



**EIA REFERENCE:** 16/3/3/1/A3/53/2016/22  
**NEAS REFERENCE:** WCP/EIA/0001065/2022  
**DATE OF ISSUE:** 1 DECEMBER 2022

The Trustees  
Daxcon Development Trust  
P. O. Box 3639  
**SOMERSET WEST**  
7129

**For Attention: Mr. Dax Hunt**

Tel.: (021) 855 1525  
E-mail: [dax@daxcon.co.za](mailto:dax@daxcon.co.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED): THE PROPOSED MIXED-USE DEVELOPMENT ON THE REMAINDER OF THE FARM NO. 845, SIR LOWRY’S PASS**

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 summarized in the Environmental Authorisation below.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully

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**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copied to: (1) Ms. Heloise Groenewald (GNEC)

E-mail: [hdp@gnec.co.za](mailto:hdp@gnec.co.za) /

(2) Ms. Azanne Van Wyk (City of Cape Town)

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## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED MIXED-USE DEVELOPMENT ON THE REMAINDER OF THE FARM NO. 845, SIR LOWRY'S PASS

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 Activity Alternative 1, described in the final Basic Assessment Report ("BAR"), dated 15 August 2022.

In terms of the NEMA and the EIA Regulations, 2014 (as amended), the Competent Authority hereby **adopts the Final River Maintenance Management Plan ("RMMP")**, dated 15 August 2022.

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

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

The Board of Trustees  
C/O Mr. Dax Hunt  
Daxcon Development Trust  
P. O. Box 3639  
**SOMERSET WEST**  
7129

Tel.: (021) 855 1525  
E-mail: [dax@daxcon.co.za](mailto:dax@daxcon.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 EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 12 Activity Description: “The development of—</p> <ul style="list-style-type: none"> <li>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</li> <li>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</li> </ul> <p>where such development occurs—</p> <ul style="list-style-type: none"> <li>(a) within a watercourse;</li> <li>(b) in front of a development setback; or</li> <li>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</li> </ul> <p>excluding—</p> <ul style="list-style-type: none"> <li>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</li> <li>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</li> <li>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</li> <li>(dd) where such development occurs within an urban area;</li> <li>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</li> <li>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.”</li> </ul>	<p>The proposed development and associated infrastructure will be undertaken within 32m of the Sir Lowry's Pass River.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 19 Activity Description: “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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p>	<p>More than 10 cubic metres of material will be moved from- and into the Sir Lowry's Pass Riverine area, as a result of the associated works, including construction activities.</p>

<p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."</p>	
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 27</p> <p>Activity Description:</p> <p>"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—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan."</p>	<p>The proposed development will result in the clearance of more than 1 hectare of indigenous vegetation.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 28</p> <p>Activity Description:</p> <p>"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:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes."</p>	<p>The proposed mixed-use development measuring approximately 38.4ha in size will be constructed on a site historically used for agricultural purposes.</p>
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 4</p> <p>Activity Description:</p> <p>"The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p><b>i. Western Cape</b></p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p>	<p>The proposed development entails the construction of roads wider than 4m on land containing indigenous vegetation outside an urban area.</p>

<p>ii. <i>Areas outside urban areas;</i>  (aa) <i>Areas containing indigenous vegetation;</i>  (bb) <i>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</i></p> <p>iii. <i>Inside urban areas:</i>  (aa) <i>Areas zoned for conservation use; or</i>  (bb) <i>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority."</i></p>	
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The abovementioned list is hereinafter referred to as "**the Listed Activities**".

The holder is herein authorised to undertake the following alternative that includes the Listed Activities relating to the proposed mixed-use development on the Remainder of the Farm No. 845, Sir Lowry's Pass, which comprises of the following:

- A public precinct with business and retail focus, measuring approximately 2.53ha in extent;
- A public precinct with community and social focus, measuring approximately 1.02ha in extent;
- A residential component, measuring approximately 19.19ha in extent, which encompasses the following:
  - Approximately 832 high density residential units within apartment blocks/town houses with a maximum height of four-storeys; and
  - Approximately 168 medium density residential units within apartment blocks/town houses with a maximum height of two-storeys.
- Shared facilities and amenities, measuring approximately 1.07ha in extent;
- Associated open space and landscaped areas, which includes all major tree lines/clumps, stormwater systems and recreational open space, measuring approximately 14.3ha in extent; and
- Associated internal roads, parking and road infrastructure upgrading.

Land parcels located on the eastern border, adjacent to Sir Lowry's Pass Village, are public parcels, which will be used for integration with the adjacent Sir Lowry's Pass Village to promote social and economic cohesion of the surrounding community.

The following areas will be demarcated and managed as "no-go" areas during the construction phase:

- The ecological buffer area set back approximately 20m from the edge of the Sir Lowry's Pass Riverbank or wetland edge (whichever is greater), with the exception of the period during which rehabilitation activities, erosion control measures, construction of a new gabion weir, and controlled installation of stormwater outlets are undertaken. The outer edge of the ecological buffer area will be demarcated with temporary fencing that includes a sediment trapping function (e.g., pegged or embedded shade cloth);

- As many as possible existing invasive mature trees on the southern side of Knorhoek Road will be retained;
- The existing invasive mature trees on the northern side of Knorhoek Road that will be retained for approximately 8m from the said road.
- The mature trees located within the approximately 10m wide buffer area that will be retained along the Tre Donne Estate boundary; and
- The cluster of stone pine trees located in the southern portion of the ecological buffer area.

An approximately 2m wide compacted soil pedestrian pathway will be constructed within the buffer area, close to the top of the Sir Lowry's Pass Riverbank. A portion of the infilled floodplain will be rehabilitated to allow for the re-establishment of the *Pennisetum macrourum* wetland.

