



**REFERENCE:** 16/3/3/1/A3/43/2010/21  
**NEAS REFERENCE:** WCP/EIA/0000879/2021  
**DATE:** 05 October 2021

The Head of Department  
Western Cape Department of Transport and Public Works  
9 Dorp Street  
**CAPE TOWN**  
8001

**Attention: Mr. Shane Hindley**

Tel.: (021) 483 5549  
E-mail: [shane.hindley@westerncape.gov.za](mailto:shane.hindley@westerncape.gov.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED CONSTRUCTION OF A SCHOOL AND ASSOCIATED INFRASTRUCTURE ON PORTION 187 OF FARM NO. 918, NOMZAMO, STRAND.**

1. With reference to the above application, this 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 Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to 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 Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

Copied to: (1) Mr. Jacques Jansen van Rensburg (Nature Works Environmental Consultancy (Pty) Ltd.)  
(2) Ms. Jeanine Williams (City of Cape Town)  
(3) Mr. Andre Michay (Afroteq Advisory)

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## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, AS AMENDED: PROPOSED CONSTRUCTION OF A SCHOOL AND ASSOCIATED INFRASTRUCTURE ON PORTION 187 OF FARM NO. 918, NOMZAMO, STRAND.**

With reference to your application for the abovementioned, find below the outcome with respect to this application.

### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Site Alternative, described in the Final Basic Assessment Report ("BAR"), dated 21 June 2021.

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

The Head of Department  
c/o Mr. Shane Hindley  
Western Cape Department of Transport and Public Works  
9 Dorp Street  
**CAPE TOWN**  
8001

Tel.: (021) 483 5549  
E-mail: [shane.hindley@westerncape.gov.za](mailto:shane.hindley@westerncape.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 Activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended)–</p> <p>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> <p>i. Western Cape</p> <p>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></p> <p>ii. <i>Within critical biodiversity areas identified in bioregional plans;</i></p> <p>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 erven in urban areas;</i></p> <p>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></p> <p>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>	<p>More than 300 square metres of critically endangered listed vegetation will be cleared.</p>

The abovementioned list is hereinafter referred to as “the listed activity”.

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

The proposed development includes the construction of a school and associated infrastructure which will entail *inter alia*, the following:

- school for approximately 300 learners (approximately 6631.771m<sup>2</sup> in size);
- substation measuring approximately 324m<sup>2</sup>; and
- an underground 11 kilo Volt (“kV”) cable leading from the existing ESKOM Waterkloof substation to be installed within the power transmission servitude.

Access will be gained from the existing Onverwacht Street with Vulindlela Road which will be extended to provide direct entrance to the school.

The total development footprint will amount to approximately 6955.771m<sup>2</sup>.

### C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on Portion 187 of Farm No. 918, Nomzamo which is situated off the N2 near Somerset West, between Onverwacht Road and Broadlands Road.

The SG digit codes are:

C03400000000091800187 (construction of the school)

C06700000000091800035 (Farm no.: Gustrouw 35/918: underground proposed 11kV cable from the existing ESKOM Waterkloof Substation).

C06700000000081000020 (Farm no: The Bush 20/810: underground proposed 11kV cable from the existing ESKOM Waterkloof Substation).

C06700230003532300000 (Erf no: RE/35323 street parcel: underground proposed 11kV cable from the existing ESKOM Waterkloof Substation).

The site co-ordinates are:

34° 6' 59.003" South; 18° 52' 10.095 " East (the middle point of the proposed site)

Starting point for the underground proposed 11 kV cable  
34° 6' 66.726 " South; 18° 52' 18.474 " East

Middle point for the underground proposed 11 kV cable  
34° 6' 49.122 " South; 18° 52' 10.136 " East

End point for the underground proposed 11 kV cable  
34° 6' 53.134 " South; 18° 52' 3.533 " East

Refer to Annexure 1: Locality Plan.

Refer to Annexure 2: Site Development Plan.

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Nature Works Environmental Consultancy (Pty) Ltd  
c/o Mr. Jacques Jansen van Rensburg  
1 Fraser Road  
SOMERSET WEST  
7130

Cell.: 082 748 6623

Email: [Jacques@natureworks.co.za](mailto:Jacques@natureworks.co.za)

## **E. CONDITIONS OF AUTHORISATION**

### **Scope of authorisation**

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred site alternative described in the Final BAR, dated 21 June 2021 on the site as described in Section C above.
2. Authorisation of the activity 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 activity 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 activity.
  - (b) A period of ten (10) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity must be concluded.
4. The activity that has been authorised may 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 ("I&APs") 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 I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
  - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
  - 6.4 provide the registered I&APs with:
    - 6.4.1 the name of the holder (entity) of this 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; and
    - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

## **Commencement**

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs 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 may 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 minimum of seven calendar days' notice, in writing, 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, 14 and 18.

## **Management of activity**

10. The EMPr submitted, as dated 19 June 2021 is hereby approved and must be implemented.
11. An application for amendment of 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 activity 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 performs work at the site.

