



REFERENCE NUMBER: 16/3/3/1/A5/11/2008/22
NEAS REFERENCE NUMBER: WCP/EIA/0001046/2022
ENQUIRIES: Ms. N. Wookey
DATE OF ISSUE: 12 September 2022

The Trustees
Klein Avontuur Investment Trust
P.O. Box 999
Sanlamhof
BELLVILLE
7532

Attention: Mr. J. Geldenhuys

Cell.: (083) 626 4474
E-Mail: johan@fittandc.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): THE PROPOSED RESIDENTIAL AND INSTITUTIONAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 50 OF FARM HAASENDAL NO. 222, BRACKENFELL.

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

Yours faithfully

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

Copies to: (1) Ms. M. Stewart (City of Cape Town: ERM)
(2) Mr. M. Theron (City of Cape Town: ERM)
(3) Mr. P. de Villers (Cornerstone Environmental Consultants)

Email: Maurietta.Stewart@capetown.gov.za

Email: Morne.Theron@capetown.gov.za

Email: Pieter@cornerstoneenviro.co.za

REFERENCE NUMBER: 16/3/3/1/A5/11/2008/22

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED RESIDENTIAL AND INSTITUTIONAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 50 OF FARM HAASENDAL NO. 222, BRACKENFELL.

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 May 2022.

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

The Trustees
Klein Avontuur Investment Trust
% Mr. J. Geldenhuys
P.O. Box 999
Sanlamhof
BELLVILLE
7532

Cell: (083) 626 4474
Email: johan@titandc.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></p> <p><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 residential and institutional development on Portion 50 of Farm Haasendal No. 222, Brackenfell, will occur on land used for equestrian purposes after 01 April 1998 where such land occurs outside an urban area, where the total land to be developed is bigger than 1 hectare.</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 a residential and institutional development and associated infrastructure on Portion 50 of Farm Haasendal No. 222, Brackenfell. The development will comprise of the following components:

- Portion A (Residential component)

Portion A will be used for the development of residential complexes and will be zoned for General Residential 2 purposes. A maximum of approximately 263 residential units will be developed. The development footprint will be approximately 35 151m² in extent.

- Portion B (Institutional component)

Portion B will be used for the development of a school and will be zoned for Community purposes. Approximately 250 students will be accommodated. The development footprint will be approximately 2 990m² in extent

- Portion C (Transport component)

Portion C will be used for the development of roads and associated road infrastructure. The proposed site is located between Ronelle Street (to the south) and Crammix Road (to the north), Brackenfell.

A minimum 10m wide strip of land along the southern boundary of the proposed site will be set aside for the extension of Ronelle Street, Brackenfell. The primary access point to the proposed

development will be off the extension of Ronelle Street, Brackenfell. A refuse truck embayment will be developed along Ronell Street as a refuse collection point for the proposed development.

A minimum 13m wide strip of land along the western boundary of the proposed site will be set aside for the development of a road to link Ronelle Street and Crammix Road, Brackenfell. A secondary access and an emergency access point will be off this new link road.

Internal roads and parking will be developed according to the planning policies applicable to the area. All roads infrastructure does not trigger listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

Sufficient, spare and unallocated capacity for bulk water supply, sanitation, solid waste collection and electricity supply is available to service the proposed development. Service infrastructure will be required as follows:

Bulk water pipelines with a diameter of approximately 160mm will be developed along the extension of Ronelle Street to connect to the existing 160mm diameter water mains located in Ronelle Street. The internal water network will consist of pipelines with a diameter of approximately 110mm. Bulk sewer pipelines with a diameter of approximately 250mm will be developed from the southwest corner of the site to Ronelle Street and from Kruis Street to the Kuils River Golf Club pump station. The internal sewer pipeline network will consist of pipelines with a diameter of between 110mm and 160mm. Stormwater infrastructure will be developed in terms of the Stormwater Management Plan (compiled by Ingerop Consulting and dated August 2021) to be approved by the relevant authority. Existing 11kV cables from Kruis Street via Ronell Street will be extended to provide electricity supply to the proposed development. All service infrastructure does not trigger listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

The total development footprint will be approximately 4.29 hectares in extent.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activity will take place on Portion 50 of Farm Haasendal No. 222, Brackenfell. Access to the site will be gained off Ronelle Street, Brackenfell.

