



REFERENCE: 16/3/3/1/A3/54/2033/19

ENQUIRIES: Natasha Bieding

DATE OF ISSUE:

2019 -09- 13

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED CLEARANCE OF INDIGENOUS VEGETATION ON THE REMAINDER OF PORTION 40 OF FARM NO. 794, THE REMAINDER OF PORTION 4 OF FARM NO. 791 AND FARM NO. 790, 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 Alternative 1, described in the Final Basic Assessment Report ("BAR"), dated 1 August 2019.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

City of Cape Town
c/o Andre Human
Private Bag X9181
CAPE TOWN
8000

Tel.: (021) 400 2366

Email: Andre.Human@capetown.gov.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Government Notice No. R. 985 of 4 December 2014 - Activity Number: 12</p> <p>Activity Description: <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <ol style="list-style-type: none"> i. Western Cape i. <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i> ii. <i>Within critical biodiversity areas identified in bioregional plans;</i> iii. <i>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas;</i> iv. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i> v. <i>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister".</i> 	<p>More than 300 square metres of Critically Endangered vegetation will be cleared as a result of the construction activities.</p>

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

The holder is herein authorised to undertake the following alternative that includes the listed activities relating to the development:

The upgrading of the existing Lower Main Drain (Lourens River Outfall) and Precinct 1 Outfall Drain comprising the following:

- The open drain invert will be widened to accommodate a hydraulic zone and an ecological zone;
- The invert level of the hydraulic zone will be raised to accommodate the higher flows and the lower flows will remain in the ecological zone to promote groundwater recharge and other ecological benefits
- The hydraulic zone will be concrete lined to ensure minimal overgrowth and maintain hydraulic capacity;
- Access along the drain will be improved through the introduction of a level 2m wide walkway on either side of the upgraded drains as indicated on the typical drain cross sections
- The ecological zone will accommodate the introduction of wetland plant species; and
- The embankments will be shaped to 1:4 slopes and landscaped with appropriate plant species as specified by the wetland and/or botanical specialist.
- Construction of a reinforced concrete outfall structure
- Installation of surge protection (duckbill) one way outlet valves at the outfall structure

- Construction of a rock revetment as protection works for outfall structure
- Removal of the following existing structures:
- Existing monitoring station building
- Existing guardhouse / toilet and soak away
- Existing Lourens River outlet pipes and headwall structure
- Existing concrete weir/spillway structure at the Wagenveldt Sluit.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on the Remainder of Portion 40 of Farm No. 794, the Remainder of Portion 4 of Farm No. 791 and Farm No. 790, Somerset West.

The abovementioned properties are located west of Coast Road, south of WR Quinan Boulevard, in Somerset West.

Coordinates for the abovementioned properties are as follows:

34° 05' 51.23" South	18° 48' 56.20" East
34° 05' 54.82" South	18° 48' 52.71" East
34° 05' 57.97" South	18° 48' 48.50" East

The SG digit code for the abovementioned properties are as follows:

C06700000000079400040
 C06700000000079100004
 C06700000000079000000

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

The abovementioned properties are hereinafter referred to as **"the site"**.

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

The Environmental Partnership
 c/o Kakale Munamati and Carmen du Toit
 P O Box 945
 Cape Town
 8000

Tel.: (021) 422 0999
 Fax: (021) 422 0998

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the Final BAR dated 1 August 2019 on the site as described in Section C above.
2. Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.
 This Environmental Authorisation is granted for–

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

Notification of authorisation and right to appeal

- 6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1 notify all registered Interested and Affected Parties of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulation, 2014 (as amended);
 - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
 - 6.4 provide the registered Interested and Affected Parties with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any;
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeals Regulations, 2014 (as amended).

Commencement

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

Written notice to the competent authority

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

Management of activity

10. The EMPr submitted, as dated April 2015 is hereby approved and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see these for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation.
The ECO must–
 - 14.1 be appointed prior to commencement of any land clearing or construction activities commencing;
 - 14.2 ensure compliance with the EMPr and the conditions contained herein; and
 - 14.3 keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO.

Environmental audit reports

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit at least two environmental audit reports to the relevant competent authority during the construction phase. The holder must submit one audit report three months after commencement of the construction phase and another audit report six months after completion of the construction period; and
 - 15.3 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.

16. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on-
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
 - 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 16.3 evaluate the effectiveness of the EMPr;
 - 16.4 identify shortcomings in the EMPr;
 - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 16.7 include a photographic record of the site applicable to the audit; and
 - 16.8 be informed by the ECO reports.
17. The holder must, within seven days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, in cases where the holder has the means to place the report on a publicly accessible website.

