



REFERENCE NUMBER: 16/3/3/1/A3/9/2046/21
NEAS REFERENCE NUMBER: WCP/EIA/0000973/2021
ENQUIRIES: Ms. K. Adriaanse
DATE OF ISSUE: 02 June 2022

The Trustees
Corns Family Trust
1 Fraser Street, Morning Heights
KIMBERLEY
8301

For Attention: Mr. D. Corns

Cell: (082) 888 6945
Email: derekscorns@gmail.com

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 SELF- STORAGE AND COMMERCIAL DEVELOPMENT ON PORTION 3 OF THE FARM NO. 681, CROYDON, SOMERSET WEST.

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. A. van Wyk (City of Cape Town: ERM)
(2) Mr. B. Bosman / Ms. E. Visagie (Guillaume Nel Environmental Consultants)
(3) Mr. G. Nel (Guillaume Nel Environmental Consultants)

Email: Azanne.vanWyk@capetown.gov.za
Email: eg@gnec.co.za / intern1@gnec.co.za
Email gn@gnec.co.za

REFERENCE NUMBER: 16/3/3/1/A3/9/2046/21

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) FOR THE PROPOSED SELF- STORAGE AND COMMERCIAL DEVELOPMENT ON PORTION 3 OF THE FARM NO. 681, CROYDON, SOMERSET WEST.

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 activities specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR"), dated 15 February 2022.

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

The Trustees
c/o Mr. D. Corns
Corns Family Trust
1 Fraser Street, Morning Heights
KIMBERLEY
8301

Cell: (082) 888 6945
Email: derekscorns@gmail.com

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

B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Activity / Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 19 Activity Description:</p> <p><i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i></p> <p>(a) <i>will occur behind a development setback;</i></p> <p>(b) <i>is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p>(c) <i>falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i></p> <p>(d) <i>occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p>(e) <i>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</i></p> <p>Activity Number: 27 Activity Description:</p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</i></p> <p>(i) <i>the undertaking of a linear activity; or</i></p> <p>(ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The proposed development entails the infilling or depositing of material of more than 10m³ within a watercourse for the development of an attenuation pond and associated stormwater infrastructure.</p> <p>Although the proposed site has previously been used for agricultural purposes, the proposed development will result in the clearance of an area of 1 hectare or more of indigenous vegetation.</p>
<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 10 Activity Description:</p> <p><i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good,</i></p>	<p>The proposed development includes a gas storage area with a capacity to store</p>

<p>where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</p> <p>i. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. All areas outside urban areas; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;</p> <p>(bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</p> <p>(cc) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>	<p>approximately 30m³ of gas and within 100m of a wetland.</p>
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The abovementioned is hereinafter referred to as “**the listed activities**”.

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

The proposed development entails the development of self-storage and commercial development on Portion 3 of Farm No. 681, Croydon, Somerset West. The development will comprise, amongst others, of the following:

- The development of approximately 310 self-storage units;
- Administrative and security office space;
- Approximately four (4) retail units;
- Approximately thirteen (13) office units;
- A gas storage area, storing less than 80m³ of gas;
- A single residential unit;
- Stormwater infrastructure;
- A parking area;
- Internal roads; and
- Associated infrastructure.

Existing buildings are located on the proposed site and will continue to be used. Existing access to the site will be gained off Croydon Avenue. All services, except electricity supply, will be provided by the Local Authority, which has been confirmed. Electrical supply will be provided by Eskom.

The total development footprint will be approximately 2.02ha in extent.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on Portion 3 of Farm No. 681, Croydon, Somerset West.

The 21-digit Surveyor General code is:

Portion 3 of Farm No. 681, Croydon, Somerset West	C0160000000068100003
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The central co-ordinate for the proposed site is:

34° 02' 30.26" South	18° 45' 28.48" 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

Guillaume Nel Environmental Consultants
% Mr. B. Bosman / Ms. E. Visagie
P. O. Box 2632
PAARL
2632

Tel: (021) 870 1874
Email: intern1@gnec.co.za / eg@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Alternative described in Section B above and in the BAR dated 15 February 2022 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- a. A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - b. A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity during which period the authorised listed activities for the construction phase, must be concluded
3. 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.
 4. 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

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

Conditions: 6, 7 and 11.