Separate access points off Knorhoek Road will provide access to the various precincts. Access to the residential precincts will be security controlled.

The total development footprint amounts to approximately 38.4ha in extent.

### C. SITE DESCRIPTION AND LOCATION

The Listed Activities will be undertaken on the Remainder of the Farm No. 845, Sir Lowry's Pass, which is bordered to the north-west by the Sir Lowry's Pass River, towards the south-east by Tre Donne Estate and in the south-west by Sir Lowry's Pass Village.

The SG 21-digit code is given below:

The Remainder of the Farm No. 845, Sir Lowry's Pass	C0670000000084500000
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The co-ordinates of the site are given below:

Site	Latitude (S)	Longitude (E)
The Remainder of the Farm No. 845, Sir Lowry's Pass	34° 06' 52.49" South	18° 55' 04.53" East

Refer to **Annexure 1**: Locality Maps. Refer to **Annexure 2**: The Site Plan

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants ("GNEC")  
 C/O Ms. Heloise Groenewald / Ms. Carina Becker  
 P. O. Box 2632

**PAARL**  
 7620

Tel.: (021) 870 1874

E-mail: [guillaume@gnec.co.za](mailto:guillaume@gnec.co.za) / [hdp@gnec.co.za](mailto:hdp@gnec.co.za) / [carina@gnec.co.za](mailto:carina@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.
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.
  - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised Listed Activities, during which period the authorised Listed Activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing 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 approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, 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 written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 12

### Notification of Environmental Authorisation 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 decision reached on the application;
    - 6.1.2. the reasons for the decision as included in Annexure 4;
    - 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 G below;
- 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
- 6.4. provide the registered I&APs with the:
  - 6.4.1. 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, of the holder; and
  - 6.4.6. 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 Appeals Regulations, 2014 (as amended).

### **Commencement**

7. The Listed Activities, including any preparation of the site, must not be commenced with within twenty (20) calendar days from the date the holder notifies the registered I&APs of this decision.
8. 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.

### **Management of Activity**

9. The draft Environmental Management Programme ("EMPr") (dated 15 August 2022), submitted as part of the final BAR, is hereby approved and must be implemented.
10. The RMMP (dated 15 August 2022) adopted as part of this Environmental Authorisation must be implemented.
11. The Environmental Authorisation, EMPr and RMMP must be included in all contract documentation for all phases of implementation.

### **Monitoring**

12. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the Listed Activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein. The ECO must submit ECO reports on a quarterly basis for the duration of the construction phase.
13. A copy of the Environmental Authorisation, EMPr, RMMP, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office during the construction phase and thereafter the said documents must be kept at the office of the holder and must be made available to any authorised official of the Competent Authority on request.
14. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.



## Auditing

15. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, and the provisions of the EMPr and RMMP. Environmental audit reports must be compiled and submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
16. The environmental audit reports must be compiled and subsequently submitted to the Competent Authority in the following manner:
  - 16.1. An environmental audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction phase;
  - 16.2. The holder of this environmental authorisation must submit an environmental audit report every **five (5) years** whilst this environmental authorisation remains valid; and
  - 16.3. A final audit report must be submitted within **three (3) months** of the proposed development being completed.
17. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.
18. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request and, where the holder has such a facility, place on a publicly accessible website.

## Specific Conditions

19. Should any heritage remains be exposed during excavations or any other actions along the site, this must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.
20. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
21. The following areas must be demarcated and managed as "no-go" areas during the construction phase:
  - 21.1. The ecological buffer area set back approximately 20m from the edge of the Sir Lowry's Pass Riverbank or wetland edge (whichever is greater), with the exception of the period during which rehabilitation activities and controlled installation of stormwater outlets are undertaken. The outer edge of the

ecological buffer area must be demarcated with temporary fencing that includes a sediment trapping function (e.g., pegged or embedded shade cloth);

- 21.2. As many as possible of the existing invasive mature trees on the southern side of Knorhoek Road to be retained;
- 21.3. The existing invasive mature trees on the northern side of Knorhoek Road that will be retained for approximately 8m from the said road;
- 21.4. The mature trees located within the 10m wide buffer area that will be retained along the Tre Donne Estate boundary; and
- 21.5. The cluster of stone pine trees located in the southern portion of the ecological buffer area.

## **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 any Condition of this Environmental Authorisation, or the provisions of the EMPr and RMMP may render the holder liable for 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. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
4. 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.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be as follows:

Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (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 twenty (20) 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 twenty (20) 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 twenty (20) 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)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority at the address listed above and/or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).
5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel.: (021) 483 3721, E-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL: <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his 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 greatly appreciated.

Yours faithfully

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**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

**DATE OF DECISION: 1 DECEMBER 2022**

Copied to: (1) Ms. Heloise Groenewald (GNEC)

