



**REFERENCE NUMBER:** 16/3/3/1/A5/14/2028/21  
**NEAS REFERENCE NUMBER:** WCP/EIA/0000921/2021  
**ENQUIRIES:** Ms. N. Wookey  
**DATE OF ISSUE:** 24 November 2021

The Director  
GLC Developments (Pty) Ltd.  
P.O. Box 192  
**KUILSRIVER**  
7579

**For Attention: Mr. G. Conradie**

Tel: (021) 987 1652

Email: [gerhard@glcgroup.co.za](mailto:gerhard@glcgroup.co.za)

Dear Sir

**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) FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 54 OF THE FARM HAASENDAL NO. 222, BRACKENFELL SOUTH (BOSVLIER ESTATE).**

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 hereunder.

Yours faithfully

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

Copies to: (1) Mr. M. Theron (City of Cape Town: ERM)  
(2) Ms. M. Sham (Monique Sham Environmental Consultants)

Email: [Morne.Theron@capetown.gov.za](mailto:Morne.Theron@capetown.gov.za)

Email: [Monique@ms-ec.co.za](mailto:Monique@ms-ec.co.za)



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## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 54 OF THE FARM HAASENDAL NO. 222, BRACKENFELL SOUTH (BOSVLIER ESTATE).

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 August 2021.

#### A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

The Director  
% Mr. G. Conradie  
GLC Developments (Pty) Ltd.  
P.O. Box 192  
**KUILSRIVER**  
7579

Tel: (021) 987 1652  
Email: [Gerhard@glcgroup.co.za](mailto:Gerhard@glcgroup.co.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: 28 Activity Description:</p> <p><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></p> <p><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 development entails a residential development and associated infrastructure on Portion 54 of Farm Haasendal No. 222, Brackenfell South where the land was used for equestrian purposes after 01 April 1998 and where the proposed development will occur outside an urban area, where the total development footprint will be approximately 3.55ha in extent.</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 development of a residential development and associated infrastructure on Portion 54 of Farm Haasendal No. 222, Brackenfell South. The residential development will comprise the following:

- Approximately 98 double storey / duplex residential units;
- Public and private roads and associated parking bays;
- Two Private Open Space erven;
- A dry stormwater attenuation pond with a capacity of approximately 580m<sup>3</sup>, which will be located in the south-western corner of the site;
- Public road and parking on Bosvliet Street;
- The upgrading of a portion of Crammix – Ronelle link road from an unpaved surface to paved surface; and
- Associated infrastructure;

Some existing trees on the proposed site will be retained in accordance with the Landscape Plan (dated 28 July 2021). The stormwater infrastructure will link into the greater Schoongezicht stormwater system, which will accommodate a 1:50 year flood event. An internal underground stormwater network will be developed in this regard.

Access to the site will be gained off Crammix-Ronelle link road. All services will be provided by the Local Authority, which has been confirmed.

The total development footprint will be approximately 3.55ha in extent.

### C. PROPERTY DESCRIPTION AND LOCATION

The listed activity will take place on Portion 54 of Farm Haasendal No. 222, Brackenfell South.

The 21-digit Surveyor General code is:

Portion 54 of Farm Haasendal No. 222, Brackenfell South	C0670000000022200054
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The central co-ordinates for the proposed site are:

Middle point	33° 53' 34" South	18° 43' 4" 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

Monique Sham Environmental Consultants (MSEC).

% Ms. Monique Sham  
Unit 1, 165 Main Road,

**MUIZENBERG**  
7945

Cell: (072) 989 5118

Email: [Monique@ms-ec.co.za](mailto:Monique@ms-ec.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 August 2021 on the site as described in Section C above.
2. The holder must commence with the listed activity on 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 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: 7, 8 and 11.

### 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 amended Environmental Authorisation;
    - 7.4.2. The name of the responsible person for this amended 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 Draft Environmental Management Programme ("EMPr"): Construction and Operational Phases (compiled by MS-EC Environmental Consultants and dated August 2021) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all 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. A final Environmental Audit Report must be submitted to the Competent Authority one (1) month after the completion of the development/construction activities.
  - 14.3. 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. Uncontaminated building rubble generated on the premises can be used as back-filling material on site. Ensure that no refuse or rubble generated on the premises is placed, dumped or deposited in the recreated wetland area.