Notification and administration of appeal

6. The holder must in writing, within **fourteen (14)** calendar days of the date of this decision–
 - 6.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the outcome of the application;
 - 6.1.2. the reasons for the decision as included in Section H;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was issued.
 - 6.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section F below;
 - 6.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 6.4. Provide the registered I&APs with:
 - 6.4.1. The name of the holder (entity) of this amended Environmental Authorisation;
 - 6.4.2. The name of the responsible person for this amended Environmental Authorisation;
 - 6.4.3. The postal address of the holder;
 - 6.4.4. The telephonic and fax details of the holder;
 - 6.4.5. The e-mail address, if any, of the holder; and
 - 6.4.6. The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
7. The listed activities, 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 activities, including site preparation, must not commence until the appeal is decided.

Management of activity

8. The Environmental Management Programme ("EMPr") (compiled by Doug Jeffery Environmental Consultants and dated February 2022) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. 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 activities 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. An Environmental Audit Report must be submitted to the Competent Authority one (1) month after the completion of the development/construction activities.
 - 14.4. An Environmental Audit Report must be submitted to the Competent Authority every 5 (five) years after the commencement of the operational phase.
 - 14.5. 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. The recommendations of the Freshwater Ecological Assessment (compiled by FEN Consulting and dated November 2020), as included in the EMPr, must be implemented.
19. The wetland rehabilitation plan (compiled by Guillaume Nel Environmental Consultants and dated 30 June 2021) must be implemented during the operational phase.
20. 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 activities.
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 activities 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
6. 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: 02 JUNE 2022

Copies to: (1) Ms. A. van Wyk (City of Cape Town: ERM) Email: Azanne.vanWyk@capetown.gov.za
(2) Mr. B. Bosman / Ms. E. Visagie (Guillaume Nel Environmental Consultants) Email: eg@gnec.co.za / intern1@gnec.co.za
(3) Mr. G. Nel (Guillaume Nel Environmental Consultants) Email: gn@gnec.co.za

