern part of the site currently occupied by a driveway and temporary stockpile area.

Retaining walls will be developed on the western and eastern side of the site. The retaining wall on the western side of the site will occur along the existing parking area and will be approximately 1.5m in height. A seasonal stream is located on the eastern boundary of the site and flows across the site to a catch basin conveying stormwater into the stormwater system and the Hout Bay River. The retaining wall on the eastern side of the site will result in the excavation of approximately 200m³ of soil within a seasonal stream. The retaining wall will be approximately 4m – 5.5m in height. A cut-off berm at the top of the retaining walls is proposed for the diversion for surface and stormwater flow into the stormwater chute. A piped stormwater network with catchpits along the trapezoidal channel will be developed for minor storm events.

Sufficient, spare and unallocated capacity for the provision of bulk water supply, sanitation and solid waste services are available.

Existing access is available off Hout Bay Main Road, which will be improved.

The Preferred Alternative incorporates the recommendations of the freshwater specialist in terms of the development of the retaining walls required for the upgrading of the depot. Although adjacent ecological sensitive areas exist as delineated by an aquatic / freshwater specialist (i.e. the sensitive coastal woodland area with watercourse), the proposed upgrade will not result in adverse negative impacts on the ecological areas. The preferred alternative will result in positive impacts with respect to the maintenance of the aquatic habitat and its preservation value. The preferred alternative will also improve the operational use of depot (provision of municipal services) and the proposed site to its optimum capacity. Stormwater considerations have been incorporated into the planning of the site where daily run-off from the high-lying areas of the site will be conveyed by means of retaining walls and a berm into a stormwater chute and a 600mm pipe that traverses the site. The stormwater infrastructure is designed to manage flood events and overtopping of stilling chambers. It is anticipated that the proposed stormwater management measure will improve the overall stormwater management of the proposed site.

"No-Go" Alternative

The "No-Go" Alternative entails the "status quo", i.e. not upgrading the existing Hout Bay Roads Depot on the Remainder of Erf 2848, Hout Bay. Since the Preferred Alternative will not result in unacceptable environmental impacts and in consideration of the demonstration of the application of the Section 2 NEMA principles and implementation of the mitigation hierarchy, the "No-Go" alternative was not preferred.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The proposed site contains an existing depot, which is a shared facility between municipal service departments including the Road Infrastructure Maintenance Department, the Hout Bay Fire Station and the Parks Department.

The proposed site is therefore a brownfield site that has been completely transformed. The proposed site is zoned Transport 2 and the proposed upgrade is in line with the permitted land use. In accordance with the 2012 Southern District Plan draft Environmental Management Framework in that the proposed upgrade will contribute to the objectives aimed at improvements within the hydrological zone for rivers and associated buffers and urban uses and utilises within industrial areas.

The proposed upgrade is designed to achieve the Green Building Council of South Africa standards for Green Star status. The construction and development phase of the proposed upgrade is expected to contribute to the economic growth and employment within the area. This aspect is aligned with the City of Cape Town's Integrated Development Plan 2017-2022. The transitioning to sustainable technologies by the implementation of infrastructure investment to achieve urban rural spatial transitions is aligned to the proposed upgrade and is aligned with the Provincial Spatial Development Framework. In addition, the proposed upgrade is aligned to strategy 1 of the City of Cape Town's Spatial Development Framework with respect to utilising public private partnerships for the optimisation of existing facilities.

The proposed upgrade is considered a response to the increasing demand of municipal services within the urban metropolitan area resulting in an optimisation of the use of the site.

3.2. Freshwater Impacts

An Aquatic Biodiversity Assessment (compiled by Bluescience and dated October 2021) was undertaken to determine the potential impacts on the freshwater features on the proposed site.

The freshwater specialist indicated that the adjacent unnamed stream (i.e. watercourse along the southern boundary of the proposed site) is of low ecological importance and sensitivity. It was further indicated that the unnamed stream is largely modified in terms of its instream aquatic habitat and the riparian habitat is seriously modified as a result of surrounding land uses. The freshwater specialist noted a protected tree (i.e. *Sideroxylon inerme*) to be retained on the proposed site during the proposed development.

The freshwater specialist identified the area as a "no-go area" to reduce any potential impacts from the proposed upgrade. The specialist further indicated that the proposed upgrade activities must be avoided in the upper slopes of the proposed site and be limited to the lower slopes of the proposed site. The freshwater specialist recommended that the remnant coastal woodland associated with the watercourse be rehabilitated and maintained. It was noted that the potential aquatic impacts of the proposed upgrade activities have been deemed as very low with mitigation measures implemented.

