



REFERENCE: 16/3/3/1/F4/23/3050/20
NEAS REFERENCE: WCP/EIA/0000846/2020
ENQUIRIES: RONDINE ISAACS
DATE OF ISSUE: 28 June 2021

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 ESTABLISHMENT OF A MIXED-USE DEVELOPMENT ON FARM NO. 1256, VREDENBURG.

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 05 March 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

Select Stone (Pty) Ltd.
c/o Mr. Cornelius Jacobus Smit
Smit Steenwerke
Velddrif Road
VREDENBURG
7380

Tel.: (022) 713 4635
E-mail: nlz@webmail.co.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>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 9: <i>"The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water -</i> <i>(i) with an internal diameter of 0,36 metres or more;</i> <i>or</i> <i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where -</i> <i>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i> <i>(b) where such development will occur within an urban area".</i></p>	<p>Infrastructure exceeding 1000m in length for the bulk transportation of water or storm water will be established.</p>
<p>Activity 24: <i>"The development of a road -</i> <i>(i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i></p> <p><i>but excluding a road -</i> <i>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014;</i> <i>(b) where the entire road falls within an urban area; or</i> <i>(c) which is 1 kilometre or shorter".</i></p>	<p>A road with a reserve wider than 13.5m will be established outside the urban area.</p>
<p>Activity 28: <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i> <i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes".</i></p>	<p>The proposed site was zoned for agricultural use on or after 01 April 1998, is located outside an urban area and exceed 1ha.</p>

<p>Activity 45: <i>"The expansion of infrastructure for the bulk transportation of water or storm water where the existing infrastructure -</i> <i>(i) has an internal diameter of 0,36 metres or more; or</i> <i>(ii) has a peak throughput of 120 litres per second or more; and</i> <i>(a) where the facility or infrastructure is expanded by more than 1 000 metres in length; or</i> <i>(b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more;</i></p> <p><i>excluding where such expansion -</i> <i>(aa) relates to transportation of water or storm water within a road reserve or railway line reserve; or</i> <i>(bb) will occur within an urban area".</i></p>	<p>The storm water pipes will be expanded by more than 1000m.</p>
<p>Activity 67: <i>"Phased activities for all activities -</i> <i>(i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>excluding the following activities listed in this Notice-</i> <i>17(i)(a-d); 17(ii)(a-d); 17(iii)(a-d); 17(iv)(a-d); 17(v)(a-d); 20; 21; 22; 24(i); 29; 30; 31; 32; 34; 54(i)(a-d); 54(ii)(a-d); 54(iii)(a-d); 54(iv)(a-d); 54(v)(a-d); 55; 61; 64; and 65; or</i></p> <p><i>(ii) listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold".</i></p>	<p>The proposed development will be undertaken in phases.</p>

Listed Activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 4: <i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p>i. Western Cape</p>	<p>A road with a reserve wider than 4m will be constructed outside the urban area.</p>

<p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority".</p>	
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The abovementioned list is hereinafter referred to as "the listed activities".

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

The proposed development entails the establishment of a mixed-use development consisting of approximately 925 residential erven (11.31ha), six commercial erven (3.15ha) and 10 open spaces (0.55ha) on Farm No. 1256, Vredenburg.

The proposed development will be undertaken in two phases, with Phase 1 being 10ha in size and Phase 2 being 9ha in size, as follows:

Phase 1:

Phase 1 will consist of a combination of single residential properties, group housing and flats, totalling 250 units and approximately 201 erven as follows:

- 18 single residential erven;
- 160 general residential (group housing) erven;
- 9 general residential (72 flats) erven;
- 10 erven for private open space; and
- Public and private roads.

Phase 1 will be a private/secure estate, broken up into six distinct nodes, each with a high density component and functional private open spaces.

Phase 2:

Phase 2 is located between the access road to Extension 34, as well as the proposed Northern By-pass Road. As such, a high activity and mobility node is proposed, consisting of a high density residential and mixed-use commercial development as follows:

- 6 general commercial erven;
- 2 general residential (675 flats) erven;
- A public road; and
- Associated infrastructure.