ANNEXURE 1: LOCALITY PLAN



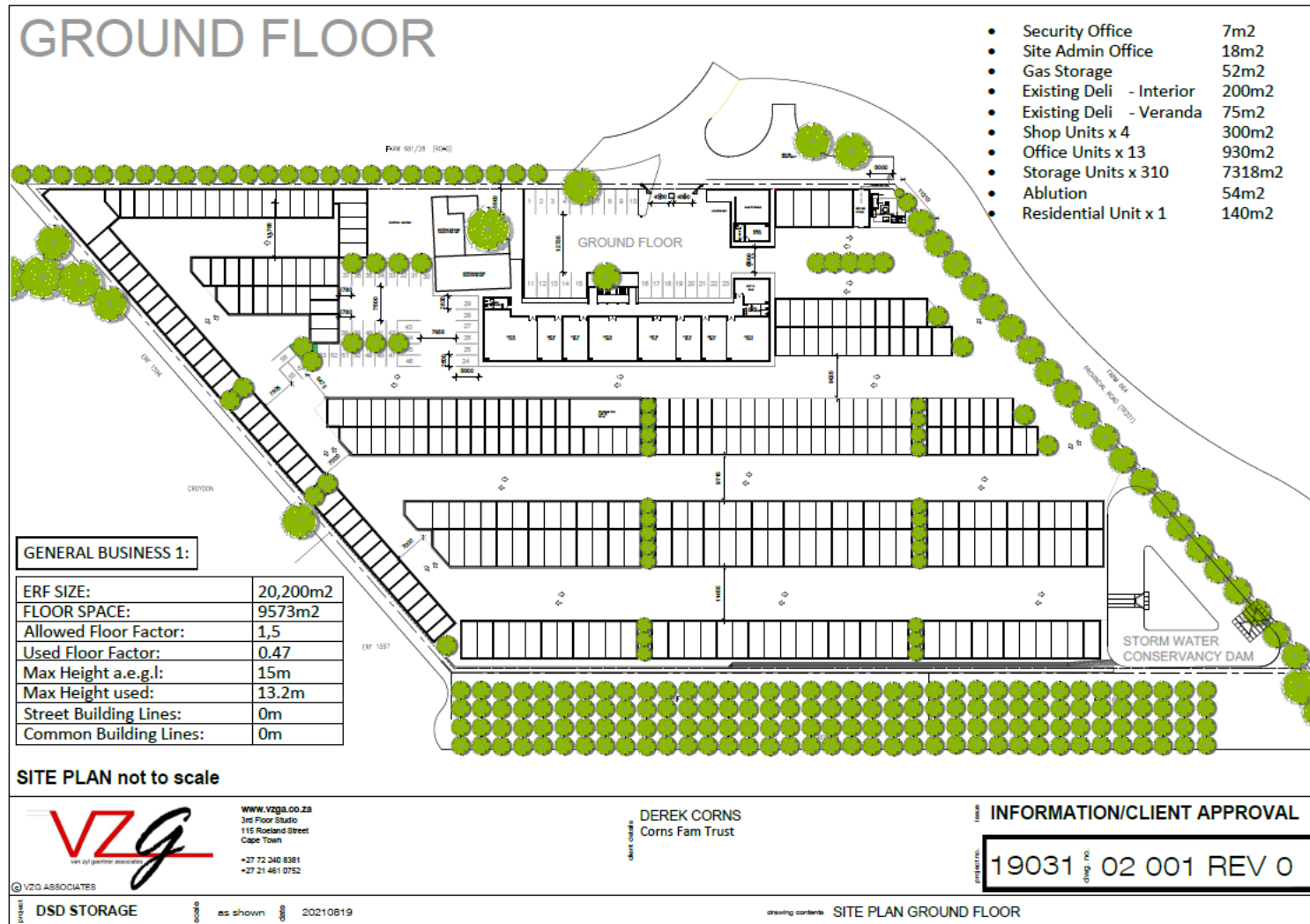
PROPOSED DEVELOPMENT OF PORTION 3 OF FARM 681, SOMERSET WEST

SITE DESCRIPTION
(SITE INDICATED IN YELLOW)

Guillaume Nel
environmental consultants

ANNEXURE 2: SITE PLAN

Site plan of the proposed development.



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 and received by the Competent Authority on 07 September 2021, the BAR dated and received by the Competent Authority on 15 February 2022 and the EMPr submitted together with the BAR;
- 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 15 February 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 entrance of the proposed site where the listed activities are to be undertaken on 23 November 2020;
- the placing of a newspaper advertisement in the 'Die Distrikspos' on 19 November 2020;
- Making the pre-application draft BAR available to I&APs for public review from 23 November 2020 to 15 January 2021;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 23 November 2020;
- two public meetings were held on 28 January 2022;
- Making the draft BAR available to I&APs for public review from 07 September 2021 to 11 October 2021 and a revised draft BAR on 05 November 2021 to 06 December 2021; and
- The PPP undertaken was in accordance with the approved Public Participation Plan received by the Competent Authority on 30 June 2021.

Initial concerns raised by I&APs related to the potential noise, visual, safety and security, traffic and the potential impacts on property values. However, the concerns raised by I&APs were incorporated into the design of the proposed development to enhance the development in terms aspects mentioned above. 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 as the site is owned by the applicant. Alternatives with respect to the number of storage units proposed and the consideration of concerns highlighted by I&APs. The Preferred Alternative and the "No-Go" Alternative was therefore assessed as follows:

The Preferred Alternative - herewith authorised

The Preferred Alternative entails the development of self-storage and commercial development on Portion 3 of Farm 681, Croydon, Somerset West. The development will comprise the following:

- The development of approximately 310 self-storage units;
- Administrative and security office space;
- Approximately four (4) retail units;
- Approximately thirteen (13) office units;
- A gas storage area, storing less than 80m³ of gas;
- A single residential unit;
- Stormwater infrastructure;
- Parking area;
- Internal roads; and
- Associated infrastructure.

