



REFERENCE: 16/3/3/1/A8/74/3029/22
NEAS REFERENCE: WCP/EIA/0001111/2022
DATE OF ISSUE: 19 January 2023

The Board of Directors
Buffdaxco 10 (Pty) Ltd.
89 Dorp Street
STELLENBOSCH
7600

Attention: Mr. Christiaan Stephanus Möller

E-mail: mwcmoll@mweb.co.za

Dear Sir

APPLICATION 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): PROPOSED ESTABLISHMENT OF THE GLETWYN ESTATE MIXED-USE DEVELOPMENT ON PORTIONS OF FARM SAXENBURG NO. 419, PORTION 4, AND REMAINDERS 8, 9, 10, 21, 22, 62, 75, 76, 78, 79, 81 AND 118, KUILS RIVER.

1. With reference to the above application, the competent authority 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 EIA 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 are provided with access to and reasons for the decision, and that all registered interested and affected parties 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 procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

MRS. MARE-LIEZ OOSTHUIZEN
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. Johan Neethling (Johan Neethling Environmental Services cc)
(2) Ms. Maurietta Stewart (City of Cape Town)

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REFERENCE: 16/3/3/1/A8/74/3029/22
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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): PROPOSED ESTABLISHMENT OF THE GLETWYN ESTATE MIXED-USE DEVELOPMENT ON PORTIONS OF FARM SAXENBURG NO. 419, PORTION 4, AND REMAINDERS 8, 9, 10, 21, 22, 62, 75, 76, 78, 79, 81 AND 118, KUILS RIVER.

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 NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the Basic Assessment Report (“BAR”) dated September 2022.

The granting of this Environmental Authorisation (hereinafter referred to as the “Environmental Authorisation”) is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

Buffdaxco 10 (Pty) Ltd.
c/o Mr. Christiaan Stephanus Möller
89 Dorp Street
STELLENBOSCH
7600

E-mail: mwcmoll@mweb.co.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 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 9: <i>"The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water -</i> <i>(i) with an internal diameter of 0,36 metres or more;</i> <i>or</i> <i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where -</i> <i>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i> <i>(b) where such development will occur within an urban area".</i></p>	<p>The proposed site is located outside an urban area and infrastructure exceeding 1000m in length for the bulk transportation of water and storm water will be established.</p>
<p>Activity 12: <i>"The development of-</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs-</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</i></p> <p><i>excluding-</i> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(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;</i> <i>(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;</i> <i>(dd) where such development occurs within an urban area;</i> <i>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</i> <i>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the</i></p>	<p>The proposed site is located outside an urban area and infrastructure/structures of more than 100m² will be constructed within 32m from the edge of a watercourse.</p>

<p>commencement of development and where indigenous vegetation will not be cleared".</p>	
<p>Activity 19: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i></p> <ul style="list-style-type: none"> <i>(a) will occur behind a development setback;</i> <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> <i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i> <i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i> <i>(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".</i> 	<p>The development proposal entails the removing or moving, dredging, excavation, infilling or depositing of material of more than 10m³ from the watercourse.</p>
<p>Activity 24: <i>"The development of a road -</i></p> <ul style="list-style-type: none"> <i>(i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i> <p><i>but excluding a road -</i></p> <ul style="list-style-type: none"> <i>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014;</i> <i>(b) where the entire road falls within an urban area; or</i> <i>(c) which is 1 kilometre or shorter".</i> 	<p>Roads with a reserve wider than 13.5m or roads wider than 8m will be established.</p>
<p>Activity 28: <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <ul style="list-style-type: none"> <i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i> 	<p>The proposed site was zoned for agricultural use on or after 01 April 1998 and is located outside an urban area.</p>

<p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes".</p>	
<p>Activity 46: "The expansion and related operation of infrastructure for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes where the existing infrastructure -</p> <ul style="list-style-type: none"> (i) has an internal diameter of 0,36 metres or more; or (ii) has a peak throughput of 120 litres per second or more; and <ul style="list-style-type: none"> (a) where the facility or infrastructure is expanded by more than 1 000 metres in length; or (b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more; <p>excluding where such expansion -</p> <ul style="list-style-type: none"> (aa) relates to the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes within a road reserve or railway line reserve; or (bb) will occur within an urban area". 	<p>Sections of the external downstream sewer line will be expanded.</p>
<p>Activity 56: "The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre -</p> <ul style="list-style-type: none"> (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres; <p>excluding where widening or lengthening occur inside urban areas".</p>	<p>Existing roads will be widened and/or lengthened.</p>

The abovementioned list is hereinafter referred to as "the listed activities".