The 21-digit Surveyor General code is:

Portion 50 of Farm Haasendal No. 222, Brackenfell	C06700000000022200050
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The central co-ordinate for the proposed development is:

Middle (Point)	33° 53' 40.70" South	18° 43' 08.58" East
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Refer to **Annexure 1**: Locality Plan and **Annexure 2**: Subdivisional and Rezoning Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Cornerstone Environmental Consultants (Pty) Ltd.

% Mr. P. de Villiers

P.O. Box 12606

DIE BOORD

7613

Tel: (021) 887 9099

Cell: (083) 243 0994

Email: pieter@cornerstoneenviro.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 May 2022 on the site as described in Section C above.
2. The holder must commence with the listed activity on the site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **ten (10) years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

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

Conditions: 6, 7, 8 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 Environmental Authorisation;
 - 7.4.2. The name of the responsible person for this Environmental Authorisation;
 - 7.4.3. The postal address of the holder;
 - 7.4.4. The telephonic and fax details of the holder;
 - 7.4.5. The e-mail address, if any, of the holder; and
 - 7.4.6. The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
8. The listed activity, including site preparation, must not commence within **twenty (20)** calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The Environmental Management Programme ("EMPr") (compiled by Cornerstone Environmental Consultants and dated February 2022) submitted as part of the application for Environmental Authorisation is hereby approved on condition that the following amendments are made and must be implemented.
- 9.1. A copy of the approved Site Development Plan and Stormwater Management Plan must be appended to the EMPr; and
 - 9.2. The amended EMPr must be made available upon request from any authorised official.
10. The EMPr must be included in all relevant contract documentation for the applicable phases of implementation.

Monitoring

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

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

- 14.1. The holder must undertake an environmental audit within four (4) months of the commencement of the listed activity and submit an Environmental Audit Report to the Competent Authority one (1) month after the completion of undertaking the environmental audit.
- 14.2. Thereafter, the holder must undertake an environmental audit every two (2) years during the construction period and submit the Environmental Audit Reports to the Competent Authority one (1) month after the completion of undertaking each of the environmental audits.
- 14.3. A final Environmental Audit Report must be submitted to the Competent Authority three (3) month after the completion of the development/construction activities.
- 14.4. The holder must, within seven (7) days of the submission of the reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to any I&APs upon request.

Specific Conditions

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

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

16. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate.
17. Surface, storm or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
18. Dust suppression measures must be used to mitigate dust during the construction phase. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/ or straw stabilisation, etc.) must be implemented instead.
19. In accordance with the recommendations of the Initial Tree Evaluation and Assessment (compiled by Alistair Turrell Landscape Architect and dated December 2020), the Cape Ash tree (i.e., *Ekebergia capensis*) located in the north-western corner of the site must be retained. The tree must be demarcated as a “no-go” area prior to the commencement of development activities.
20. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

Recommendations

1. It is recommended that the remaining existing trees be incorporated into the proposed development, as far as practically possible.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. An application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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