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. A copy of the approved Stormwater Management Plan must be provided to this Department for record-keeping purposes within six months of the approval of the Stormwater Management Plan by the relevant authority.
19. Landscaping activities must be undertaken in accordance with the Landscape Design (compiled by Perold Architects and dated 29 July 2021) during the operational phase.
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 stabilization, etc.) must be investigated and 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  
8<sup>th</sup> Floor Utilitas Building  
1 Dorp Street  
**CAPE TOWN**  
8001

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



## 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

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

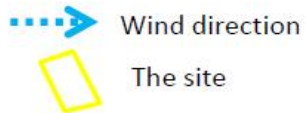
**DATE OF DECISION: 24 NOVEMBER 2021**

Copies to: (1) Mr. M. Theron (City of Cape Town: ERM)  
(2) Ms. M. Sham (Monique Sham Environmental Consultants)

Email: [Morne.Theron@capetown.gov.za](mailto:Morne.Theron@capetown.gov.za)

Email: [Monique@ms-ec.co.za](mailto:Monique@ms-ec.co.za)

## ANNEXURE 1: LOCALITY PLAN



Site centre co-ordinates:  
 33°53,570'S  
 18°43,060'E

## Locality Plan: Haasendal Farm 54/222

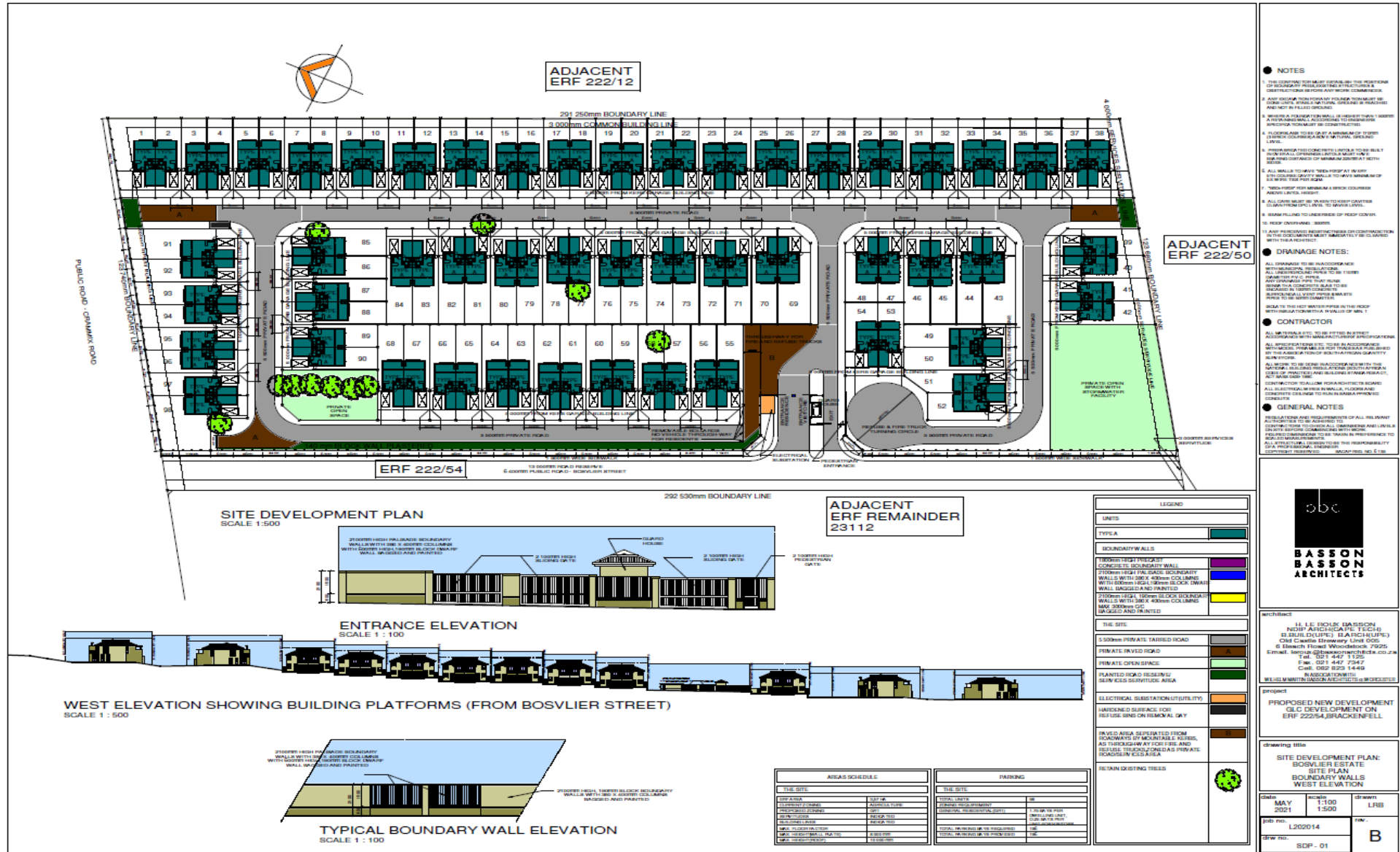
[www.westerncape.gov.za](http://www.westerncape.gov.za)