The holder is herein authorised to undertake the following related to the listed activities:

The proposed development entails the establishment of a mixed-use development (Gletwyn Estate) on Portion 4, Remainders 8, 9, 10, 21, 22, 62, 75, 76, 78, 79, 81 and 118 of Farm Saxenburg No. 419, Kuils River.

The proposed development will comprise of the following:

- Approximately 1788 dwelling units;
- A school site of approximately 3.4ha to accommodate 750 learners; and
- A small commercial site with a Gross Leasable Area of approximately 2620m².

A series of community facilities and open spaces will be provided across the site.

An on-site sewerage package plant with a maximum capacity of 400kl/day will be constructed in the southwestern corner of the site. The package plant will discharge the treated effluent into a temporary storage dam with a capacity of 900m³, where the treated effluent will be pumped to a large irrigation dam. The irrigation dam will supply water to irrigate the entire development. The treated waste water from the package plant will be discharged into an irrigation pond system, from where it will be distributed to the school sport fields and landscaping areas throughout the development.

The drainage channels that cross the site will be retained. Infrastructure such as pedestrian and vehicle bridges will cross the channels and will require some shaping and infilling into the channels.

All the existing access points serving the site will be closed and future access will be taken at two points off Zevenwacht Road opposite the intersection of the future extensions of Zevenhof Road and a position further north at the extension of Feather Street and its intersection with Zevenwacht Link Road.

The proposed development will be approximately 32.83ha in extent.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Portion 4, Remainders 8, 9, 10, 21, 22, 62, 75, 76, 78, 79, 81 and 118 of Farm Saxenburg No. 419, Kuils River.

The Zevenwacht Link Road bisects the site in a north to south direction. The Jagtershof and Eikenbosch Estate residential developments are located along the western boundary of the site. Agricultural small holdings are located along the northern and eastern boundaries. An Eskom servitude is located along the western extent of the site.

The site is bounded to the south and southwest by development, and by agricultural lands to the north and east. Further north are residential estates abutting Zevenwacht Road.

The SG 21-digit codes are:

Land portion	SG 21-digit code
Portion 4	C06700000000041900004
Remainder 8	C06700000000041900008
Remainder 9	C06700000000041900009
Remainder 10	C06700000000041900010
Remainder 21	C06700000000041900021
Remainder 22	C06700000000041900022
Remainder 62	C06700000000041900062
Remainder 75	C06700000000041900075
Remainder 76	C06700000000041900076
Remainder 78	C06700000000041900078
Remainder 79	C06700000000041900079
Remainder 81	C06700000000041900081
Remainder 118	C06700000000041900118

Co-ordinates:

Land portion	Co-ordinates
Portion 4	Latitude: 33° 56' 37.48" S Longitude: 18° 42' 31.29" E
Remainder 8	Latitude: 33° 56' 59.96" S Longitude: 18° 42' 41.12" E
Remainder 9	Latitude: 33° 56' 58.72" S Longitude: 18° 42' 35.98" E
Remainder 10	Latitude: 33° 56' 57.45" S Longitude: 18° 42' 30.65" E
Remainder 21	Latitude: 33° 56' 35.49" S Longitude: 18° 42' 31.19" E
Remainder 22	Latitude: 33° 56' 42.86" S Longitude: 18° 42' 30.83" E
Remainder 62	Latitude: 33° 56' 47.68" S Longitude: 18° 42' 42.81" E
Remainder 75	Latitude: 33° 56' 40.58" S Longitude: 18° 42' 28.58" E
Remainder 76	Latitude: 33° 56' 41.06" S Longitude: 18° 42' 27.60" E
Remainder 78	Latitude: 33° 56' 36.30" S Longitude: 18° 42' 28.55" E
Remainder 79	Latitude: 33° 56' 37.23" S Longitude: 18° 42' 27.73" E
Remainder 81	Latitude: 33° 56' 44.59" S Longitude: 18° 42' 27.77" E
Remainder 118	Latitude: 33° 56' 50.61" S Longitude: 18° 42' 28.23" E

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

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Johan Neethling Environmental Services cc
c/o Mr. Johan Neethling
P.O. Box 16594
VLAEBERG
8018

Tel.: (021) 461 4386
Fax: (086) 544 4868
E-mail: info@jnes.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 the BAR dated September 2022 on the site as described in Section C above.
2. Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- (a) A period of ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities must be concluded.
4. The activities that have 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;
 - 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 activities, 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 7 (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 and 14.

