



REFERENCE: 16/3/3/1/A5/11/2017/19
ENQUIRIES: RONDINE ISAACS
DATE OF ISSUE: 2019 -08- 27

The Board of Directors
Say Rosy Properties (Pty) Ltd
PO Box 12091
MILL STREET
8010

Attention: Mr Gary Luyt

Cell: 082 880 2238
E-mail: gary@glpg.co.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014:

PROPOSED ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT ON PORTION 15 OF FARM HAASENDAL NO. 222, BRACKENFELL

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, 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, which prescribes the procedure to be followed in the event of appeals being lodged. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully


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

Copied to: (1) Ms Carina Nel (Guillaume Nel Environmental Consultants)

Fax: (021) 870 1873



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PROPOSED ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT ON PORTION 15 OF FARM HAASENDAL NO. 222, BRACKENFELL

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

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014, the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below as included in the Basic Assessment Report ("BAR") dated 10 June 2019.

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

Say Rosy Properties (Pty) Ltd
c/o Mr Gary Luyt
PO Box 12091
MILL STREET
8010
Cell: 082 880 2238
E-mail: gary@glpg.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

Government Notice No. R. 983 of 4 December 2014 –

Listed Activity	Activity/Project Description
<p>Activity 19: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i></p> <ul style="list-style-type: none"><i>(a) will occur behind a development setback;</i><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i><i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i><i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i><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>The excavation from and infilling of material into the watercourse will be required for the proposed development.</p>

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

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

The proposed project entails the establishment of a residential development comprising of three storey apartment buildings on Portion 15 of Farm Haasendal No. 222, Brackenfell. A single block of apartments (single storey) will also be

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

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

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

The proposed project entails the establishment of a residential development comprising of three storey apartment buildings on Portion 15 of Farm Haasendal No. 222, Brackenfell. A single block of apartments (single storey) will also be

developed along the eastern corner of the site. The proposed development will therefore comprise of approximately 256 units with associated parking bays.

Access will be obtained from Zandberg Road along the existing formal storm water channel towards the northwestern corner of the site. A security controlled access is also proposed. Two inbound lanes will be provided, with a single exit lane, to also accommodate emergency vehicles. A roundabout will be provided between the security controlled access and the property boundary. The roundabout will accommodate the turning movement of vehicles up to and including the size of a refuse vehicle.

Green spaces will be located along the majority of the property boundaries and will act as buffers, and numerous existing trees will be retained to maintain the aesthetics of the site.

The existing City of Cape Town storm water channel will be extended through the property in a culvert, which will extend to the culvert outfall on the southern side of Bottelary Road. The proposed culvert from the northern section (the termination point of the storm water infrastructure) will be a box culvert of approximately 1.8m wide and 1.5m high, with the inlet being 3m wide and 1.5m high at the entrance and will taper to 1.8m wide and 1.5m high over 10m. The existing culvert under Bottelary Road will remain in place and will continue to serve as the outlet under Bottelary Road for Portion 24 of Farm No. 222.

C. LOCATION AND SITE DESCRIPTION

The listed activity will take place on Portion 15 of Farm Haasendal No. 222, Brackenfell.

The proposed site is situated to the immediate north of the M23 (Bottelary Road) with the Kuils River Golf Course located to the immediate south of the property. Extensive residential developments are located to the north and west.

The SG 21-digit code is: C06700000000022200015

Co-ordinates:

Co-ordinates of the proposed site:

Latitude: 33° 54' 02.93" S

Longitude: 18° 42' 37.37" E

Co-ordinates of the proposed culvert:

Starting point:

Latitude: 33° 53' 59.74" S

Longitude: 18° 42' 35.02" E

Middle point:

Latitude: 33° 54' 01.93" S

Longitude: 18° 42' 31.96" E

End point:

Latitude: 33° 54' 04.90" S

Longitude: 18° 42' 31.69" 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")

Guillaume Nel Environmental Consultants cc

c/o Ms Carina Nel

PO Box 2632

PAARL

7620

Tel.: (021) 870 1874

Fax: (021) 870 1873

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 the BAR dated 10 June 2019 on the site as described in Section C above.
2. Authorisation of the activity 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 activity 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 activity; 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 activity for the construction phase, must be concluded.
4. The activity that has been authorised may only be carried out at the site described in Section C above in terms of the approved "Environmental Management Programme" ("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 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 Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulation, 2014;
 - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
 - 6.4 provide the registered Interested and Affected Parties 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 Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeals Regulations 2014.