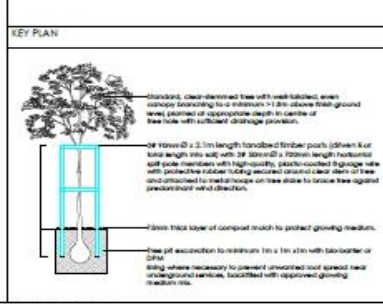
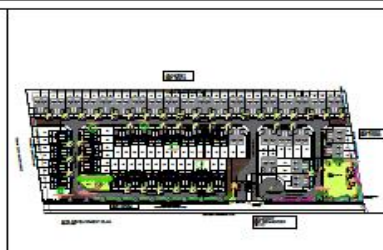
Department of Environmental Affairs and Development Planning



# ANNEXURE 2: SITE PLAN

Site plan of the proposed development and landscape design.





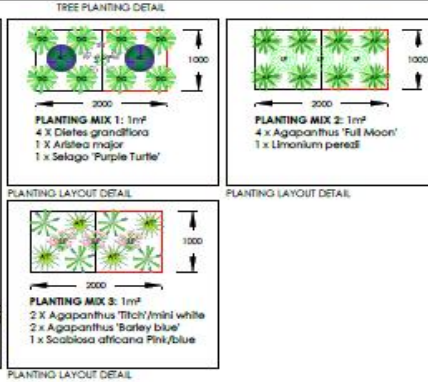
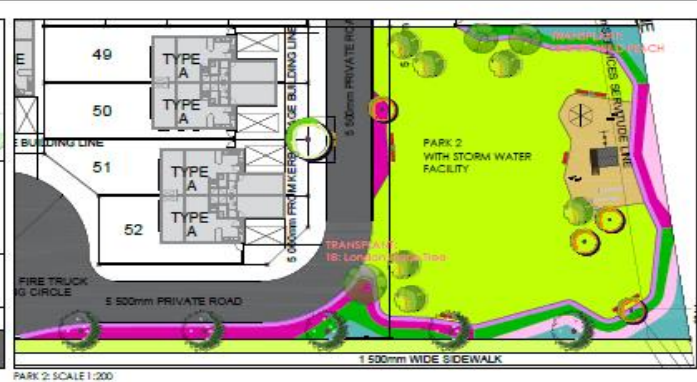
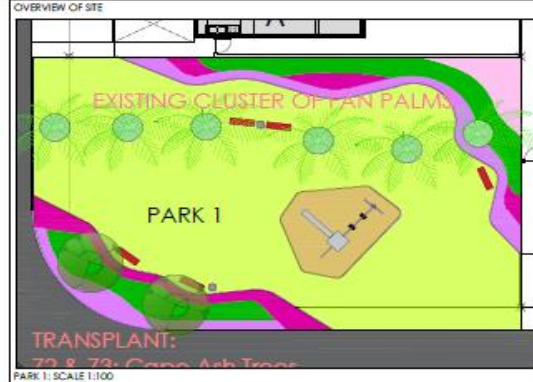
**GENERAL NOTES:**

**LEGEND:**

Plant Palette -	RATE	AREA	QTY
SOFT VEGETATION (OUT OF 100% COVERABLE) (see above drawing) @ 1% above ground			
Hard Landscaping			
SOFT VEGETATION (OUT OF 100% COVERABLE) (see above drawing) @ 1% above ground			
LANDSCAPE TREES (see above drawing) @ 1% above ground			