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

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

G. APPEALS

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

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

4. The appeal form/s must be submitted by means of one of the following methods:

By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

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

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

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

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

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

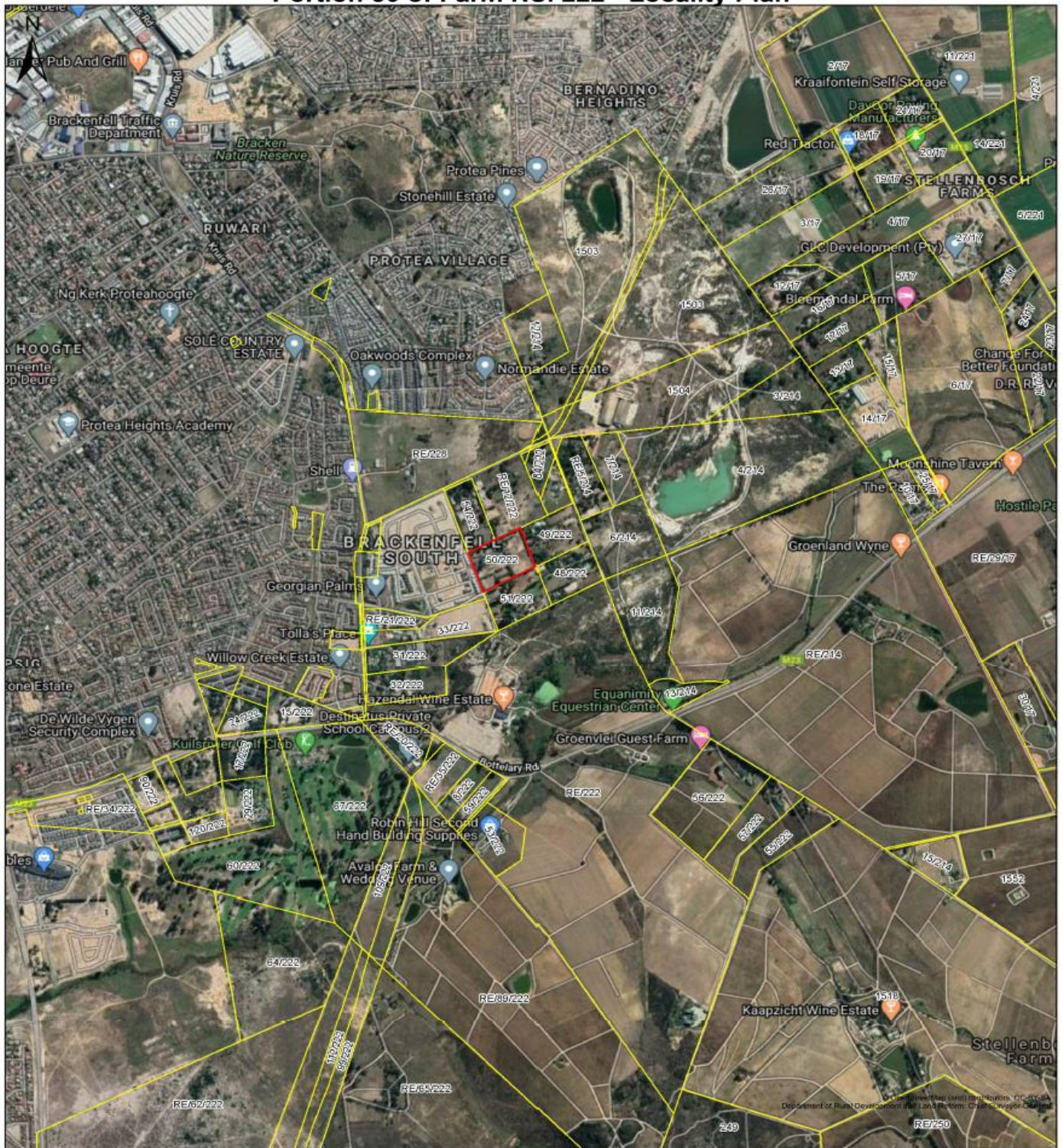
DATE OF DECISION: 12 SEPTEMBER 2022

Copies to: (1) Ms. M. Stewart (City of Cape Town: ERM)
(2) Mr. M. Theron (City of Cape Town: ERM)
(3) Mr. P. de Villiers (Cornerstone Environmental Consultants)

Email: Maurietta.Stewart@capetown.gov.za
Email: Morne.Theron@capetown.gov.za
Email: Pieter@cornerstoneenviro.co.za