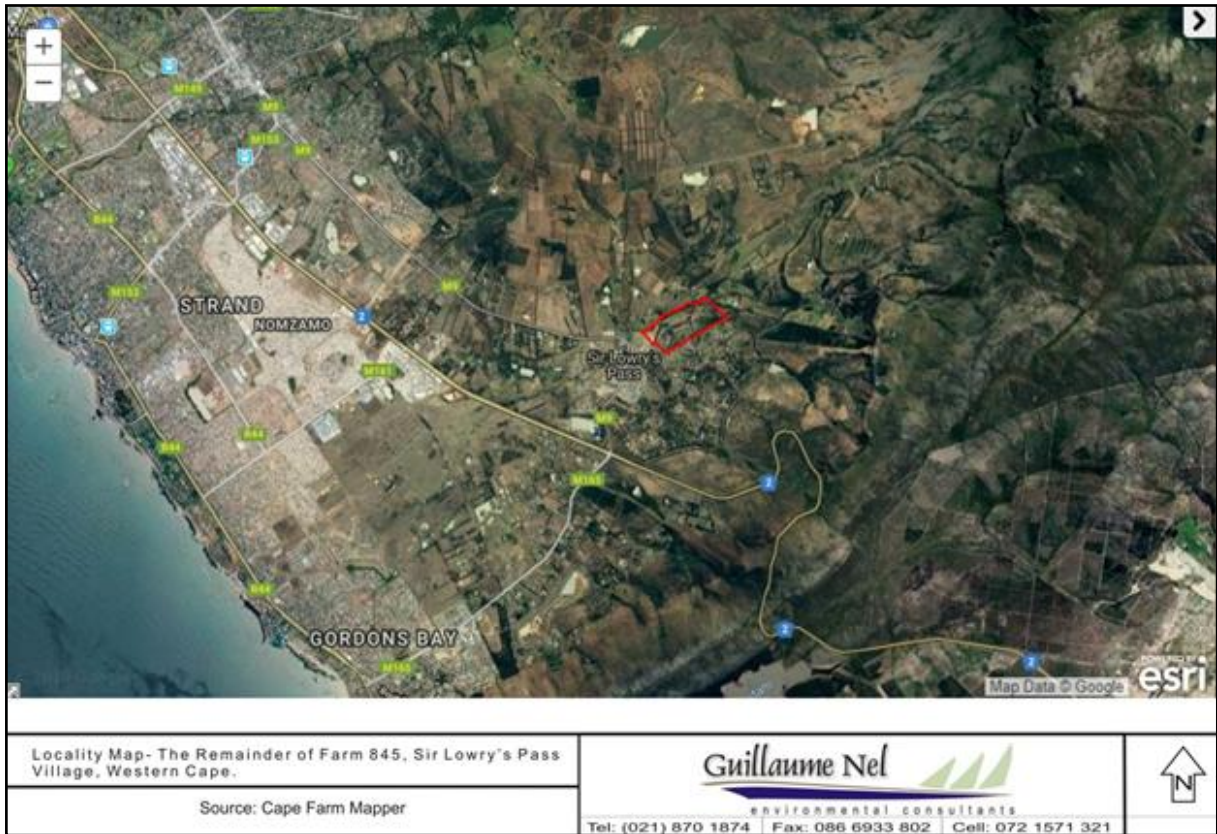
E-mail: [Hdp@gnec.co.za](mailto:Hdp@gnec.co.za) /

(2) Ms. Azanne Van Wyk (City of Cape Town)

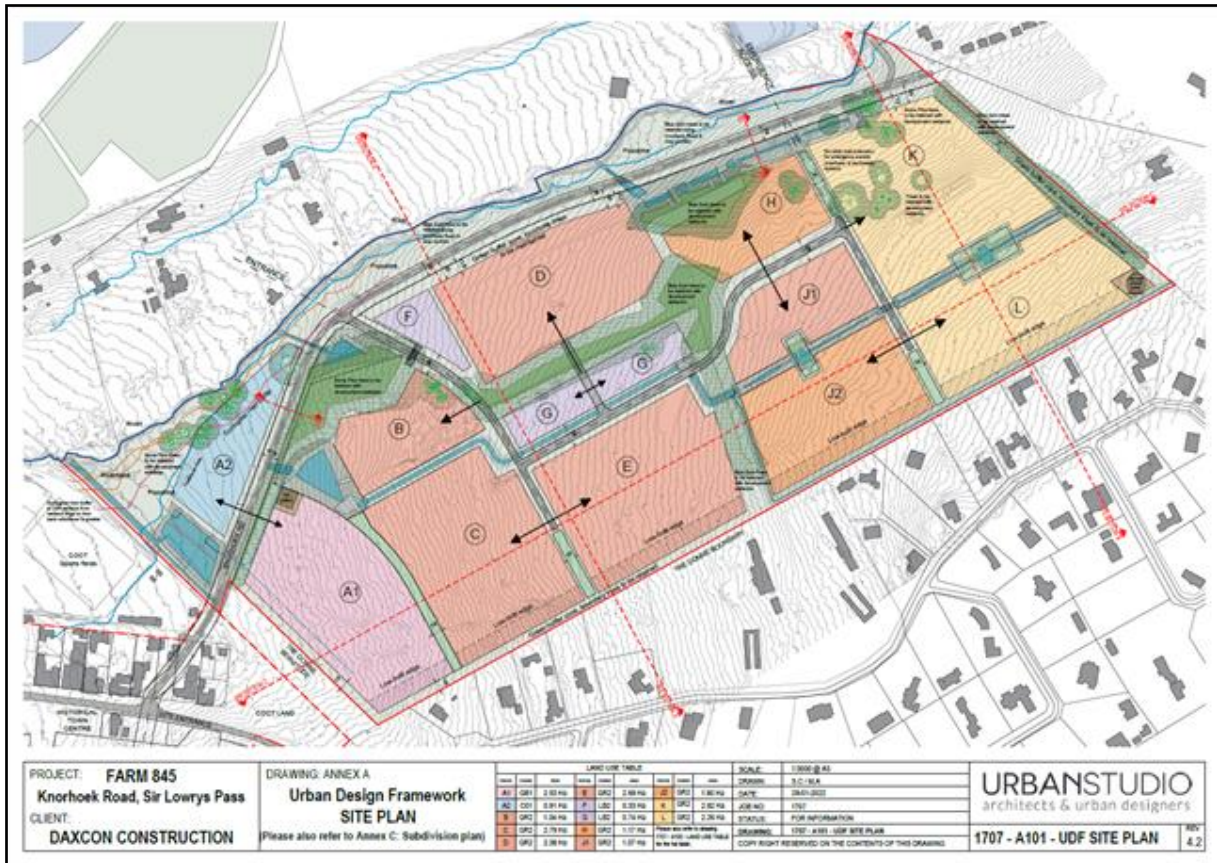
[Guillaume@gnec.co.za](mailto:Guillaume@gnec.co.za) / [Carina@gnec.co.za](mailto:Carina@gnec.co.za)