ITEMS OUT OF 100% COVERABLE	QTY	UNIT
Plant Palette - SOFT VEGETATION	4100	m <sup>2</sup>
Plant Palette - HARD LANDSCAPING	1900	m <sup>2</sup>
Plant Palette - SOFT VEGETATION	2100	m <sup>2</sup>
Plant Palette - HARD LANDSCAPING	2100	m <sup>2</sup>
Plant Palette - SOFT VEGETATION	2100	m <sup>2</sup>
Plant Palette - HARD LANDSCAPING	2100	m <sup>2</sup>
Plant Palette - SOFT VEGETATION	2100	m <sup>2</sup>
Plant Palette - HARD LANDSCAPING	2100	m <sup>2</sup>
Plant Palette - SOFT VEGETATION	2100	m <sup>2</sup>
Plant Palette - HARD LANDSCAPING	2100	m <sup>2</sup>



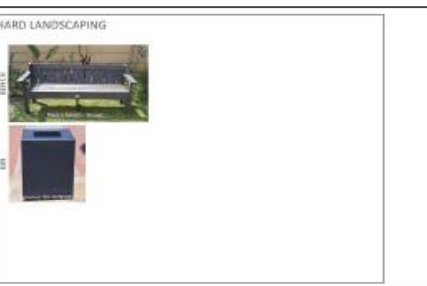
**NOTES:**

- The NCA later over the responsibility of the POI over 12m has been considered by the developer and formally handed over to the NCA. There is a link with the local garden centre company to maintain the POI.
- Water for irrigation is sourced from the borehole on the site.
- None of the existing trees marked for retention and/or removal (transplanting them or toping, clipping, damage, removal, retained or killed without prior consent from the CCT - Environmental Management Department).
- Existing trees to be retained must be appropriately controlled off prior to any work commencing on site.
- Trees which are proposed for transplanting must be retained prior to work commencing on site and must be contained off site immediately after transplanting.

No.	Revision / Issue	Date

**Client:** GIC DEVELOPMENT  
 Signed Client: G. L. Conradi 2021.05.26  
**Signed Architect:** Maretha Perold (Practising) 2021.05.26

**Project:** BOSMUIR ESTATE  
 ERF 222/54  
 KRAAIFFONTEIN



### **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 June 2021 and received by the Competent Authority on 07 June 2021, the BAR dated August 2021 and received by the Competent Authority on 06 August 2021, the EMPr submitted together with the BAR and the additional information received by the Competent Authority on 05 November 2021;
- 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 August 2021;
- 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 a notice board at the property entrance and a local shopping centre where the listed activity is to be undertaken on 19 April 2021;
- the placing of a newspaper advertisement in the 'Tygerburger' on 14 April 2021;
- Making the pre-application draft BAR available to I&APs for public review from 19 April 2021 to 21 May 2021;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 23 June 2021;
- Making the draft BAR available to I&APs for public review from 23 June 2021 to 23 July 2021; and
- The PPP undertaken was in accordance with the approved Public Participation Plan (dated June 2021).

Concerns with regards to the initial layout alternative and stormwater management system were raised by the City of Cape Town in their comment dated 26 May 2021. The preferred layout alternative has therefore been amended to address the concerns raised by the City of Cape Town. Some of the amendments to the initial layout alternative included the alignment of the proposed development to comply with the City of Cape Town's Urban Design Policy and Principles and the change from a series of stormwater ponds to a single dry stormwater pond, which will tie into the approved Stormwater Management Plan for the greater Schoongezicht development.

All the 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

Two layout alternatives and the “no-go” alternative were assessed as follows:

### The Preferred Alternative (herewith authorised)

The preferred alternative entails the development of a residential development and associated infrastructure on Portion 54 of Farm Haasendal No. 222, Brackenfell South. The residential development will comprise the following:

- Approximately 98 double storey / duplex residential units;
- Public and private roads and associated parking bays;
- Two Private Open Space erven;
- A dry stormwater attenuation pond with a capacity of approximately 580m<sup>3</sup>, which will be located in the south-western corner of the site;
- Public road and parking on Bosvlier Street;
- The upgrading of a portion of Crammix – Ronelle link road from an unpaved surface to paved surface; and
- Associated infrastructure;

Some existing trees on the proposed site will be retained in accordance with the Landscape Plan (dated 28 July 2021). The stormwater infrastructure will link into the greater Schoongezicht stormwater system, which will accommodate a 1:50 year flood event. An internal underground stormwater network will be developed in this regard.

Access to the site will be gained off Crammix-Ronelle link road. All services will be provided by the Local Authority, which has been confirmed.