Commencement

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties 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. 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 22.

Management of activity

10. The draft EMPr and Maintenance Management Plan submitted as part of the application for Environmental Authorisation are 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 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 activity 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 and rehabilitation phases of implementation.

The ECO must–

- 14.1 be appointed prior to commencement of any land clearing or 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 to the relevant competent authority during the construction phase. The holder must submit the first audit report six months after commencement of the construction phase and a second audit report twelve months after the first audit report; and
 - 15.3 submit an environmental audit report every five (5) years thereafter while the Environmental Authorisation remains valid.
16. The environmental audit report 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.

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 Interested and Affected Parties 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 effluent within the conservancy tank and French drain system must be pumped into settling tanks prior to the conservancy tank being decommissioned and before the water component is disposed as sewage.
22. The seepage wetland in the road reserve must be demarcated as a no-go area before the commencement of construction activities and must remain as such during the construction phase.
23. The holder must conduct the construction phase activities as far as possible during the dry season (October to May).
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 A dual-flush toilet system.
 - 24.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 24.3 Water-wise landscaping must be done.
 - 24.3.1 Indigenous plants and/or plants that require little water must be used.
 - 24.3.2 The use of kikuyu grass must be prohibited in all landscaped areas. Non-invasive, low-water use grass must be used for any lawns on site.
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 minimize light impacts. Street lights must be switched off during the day.
 - 25.3 All geysers must be covered with geyser 'blankets'.
26. The holder of the Environmental Authorisation must, at all times, ensure that the activity comply with the Noise Regulations in terms of the relevant legislation.

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. If the holder does not commence with the listed activity 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 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 GN No. R. 982 of 4 December 2014 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 Interested and Affected Parties, 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 Interested and Affected Parties -
- 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 Interested and Affected Party, 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 Interested and Affected Party 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: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

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

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

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

G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 27/08/2019

CC: (1) Ms Carina Nel (Guillaume Nel Environmental Consultants)

Fax: (021) 870 1873

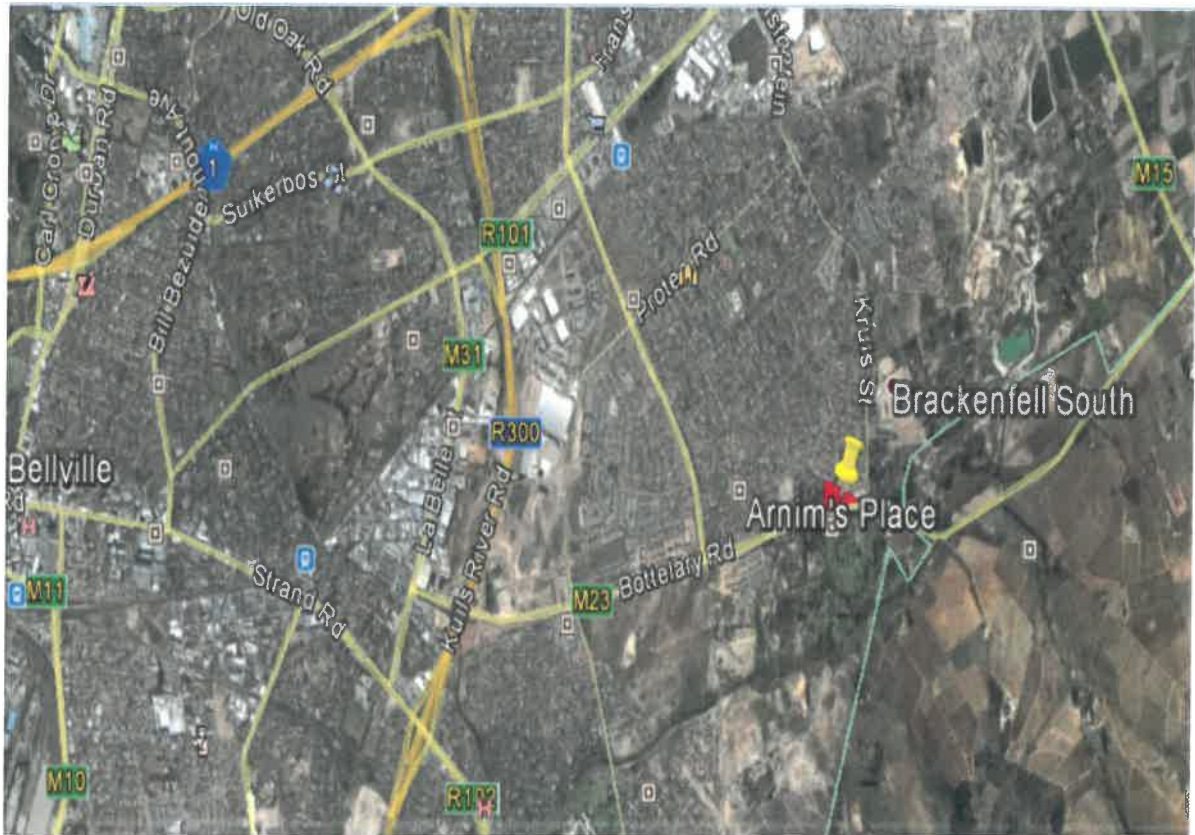
FOR OFFICIAL USE ONLY:

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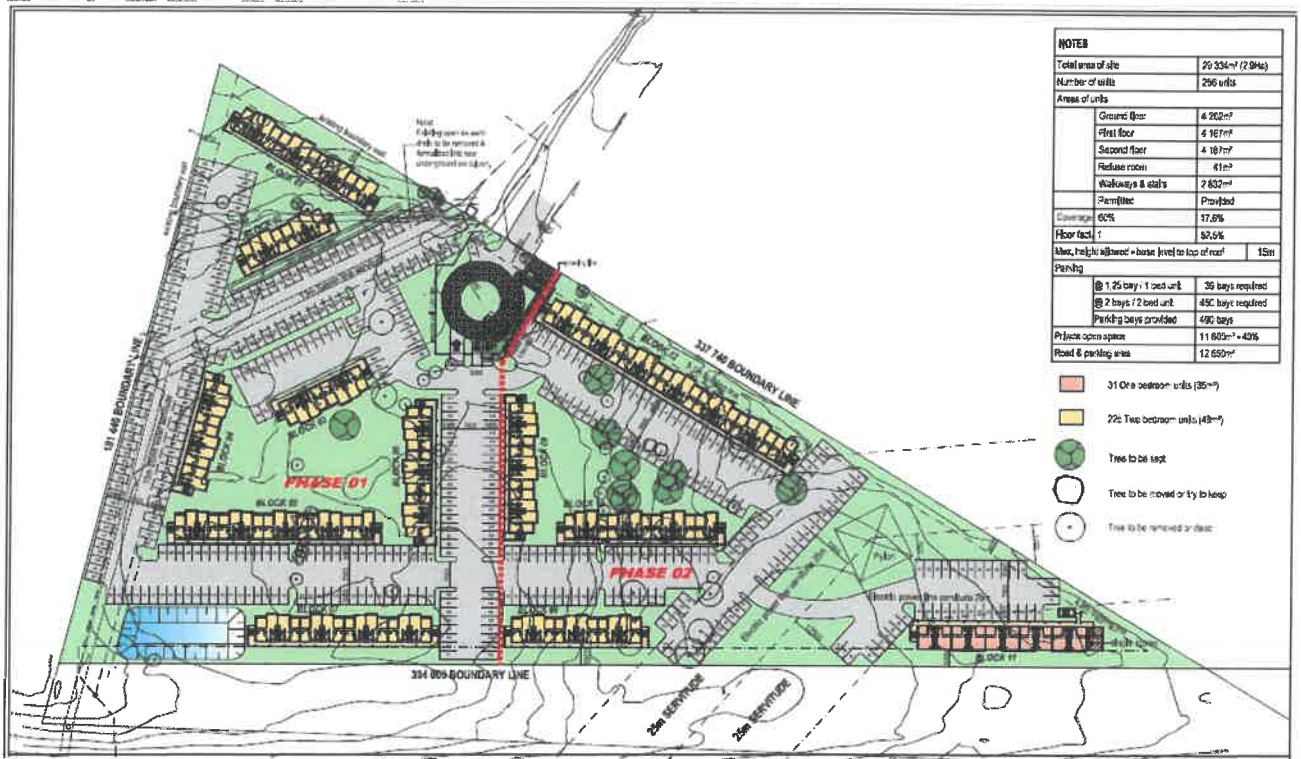
NEAS EIA REFERENCE NUMBER: WCP/EIA/0000570/2019

ANNEXURE 1: LOCALITY PLAN

The approximate location of Portion 15 of Farm Haasendal No. 222, Brackenfell.