E-mail: [Azanne.VanWyk@capetown.gov.za](mailto:Azanne.VanWyk@capetown.gov.za)

**ANNEXURE 1: LOCALITY MAPS**



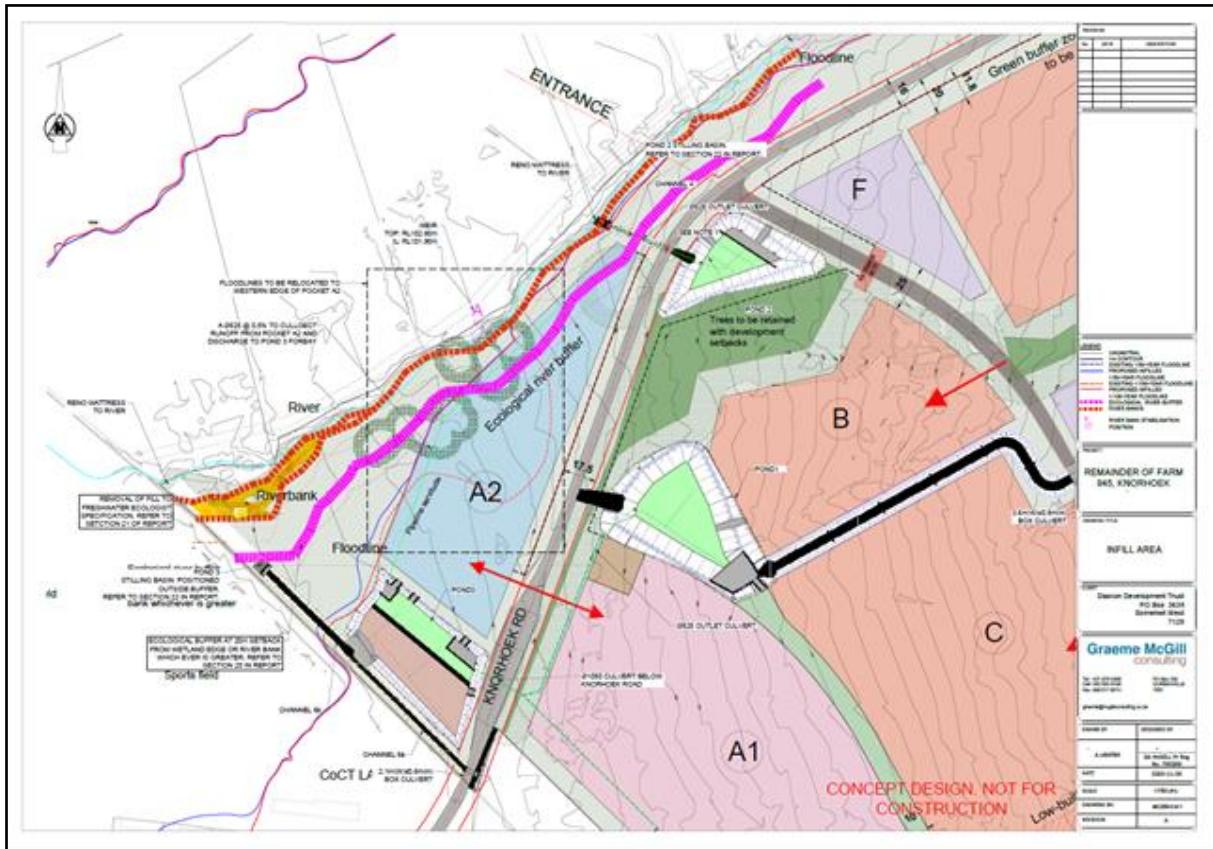
**ANNEXURE 2: THE SITE PLAN**



FARM 845						
Key	Parcel	Parcel area	Zoning	Proposed land use	Units	Description
	A1	2.53 Ha	GB1	Public precinct with General Business 1 zoning	8000m <sup>2</sup> GLA	Public precinct with business & retail focus, and limited residential above. Accessible to the residential estate & the surrounding community
	A2	0.91 Ha	CO1	Public precinct with Community 1 zoning	3200m <sup>2</sup> GLA	Public precinct with community & social focus, accessible to the residential estate & the surrounding community
	B	1.04 Ha	GR2	Residential @ 65 du/ha	60	Apartments at 3-4 storeys
	C	2.79 Ha	GR2	Residential @ 65 du/ha	156	Apartments at 3-4 storeys 2 storeys along Tee-Donne boundary
	D	2.38 Ha	GR2	Residential @ 65 du/ha	176	Apartments at 3-4 storeys
	E	2.69 Ha	GR2	Residential @ 65 du/ha	180	Apartments at 3-4 storeys 2 storeys along Tee-Donne boundary
	F	0.33 Ha	LB2	Shared entrance facilities for res. estate	500m <sup>2</sup> GLA	Entrance component, security component & HOA offices for residential development
	G	0.74Ha	LB2	Shared amenities for residential estate	1000m <sup>2</sup> GLA	Clubhouse, gym, daycare & open space for the residential development
	H	1.17 Ha	GR2	Residential @ 50 du/ha	70	Apartments at 2-3 storeys
	J1	1.07 Ha	GR2	Residential @ 65 du/ha	96	Apartments at 3 storeys
	J2	1.90 Ha	GR2	Residential @ 50 du/ha	94	Apartments at 2-3 storeys 2 storeys along Tee-Donne boundary
	K	2.82 Ha	GR2	Residential @ 40 du/ha	92	Town houses at 2 storeys
	L	2.26 Ha	GR2	Residential @ 40 du/ha	76	Town houses at 2 storeys
TOTAL SITE AREA					38.4 Ha	100%
ROAD SYSTEM (Including Knorhoek Rd)					1.36 Ha	3.5%
GREEN SPACE (Including SW)					14.3 Ha	37.2%
TOTAL PUBLIC PRECINCT PARCEL AREA					3.55 Ha	9.2%
- Parcel A1					2.53 Ha	8000m <sup>2</sup> proposed GLA
- Parcel A2					1.02 Ha	3200m <sup>2</sup> proposed GLA (4368m <sup>2</sup> total allowable floor space)
TOTAL RESIDENTIAL PARCEL AREA					19.19 Ha	50.0%
- Entrance facilities					0.33Ha	500m <sup>2</sup> proposed GLA (entrance gatehouse, security, offices)
- Shared amenities					0.74Ha	1000m <sup>2</sup> proposed GLA (clubhouse, gym, daycare)
- Residential area					18.12 Ha	
TOTAL NUMBER OF UNITS					<b>1000 units on a site of 38.4 ha = 26.0 du/ha (gross density)</b>	

**URBANSTUDIO**  
 architects & urban design  
**1707 - A102 - LAND USE TABL**

**ANNEXURE 3: BUFFER AREA**



## ANNEXURE 4: 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 16 March 2022), the EMPr (dated 15 August 2022), the RMMP (dated 15 August 2022), submitted together with the final BAR dated 15 August 2022;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the final BAR;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) A site visit was conducted by officials of the Department, including the Competent Authority, and Mr. Guillaume Nel and Ms. Heloise Groenewald of Guillaume Nel Environmental Consultants (Pty) Ltd on 22 November 2022.

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 ("PPP") included:

- Identification of and engagement with I&APs;
- Notification letters were sent via email and/or by registered post to landowners, relevant commenting authorities and stakeholders on 28 November 2019;
- The placing of a newspaper advertisement in the "Distrikspost" Newspaper on 28 November 2019;
- Fixing two (2) notices on site on 28 November 2019;
- Background Information Documents were hand delivered on 28 November 2019;
- A hard and softcopy of the draft BAR was placed in the Sir Lowry's Pass Public Library on 28 November 2019;
- Making the first draft BAR available to I&APs for comment from 28 November 2019 to 24 January 2020;