The high density residential development (flats) will be set back from the R399, but will be developed in conjunction with the commercial complex. The commercial complex will be approximately 3ha in size over six erven that can be consolidated or developed individually.

Access to Phase 1 will be via two secured entrances, one being a dedicated access off the R399 and the other off the future link road to Extension 34 to the northwest. The accesses are located approximately 325m and 645m north-east of the Velddrif Road/Uitspan Street intersection.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Farm No. 1256, Vredenburg.

The property is located towards the north of Vredenburg, along the R399 to Velddrif. The property borders the Cosmos residential area.

The SG 21-digit code is: C04600030000125600000

Co-ordinates:

Farm No. 1256:

Latitude: 32° 53' 53.19" S

Longitude: 17° 59' 59.59" E

Proposed road:

Starting point:

Latitude: 32° 53' 46.80" S

Longitude: 18° 00' 09.64" E

Middle point:

Latitude: 32° 53' 46.53" S

Longitude: 18° 00' 00.21" E

End point:

Latitude: 32° 53' 52.13" S

Longitude: 17° 59' 58.48" 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")

GroenbergEnviro Pty Ltd.

c/o Ms. Therina Oberholzer

P.O. Box 1058

WELLINGTON

7654

Tel.: (021) 873 7228

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E-mail: therina@groenbergenviro.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 05 March 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 five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of five (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1 notify all registered interested and affected parties ("I&APs") of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);

- 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 6.4 provide the registered I&APs with:
- 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any;
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
- 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7 and 14.

Management of activity

10. The draft Environmental Management Programme ("EMPr") dated February 2021 (as compiled by GroenbergEnviro (Pty) Ltd.) 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;
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalized; and
- 14.6 conduct monthly site inspections during the construction phase.

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 months after commencement of the construction phase to the relevant competent authority and submit an Environmental Audit Report to the Competent Authority upon the completion of the construction phase; and
 - 15.3 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 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. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
- 22.1 Dual-flush toilet systems.
 - 22.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 22.3 Water-wise landscaping must be done.
23. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:

- 23.1 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.
 - 23.2 Street lighting must be kept to a minimum and down lighting must be used to minimize light impacts. Streetlights must be switched off during the day.
 - 23.3 All geysers must be covered with geyser "blankets".
 - 23.4 The installation of solar water heaters and solar panels must be considered for all buildings.
24. The requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), must be adhered to.

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 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.
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
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
- Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.
5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

MR. ELDON VAN BOOM
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 28 JUNE 2021

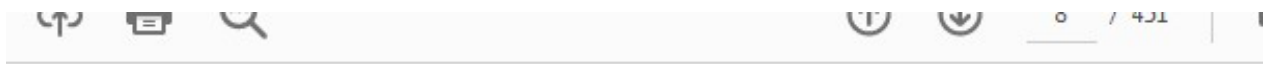
CC: (1) Ms. Therina Oberholzer (GroenbergEnviro Pty Ltd.)
(2) Ms. Nazeema Duarte (Saldanha Bay Municipality)