ANNEXURE 1: LOCALITY PLAN

Portion 50 of Farm No. 222 - Locality Plan



Legend
 Farm Portions

0 0.3 0.6 1.2 km

Scale: 1:18 056

Date created: March 5, 2020

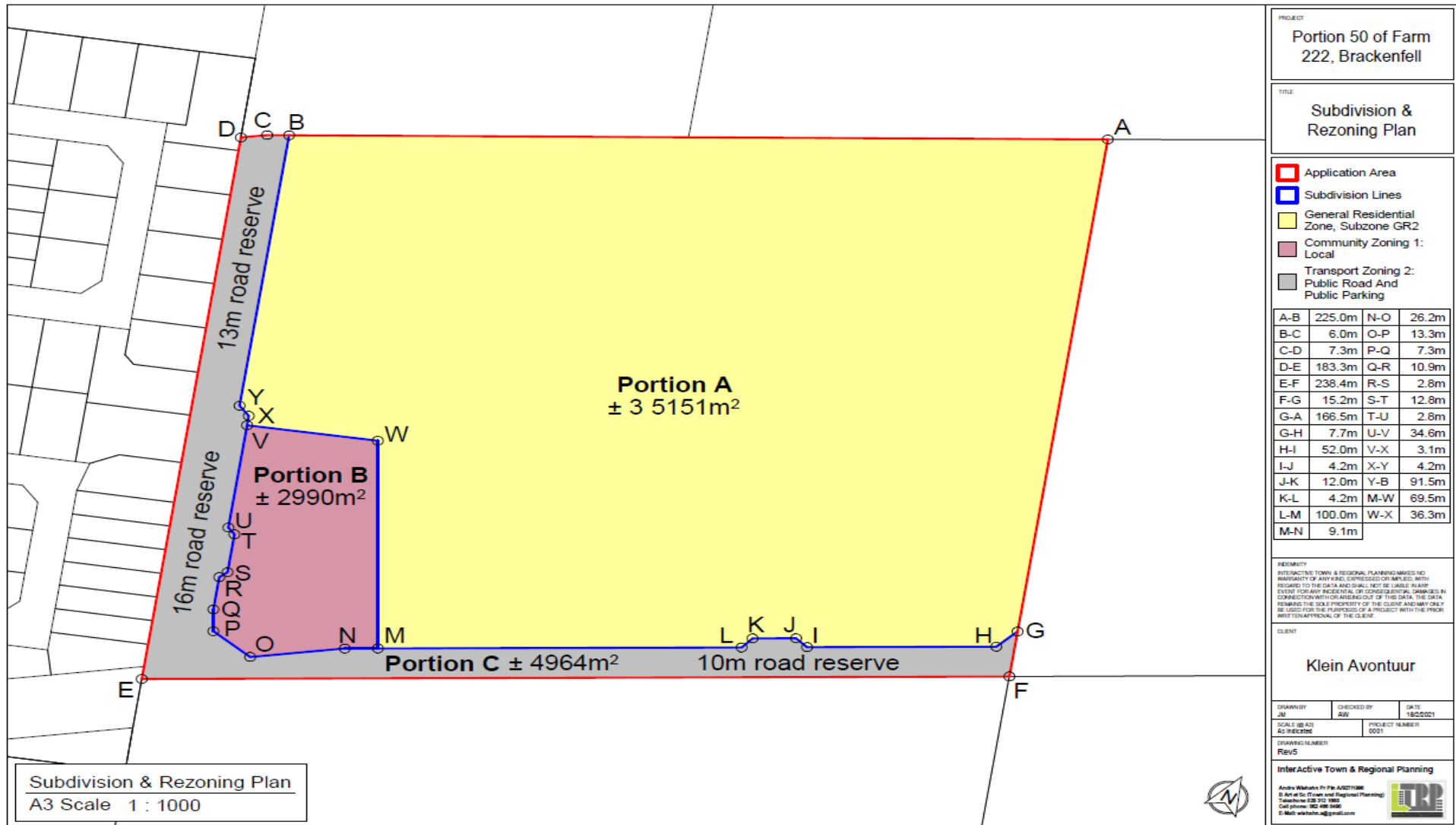
Compiled with CapeFarmMapper



ANNEXURE 2: SUBDIVISION AND REZONING PLAN

2.1. SUBDIVISION AND REZONING PLAN

Subdivision and rezoning plan of the proposed residential and institutional development and associated infrastructure on Portion 50 of Farm Haasendal No. 222, Brackenfell.