- Hard and soft copies of the report was hand delivered to relevant commenting authorities and stakeholders on 28 November 2019;
- A second draft BAR was made available to I&APs for comment from 13 October 2020 to 13 November 2020;
- A third draft BAR was made available to I&APs for comment from 13 July 2021 to 13 August 2021;
- A fourth draft BAR was made available to I&APs for comment from 28 April 2022 to 31 May 2022;
- A public meeting was held on 24 June 2022 with the relevant I&APs;
- A fifth draft BAR was made available to I&APs for comment from 11 July 2022 to 11 August 2022;
- Copies of all the draft BARs were made available on GNEC's website ([www.gnec.co.za](http://www.gnec.co.za)); and
- Giving written notice to I&APs, regarding the submission of the final BAR to the Competent Authority for decision-making.

The PPP conducted underwent an extensive process in order to adequately respond to the comments received during the pre-application and formal EIA application processes.

The Department is satisfied that the PPP that was followed met the minimum legal requirements. All the comments raised, and responses thereto were included in the comments and responses report.



Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMP to adequately address any significant concerns raised.

## 2. Alternatives

### Activity Alternative 1 (Preferred Alternative and Herewith Authorised)

The preferred activity alternative 1 entails the proposed mixed-use development on the Remainder of the Farm No. 845, Sir Lowry's Pass, which comprises of the following:

- A public precinct with business and retail focus, measuring approximately 2.53ha in extent;
- A public precinct with community and social focus, measuring approximately 1.02ha in extent;
- A residential component, measuring approximately 19.19ha in extent, which encompasses the following:
  - Approximately 832 high density residential units within apartment blocks/town houses with a maximum height of four-storeys; and
  - Approximately 168 medium density residential units within apartment blocks/town houses with a maximum height of two-storeys.
- Shared facilities and amenities, measuring approximately 1.07ha in extent;
- Associated open space and landscaped areas, which includes all major tree lines/clumps, stormwater systems and recreational open space, measuring approximately 14.3ha in extent; and
- Associated internal roads, parking and road infrastructure upgrading.

Land parcels located on the eastern border, adjacent to Sir Lowry's Pass Village, are public parcels, which will be used for integration with the adjacent Sir Lowry's Pass Village to promote social and economic cohesion of the surrounding community.

The following areas will be demarcated and managed as "no-go" areas during the construction phase:

- The ecological buffer area set back approximately 20m from the edge of the Sir Lowry's Pass Riverbank or wetland edge (whichever is greater), with the exception of the period during which rehabilitation activities, erosion control measures, construction of a new gabion weir, and controlled installation of stormwater outlets are undertaken. The outer edge of the ecological buffer area will be demarcated with temporary fencing that includes a sediment trapping function (e.g., pegged or embedded shade cloth);
- As many as possible of the existing invasive mature trees on the southern side of Knorhoek Road will be retained;
- The existing invasive mature trees on the northern side of Knorhoek Road that will be retained for approximately 8m from the said road.
- The mature trees located within the approximately 10m wide buffer area that will be retained along the Tre Donne Estate boundary; and
- The cluster of stone pine trees located in the southern portion of the ecological buffer area.