E-mail: therina@groenbergenviro.co.za
E-mail: Nazeema.Duarte@sbm.gov.za

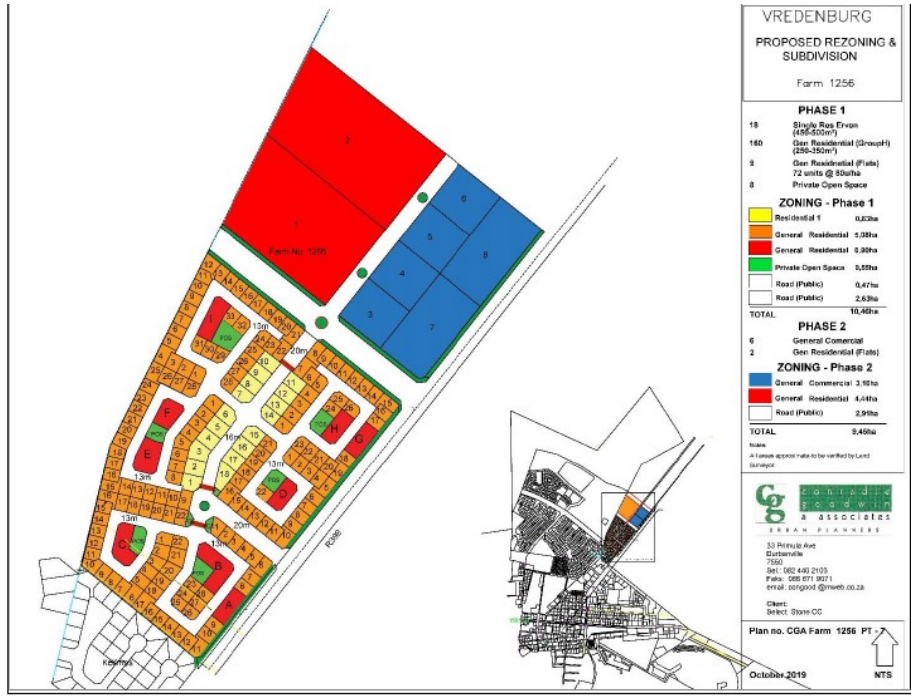
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ANNEXURE 1: LOCALITY PLAN



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 on 07 December 2020; the BAR dated 05 March 2021; the EMPr submitted together with the BAR; the comment from the Western Cape Department of Agriculture received by the competent authority on 17 March 2021; and the additional information received by the competent authority via electronic mail correspondence on 19 May 2021;
- 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 05 March 2021;
- d) The pre-application meeting held on 14 January 2020 -

Attended by: Mr. Eldon van Boom and Ms. Rondine Isaacs of the Department of Environmental Affairs and Development Planning ("DEA&DP") and Ms. Nerine Coertzen of GroenbergEnviro (Pty) Ltd.

- e) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

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

1. Public Participation

The Public Participation Process comprised of the following:

- An advertisement was placed in the "Weslander" newspaper on 10 December 2020;
- E-mails were sent on 10 December 2020 to advise I&APs about the availability of the draft BAR;
- Notices were placed at the entrance to the site on 14 December 2020;
- An electronic copy of the draft BAR was made available on the website of GroenbergEnviro (Pty) Ltd.; and
- The draft BAR was made available from 14 December 2020 until 05 February 2021.

Authorities consulted

The authorities consulted included the following:

- DEA&DP Directorate: Pollution and Chemicals Management;
- DEA&DP Directorate: Waste Management;
- DEA&DP Directorate: Biodiversity Management;
- West Coast District Municipality;
- Saldanha Bay Municipality;
- Department of Agriculture, Forestry and Fisheries;
- Western Cape Department of Agriculture;
- Western Cape Department of Transport and Public Works;
- CapeNature;
- 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 and responses and objections that were raised were responded to and included in the BAR.

2. Alternatives

The following layout alternatives were assessed:

Layout alternative 1:

This alternative includes mainly general residential flats, commercial erven and 0.72ha of open space, which will be built in two phases, as follows:

Component	Phase 1	Phase 2	Total
General residential flats	4 erven (660 units of flats) (6.64 ha)	2 erven (675 units of flats) (4.5 ha)	6 erven (1335 units of flats)
Commercial erven	4 erven (2.9 ha)	6 erven (3.15 ha)	10 erven (6.05 ha)
Public open spaces	2 erven (0.72 ha)	-	2 erven (0.72 ha)

Layout alternative 1 is not preferred since a higher number of flats will have an increased impact on municipal services capacity and will result in additional traffic impacts.

Layout alternative 2:

This alternative includes mainly light industrial erven, commercial erven and 0.2ha of open space, which will be built in two phases, as follows:

Component	Phase 1	Phase 2	Total
Light industrial	11 erven (9.54 ha)	2 erven (4.50 ha)	43 erven
Commercial erven	-	6 units (3.15ha)	6 units (3.15ha)
Public open spaces	2 erven (0.20ha)	-	2 erven (0.20 ha)

Layout alternative 2 is not preferred since the site is earmarked for residential development in the Spatial Development Framework ("SDF"). As such, an industrial development will not be in line with the SDF. Due to the close proximity of the established residential area, a light industrial development will result in significant noise and visual impacts on the surrounding residential area.