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 24 February 2022 and received by the Competent Authority on 25 February 2022, the BAR dated May 2022 and the EMPr dated February 2022 received by the Competent Authority on 23 May 2022 and the additional information dated and received by the Competent Authority on 25 August 2022 and 08 September 2022;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from interested and affected parties and the responses to these, included in the BAR dated May 2022;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visits were conducted, the Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

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

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the boundary of the proposed site where the listed activity is to be undertaken on 20 April 2021;
- the placing of a newspaper advertisement in the 'Tygerburger' on 21 April 2021;
- giving written notice to occupiers of land adjacent to the site where the listed activity is to be undertaken and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 20 April 2021;
- Providing a Background Information Document to I&APs for public review via a letter drop exercise on 20 April 2021;
- Making the pre-application draft BAR available to I&APs for public review from 21 April 2021 to 24 May 2021;
- Making the draft BAR available to I&APs for public review from 28 February 2022 to 31 March 2022;
- Placing a hard copy of the draft BAR at the Brackenfell Library for public review from 28 February 2022 to 31 March 2022; and
- The PPP undertaken was in accordance with the approved Public Participation Plan (dated 19 August 2021) as agreed to by the Competent Authority.

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

No Site Alternatives were investigated due to the fact that the proposed site is owned by the applicant. Due to the 'package of plans' approach to the proposed development, Design/Layout Alternatives were not investigated as the proposed site does not pose any environmental constraints, except the existing Cape Ash Tree located in the north western corner of the proposed site.

The Preferred Alternative and the "No-Go" Alternative were therefore assessed as follows:

The Preferred Alternative - herewith authorised

The Preferred Alternative entails a residential and institutional development and associated infrastructure on Portion 50 of Farm Haasendal No. 222, Brackenfell. The development will comprise of the following components:

- Portion A (Residential component)

Portion A will be used for the development of residential complexes and will be zoned for General Residential 2 purposes. A maximum of approximately 263 residential units will be developed. The development footprint will be approximately 35 151m² in extent.

- Portion B (Institutional component)

Portion B will be used for the development of a school and will be zoned for Community purposes. Approximately 250 students will be accommodated. The development footprint will be approximately 2 990m² in extent.

- Portion C (Transport component)

Portion C will be used for the development of roads and associated road infrastructure. The proposed site is located between Ronelle Street (to the south) and Crammix Road (to the north), Brackenfell.

A minimum 10m wide strip of land along the southern boundary of the proposed site will be set aside for the extension of Ronelle Street, Brackenfell. The primary access point to the proposed development will be off the extension of Ronelle Street, Brackenfell. A refuse truck embayment will be developed along Ronelle Street as a refuse collection point for the proposed development.

A minimum 13m wide strip of land along the western boundary of the proposed site will be set aside for the development of a road to link Ronelle Street and Crammix Road, Brackenfell. A secondary access and an emergency access point will be off this new link road.

Internal roads and parking will be developed according to the planning policies applicable to the area. All roads infrastructure does not trigger listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

Sufficient, spare and unallocated capacity for bulk water supply, sanitation, solid waste collection and electricity supply is available to service the proposed development. Service infrastructure will be required as follows:

Bulk water pipelines with a diameter of approximately 160mm will be developed along the extension of Ronelle Street to connect to the existing 160mm diameter water mains located in Ronelle Street. The internal water network will consist of pipelines with a diameter of approximately 110mm. Bulk sewer pipelines with a diameter of approximately 250mm will be developed from the south west corner of the site to Ronelle Street and from Kruis Street to the Kuils River Golf Club pump station. The internal sewer pipeline network will consist of pipelines with a diameter of between 110mm and 160mm. Stormwater infrastructure will be developed in terms of the Stormwater Management Plan (compiled by Ingerop

Consulting and dated August 2021) to be approved by the relevant authority. Existing 11kV cables from Kruis Street via Ronell Street will be extended to provide electricity supply to the proposed development. All service infrastructure does not trigger listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

The preferred alternative is in-keeping with the earmarked "New Urban Infill" area, is adjacent to existing medium density residential development and is considered a contribution to the densification of urban environments. The proposed site is a transformed site with no sensitive environmental features. The preferred alternative will result in socio-economic benefits that include employment and housing provision and is in keeping with the surrounding existing and forthcoming development. In addition, the proposed development is considered a response to the increasing demand of housing within the urban metropolitan area.