Existing buildings are located on the proposed site and will continue to be used. Existing access to the site will be gained off Croydon Avenue. All services, except electricity supply, will be provided by the Local Authority, which has been confirmed. Electrical supply will be provided by Eskom.

The total development footprint will be approximately 2.02ha in extent.

The Preferred Alternative incorporates the concerns highlighted by I&APs with respect to, *inter alia*, the potential visual impacts and safety and security concerns. In addition, the number of storage units have been decreased in order address the concerns raised.

"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 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 zoned for agricultural purposes and will require a rezoning application in terms of the relevant planning policies applicable to the area. Croydon Vineyard Estate is located north of the proposed site, Croydon Olive Estate is located west and south of the proposed site and Cooper Estate is located east of the proposed site. The proposed site is located within a 'consolidation area' in terms of the Municipal Spatial Development Framework (2018) and the proposed development will support infill development within the urban edge. The BAR (dated 15 February 2022) indicates that the proposed development is aligned with the planning policies applicable to the area.

A socio-economic comment was obtained from VZG Associates (dated 19 August 2021). It is anticipated that an excess of 500 employment opportunities will be developed during the construction phase and approximately 200 employment opportunities will be developed during the operational phase.

3.2. Agricultural Impacts

According to the Screening Report (dated 15 September 2021), the proposed site is located within a medium sensitivity area from an agricultural perspective, which has been disputed by the EAP due to the unsuitable size of the site for agricultural purposes. The Western Cape Department of Agriculture has indicated (in their comment dated 12 February 2021) that they do not object to the proposed development.

3.3. Freshwater Impacts and stormwater consideration

According to the Screening Report (dated 30 June 2021), the proposed site is deemed to be located within a low sensitivity area from an aquatic biodiversity perspective. A watercourse verification report (compiled by FEN Consulting and dated June 2020) was undertaken to verify the aquatic biodiversity sensitivity associated with the proposed site. The specialist indicated that a depression wetland is located in the eastern corner of the proposed site. Although the specialist agreed that the proposed site is located within a low sensitivity area from an aquatic biodiversity perspective, it was recommended that a freshwater assessment be undertaken since the proposed development will directly impact on the wetland.

A Freshwater Ecological Assessment (compiled by FEN Consulting and dated November 2020) was undertaken to determine the potential freshwater impacts associated with the proposed development. The wetland is proposed to be converted to an attenuation facility to attenuate and treat stormwater runoff associated with the proposed development. The wetland is not mapped as part of the City of Cape Town's Biodiversity Network and the National Frater Ecosystem Priority Area. The specialist indicated that the wetland is driven by stormwater runoff originating from the study area. The Present Ecological State of the wetland could not be assessed as there is no relevant reference state applicable to it. The specialist further indicated that the wetland was not deemed ecologically important or sensitive since it is not connected to any other natural areas in the local catchment and is surrounded by urban expansion. The wetland has not been deemed hydrologically sensitive and serves as a stormwater attenuation facility. The potential freshwater impacts were therefore deemed to be of low negative significance post mitigation. The specialists' recommendations have been included as a condition set in this Environmental Authorisation and in the EMP. A wetland rehabilitation plan (compiled by Guillaume Nel Environmental Consultants and dated 30 June 2021) for the rehabilitation and maintenance of the attenuation facility will be implemented.