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 dated 6 March 2019, as received by the competent authority on the same date; the BAR dated 10 June 2019 and the EMPr submitted together with the BAR;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from Interested and Affected Parties and the responses provided thereon, as included in the BAR dated 10 June 2019;
- d) 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 "Tygerburger" newspaper on 29 November 2017;
- Background Information Documents were hand delivered to adjacent neighbours on 29 November 2017;
- Notices were placed on site on 29 November 2017;
- A copy of the first pre-application BAR was placed at the Brackenfell Public Library on 29 November 2017;
- Letters were posted via registered mail to Interested and Affected Parties on 30 November 2017;
- The first pre-application BAR was made available from 29 November 2017 until 26 January 2018;
- Letters were posted via registered mail on 11 October 2018 to announce the availability of the second pre-application BAR;
- A copy of the second pre-application BAR was placed at the Brackenfell Public Library on 11 October 2018;
- The second pre-application BAR was made available from 11 October 2018 until 12 November 2018;
- Letters were posted on 20 March 2019 to announce the availability of the post-application draft BAR;
- A copy of the post-application draft BAR was placed at the Brackenfell Public Library on 20 March 2019; and
- The post-application draft BAR was made available from 20 March 2019 until 24 April 2019.

Authorities consulted

The authorities consulted included the following:

- CapeNature;
- Department of Transport and Public Works;

- Department of Agriculture;
- City of Cape Town;
- 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 that were raised were included in the BAR.

2. Alternatives

The following layout alternatives were investigated:

Layout alternative 1 (preferred alternative – herewith authorised):

The preferred alternative entails the development of three storey apartment buildings comprising of approximately 256 units. A single block of apartments (single storey) will also be developed along the eastern corner of the site and the storm water will be accommodated by a culvert which will be constructed from the northern boundary of the site. This is the preferred alternative since it provides for a green buffer along the north western boundary. Furthermore, the parking area will be located within the same alignment of the existing servitude, thereby facilitating the maintenance of the bulk infrastructure within the servitude. In addition, the alignment of the parking area makes provision for a linear 3m wide swale which forms part of the storm water management measures.

Layout alternative 2:

This alternative entails the development of approximately 31 one-bedroom units, 228 two-bedroom units and 495 parking bays. Furthermore, 11 single storey, individual apartment blocks will be established along the eastern corner of the site. This alternative was rejected since it does not provide for a storm water attenuation pond. Furthermore, buildings will be located within the existing servitude area, which will not facilitate the maintenance of the bulk infrastructure within the servitude.

Layout alternative 3:

This alternative will consist of 18 individual three storey apartment buildings. The eastern corner of the property will comprise of three individual apartment buildings with associated parking bays. This alternative was rejected due to the electrical servitude crossing the site where the three buildings will be located. Furthermore, the alternative proposes apartment buildings along the western boundary of the site. However, due to the extension of the storm water channel, it is preferred that parking bays be located along the western boundary instead.

Layout alternative 4:

This alternative will consist of twelve individual three storey apartment buildings with the associated parking bays being located below the electrical servitude. However, the north western corner of the site will consist of two individual apartment buildings with associated parking bays. This alternative was rejected since it does not allow for sufficient space for a green buffer along the north western corner of the site.

“No-Go” Alternative:

This alternative implies that the proposed residential development will not be established and that the current equestrian land uses will continue on the site. This alternative was

rejected 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 development will not have a large scale visual impact due to the proposed development being in line with the surrounding land uses.

The proposed development is in line with the Provincial Spatial Development Framework in that it supports densification and prohibits urban sprawl. The site is located within the urban edge and urban area and will be similar to the surrounding residential land uses. The site is also earmarked for urban development in the Northern District Plan (2012).