Specific conditions

18. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
19. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.
20. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
21. If the holder does not commence with the listed activity within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.

22. An application for amendment of the Environmental Authorisation must be submitted 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.
23. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, other than those mentioned above, must be made in accordance with Regulations 35 to 37 of GN No. R. 982 of 4 December 2014 (as amended) or any relevant legislation that may be applicable at the time.
24. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
25. The following mitigation measures adapted from the Botanical Assessment dated 17 April 2019 from Nick Helme of Nick Helme Botanical Surveys must be implemented:
 - 25.1. The footprint of the development must be kept to a minimum as far possible.
 - 25.2 All conservation-worthy plants located on the site must be searched for and rescued. The said plants must be translocated by a qualified horticulturist to a suitable receptor site. A letter of comment regarding the suitability of the receptor sites must be obtained from CapeNature and from the Environment and Heritage Management Branch of the City of Cape Town beforehand and be submitted to this Department for consideration.
 - 25.3. The topsoil that was removed during construction must be replaced after the construction period has ended and prior to rehabilitation taking place.
 - 25.4. Suitable locally occurring indigenous and slow growing plant species must be planted in the areas which were disturbed as result of the construction activities.

D. RECOMMENDATIONS

This Department has decided to include the following recommendations that should also be considered for implementation:

- **Recommendation 1:** The following measures adapted from the Final BAR dated 1 August 2019 must be implemented:
 - 1.1. A suitably qualified botanist should be appointed to oversee the activities relating to *inter alia*, the rehabilitation of the areas which were impacted negatively due to the use of haul roads during construction.
 - 1.2. A suitably qualified ecological specialists should be appointed to be on site when work is undertaken in sensitive areas as and when determined by the ECO.

E. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -

Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker, *i.e.*, the competent authority that issued the decision.

2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker, *i.e.*, the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

By e-mail: Marius.Venter@westerncape.gov.za

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel. (021) 483 2659, E-mail Marius.Venter@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

F. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR ZAahir TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 13/09/2019

Copied to: (1) Carmen du Toit (The Environmental Partnership)