Layout alternative 3: (Preferred layout alternative – herewith authorised):

The preferred alternative entails the establishment of a mixed-use development consisting of approximately 925 residential erven (11.31ha), six commercial erven (3.15ha) and 10 open spaces (0.55ha) on Farm No. 1256, Vredenburg.

The proposed development will be undertaken in two phases, with Phase 1 being 10ha in size and Phase 2 being 9ha in size, as follows:

Phase 1:

Phase 1 will consist of a combination of single residential properties, group housing and flats, totalling 250 units and approximately 201 erven as follows:

- 18 single residential erven;
- 160 general residential (group housing) erven;
- 9 general residential (72 flats) erven;
- 10 erven for private open space;
- Public and private roads; and
- Additional infrastructure

Phase 1 will be a private/secure estate, broken up into six distinct nodes, each with a high density component and functional private open spaces.

Phase 2:

Phase 2 is located between the access road to Extension 34, as well as the proposed Northern By-pass Road. As such, a high activity and mobility node is proposed, consisting of a high density residential and mixed-use commercial development as follows:

- 6 general commercial erven;
- 2 general residential (675 flats) erven;
- A public road; and
- Additional infrastructure

The high density residential development (flats) will be set back from the R399, but be developed in conjunction with the commercial complex. The commercial complex will be approximately 3ha in size over six erven that can be consolidated or developed individually.

Access to Phase 1 will be via two secured entrances, one being a dedicated access off the R399 and the other off the future link road to Extension 34 to the northwest. The accesses are located approximately 325m and 645m north-east of the Velddrif Road/Uitspan Street intersection.

This alternative is deemed as preferred as it allows for more, smaller residential components whilst also making provision for adequate roads and open spaces. No sensitive vegetation will be cleared as the site was previously used for agricultural purposes. The visual impacts will be low as the proposed development is in line with the surrounding area and the buildings will not be higher than three storeys.

"No-Go" Alternative:

This alternative entails maintaining the *status quo* and as such, the proposed mixed-use development will not be established. This alternative was not deemed as preferred as it will not alleviate the shortage of residential land in the area. The land use of the site will also not be in line with that of the surrounding developments in the area.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

The proposed mixed-use development will require rezoning as the site is zoned and used for agricultural purposes. The property is located inside the urban edge of Vredenburg. The Western Cape Department of Agriculture indicated in their comment dated 8 March 2021, that they have no objection to the proposed development as the site is located inside the urban edge and is earmarked for new development area.

The Provincial Spatial Development Framework ("PSDF"), (2014) sets out broad principles to guide future developments in the Western Cape. The proposed development can be regarded as being in line with the principles of the PSDF as it speaks to sustainability and accessibility, can be regarded as spatially efficient, as well as economically viable due to the creation of both short and long term employment opportunities.

The Saldanha Bay Municipality SDF, (2019) governs appropriate land use on municipal and district scale. It sets out to create a balance between urban development and environmental protection by supporting appropriate land use intensification. The SDF indicates that the site is located within an area designated as a "New Development Area" within the urban edge of Vredenburg.

The site appears to be included in the future of the Vredenburg node and is therefore in line with all the Provincial and Municipal legislative spatial planning frameworks and policies. The proposed development will ensure a better utilization of a property within the

urban edge, without being detrimental to the surrounding area, population or the existing character of the area.

The Saldanha Bay Municipality has confirmed that sufficient spare and unallocated capacity is available to service the proposed development, in terms of potable water supply, sewage treatment, solid waste disposal and electricity supply.

3.2 Biophysical impacts

The lower western portion of the site, adjacent to the existing Cosmos development, is mapped as an Ecological Support Area ("ESA"). However, the site, including the ESA, are completely transformed and currently ploughed and no natural vegetation remains on the site. Furthermore, no wetlands or watercourses are situated on the site. No significant impacts on biophysical elements are anticipated due to the proposed development.

3.3 Storm water impacts

Provision will be made for a minor and a major storm water system. The minor storm water system will be designed as an underground pipe system and associated structures to accommodate the runoff of a 1 in 5-year storm event. The major storm water system will predominantly consist of suitably graded roads to temporarily accommodate surface runoff of storm events in excess of the 1 in 5-year storm.