## **Monitoring**

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase 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 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 (3) months after commencement of the construction phase and another audit report six (6) months after completion of the construction phase; 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 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, place on a publicly accessible website.

### **Specific conditions**

- 18. A Stormwater Management Plan must be compiled and submitted to the City of Cape Town for approval. A copy of the approval of the Stormwater Management Plan must be submitted to this Department prior to commencement.
- 19. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
- 20. 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.
- 21. 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.

## **F. GENERAL MATTERS**

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

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

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

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

## **G. APPEALS**

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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 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: Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)  
Room 809  
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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 [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/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: 05 OCTOBER 2021**

Copied to: (1) Mr. Jacques Jansen van Rensburg (Nature Works Environmental Consultancy (Pty) Ltd.)  
(2) Ms. Jeanine Williams (City of Cape Town)  
(3) Mr. Andre Michay (Afroteq Advisory)

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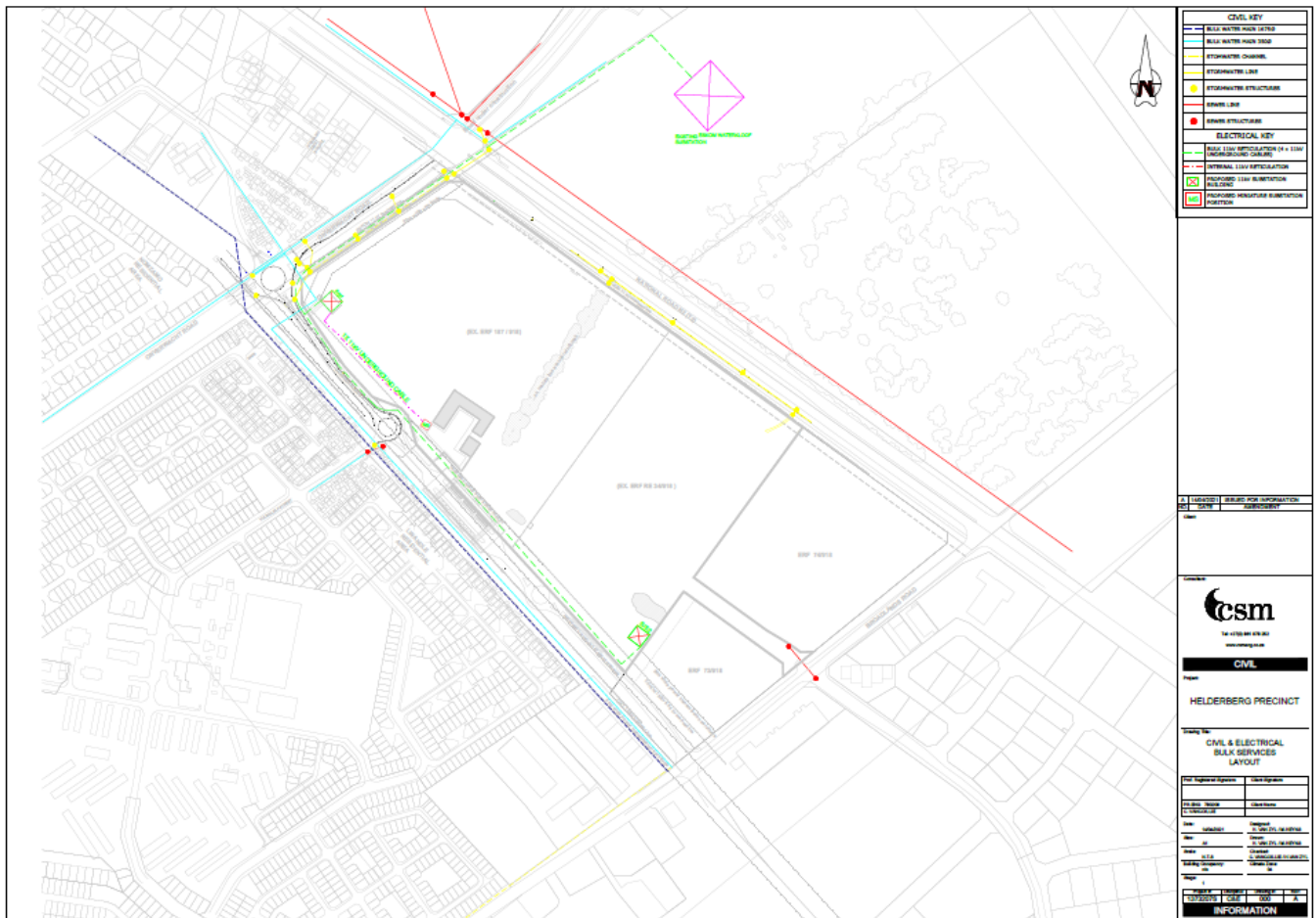
### **FOR OFFICIAL USE ONLY:**

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# ANNEXURE 1: LOCALITY MAP



## ANNEXURE 2: THE SITE DEVELOPMENT PLAN



## 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 12 March 2021, the Final BAR dated 21 June 2021, the EMPr dated 19 June 2021 and the additional information received on 3 September 2021.
- 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 I&APs and responses to these, included in the Final BAR.