An approximately 2m wide compacted soil pedestrian pathway will be constructed within the buffer area, close to the top of the Sir Lowry's Pass Riverbank. A portion of the infilled floodplain will be rehabilitated to allow for the re-establishment of the *Pennisetum macrourum* wetland.

Separate access points off Knorhoek Road will provide access to the various precincts. Access to the residential precincts will be security controlled.

The total development footprint amounts to approximately 38.4ha in extent.

#### Activity Alternative 2 (Rejected by the Applicant)

Activity Alternative 2 entails the construction of a residential development. This alternative was rejected, as the site is ideally located for a mixed-use development, which will result in more positive socio-economic benefits to the local area. The development of the site only for residential purposes was therefore rejected and not further assessed.

#### Design or Layout Alternative A (Rejected by the Applicant)

Design or Layout Alternative A entails the physical development of approximately 32.23ha of the site, comprising:

- Approximately 1266 Apartment units;
- Approximately 108 social housing units; and
- Approximately 217 Town houses.

Design or Layout Alternative A was rejected, as developing the site only for residential purposes will not maximise the potential of the site in terms of the socio-economic benefits and opportunities for the surrounding community.

#### Design or Layout Alternative B (Rejected by the Applicant)

Design or Layout Alternative B entails the physical development of approximately 32.23ha of the site, comprising:

- Approximately 1264 apartment units;
- Approximately 108 social housing units; and
- Approximately 252 town houses.

Similarly, to Design or Layout Alternative A, Design or Layout Alternative B was rejected, as developing the site only for residential purposes will not maximise the potential of the site in terms of the socio-economic benefits and opportunities for the surrounding community.

#### Technology Alternative (Rejected by the Applicant)

The Technology Alternative entails the use of solar energy to augment electricity (as supplied by Eskom) for the proposed development. The use of solar energy was considered, but was found unfeasible and therefore rejected based on the following reasons:

- The installation of solar power and solar powered geysers are not yet cost effective;
- The proposed development will become unfeasible due to the high cost of solar energy;
- Solar energy will be unpractical, as some of the buildings will consist of three-storey apartment blocks;
- Photovoltaic panels will result in a more significant negative visual impact;
- The proposed development will have limited space on the roof to accommodate solar panels;
- Solar energy will be generated during the day when the demand is low, which means that energy that is generated is wasted; and
- Excess energy generated during the day cannot be fed back into the network, as prepaid meters will largely be installed.

### No-go Alternative (Rejected by the Applicant)

The 'No-Go' Alternative of not proceeding with the proposed mixed-use development on the Remainder of the Farm No. 845, Sir Lowry's Pass was considered. The 'No-Go' Alternative was found to be undesirable and not preferred, since none of the socio-economic benefits associated with the proposed mixed-use development will materialise, the site was found to be more suited for mixed-use development, and the site is transformed and no longer suitable for agricultural/ cultivation purposes.

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

### 3.1 Need and Desirability

The site is zoned Agriculture. The relevant land-use planning applications have been undertaken in order to permit the proposed development on the proposed site.

In terms of the Municipal Spatial Development Framework (2018), the site falls within Incremental Growth and Consolidation Area and Critical Natural Assets. It is indicated in correspondence from the City of Cape Town: Urban Planning and Design Department (dated 24 February 2021), that the development of the site for mixed-use is not opposed in principle.

According to the Social Impact Assessment Report (dated July 2022), the proposed development is not only considered as a catalytic project for Sir Lowry's Pass Village from an investment perspective but will maximise socio-economic change in a community that requires upliftment, social cohesion and opportunity. Furthermore, since the proposed development also focuses on the middle-income segments of the market, it responds to problems related to unaffordability of homeownership and rental levels.

The said benefits for the local community couple with the fact that the proposed development will be undertaken on a site that is not environmentally sensitive and would otherwise be left lying fallow, demonstrates that the proposed development is desirable.

### 3.2 Aquatic Impacts

The Sir Lowry's Pass River and its associated marginal wetlands are the only aquatic ecosystems of any significance on the site. The Sir Lowry's Pass River, which is of 'Moderate Ecological Importance' and 'High Ecological Sensitivity' is located along the northern boundary of the site. Besides the Sir Lowry's Pass River, unnatural channels are located towards the lower lying south-western slope of the site.

The following aquatic related impacts are expected during various phases of the proposed development:

During the design and layout phase, the impacts include changes in hydrology (as a result of changes in floodplain capacity), permanent loss of opportunity to reinstate the Pennisetum macroum wetlands, changes in flow into wetlands (as a result of stormwater diversion) and riverine degradation (as a result of stormwater infrastructure). Hence, the overall mitigation measures, as included in the approved EMP, includes the reshaping and rehabilitation of the affected on-site wetlands, specific stormwater design, and the rehabilitation and repairing of existing erosion impacts measures that must be implemented.

During the construction phase, the impacts include disturbance to the wetland adjacent to the proposed site, pollution of the river, floodplain and buffer area, compaction, trampling and other disturbance and riverbank and bed erosion (as a result of unmanaged drainage). The mitigation measures, as per the approved EMP, includes the

methodology for constructing the berms, adequate stormwater management and rehabilitation of the site to its pre-construction condition.