The total development footprint will be approximately 3.55ha in extent.

The preferred alternative incorporates the concerns highlighted by the City of Cape Town with respect to urban design and stormwater principles. The preferred alternative was amended to meet the requirements of the City of Cape Town's urban design principles and stormwater management principles. In addition, there are no environmental sensitivities associated with the proposed site.

### Alternative Layout

An alternative layout was considered for the proposed development of a residential development and associated infrastructure on Portion 54 of Farm Haasendal No. 222, Brackenfell South.

The proposed alternative layout entailed the provision of the following:

- 25 group housing / general residential Erven;
- 84 duplex Erven ranging between 190m<sup>2</sup> - 338m<sup>2</sup> which is approximately 27 000m<sup>2</sup> (including private gardens);
- Private tarred roads approximately 6664m<sup>2</sup>; and;
- Private paved roads approximately 510m<sup>2</sup>.

This alternative layout was not deemed the preferred alternative since the preferred alternative will entail a more efficient use of space and satisfy the demand of duplex units contrary to group housing Erven. In addition, the alternative layout does not take cognizance of the urban design and stormwater management principles of the City of Cape Town. The alternative layout therefore does not make provision for the retention of specific mature trees, more functional open space areas, servitudes and unit frontage.

## "No-Go" Alternative

The "No-Go" alternative entails the "status quo", i.e. not developing the proposed site for residential purposes. Since the Preferred Alternative will not result in unacceptable environmental impacts, the "No-Go" alternative was not warranted.

### **3. Impact Assessment and Mitigation measures**

#### 3.1. Activity Need and Desirability

The proposed site is a brownfield site that has been completely transformed by equestrian activities and is currently zoned for agricultural purposes. The proposed site is earmarked for "New Urban Infill" in terms of the Northern District Plan (2012). The urban nature of the proposed development is deemed to be aligned with the Provincial Spatial Development Framework. Therefore, the proposed development is deemed to be aligned with applicable planning legislation and policies. The development activities associated with the proposed development are expected to alleviate unemployment within the area on a short-term basis, but the provision of approximately 30 permanent jobs and periodic contractual maintenance is envisaged.

The proposed development is considered a response to the increasing demand of housing within the urban metropolitan area.

#### 3.2. Agricultural Impacts

According to the Screening Report (dated 26 May 2021), the proposed site is deemed to be located within a medium sensitivity area from an agricultural perspective, which has been confirmed by the agricultural specialist in an Agricultural Compliance Statement (compiled by Johann Lanz and dated 04 June 2021). This is based on the fact that the proposed site is suitable for agricultural crop production given its climate and terrain but limited soil potential.

However, the loss of agricultural land as a result of the proposed development is deemed an acceptable loss from an agricultural perspective on the basis that the proposed site is not currently used for agricultural production and has very limited future production potential. In addition to the undesirability from an agricultural perspective is the fact that the soil potential that will require economic investment and is an isolated parcel of land.

The Western Cape Department of Agriculture has indicated (in their comment dated 29 July 2021) that they do not object to the proposed development.

#### 3.3. Botanical Impacts

According to the Screening Report (dated 26 May 2021), the proposed site is deemed to be located within a very high sensitivity area from a terrestrial biodiversity perspective and a low sensitivity area from a plant species perspective. A Terrestrial Plant Species Compliance Statement (compiled by Capensis Ecological Consulting and dated 30 March 2021) was undertaken to determine the potential botanical impacts associated with the proposed development.

The specialist indicated that although the Screening Report indicates that the site is located within a very high sensitivity area from a terrestrial biodiversity perspective, the site is devoid of any indigenous vegetation as a result of previous activities/ disturbances and no species of conservation concern were observed. Furthermore, the low sensitivity rating with respect to the plant species environmental theme has been confirmed by the specialist on the basis of the transformed nature of the proposed site.

The proposed site is mapped to historically contain indigenous vegetation viz., Boland Granite Fynbos and Cape Flats Sand Fynbos, although there is no indication of existence of either of the vegetation type. However, the specialist has determined that it is likely that the proposed site may have contained Cape Flats Sand Fynbos and Cape Flats Dune Strandveld based on the prevailing soil types of the proposed site. In addition, the specialist identified a protected species on the proposed site i.e. Outeniqua Yellowwood (*Podocarpus falcatus*), which is to be retained and incorporated into the landscaping design of the proposed development. No mitigation measures were recommended by the specialist and no areas were recommended to be as demarcated as “no-go” areas.