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:

- notices regarding the proposed development were distributed to all relevant I&APs as well as key authorities;
- an advertisement was placed in the 'District Mail' newspaper on 18 February 2021;
- notices were placed around the site as well as other strategic locations, including the Lwandle Public Library, Lwandle municipal office, Lwandle Polic Station;
- an electronic copy of the Draft BAR was made available on the Nature Works Website (<https://natureworks.co.za/projects/>);
- the executive summary was distributed to identified I&APs via email;
- hard copies of Information Sheets were submitted to the Ward Councillor to further distribute it to the Lwandle and Nomzamo community leaders who in turn distributes it to the community members;
- the Draft BAR was distributed to the relevant Organs of State via email; and
- copies of the Draft BAR were circulated to all I&APs for comment from 22 April 2021 to 24 May 2021.

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 BAR.

### 2. Alternatives

Site Alternative (Preferred by the applicant and herewith authorised)

The only site alternative identified for the proposed development is Portion 187 of Farm No. 918, Nomzamo. The proposed development includes the construction of a school and associated infrastructure, which includes *inter alia*, the following:

- school measuring approximately 6631.771m<sup>2</sup>;
- substation measuring approximately 324m<sup>2</sup>; and
- an underground 11 kV cable leading from the existing ESKOM Waterkloof substation to be installed within the power transmission servitude.

Access will be gained from the existing Onverwacht Street with Vulindlela Road which will be extended to provide direct entrance to the school

This site alternative is deemed as preferred as the property has the existing land use rights, which permits the development of a school. The site is also largely transformed and will have little to no biophysical impacts and is located in an area which requires schools to serve the local community. The western portion of the site is deemed to be easily accessible by local communities on foot. Onverwacht Road is an important sub-district connector for those on foot as it allows access across the N2 and the western portion of the site connect to the public service network, which has the potential to transform itself in the future into an extended educational campus.



The school will also reinforce the system of public services and facilities which exist in the local area and to consolidate the local street network that connects these key community destinations and local schools.

No-go alternative (rejected by the applicant):

The no-go alternative entails maintaining the *status quo*, i.e., no construction of the school and associated infrastructure. The no-go alternative was not deemed preferred, as the need for a school in the local area will not be met and local learners will need to continue being transported to receive schooling further away.

### 3. Impact Assessment and Mitigation measures

#### 3.1 Activity need and desirability

The Western Cape Department of Education Strategic Plan 2020-2025 articulates the mission of the Department as ensuring that every child has quality learning opportunities in a functional and enabling environment to acquire knowledge, competencies, skills and values to succeed in a changing world. The proposed development of a school aims to increase the technical, vocational and skills offerings at schools and expand access to schools in the local area. The proposed school will therefore reduce the need to transport learners from the Nomzamo/Lwandle community to schools in the greater Helderberg area.

#### 3.2 Regional/Planning Context

The site is zoned for community use and the construction of the school is therefore a permitted landuse.

According to the relevant forward planning policies, the Helderberg district is growing rapidly through urban intensification, which suggest a growing demand for associated facilities such as schools. The proposed development will therefore respond to this demand.

#### 3.4 Biophysical Impacts

The site is largely transformed and no impacts on any aquatic ecosystems are expected. A preliminary baseline assessment was undertaken by Liz Day Consulting, dated June 2020. In a freshwater statement dated 31 May 2021, the freshwater specialist confirmed that the proposed site (for the proposed development of the school) will not impact any watercourses and there are no wetlands on the proposed site.

According to the Botanical statement dated 4 March 2021 and compiled by Bergwind Botanical Surveys and Tours CC, the greater part of the site is transformed and the remaining vegetation (remnants of Lourensford Alluvium) located on the site is degraded, with very little chance of medium to long-term survival. The loss of indigenous vegetation was identified as being of very low negative significance.

#### 3.5 Visual/Sense of place

The proposed school is in keeping with the existing urban character of the local area. The school will therefore not be out of context with its surrounds. The school will also formalise and upgrade an existing unused space which will positively contribute towards the local sense of place and how the community interacts with the space.

#### 3.6 Heritage

No historically and culturally significant elements are found near or on the proposed site. It is therefore projected that the proposed school will have little to no negative impacts on heritage resources. Heritage Western Cape indicated in their correspondence dated 16 April 2021 that the proposed development will not impact on heritage resources.

#### 3.7 Socio-economic

The proposed development will benefit the broader community by means of providing employment opportunities, while also providing the necessary school for learners. Further, the proposed development will create employment opportunities during the construction phase.

### 3.8 Construction phase impacts (dust, noise and traffic)

No significant dust, noise and visual impacts are anticipated. Potential dust, noise and traffic impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

- The loss of highly degraded Lourensford Alluvium Fynbos.
- Construction phase impacts (dust, noise and traffic impacts).

#### **Positive impacts:**

- Provision of a school for the local community.
- The proposed development will meet objectives in the Western Cape Department of Education Strategic Plan 2020-2025.
- An improved sense of place and space that is of use to the local community.
- Employment opportunities during construction of the school.

## **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.

## **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.

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

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