Management of activity

10. The draft EMPr dated September 2022 (as compiled by Johan Neethling Environmental Services cc) is hereby approved and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in

Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed;
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised; and
- 14.6 conduct monthly site inspections during the construction phase.

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 an environmental audit report four (4) months after commencement of the construction phase to the relevant competent authority;
 - 15.3 submit an environmental audit report six (6) months after completion of the construction phase to the relevant competent authority; and
 - 15.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
16. The environmental audit reports must be prepared by an independent person with expertise 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, be placed on a publicly accessible website.

Specific conditions

18. 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.
19. 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.
20. 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; shipwrecks; 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.

21. As per the recommendations provided in the Socio- Economic Impact Assessment Report dated June 2022, compiled by Tony Barbour Environmental Consulting and Research, the following must be implemented:
- 21.1 The holder must inform the local authorities, local community leaders, organisations and councillors of the project and the potential job opportunities for local builders and contractors.
 - 21.2 The holder must establish a database of local construction companies in the area, specifically Small, Medium and Micro Enterprises owned and run by Historically Disadvantaged Individuals, prior to the commencement of the tender process for the bulk services component of the project. These companies must be notified of the tender process and invited to bid for project related work.

- 21.3 The holder, in consultation with the appointed contractor/s, must look to employ a percentage of the labour required for the construction phase from local area to maximise opportunities for members from the local Historically Disadvantaged communities.
22. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
23. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
 - 23.1 Dual-flush toilet systems.
 - 23.2 All taps must be fitted with water saving devices (i.e., tap aerators, flow restrictors and low flow shower heads).
 - 23.3 Water-wise landscaping must be established.
24. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
 - 24.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.
 - 24.2 Street lighting must be kept to a minimum and down lighting must be used to minimise light impacts. Streetlights must be switched off during the day.
 - 24.3 All geysers must be covered with geyser "blankets".
 - 24.4 The installation of solar water heaters and solar panels must be considered for all buildings.

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. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the 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.
3. 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 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.

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

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

5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

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

By post: Attention: Mr. 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 also 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.

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

G. 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

MRS MARE-LIEZ OOSTHUIZEN
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 19 January 2023

CC: (1) Mr. Johan Neethling (Johan Neethling Environmental Services cc)
(2) Ms. Maurietta Stewart (City of Cape Town)

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FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/1/A8/74/3029/22
NEAS EIA REFERENCE NUMBER: WCP/EIA/0001111/2022

ANNEXURE 1: LOCALITY PLAN



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form received by the competent authority via electronic mail correspondence 14 June 2022; the BAR dated September 2022, as received by the competent authority via electronic mail correspondence on 14 September 2022; the EMPr submitted together with the BAR; and the additional information received by the competent authority via electronic mail correspondence on 23 September 2022, 02 November 2022 and 07 November 2022, respectively;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
- c) The comments received from I&APs and the responses provided thereon, as included in the BAR dated September 2022.
- d) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

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

1. Public Participation

The Public Participation Process comprised of the following:

- An advertisement was placed in the "Tygerburger" newspaper on 22 September 2021;
- Two notice boards were placed on site on 23 September 2021;
- E-mails were sent to adjacent neighbours, the ward councillor, local municipality and State Departments/organs of state on 23 September 2021, 27 September 2021, 01 October 2021, 04 October 2021, 05 October 2021, 06 October 2021, 07 October 2021, 19 October 2021, 22 October 2021 and 13 December 2021, respectively;
- The pre-application BAR was made available for comment from 22 September 2021 until 22 November 2021;
- E-mails were sent on 23 June 2022 to announce the availability of the draft BAR; and
- The draft BAR was made available from 23 June 2022 until 25 July 2022.

Authorities consulted

The authorities consulted included the following:

- City of Cape Town;
- Department of Environmental Affairs and Development Planning ("DEA&DP") Directorate: Waste Management;
- DEA&DP Directorate: Pollution & Chemicals Management;
- Western Cape Department of Agriculture;
- Western Cape Department of Transport and Public Works;
- Department of Agriculture, Forestry and Fisheries;
- Department of Agriculture, Land Reform and Rural Development;
- CapeNature;
- Department of Water and Sanitation; and
- Heritage Western Cape.