"No-Go" Alternative

The "No-Go" alternative entails the "status quo", i.e., not developing the residential and institutional development and associated infrastructure on Portion 50 of farm Haasendal No. 222, Brackenfell. Since the Preferred Alternative will not result in unacceptable environmental impacts and in consideration of the demonstration of the application of the Section 2 NEMA principles and implementation of the mitigation hierarchy, the "No-Go" alternative was not preferred.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The proposed site is a brownfield site that has been completely transformed by equestrian activities and is currently zoned for agricultural purposes. Although the proposed site is zoned for agricultural purposes, the proposed site is earmarked for "New Urban Infill" in terms of the Cape Town Integrated Development Plan ("IDP") and medium density development in accordance with the Northern District Plan (2012). The proposed development is aligned with the objective of ideal location, sustainable land use through densification in areas within proximity of existing transport routes and development corridors in accordance with the IDP.

In accordance with the Municipal Spatial Development Framework ("MSDF"), the proposed development is aligned with its objectives based on the intensification of land use, diversification (i.e., mixed use) and densification (i.e., horizontal and vertical development) of land. The proposed development is expected to improve access to economic opportunities by diversifying travel flows between social facilities and residential developments. The proposed development is located within an "Incremental Growth and Consolidation" area and is considered a priority growth area pending the availability of municipal services. Detailed design will be finalised during the planning phase to meet the design principles and criteria applicable to the area. The Western Cape Department of Education indicated (in their correspondence dated 10 May 2022) that although the proposed provision of a school does not meet the requirements of a public school, they do not object to the provision of a school.

The proposed development will also provide economic growth and development within the area during construction and operational phase by means of employment.

3.2. Agricultural Impacts

According to the Screening Report (dated 23 August 2021), the proposed site is located within a medium sensitivity area from an agricultural perspective, which has been disputed by the EAP. Although the proposed development will result in the loss of agricultural land currently used for equestrian purposes, the proposed site is earmarked as "New Urban Infill". In addition, the Western Cape Department of Agriculture recommended (in their correspondence dated 01 April 2022) mitigation measures pertaining to topsoil management, stormwater flow and dust and noise

management, which has been included in the EMPr. No specific objection to the proposed development was noted.

3.3. Botanical Impacts

According to the Screening Report (dated 23 August 2021), the proposed site is deemed to be located within a high sensitivity area from a plant species perspective and a very high sensitivity from a terrestrial biodiversity perspective, which have been disputed by the EAP to be of no sensitivity, respectively. This is based on the transformed nature of the proposed site where no indigenous vegetation occurs and the current use of the proposed site. No critical biodiversity areas or ecological support areas are mapped within the proposed site. No sensitive plant or animal species have been observed on the proposed site and habitats would not be supported given the current transformed nature. An Initial Tree Evaluation and Assessment (compiled by Alistair Turrell Landscape Architect and dated December 2020) was undertaken to determine the condition of the trees. The most noteworthy tree was the Cape Ash Tree (i.e., *Ekebergia capensis*) located in the north-western corner of the proposed site. No botanical impacts are therefore anticipated. In addition, CapeNature indicated (in their correspondence dated 23 May 2021) that they do not object to the proposed development.

3.3. Services

Confirmation of the provision of sufficient capacity for potable water supply and sewerage services has been confirmed by the City of Cape Town in their correspondence dated 28 January 2022.

Bulk water pipelines with a diameter of approximately 160mm will be developed along the extension of Ronelle Street to connect to the existing 160mm diameter water mains located in Ronelle Street. The internal water network will consist of pipelines with a diameter of approximately 110mm. Bulk sewer pipelines with a diameter of approximately 250mm will be developed from the southwest corner of the site to Ronelle Street and from Kruis Street to the Kuils River Golf Club pump station. The internal sewer pipeline network will consist of pipelines with a diameter of between 110mm and 160mm. Stormwater infrastructure will be developed in terms of the Stormwater Management Plan (compiled by Ingerop Consulting and dated August 2021) to be approved by the relevant authority.