The proposed mitigation measures and recommendations of the freshwater specialist including the development of a rehabilitation plan of the defined no-go area have been included as a condition set in this Environmental Authorisation and in the EMPr.

The holder has indicated in correspondence dated 27 June 2022 that the recommendation provided by the freshwater specialist with respect to the development of a rehabilitation plan by a suitably qualified person will be commissioned and undertaken during the 2022 / 2023 financial year.

The process for authorisation of water use activities in terms of the National Water Act, 1998 (Act No. 36 of 1998) has been initiated with the Department of Water and Sanitation in accordance with the correspondence dated 17 May 2022.

3.3. Botanical Impacts

According to the Screening Report (dated 09 September 2021), the proposed site is deemed to be located within a low sensitivity area from a plant species perspective and a very high sensitivity from a terrestrial biodiversity perspective. The site is not botanically sensitive is not mapped as a Critical Biodiversity Area or an Ecological Support Area. The potential botanical impacts are therefore anticipated to be of very low negative significance.

3.4. Traffic Impacts

In accordance with the Site Traffic Assessment (compiled by Bosch Projects and dated January 2022), the traffic specialist provided a traffic volume and trip generation schedule per section of the proposed upgrade, which included the administrative block, training facilities, operational staff block and the stores and workshop section, resulting in an addition of a maximum of 4 in and 3 out trips from the proposed upgraded facility. The proposed increase in traffic is considered insignificant <50 trips per hour and does not warrant a detailed Traffic Impact Assessment.

However, recommendations with respect to access off the existing Hout Bay Main Road as the main access for the proposed upgraded site, an additional access point in Oudshoorn Street for limited use, parking bay delineations and increase in access width of the by increasing the bell-mouths of the main access to accommodate turning movements or circles of larger vehicles in and out of the proposed upgraded facility. The recommendations and mitigation measures proposed by the traffic specialist has been in the design of the Preferred Alternative and has been included in the EMPr.

3.5. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape. Heritage Western Cape indicated (in their comment dated 24 June 2022) that since there is no reason to believe that the proposed upgrade will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

Although no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required, a Heritage Design Approach (compiled by GAPP and dated 03 December 2020) was developed to determine design informants for some of the existing buildings on site. The recommendations of the heritage design specialist have therefore been included in the EMPr.

3.6. Stormwater considerations

The draft Stormwater Management Plan (compiled by Bosch Projects and dated January 2022) was undertaken to determine the required management measures for on-site stormwater and provided recommendations for the inclusion of the minor watercourse on the proposed site.

The stormwater management will entail the development of retaining wall, a berm along the proposed retaining wall to concentrate / guide the flow of water to a point where it passes through the proposed site via a 600mm pipe and a stormwater chute (for daily flow). Allowances for major flood events, overtopping of stilling chambers / basins has been included as part of the stormwater design. The stormwater recommendations have been included in the Preferred Alternative.

3.7. Geotechnical considerations

In accordance with the Geotechnical Investigation (compiled by SRK Consulting and dated June 2021), the geotechnical specialist indicated that although no detailed building designs have been provided at the time of investigation, it is assumed that conventional construction (i.e. single / double storey buildings) will be proposed and may require either or a combination of strip and / or pad foundations. Therefore, scenarios with respect to the construction of foundations relevant to the three areas of the proposed site (i.e. lower end, middle of site and rear end of the site) have been provided in the report. The recommendations and mitigation measures provided by the geotechnical specialist has been included in the EMPr.

3.8. Visual, Dust and Noise Impacts

Potential visual, dust and noise impacts associated with the proposed upgrade will be mitigated by the implementation of the mitigation measures included in the EMPr.

3.9. Services

Confirmation of the provision of sufficient capacity for potable water supply and sewerage services has been confirmed by the City of Cape Town in their correspondence dated 22 July 2021.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential aquatic biodiversity impacts;
- Potential traffic impacts
- Potential geotechnical impacts; and
- Potential visual, dust and noise impacts during the construction phase.

Positive impacts include:

- The optimisation of the use of the site for improved service delivery;
- Improved municipal service delivery;
- Potential improvement of aquatic habitat; and
- Employment opportunities during construction and operational phase of the proposed development;

National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity 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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