Concerns were raised by I&APs during the commenting periods with concerns relation to *inter alia*, visual impacts, the cultural landscape, scale of the development and traffic. These concerns were adequately addressed, as a Traffic Impact Assessment was conducted, and a Cultural Landscape Study Report was compiled. The City of Cape Town approved the proposed development on 25 May 2022. The EAP clarified the waste water treatment plant concerns, and the proposed development will comply with surrounding developments.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments that were raised were responded to and included in the BAR.

2. Alternatives

An initial layout and design were considered, which responded to possible connectivity to future developments in the area. This layout alternative was rejected as it would result in major road infrastructure being established on the site, which would influence the location of the school precincts. The layout also had a negative impact on the open spaces and storm water channels and their respective buffer zones.

Preferred alternative – herewith authorised:

The preferred alternative entails the establishment of a mixed-use development (Gletwyn Estate) on Portion 4, Remainders 8, 9, 10, 21, 22, 62, 75, 76, 78, 79, 81 and 118 of Farm Saxenburg No. 419, Kuils River.

The proposed development will comprise of the following:

- Approximately 1788 dwelling units;
- A school site of approximately 3.4ha to accommodate 750 learners; and
- A small commercial site with a Gross Leasable Area of approximately 2620m².

A series of community facilities and open spaces will be provided across the site.

An on-site sewerage package plant with a maximum capacity of 400kl/day will be constructed in the southwestern corner of the site. The package plant will discharge the treated effluent into a temporary storage dam with a capacity of 900m³, where the treated effluent will be pumped to a large irrigation dam. The irrigation dam will supply water to irrigate the entire development. The treated waste water from the package plant will be discharged into an irrigation pond system, from where it will be distributed to the school sport fields and landscaping areas throughout the development.

The drainage channels that cross the site will be retained. Infrastructure such as pedestrian and vehicle bridges will cross the channels and will require some shaping and infilling into the channels.

All the existing access points serving the site will be closed and future access will be taken at two points off Zevenwacht Road opposite the intersection of the future extensions of Zevenhof Road and a position further north at the extension of Feather Street and its intersection with Zevenwacht Link Road.

The proposed development will be approximately 32.83ha in extent.

This is the preferred alternative for the following reasons:

The site will mainly be developed for residential uses, at a range of densities. Market studies have indicated that there is a demand for primary and secondary schools, which will be incorporated in the western part of the site, connecting to the site via the pedestrian systems

alongside the storm water systems. The local activity node will include small scale commercial spaces structured around public spaces, well-connected to the development's pedestrian and vehicular movement systems.

The site's open space structure will follow the existing environmental features such as the dams and storm water channels, as well as the proposed vehicular movement system and site boundaries. The primary open space system will follow the storm water drainage channels, providing east-west open space and pedestrian links within the site and to the agricultural winelands to the east.

The streets will be designed to function as much for people-pedestrian movement as for cars and will incorporate trees and well planted sidewalks along their lengths. Tree planting and linear open space will continue along the site boundaries, creating open space buffers to the agricultural lands to the east, existing residential development to the north, and strategic movement corridors to west and south.

Most of the site and future development area will be within a five-minute walk of the proposed local activity node at the heart of the development, as well as of the school, thereby promoting movement on foot within the development. While the primary access to the site will be from Zevenwacht Link Road, the proposed movement structure allows for future connections to north and south, to promote connectivity and integration of this development with the wider area.

"No-Go" Alternative:

This alternative entails maintaining the *status quo* and as such, the proposed mixed-use development will not be established. This alternative was not deemed as preferred, as the proposed development will augment the economic activities, provide for much needed housing and the benefits to the holder and creation of jobs would not be realised. The "no-go" alternative is therefore not preferred.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

In terms of the City of Cape Town's Municipal Spatial Development Framework ("MSDF") (2018), a portion of the site to the north falls within an Incremental Growth and Consolidation Area, while the remainder of the site falls within a Discouraged Growth Area. The reason for the area being identified as a Discouraged Growth Area is linked to agricultural potential. However, the agricultural potential of the area has been assessed as low. The City of Cape Town approved the proposed development on 25 May 2022, as follows:

- a) Deviation from the provisions of the City of Cape Town Municipal Spatial Development Framework ("MSDF"), as contemplated in terms of Section 9(1) of the Municipal Planning By-law, 2015;
- b) Permanent departure from item 109(e)(ii) of the Development Management Scheme to allow for the subdivision of Agricultural zoned Stellenbosch Farms 419/4-RE, 419/21-RE, 419/22-RE, 419/62-RE, 419/8-RE, 419/9-RE, 419/10-RE and 419/118 to less than 20ha;
- c) Subdivision of Stellenbosch Farms 419/4- RE, 419/21-RE, 419/22- RE, 419/62- RE, 419/8-RE, 419/9- RE, 419/10- RE and 419/118, Kuils River, onto various portions, as per the subdivision plans;
- d) Consolidation of Remainder portion of Stellenbosch Farm 419/62-RE, Portion 1 of Stellenbosch Farm 419/22-RE, Portion 1 of Stellenbosch Farm 419/21-RE, Portion 1 of Stellenbosch Farm 419/4-RE, Portion 1 of Stellenbosch Farm 419/118, Portion 1 of

- Stellenbosch Farm 419/8-RE, Portion 1 of Stellenbosch Farm 419/9-RE, and Portion 1 of Stellenbosch Farm 419/10-RE, in accordance with the consolidation plan;
- e) Rezoning of the consolidated erven, listed in d. above, from Agriculture to Subdivisional Area Overlay Zoning to permit residential, business, retail, education, social facilities, open space, road and utility purposes; and
 - f) Approval of the Development Framework Plan as part of the package of plans approach, in terms of Section 42(i) of the City of Cape Town Municipal Planning By-law (2015/17).

The site has been exempted from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) by the Department of Agriculture, Land Reform and Rural Development. Although the site was initially demarcated to be retained as "Areas of Agricultural Significance" by the Western Cape Department of Agriculture, the site has limited agricultural potential due to low water and nutrient holding capacity and is not considered viable from an agricultural perspective.

The proposed development is aligned with the key spatial principles that underpin the Western Cape Provincial Spatial Development Framework (2014), namely:

- Spatial justice;
- Sustainability and resilience;
- Spatial efficiency;
- Accessibility; and
- Quality and liveability.

Draft Tygerberg District Plan (2021):

The Draft Tygerberg District Plan (2021) identifies the area as a New Development Area that is suitable for medium density residential development. The 2021 Sub-District 8 SDF indicates that the Polkadraai Smallholdings Area/Horticultural smallholdings may in future be considered for medium density residential development (different typologies).

The Draft Tygerberg District Plan (2021) therefore identifies the site as suitable for development. The proposed development is also aligned with the development guidelines for Sub-District 8, which include:

- Promoting the provision of a range of housing typologies and including more affordable housing closer to public transport and economic opportunities.
- Residential densities ranging between 25-75du/ha (gross) and building heights between 4 to 5 storeys.

Since the Draft Tygerberg District Plan (2021) was prepared after the Spatial Development Framework (2018), it would therefore have been aware of and considered that a portion of the site is located within a Discouraged Growth Area. The proposed development is therefore aligned with and supported by key policy and planning documents for the area.

The site is also located adjacent to the Zevenwacht Link Road and Stellenbosch Arterial (M12) and therefore creates opportunities to support public transport, which represents a key objective of Transit-Oriented Development. The site is also located adjacent to the Zevenwacht Link Road and Stellenbosch Arterial, and Blackheath and Saxenburg industrial areas and therefore creates opportunities to support public transport, and access to employment opportunities, which represent key objectives of Transit-Oriented Development.

The proposed development provides an opportunity to meet the demand for safe and secure places to live in, specifically for families with children and to provide the residents with a safe, well planned quality living environment that is well located in terms of access to place of work and other community facilities.

The provision of a school also means that residents have the option of a school that is located within walking/cycling distance. The provision of a school that can accommodate 750 learners will reduce the pressure on local schools. This, combined with pedestrian and cycle pathways all located within a secure environment, will enhance the quality of the development for residents.

The range of unit types will attract a diverse range of household types and income levels and will contribute towards the establishment of a diverse and integrated community. The proposed development is also aligned with and supports key policy and planning guidelines for the site and Transit-Oriented Development.

3.2 Agricultural impacts:

The proposed site is identified by the Screening Tool as being of predominantly medium sensitivity for impacts on agricultural resources, with very limited areas of high sensitivity. An Agricultural Specialist Assessment dated 02 March 2021, was compiled by Johan Lanz, to assess the agricultural impacts of the proposed development. The medium agricultural sensitivity of most of the site, as identified by the Screening Tool, was confirmed in the assessment. The medium category land capability is a result of the soil capability.