CapeNature indicated (in their comment dated 19 July 2021) that the Terrestrial Plant Species compliance statement is supported provided that no invertebrate species of conservation concern host plant is present on the proposed site. CapeNature further indicated that confirmation of whether the larval host plant of *Kedestes lenis lenis* and *Aloeides egerides* is present on the site. The proposed development will therefore only be supported if the larval host plant is not present on the proposed site.

The botanical specialist has indicated and confirmed that the host plant for both species are not present on the proposed site.

#### 3.4. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape on 09 July 2020. Heritage Western Cape indicated (in their comment dated 31 July 2021) that since there is no reason to believe that the proposed development 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.

#### 3.5. Traffic Impacts

A Traffic Impact Assessment (compiled by Zutari and dated 28 October 2020) was undertaken to determine the potential traffic impacts associated with the proposed development. The specialist modelled scenarios for the 2024 predicted traffic demand. The specialist further modelled the potential traffic at the intersection located at the proposed access route at Crammix Road and Kruis Road with the current three-way stop-controlled intersection derived an acceptable operational traffic impact. However, the report indicated that anticipated traffic volumes associated with the proposed development along the Ronelle Street and Kruis Road will have an unacceptable impact on traffic but is proposed to be signalised as a result of a neighbouring development on Portion 15 of Farm Haasendal No. 222. In conclusion, the specialist has deemed the proposed development to have an overall small impact on the existing road network and traffic and that the existing road infrastructure is able to accommodate the associated traffic impacts of the proposed development with no upgrades to the intersection capacity at this stage. Further, the specialist recommendations with respect to the corner splay and access configuration has been provided by the specialist. These recommendations have been included into the design/layout of the proposed development. Mitigation measures with respect to the potential traffic impacts during the construction have been included in the EMP. Further, the Western Cape Department of Transport and Public Works indicated (in their correspondence dated 01 August 2021) that they have no objection to the proposed development in terms of NEMA.

#### 3.6. Stormwater considerations

A Stormwater Strategy Report (compiled by Zutari and dated 27 May 2021) was undertaken to determine the required management measures for stormwater on the proposed site and provided recommendations for the inclusion in the Site Development Plan. The Department of Water and Sanitation indicated (in their comment dated 28 June 2021) that a stormwater management plan is required and offered no objection to the proposed development.



In addition, the City of Cape Town also requested the submission of a Stormwater Management Plan, which will be considered during the planning process applicable to the proposed development.

### 3.7. Services

An Engineering Services Report (compiled by Zutari and dated 02 December 2020) was compiled to determine the services required for the proposed development.

Confirmation of the provision of sufficient capacity of electricity is available to accommodate the proposed development as indicated by the local authority (as confirmed in their correspondence from the City of Cape Town dated 14 August 2021).

Confirmation of the provision of sufficient capacity for solid waste management services is available to accommodate the proposed development as indicated by the local authority (as confirmed in their correspondence from the City of Cape Town dated 19 January 2021). The local authority has specified requirements for access to the proposed development which has been incorporated into the revised Site Development Plan (compiled by Bason and Bason Architects and dated May 2021). As such, access to the proposed development by the local authority has been indemnified by the holder in their correspondence dated 24 May 2021.

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 comment dated 03 November 2021).

### 3.8. Visual Impacts

The proposed development is considered to be in-keeping with the adjacent development (i.e. Schoongezicht Estate) and that it is envisaged that the neighbouring properties will eventually be transformed to commercial or residential uses in the medium term. The potential visual impact associated with the proposed development is considered to be of negligible impact. In addition, the preferred alternative incorporates the urban design principles of the City of Cape Town and a landscape plan (dated 29 July 2021) will be implemented to reduce the potential visual impacts associated with the proposed development.

The development activities associated with the proposed development is expected to be of short-term duration and mitigation measures for potential visual impacts have been included in the EMPr.

### 3.9. Dust and Noise Impacts

Potential dust and noise impacts associated with the proposed development 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 include:

- Potential visual impacts associated with construction and operational phases;
- Potential traffic impacts;
- The loss of agricultural land; and
- Potential dust and noise impacts during the construction phase.

Positive impacts include:

- The provision of housing opportunities within the area;
- Some employment opportunities during construction phase of the proposed development; and
- Economic gain for the applicant.

## 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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