During the operational phase, the impacts include river and wetland degradation, as contributed to the increased human pressure and associated activities resulting from the proposed development and its associated activities on the proposed site. The relevant mitigation measures, as per the approved EMP, focuses on the need for ongoing maintenance and rehabilitation of the site, whilst the implementation of buffer and ecologic setback of approximately 20m measuring from the edge of the Sir Lowry's Pass Riverbank will help to avoid directly impacting the said River. At the same time, the detailed rehabilitation is expected to contribute towards improving the overall ecological functioning of the aquatic elements on the site.

In addition, stormwater management options will include suitable measures to control the velocity of stormwater runoff and thereby limit the impacts of erosion.

The correspondence from the National Department of Water and Sanitation (dated 14 March 2022), indicated that the proposed water uses fall within the ambit of a General Authorisation and that water uses are permissible and may be continued with.

### 3.3 Botanical Impacts

The Botanical Assessment Report (dated May 2018), states that the subject property is precisely the type of site that should be targeted for development, as opposed to the development of other sites where there is a chance of restoration or where there is some remnant vegetation of conservation value. The development of the proposed site from a botanical perspective was therefore supported without reservation in terms of the said specialist study.

The botanical specialist professional further confirmed in their correspondence (dated 6 May 2020), that the site remains completely transformed and the natural vegetation that would have originally occurred on the site has been lost through the site's conversion to agricultural uses. This was similarly highlighted in the Site Sensitivity Verification Report (dated 25 April 2022). These conclusions were accordingly accepted by CapeNature in the correspondence (dated 13 August 2021).

The site is therefore deemed to be of very low botanical sensitivity, severely disturbed and poorly connected to other areas of undisturbed natural vegetation. The proposed development would therefore have a very low to negligible botanical impact.

### 3.4 Agricultural Impacts

The proposed site is vacant and has been historically subjected to agricultural activities. The property is, however, no longer used for such purpose. According to the Soil Survey Report (dated October 2017), the site has certain soil properties, which may affect infiltration, root development, and nutrient and water uptake. These include low clay content in the upper profile, dense subsoil clay layers and wetness that occur mostly as perched water tables. As such, the site largely has low to marginal soil suitability for the commercial production of irrigated perennial crop.

Additionally, the Western Cape Government: Agriculture in their correspondence (dated 9 April 2021), indicated that they have no objection to the proposed change of land use from an agricultural perspective.

### 3.5 Heritage Impacts

It is not expected that the proposed development will have significant impacts on heritage resources, as the site has been historically used for cultivation/agricultural purposes and therefore altered from its natural state. Heritage Western Cape confirmed

in their correspondence (dated 13 November 2020), that the proposed mixed-use development will not impact on any heritage resources.

### 3.6 Traffic Impacts

According to the Traffic Impact Study Report (dated 24 October 2019), the proposed development has the potential to generate 1 046 AM peak hour trips (346 in, 700 out) and 1 721 PM peak hour trips (1 020 in, 701 out). Certain road upgrades in the local area were considered necessary to accommodate the proposed development from a traffic perspective. These upgrades which includes, *inter alia*, the construction of roundabouts, public transport embayments and the reconstruction of a portion of Knorhoek Road, are included in the approved EMP that must be implemented. Separate access points off Knorhoek Road will provide access to the various precincts.

Based on the existing use of public transport in the area, it is anticipated that a large percentage of the residents will make use of public transport. Non-Motorised Transport ("NMT") is a prevalent mode of transport in the area. The use of NMT may further help to mitigate the impact associated with the increased traffic to be generated by the proposed development.

The Western Cape Government: Transport and Public Works in their correspondences (dated 11 December 2019 and 22 October 2020), confirmed that they have no objection to the proposed mixed-use development. The City of Cape Town (Directorate: Transport) indicated in the correspondences (dated 27 January 2020, 14 July 2020, 8 March 2021 and 12 August 2022), that the measures identified in the Traffic Impact Study satisfactorily addresses improvements to the road network in order to sustain the proposed development.

### 3.7 Visual Impacts/Sense of Place

The site is surrounded by residential development to the south and west. More specifically, the existing Tre Donne residential development is located to the immediate south with the Sir Lowry's Pass Village itself located to the south of the site. Properties located to the north and east of the site are utilised for agricultural, small holdings and for recreational purposes, while a social housing development consisting of approximately 308 Erven is being constructed to the south of the site.

The surrounding area has a moderate to strong sense of place. Although the surrounding cultural landscape and scenic environment can be described as having a distinctive sense of place and a medium to high scenic, cultural, historical significance, the character of the immediate surroundings can be considered to be diminished.

Much of the site is vacant, except for a residential house, fire damaged existing buildings, a brick dam and tree avenues. The proposed development will have no effect on the local hills and outcrops. Additionally, development has not been proposed on land steeper than 1:4, on an exposed slope or on the upper mountain slope. The features of the receiving environment (topography, vegetation and built environment) significantly reduce visibility of the overall development. Most sensitive viewers are located within 1.5km of the site, however the proposed development will not be visible from views located further than 2.5km of the site.

According to the Visual Impact Assessment Report (dated February 2022), the proposed development is moderately appropriate, as it partially fits into the surroundings in terms of land use, sense of place and overall landscape/townscape character. The visual impact anticipated is moderate overall, with aspects of high visual impact, and aspects of low visual impact. Essential mitigation measures will be implemented to mitigate the negative visual impacts. Most notably, the existing trees on the proposed site are important elements that create a distinctive sense of place and will therefore be retained to serve the function as a windbreak and to provide visual absorption. Additionally, green spaces

will be provided to act as screening buffers. A low built edge and 10m buffer area will specifically be retained along the Tre Donne Estate boundary and within the 10m buffer area trees will be planted to ensure that the proposed development has minimum impact on the adjacent estate.