According to the Compliance Statement, the soils have very low water and nutrient holding capacity, which limits their agricultural potential and the range of suitable crop types. The soils are not suitable for any cultivation without irrigation and are not suitable for wine grape production because of their very limited buffer capacity. None of the land units have any irrigation water allocations or availability.

The only current agricultural production on the site is vegetable cultivation of 1.2ha on Portion 10. This is part of a much bigger farming enterprise on surrounding land units. The rest of the land units include land uses such as dwellings, stockpile storage and undeveloped and derelict land. Approximately 40% of the site, including most of the 1.2ha block of current vegetable production, is required for the construction of the future road interchange and will be transferred to the Western Cape Department of Transport and Public Works.

The agricultural potential of the site is severely constrained by the following factors:

- The low water and nutrient holding capacity of the very sandy, leached soils;
- Lack of any available irrigation water;
- The small size of the individual, as well as combined units;
- A significant portion will be allocated to a future road interchange; and
- The site will be spatially isolated and surrounded by non-agricultural land.

The entire site therefore has a very low agricultural potential.

The Western Cape Department of Agriculture has no objection against the proposed development, given the limited agricultural potential due to low water and nutrient holding capacity.

3.3 Botanical impacts

Since the site is cultivated and used for smallholding agriculture purposes, there is no indigenous vegetation on the site. No significant impacts on biophysical elements are anticipated as a result of the development, as the site is completely transformed.

3.4 Freshwater impacts:

A Freshwater Ecological Impact Assessment Report dated February 2021, was compiled by Freshwater Ecologist Network Consulting (Pty) Ltd., to assess the freshwater impacts associated with the proposed development.

Two heavily modified Ephemeral Drainage Lines ("EDLs") traverse the site. The watercourses function as storm water drainage channels as part of the current agricultural land use of the site. Historically (prior to any land use transformation), these were potentially functioning watercourses, which have become severely degraded to the point that their primary function is to channel storm water. Under current circumstances the EDLs convey water collected from the catchment area upgradient of the study area and storm water runoff from the agricultural fields. Almost all indigenous vegetation associated with these drainage lines has been removed and the watercourses have been straightened to optimise the site for agricultural use.

EDL 1 (located within the south eastern portion of the site) is recharged by surface water runoff from the upgradient catchment area and by storm water draining from the cultivated fields. This EDL drains into an artificial impoundment (Dam 1), from which the water is utilised primarily for irrigation purposes. Due to the high abstraction of water from Dam 1 for irrigation and/or relocation of this water to the other dams, no water overflows this system and therefore the EDL does not extend down gradient of Dam 1.

EDL 2 (located within the north western portion of the site) is also recharged by surface water runoff from the upgradient catchment area. Within the upstream reach of this EDL, water first enters an artificial impoundment located within the northern corner of the site. Only when this artificial impoundment overflows, will water drain into the artificial impoundment located within the northern corner of the site (Dam 2). Dam 2 is also utilised for irrigation and water is pumped from Dam 1 to supplement Dam 2. Occasionally, overflow from Dam 2 drains into the down gradient, straightened reach of EDL 2, under Zevenwacht Link Road, where after it drains into an artificial impoundment (Dam 3) on the southern boundary of the site. Water from Dam 3 is also utilised for irrigation purposes.

The proposed development will have a moderate risk significance on EDL 2.

3.5 Cultural/Heritage impacts:

A Cultural Landscape Study Report dated 17 March 2021, was compiled by Bridget O'Donoghue, to assess the cultural/heritage impacts of the proposed development.

The site is not a declared National or Provisional heritage site, but is identified as Grade IIIB by the City of Cape Town with graded sites in the immediate context. The site is not subject to any formal or general protection and is located adjacent to a scenic drive and rural agricultural landscape.

In terms of the City of Cape Town MSDF (2018), the site is located within the Bottelary Hills Kuils River proposed heritage Protection Overlay. The site and context are identified as an area which is threatened by the visual amenity of the Bottelary Hills within the

eastern visual envelope of the metro area. The site is situated within the rural/cultural landscape of the Bottelary Hills Kuils River Cultural Landscape.