In accordance with the Civil and Electrical Engineering Services Report (compiled by Neil Lyners and Associates and dated November 2021), the engineer noted that upon finalization of the Site Development Plans, the various aspects with respect to road widths, internal water reticulation and parking bays will be complied with. The engineer determined the requirement of wayleaves for the crossing of SANRAL land which is in process of obtaining in order to accommodate the bulk water pipeline infrastructure. In addition, the development of bulk sewer infrastructure along Ronelle Street between the adjacent developments was determined by the engineers as well as the future development of a 250mm diameter sewer along Kruis Road. The proposed connection will tie into the Rietvlei sewage pump station with an outfall to Bellville Waste Water Treatment Works where sufficient capacity exists to accommodate the proposed development.

Existing 11kV cables from Kruis Street via Ronell Street will be extended to provide electricity supply to the proposed development. All service infrastructure does not trigger listed activities in terms of the NEMA EIA Regulations, 2014 (as amended). Spare capacity within the existing network has been confirmed by the local authority to satisfy the demand of approximately 925kVA and the required provision of a supply point from a substation to be made available on the adjacent property.

3.4. Traffic Impacts

In accordance with the Traffic Impact Assessment ("TIA") (compiled by ICE Group and dated 11 February 2021) and the addendum to the TIA (compiled by ICE Group and dated 18 January

2022), the traffic specialist modelled scenarios for the 2025 predicted traffic demand. It is expected that a traffic growth rate of 2.5% was applied to 2019 traffic counts for estimated 2025 traffic volumes. The trip generation for the proposed development with background traffic is estimated at approximately 505 morning peak traffic trips (200 in / 305 out) and approximately 461 afternoon (273 in/ 188 out) peak traffic. The traffic distribution was based on the existing distribution of background traffic obtained at the Kruis Street / Ronelle Street intersection. The specialist recommended that an embayment for refuse vehicles at the access point of the proposed development be provided. It was also noted that as part of the envisaged upgrade of dualling of the Kruis Road, non-motorised transport facilities will be provided along Kruis Road and that a sidewalk is already developed along the northern side of Ronelle Street and should be extended. Although the proposed development will result in an impact on the surrounding road network, the implementation of the specialist recommendations with respect to various upgrades and mitigation measures will result in a managed impact and is supported. The specialists' recommendations have been incorporated into the activity description of the development.

3.5. Noise Impacts

A Noise Impact Assessment (compiled by Machoy Mackenzie Hoy Consulting Acoustics and dated 28 September 2021) was undertaken to determine the anticipated noise impacts associated with all phases of the proposed development. Noise related impacts are expected to be within the range of the current residual noise levels of the receiving environment and no significant change is expected since the baseline conditions already exceed rated levels of 5 dBA due to proximity to the M23 (Bottelary Road). It is the opinion of the noise specialist that the proposed development will not require a Noise Management Plan since the expected noise to be generated by the proposed development will be below the residual level and ratings level for the area during the day-time period. Recommendations provided by the noise specialist have been included as mitigation measures in the EMP.

3.6. Visual Impacts

Since the proposed development is earmarked for urban infill development in terms of land use intensification, clustering, public services and high-density residential development and considering the surrounding proposed land uses, the potential impact of the proposed development on visual and landscape features is not considered significant.

It is, however, noted that the concerns relating to urban design layout, landscaping and provision of open spaces as raised by the City of Cape Town (in their correspondence dated 31 May 2021 and 28 March 2022, respectively) will be addressed during the planning application process. The submission of finalised site development plans will be provided at the planning application stage.

3.7. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape. Heritage Western Cape indicated (in their comment dated 16 April 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.

3.8. Stormwater considerations

A stormwater management plan (compiled by Ingerop Consulting and dated August 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 Stormwater Management Plan will be considered by the Local Authority during the planning process applicable to the proposed development.

3.9. Dust Impacts

Potential dust impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr. The implementation strategy and mitigation measures provided in the EMPr are supported by the Local Authority.

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;
- The provision of education facilities;
- Improved transport infrastructure;
- Additional service infrastructure;
- Employment opportunities during construction and operational 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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