3.2 Biophysical Impacts

The entire site has been subjected to agricultural activities and has been completely transformed from its natural state. The proposed site is traversed by two electrical high tension overhead powerlines from Eskom. The powerlines are located in existing servitudes.

An existing servitude which crosses the northwestern corner of the site is registered for the conveyance of sewer and storm water. The servitude continues along the western boundary towards Bottelary Road. Underground storm water and sewer pipes are located within the servitude area, with an existing open earth storm water channel being located in a different position.

No naturally occurring wetlands occur on the site and the site does not fall within the City of Cape Town Wetlands Map. A seepage wetland is found south of the site and a shallow well point provides evidence for the presence of a relatively shallow water table. The seepage wetland falls within the road reserve of Bottelary Road.

A storm water swale is located in the north western section of the site which links the storm water channel located north of the site to the storm water pond/dam located west of the site.

The storm water system will be modified by increasing the capacity of the storm water pipeline below the site and extending the regional storm water channel across the site. The storm water pond is considered to be of high ecological importance and sensitivity due to its role as a refuge and corridor for native species. The impacts of the proposed development are regarded to be low negative and can be easily mitigated.

3.3 Storm water impacts

The existing City of Cape Town storm water channel will be extended through the property in a culvert, thereby extending the culvert outfall on the southern side of Bottelary Road. The proposed culvert from the northern section will be a box culvert of approximately 1.8m wide and 1.5m high. The box culvert will run underneath the proposed roadway in a south westerly direction for 87m before changing course to a southern direction for a further 65.5m. The inlet will be 3m wide and 1.5m high at the entrance and will taper to 1.8m wide and 1.5m high over 10m. The existing

culvert under Bottelary Road will remain in place and will continue to serve as the outlet under Bottelary Road for Portion 24 of Farm No. 222.

A swale will be constructed towards the north western corner of the site. The swale will attenuate the 1:2-year peak before discharging to the proposed storm water box culvert. A dry attenuation pond is also proposed in the south western corner of the site. The underground runoff will enter the pond via the underground storm water system. Overland flow will also be directed to the pond via roadways with a 2.4m wide inlet strip with armor flex protection.

The construction of the storm water box culvert will ensure that runoff is appropriately attenuated during a storm event. The attenuation of storm water and improvement in water quality will be achieved by a combination of storm water swales and an attenuation pond.

3.4 Access and traffic impacts

It is anticipated that the main traffic movements will be towards Bottelary Road (i.e., Kruis Road southbound), towards Brackenfell Boulevard (via Ronelle Street and Angelier Street) and along Kruis Road (northbound).

Since the Kruis Road/Zandberg Street intersection only accommodates left-turn movements, vehicles travelling from the site towards Bottelary Road will have to travel via the Kruis Road/Ronelle Street intersection. Vehicles travelling towards the site along Kruis Road from the north will also have to turn right at the Ronelle Street intersection.

Traffic analyses were done for the intersections, with service levels A to D being considered acceptable and service levels E being considered acceptable in congested areas.

Acceptable service levels A are experienced along Kruis Road with service levels C and B experienced on the Zandberg Street approach during the existing am and pm peak hours. These service levels can be expected to remain, with a marginal increase in delays. No upgrades to the Kruis Road/Zandberg Street intersection are therefore considered necessary to accommodate the background traffic.

The Kruis Road/Ronelle Street intersection currently experiences acceptable service levels A along Kruis Road during both existing peak hours. According to the future planning of Kruis Road, the Kruis Road/Ronelle Street intersection will be signalized if/when warranted. No upgrades to the intersection is considered necessary to accommodate the background traffic.

The Ronelle Street/Hoopenberg Street intersection currently experiences acceptable service levels on all approaches to the intersection during the existing peak hours. No upgrades to the Ronelle Street/Hoopenberg Street intersection is considered necessary to accommodate the background traffic.

Access will be obtained from Zandberg Road along the existing formal storm water channel towards the northwestern corner of the site. A security controlled access is also proposed. Two inbound lanes will be provided, with a single exit lane, to also accommodate emergency vehicles. A roundabout will be provided between the

security controlled access and the property boundary. The roundabout will accommodate the turning movement of vehicles up to and including the size of a refuse vehicle. The isles between the parking bays allows for on-site circulation and are thus able to accommodate two-way traffic.

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 activity 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 activity can be mitigated to acceptable levels.

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