The site is graded III C by the City of Cape Town for its contextual value and a component of the agricultural landscape. The site is located in the broader context of the Bottelary Hills landscape units graded III A and III B by the Stellenbosch Municipality.

The site and its context cultural landscape are the result of human interventions over time and its features are historic farm settlements, natural landscapes, agricultural landscapes and 20th century development (infrastructure, commercial and residential).

The site context includes the following natural and cultural landscapes:

- Historic settlements: Kuils River;
- Farmsteads: Zevenwacht;
- Roadways: Bottelary Road (M15) and Langverwacht Road;
- Agricultural landscapes: Bottelary Hills;
- Mountain-scapes: Kanonkop; and
- Residential: lower scale single residences situated west and further north of site.

Historic farm settlements and grants include Zevenwacht, Langverwacht, Saxenburgh, Uit den Wijk and Veel Verjaaght. Zevenwacht is the most relevant as it is situated closest to the site.

The Bottelary Cultural Agricultural Landscape is situated to the east of the site. This area is a collection of historic farms that have a high concentration of vineyards started in the early 18th century and are renowned for superior quality wine. The area is a tourist and recreational attraction to visitors and residents of Cape Town.

The site forms a component of the agricultural landscape continuum from the Stellenbosch Bottelary Hills and includes the few farms within the City boundary (such as Haasendal and Zevenwacht).

The site is located in a foothill topography and in the context of a locally significant land units of the Bottelary Hills Cultural Landscape of the Stellenbosch Municipality. The site is a component of an agricultural landscape that forms the agricultural/nature areas backdrop to urbanised regions in the lower levels of Kuils River. The site is assessed as a component and a gateway site to the Bottelary Hills Cultural Landscape.

As views are towards the Bottelary Hills that are generally from west-east viewing direction, the integration of the proposed development could consider additional view corridors perpendicular to the routes *i.e.*, in an east-west direction (as the same patterns as the riverine corridors). In addition, vegetated buffers are required to the adjoining agricultural used properties.

The mitigation measures recommended by the heritage specialist will be implemented as part of detailed site development plans to ensure that the heritage and visual impacts are adequately mitigated.

3.6 Impacts on terrestrial animal species:

A Terrestrial Animal Species Compliance Statement dated 14 February 2021, was compiled by Jonathan Colville, to assess the impacts on terrestrial species associated with the proposed development.

The yellow-winged Agile Grasshopper, Bladder Grasshopper and Peringuey's Meadow Katydid have not been recorded near the site.

There is no possibility that the proposed site can support a population of any of the four Species of Conservation Concern. The assessment is based on the following:

- The vegetation types, host plants and associated habitats that the species of conservation concern are known to occur in, are not found on the site, or in the immediate vicinity;
- The site has been almost completely transformed to an area of commercial agriculture with what appears to be complete loss of any natural viable habitat for any of the species of conservation concern;
- The site is also embedded in a larger matrix of agricultural and urbanised land and is cut-off from natural vegetation; and
- There are no records of any of the species of conservation concern at or close to the site. Moreover, the southern populations of the dung beetle appear to be locally extinct in the Cape Town surrounds having last been recorded over 100 years ago from this area.

3.7 Traffic impacts:

A Traffic Impact Assessment Report dated 17 November 2020, was compiled by UDS Africa, to assess the traffic impacts of the proposed development.

Access to the site is currently obtained from positions along Polkadraai Road and Zevenwacht Link Road. With the development of the properties, access to Polkadraai Road will be closed, and access will be obtained from Zevenwacht Link Road at positions in line with the conceptual design of Zevenwacht Link Road.

To accommodate the background traffic, the following is required:

- a) Dualling of Zevenwacht Link Road between Polkadraai Road and Zevenhof Road;
- b) Polkadraai Road/Zevenwacht Link Road intersection: a dedicated left-turn lane on the Zevenwacht Link Road-approach and a second dedicated right-turn lane on the Polkadraai Road-approach;
- c) Zevenwacht Link Road/Zevenhof Road intersection: traffic signals and dedicated turning lanes;
- d) Zevenwacht Link Road/Langverwacht Road intersection: changing of shared through/right lane on the northern approach to a dedicated right-turn lane; and
- e) Polkadraai Road/Van Riebeeck Road intersection: a second dedicated right-turn lane on the south eastern Van Riebeeck Road-approach.