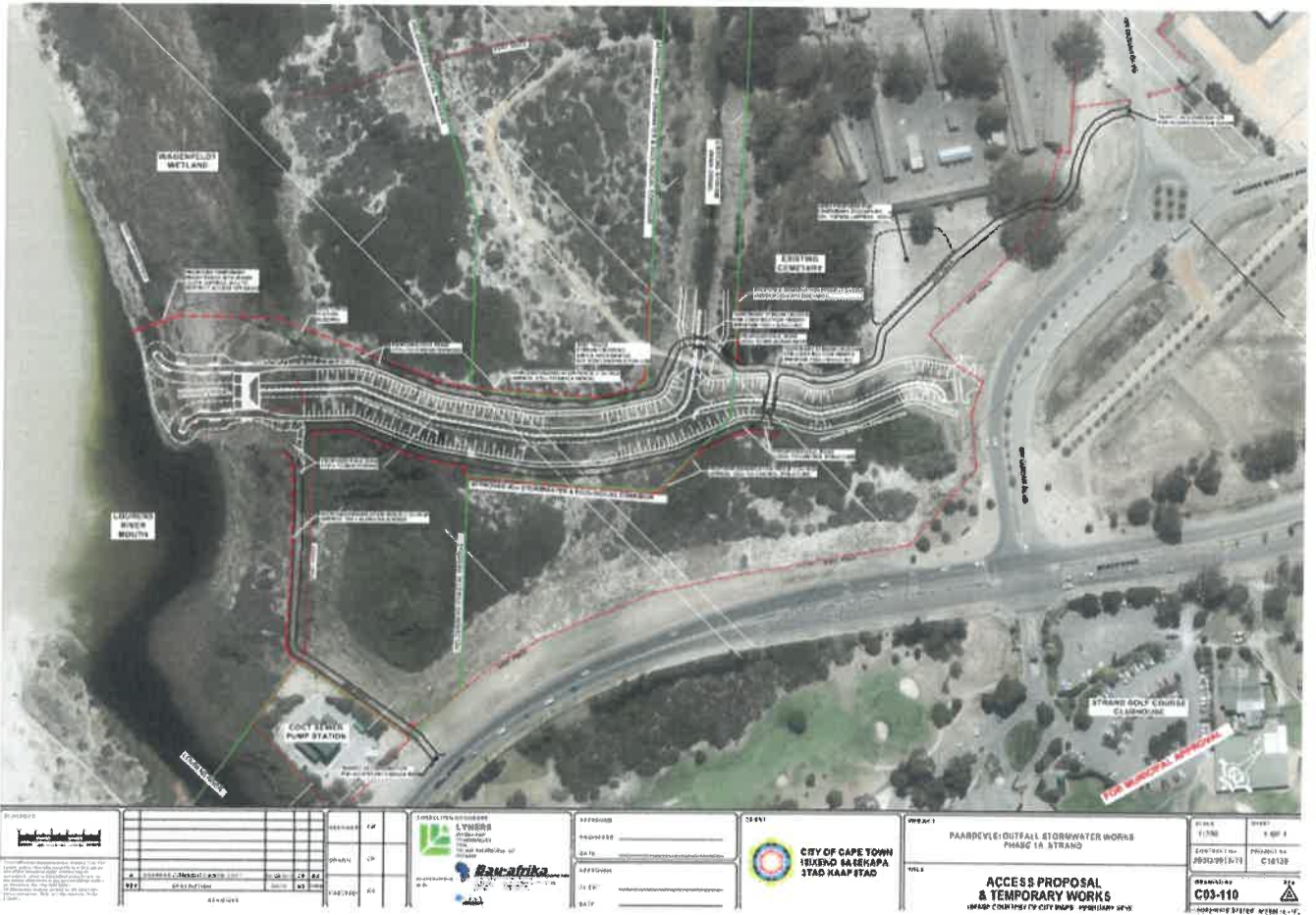
Fax: (021) 422 0998

ANNEXURE 1: LOCALITY MAP



Scale at A4:
1:18 000

ANNEXURE 2: SITE PLAN



<p>PROJECT</p> <p>PAARDEVELDE OUTFALL STORMWATER WORKS PHASE 1A STRAND</p>	<p>DATE</p> <p>15/03/2019</p>	<p>SCALE</p> <p>1:1000</p>	<p>PROJECT NO.</p> <p>C03-110</p>	<p>PROJECT NAME</p> <p>PAARDEVELDE OUTFALL STORMWATER WORKS PHASE 1A STRAND</p>	<p>PROJECT LOCATION</p> <p>PAARDEVELDE, CAPE TOWN</p>	<p>PROJECT OWNER</p> <p>CITY OF CAPE TOWN</p>	<p>PROJECT MANAGER</p> <p>...</p>	<p>PROJECT ENGINEER</p> <p>...</p>	<p>PROJECT SURVEYOR</p> <p>...</p>	<p>PROJECT DRAFTER</p> <p>...</p>	<p>PROJECT CHECKER</p> <p>...</p>	<p>PROJECT APPROVER</p> <p>...</p>	<p>PROJECT REVIEWER</p> <p>...</p>	<p>PROJECT DATE</p> <p>15/03/2019</p>	<p>PROJECT STATUS</p> <p>...</p>	<p>PROJECT SHEET NO.</p> <p>C03-110</p>	<p>PROJECT SHEET TOTAL</p> <p>...</p>	<p>PROJECT SHEET SCALE</p> <p>...</p>	<p>PROJECT SHEET DATE</p> <p>...</p>	<p>PROJECT SHEET BY</p> <p>...</p>	<p>PROJECT SHEET FOR</p> <p>...</p>	<p>PROJECT SHEET OF</p> <p>...</p>	<p>PROJECT SHEET NO.</p> <p>...</p>	<p>PROJECT SHEET TOTAL</p> <p>...</p>	<p>PROJECT SHEET SCALE</p> <p>...</p>	<p>PROJECT SHEET DATE</p> <p>...</p>	<p>PROJECT SHEET BY</p> <p>...</p>	<p>PROJECT SHEET FOR</p> <p>...</p>	<p>PROJECT SHEET OF</p> <p>...</p>

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated 31 May 2019, the EMPr submitted together with the BAR on 8 August 2019 and the additional information received on 5 September 2019;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA; and
- d) The comments received from Interested and Affected Parties and responses to these, included in the Final BAR dated 1 August 2019.

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 that were considered to be the most significant for the decision is set out below.

1. Public Participation

The Public Participation Process included:

- identification of and engagement with Interested and Affected Parties;
- fixing a notice board at the site where the listed activity are to be undertaken;
- 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 councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity;
- the placing of a newspaper advertisement in the "District Mail" on 13 June 2019;
- the placing of the BAR at the Somerset West Public Library as well as on the website: www.enviropart.co.za ;
- making the BAR and all relevant information available to Interested and Affected Parties for public review and comment.

This Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses made were included in the reports.

2. Alternatives

Alternative 1 (Preferred by the applicant and herewith authorised)

An Environmental Authorisation was issued by this Department on 27 November 2015 (Referenced: 16/3/1/1/A3/54/2045/12) to authorise the Integrated Stormwater and Ecological Management System. The current development proposal forms part of the said Integrated Stormwater and Ecological Management System project. As such, no other feasible alternatives exist, other than the preferred alternative to upgrade the existing Lower Main Drain (Lourens River Outfall), as follows -

The upgrading of the existing Lower Main Drain (Lourens River Outfall) and Precinct 1 Outfall Drain comprising the following:

- The open drain invert will be widened to accommodate a hydraulic zone and an ecological zone;
- The invert level of the hydraulic zone will be raised to accommodate the higher flows and the lower flows will remain in the ecological zone to promote groundwater recharge and other ecological benefits
- The hydraulic zone will be concrete lined to ensure minimal overgrowth and maintain hydraulic capacity;

- Access along the drain will be improved through the introduction of a level 2m wide walkway on either side of the upgraded drains as indicated on the typical drain cross sections
- The ecological zone will accommodate the introduction of wetland plant species; and
- The embankments will be shaped to 1:4 slopes and landscaped with appropriate plant species as specified by the wetland and/or botanical specialist.
- Construction of a reinforced concrete outfall structure
- Installation of surge protection (duckbill) one way outlet valves at the outfall structure
- Construction of a rock revetment as protection works for outfall structure
- Removal of the following existing structures:
 - Existing monitoring station building
 - Existing guardhouse / toilet and soak away
 - Existing Lourens River outlet pipes and headwall structure
 - Existing concrete weir/spillway structure at the Wagenveldt Sluit.

"No-Go" Alternative

The "no-go" alternative entails maintaining the "status quo", i.e. not upgrading the Lourens River Outfall and the associated infrastructure.

This alternative was rejected based on the following grounds:

- The municipal project for the adequate management of local stormwater will not be completed, meaning that the stormwater will not be adequately managed in the local area.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The management of stormwater on the site is inadequate, which will result in continued negative impacts on the existing wetland systems and the Lourens River. The Integrated Storm Water and Ecological Management Systems, which includes the proposed upgrade to the existing Lower Main Drain (Lourens River Outfall) is therefore required to ensure adequate stormwater management on the site.

3.2 Biophysical Impacts

Much of the vegetation on the site is considered to be transformed and modified as a result of past industrial and agricultural practices on the site. The removal of Cape Flats Dune Strandveld is located in the southern section of the site. According to the Botanical Assessment Report dated 17 April 2019, the removal of the natural vegetation will result in impacts of medium significance and therefore requires measures for mitigating such impacts. As such, the mitigations measures were included in the conditions of this authorisation (see condition 25).

Although aquatic-based activities will be undertaken as part of the implementation of the overall Integrated Stormwater and Ecological Management System, the associated impacts were already assessed and the activities authorised in terms of the Environmental Authorisation issued by this Department on 27 November 2015 (Referenced: 16/3/1/1/A3/54/2045/12) and the amended Environmental Authorisation issued by this Department on 3 June 2016 (Referenced: 16/3/3/5/A3/54/2022/16).

3.3 Visual / sense of place

During the construction period, construction activities will result in visual impacts. These will however be short-term and will be adequately managed by complying with the EMPr.

No visual impacts are envisaged during the operational phase, as the proposed upgrade to the existing Lower Main Drain (Lourens River Outfall) will tie in with the overall Integrated Stormwater and Ecological Management System.

3.4 Heritage

The development will not change the cultural landscape characteristics of the area, as the proposed upgrade to the existing Lower Main Drain (Lourens River Outfall) will tie in with the overall Integrated Stormwater and Ecological Management System. It is envisaged that no significant impacts on heritage resources within the immediate vicinity of the site will occur.

3.5 Socio-economic

The proposed development will have a positive impact on the surrounding socio-economic environment. This is due to the fact that the overall Integrated Stormwater and Ecological Management System will ensure that stormwater is adequately managed on the site. The overall Integrated Stormwater and Ecological Management System project will also generate local jobs during the construction phase.

4. 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.

Negative impact

The proposal will result in the clearance of more than 300m² of Cape Flats Dune Strandveld

Positive impact

The proposed development will ensure that adequate infrastructure is constructed and installed to manage stormwater in the local area.

5. 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.

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