The emergency system provides continuous overland flow routes to minimise flooding. All storm water will be channeled in a series of pipes and open channels on the eastern boundary of the site in a northerly direction towards an existing road crossing opposite Siyabonga Care Village. The storm water will then be discharged towards a dry riverbed in a southerly direction towards the existing municipal system opposite Uitspan Street.

The minor system will have a maximum overland flow distance of approximately 150m. Storm water flow velocities in roadways and side channels will be kept as low as possible and the road surface will be utilized to prevent scour and erosion. Roads will be graded to ensure a free and continuous flow of storm water towards the main drainage routes as well as to prevent the ponding of water in intersections.

3.4 Traffic impacts

A Traffic Impact Assessment ("TIA") was completed by Sturgeon Consulting to assess the traffic impacts of the proposed development on the surrounding road network.

According to the TIA, the present traffic demand on the surrounding road network can generally be described as medium to high along Velddrif Road and Main Road, with relatively higher volumes along Saldanha Road to the south.

Velddrif Road carries medium to high volumes of traffic during the am and pm peak hour. Both Uitspan Street and Proses Street carry low volumes of traffic during the am and pm peak. Main Road carries medium to high volumes of traffic during the am and pm peak hour. Saldanha Road carries high volumes of traffic during the am and pm peak hour. Based on the capacity analyses of the existing traffic conditions, all study intersections are currently operating at good to acceptable levels of service during the am and pm peak hours with minimal delays and no upgrades or improvements are currently required.

Based on the background analysis, the study intersections will continue to overall operate at acceptable levels of service during the background conditions for both peak periods and no upgrades are required.

The proposed development has the potential to generate 797 trips during the am peak hours and 966 trips during the pm peak hours. 80% of the vehicular trips will travel to/from the south and 20% of vehicular trips will travel to/from the north of the site to Velddrif.

All relevant intersections operate at acceptable levels of service with minimal delays during the am and pm peak hours and will continue to operate at acceptable levels post 2025.

The Velddrif Road/Main Road/Saldanha Road intersection and the Velddrif Road/Uitspan Street intersection will operate at acceptable levels of service during the am and pm peak hours. The Velddrif Road/Proses Street intersection, however, will require an upgrade to the side roads (Proses Street) by way of adding a short right turn lane on both approaches to ensure overall acceptable levels of service during both peak hours. Additional right-turning lanes are also required along Velddrif Road at both accesses and a left turn auxiliary lane along Velddrif Road at Access 2.

Access to Phase 1 will be via two secured entrances, one being a dedicated access off the R399 and the other off the future link road to Extension 34 to the northwest. The accesses are located approximately 325m and 645m north-east of the Velddrif Road/Uitspan Street intersection. The proposed development on Farm No. 1256 will therefore allow for access onto the MR399 and unlock the development of Extension 34.

Phase 2 is wedged between the access to Extension 34 and the proposed Northern By-Pass Road located directly north of the site boundary.

The Western Cape Department of Transport and Public Works correspondence dated 29 December 2020 confirmed they have no objection to the proposed development.

The traffic impacts were identified as low negative in the BAR and the recommended measures provided in the TIA have been included in the EMPr and will be implemented.

3.5 Visual impacts

Visual impacts are anticipated as the site is visible from the R399. Landscaping and visual screening measures will be implemented to minimise potential negative impacts. The potential visual impacts were identified as low negative post mitigation, as the proposed buildings will not be higher than three storeys and will be designed appropriately and open spaces have been incorporated in the site layout.

3.6 Heritage impacts

Heritage Western Cape confirmed that the proposed development will impact on heritage resources and as such, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

3.7 Dust and noise impacts

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

The development will result in both negative and positive impacts.

Negative Impacts:

- Loss of agricultural land
- Traffic impacts

- Visual impacts

Positive impacts:

- Some employment opportunities will be created during the construction and operational phases of the development.
- Creation of single residential and higher density residential units for the residents in the greater area.
- Use of available land earmarked for new development in terms of the SDF.

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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