To accommodate the full proposed development, the following is required:

- a) Dualling of Zevenwacht Link Road up to Langverwacht Road;
- b) Polkadraai Road/Zevenwacht Link Road intersection: changing the dedicated left-turn lane on Zevenwacht Link Road-approach to a continuous left-slip lane; and
- c) Zevenwacht Link Road/Northern Access intersection: traffic signals and dedicated turning lanes.

Individual Site Development Plans will address internal links and connections, as well as parking provisions.

3.8 Storm water impacts

The run-off from the 0.5 year return interval and 24-hour storm event will be subjected to treatment to ensure the required reduction in suspended solids and total phosphorus levels are obtained.

To protect the stability of the downstream channels, a 24-hour extended detention of the 1-year return interval and 24-hour storm event is required. Downstream properties will be protected against frequent nuisance floods by reducing the post-developed peak flows with a recurrence interval up to 10 years to the undeveloped levels. Floodplain developments will be protected by limiting the post-development run-off to that of the existing development run-off for storms with a recurrence interval of up to 50 years.

The storm water runoff currently drains to a farm dam by means of an existing storm water furrow crossing the site. From there, the overflow passes through a culvert system and discharges into a furrow on the lower lying property (west of Zevenwacht Link Road) before reaching a farm dam on the southeastern corner of Portion 12 of Farm No. 419.

The current furrow and dam system will be kept, but the current capacity will be increased. The furrow will be turned into a swale system, with overflow weir structures, before ultimately tying into the farm dam. The attenuation facility will also be fitted with a weir structure as overflow.

The sport fields of the school will also be utilised as an attenuation facility during the rainy season. The proposed swale and attenuation facility will accommodate both minor and major storm events, while attenuating storm events up to the 1: 50 year return interval to those of pre-developed levels. The depth of the swale will be limited to 1.2m and the attenuation facility to 1.5m.

3.9 Socio-Economic impacts:

A Social Impact Assessment Report dated June 2022, was compiled by Tony Barbour Environmental Consulting and Research, to assess the social impacts of the proposed development.

The capital expenditure associated with bulk services will be approximately R500 million while the cost associated with the establishment of the residential and retail component and the school will be approximately R2.5 billion. The total capital expenditure associated with the residential, commercial and school components will be approximately R3 billion. Most of the work associated with the construction phase will be undertaken by local contractors and builders and most of the building materials associated with the construction phase will be sourced from locally based suppliers in the City of Cape Town. This will represent a positive injection of capital into the local economy. The proposed development therefore represents a significant opportunity for the local construction and building sector.

The construction phase (bulk services, residential, commercial and recreation component) will create approximately 12 000 employment opportunities over a 6-year construction phase. Approximately 60% will be low and semi-skilled workers and artisans and 40% will be skilled builders and sub-contractors. The total annual wage bill over six years will be approximately R1.8 billion. A significant portion of the annual and total wage bill will be spent in the City of Cape Town economy. This will in turn benefit local business.

The majority of employment opportunities will benefit local Historically Disadvantaged members of the community. This represents a significant opportunity for the local building sector and members of the local community who are employed in the building sector.

The total number of employment opportunities created during the operational phase, including the school, will be approximately 825. The majority of the employment opportunities are likely to benefit Historically Disadvantaged Individuals from the local community.

The operational phase will also create opportunities for local businesses, such as local maintenance and building companies, garden services and security companies, etc. The residential component of the proposed development will contribute approximately R6-8 million in rates per annum. In addition, the proposed development will also generate revenue for the City of Cape Town from the consumption of water and electricity.

The potential negative impacts have been assessed as low negative post mitigation. The negative social impacts associated with the construction and operational phases will be effectively mitigated and mitigation measures have been included in the Conditions of this Environmental Authorisation.

3.10 Dust, visual and noise impacts

Potential dust, visual and noise impacts are anticipated during the construction phase. However, no significant potential dust, visual and noise impacts are anticipated as these impacts will be mitigated by the implementation of the mitigation measures included in the EMPr and Dust Management Plan.

The development will result in both negative and positive impacts.

Negative Impacts:

- Potential agricultural, traffic and heritage impacts;
- Potential storm water impacts; and
- Potential impacts on the watercourses.

Positive impacts:

- Employment opportunities will be created during the construction and operational phases of the development;
- Optimal use of available vacant land;
- Additional residential opportunities in the Kuils River area; and
- Contribution to the local economy.

National Environmental Management Act Principles

The National Environmental Management Act 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.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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

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