Development/Design Guidelines and landscaping measures will be implemented to ensure that the proposed development does not have any negative visual impacts on the surrounding environment and that the proposed development ties in aesthetically with the surrounding environment. The said Guidelines and landscaping measures specifically focuses on edge treatments, appropriate screening and methods to maintain the visual permeability and visual connections, whilst respecting the rural character of the local area. The approved EMPr contains the relevant measures, including the implementation of the said Landscaping Framework Plan and Development/Design Guidelines necessary to mitigate any negative visual impact. This will ensure that the proposed development is visually compatible with the surrounding context.

### 3.8 Noise Impacts

Existing residential properties surrounding the site were identified as potential noise sensitive receptors.

During the construction phase, standard best practice, as included in the approved EMPr, will be adhered to in order to adequately mitigate the noise impacts. This will ensure that noise impacts during the construction phase are of low negative significance.

During the operational phase, the proposed development would be typical to that of urban suburbs. According to the Noise Impact Assessment Report (dated 31 July 2020), read together with the revised Noise Impact Assessment Report (dated 24 August 2020), the potential noise impacts beyond the proposed development boundaries, including the Tre Donne Estate to the southeast and the farmland northwest of the proposed development, is anticipated to be of very low significance. A noise barrier in close proximity to the western side of Knorhoek Road was proposed to mitigate noise impacts emanating from an increased road traffic volumes on Knorhoek Road leading up to the proposed residential access and the noise impacts on residential buildings on properties situated to the northwest of the proposed site. The construction of the said noise barrier was deemed to be unfeasible, as the noise barrier would:

- Not be aesthetically pleasing in the context of the site;
- Create major safety concerns;
- Require land that could otherwise be better utilised for other purposes associated with the proposed development;
- Be inconsistent with the relevant urban design principles;
- Obscure the view of surrounding properties; and
- Be located within the ecological buffer zone, which will have adverse impacts on the receiving environment.

It was therefore motivated during the Basic Assessment Application process that the newly constructed roundabouts will act as traffic calming and road noise reducing measures that will help to mitigate the noise levels generated by the increased road traffic during the operational phase of the proposed development.

### 3.9 Infrastructure and Services

According to the correspondence from Eskom (dated 17 March 2021), sufficient capacity is available to supply electricity to the proposed development.

In terms of bulk water supply, the proposed water pipelines will have a maximum diameter of 250mm. The specific bulk infrastructure to be installed/constructed includes:

- An approximate 1.07ml concrete reservoir;
- A booster pump station to feed water to the reservoir; and
- Bulk conveyance pipework to feed/provide water and meet firefighting requirements.

In terms of sewerage, a gravity fed waterborne conventional sewage reticulation, which includes sewer pipelines with an approximate diameter of 150mm will collect and convey effluent from the proposed development will be constructed. The main sewage outflow will connect to the internal sewage reticulation of Sir Lowry's Pass Village. The existing 160mm diameter sewage pipeline will be upgraded to an approximately 200mm diameter sewage pipeline by means of pipecracking. The proposed development will in its entirety link to the municipal sewage network.

According to the correspondence from the City of Cape Town: Water and Waste: Water and Sanitation (dated 12 August 2022), the bulk system has sufficient water resource, treatment and bulk storage capacity to supply the estimated annual average daily demand of the proposed development. It was further confirmed that given the phased approach of the proposed development, the upgrade of the Macassar Waste Water Treatment Works will make capacity available as and when required by the proposed development.

According to the correspondence from the City of Cape Town: Water and Waste: Solid Waste Management (dated 4 August 2022), capacity exist for waste collection during construction and operational phases of the proposed development.

Three dry attenuation ponds with biological filtration beds and eight enhanced dry swales will be constructed in order to provide the required attenuation functions on the proposed site. The detailed on-site stormwater management requirements will be included in an approved stormwater management plan. According to the correspondence from the City of Cape Town: Catchment, Stormwater & River Management (dated 4 August 2022), the proposed development is supported.

### 3.10 Socio-economic Impacts

With the nature of the proposed development comprising mixed-uses, such as retail and residential, the local Sir Lowry's Pass Village area are set to benefit from the proposed development. Some of the benefits include the provision of employment opportunities, retail and amenities that will be made available to the broader community. The latter may also act as a catalyst for integrating the community in the broader and immediate area of Sir Lowry's Pass.

The Social Impact Assessment Report (dated July 2022) determined that the proposed development could sustain a substantive number of annual job opportunities with the potential increase over time. Further indirect positive spinoffs of the proposed development include the stimulation of local economic activity through increased earnings and economic output in the area, increase in consumer demand brought on by the earnings of the new construction and transit workers and the procurement of local goods and services. From an economic stimulus perspective, the proposed development is envisaged to make a sizable socio-economic contribution in an area that needs upliftment and community building.

The development proposal will result in both negative and positive impacts.

Negative Impacts include:

- Some loss of indigenous vegetation;
- Increased noise and dust levels during the construction phase; and
- Increased traffic levels/volumes in the area.

Positive Impacts include:

- Creation of employment opportunities during the construction and operational phases;
- Provision of retail and community amenities;
- Reinforcing the support for public transport initiatives;
- Rehabilitation of the aquatic elements and features of the site with the implementation of a RMMP;
- Provision of residential opportunities within the middle-income market; and
- An upgraded safer environment and more socially cohesive surrounding community.

#### **4. National Environmental Management Act, 1998 (Act No. 107 of 1998) 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 activity (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.

#### **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 authorised Listed Activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the undertaking of the Listed Activities can be mitigated to acceptable levels.

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