A Stormwater Management Plan (compiled by UDS Africa and dated 08 March 2021) was compiled to determine the potential stormwater requirements for the proposed development. A total treatment capacity of approximately 813.12m³ will be required. It was proposed that the attenuation facility be developed within the eastern corner of the proposed site, where the wetland is located. The attenuation facility will be fitted with a sand and litter trap at the discharge point in order to ensure that debris and other materials are not discharged. Stormwater will be discharged towards an open channel located alongside Old Main Road. The discharge point will contain reno mattresses for an even dispersion of stormwater. The City of Cape Town: Catchment, Stormwater and River Management branch indicated (in their correspondence dated 03 December 2021) that the proposal is supported with some concerns that must be addressed. The City of Cape Town's concerns have been addressed in this regard.

In addition, the Department of Water and Sanitation indicated in their comment dated 14 December 2021, that the intended water use falls within the ambit of the General Authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998). The requirements of the National Water Act, 1998 (Act No. 36 of 1998) will be met in this regard.

3.4. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape. Heritage Western Cape indicated (in their comment dated 27 October 2020) 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 Statement (compiled by UDS Africa and dated 04 May 2020) was undertaken to determine the potential traffic impacts associated with the proposed development. The specialist analysed two intersections, namely, Old Main Road / Birmingham Road and the access to the site/Croydon Avenue intersections. It was determined that both intersections are operating at an acceptable level of service C and that no road upgrades are required. No additional non-motorised transport systems, pedestrian access or public transport facilities are required as a result of the proposed development.

3.6. Services

An Electrical Infrastructure Report (compiled by DM Consulting Engineers Cape and dated July 2021) was compiled to determine the electrical services required for the proposed development. The engineer indicated that a 100kVA low voltage connection is available on the proposed site and will need to be upgraded. Sufficient, spare and unallocated electricity supply has been confirmed by Eskom (correspondence dated 05 November 2021).

Confirmation of the provision of sufficient capacity for solid waste management services is available to accommodate the proposed development as indicated by the City of Cape Town (correspondence dated 15 April 2020).

Confirmation of the provision of sufficient water resource, treatment, bulk storage and conveyance capacity to supply the proposed development has been confirmed by the City of Cape Town (in their comment dated 15 April 2020). The proposed development falls within the catchment of the Macassar Waste Water Treatment Plant. Although the Macassar Waste Water Treatment Plant has limited spare capacity, due to the low flow anticipated from the proposed development, sewerage capacity has been confirmed by the City of Cape Town (in their comment dated 15 April 2020). An Engineering Services Report (compiled by UDS Africa and dated 30 April 2020) was undertaken to determine potential connection points to existing municipal infrastructure and the infrastructure to be developed. In terms of infrastructure for water supply and sewage disposal, pipeline infrastructure approximately 160mm in diameter and approximately 130m in length will be required to connect to the existing municipal connection point in Melkhout Crescent, Croydon. The pipelines will not trigger any listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) in this regard.

Further, the Department of Water and Sanitation noted (in their comment dated 13 September 2021) their support of the technical requirements set by the City of Cape Town with respect to water and sanitation related aspects for the proposed development.

3.7. Visual impacts

Concerns raised by interested and affected parties regarding the potential visual impacts associated with the proposed development were noted during the public participation process. The BAR (dated 15 February 2022) indicated that in addition to development plans and architecture designs for the proposed development, the consideration of fake windows on the north-eastern side of the storage units, the use of trees for additional screening along the road and the colour of the doors for the storage units to fit into the surrounding estates. Visual mitigation measures for all phases of the proposed development have been included in the EMP.

3.8. Safety and Security

Safety and security concerns were raised by I&APs during the public participation process. The BAR (dated 15 February 2022) indicated that the developer has committed to the installation of access control, cameras, electrical fencing (which has already been installed), security services and a full-time guard. These mitigation measures 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 and the proposed Dust Management Plan to be submitted for approval 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;
- Loss of wetland habitat;
- Potential water pollution; and
- Potential dust and noise impacts during the construction phase.

Positive impacts include:

- The provision of storage facilities within the area;
- The creation of employment opportunities during the construction and operational phases of the proposed development;
- The formalisation of stormwater infrastructure; and
- Economic gain for the applicant and the region.

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 activities 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 activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

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