



EIA REFERENCE: 16/3/3/1/B3/28/1019/22
NEAS REFERENCE: WCP/EIA/0001075/2022
DATE OF ISSUE: 28 October 2022

The Municipal Manager
Drakenstein Municipality
Cnr Breda Street and Bergriver Boulevard

PAARL
7646

Attention: Mr. J. Leibrandt

Tel: (021) 807 4775

E-mail: Nicola.October@drakenstein.gov.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE PROPOSED SIMONDIUM LOW COST HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON FARMS RE/1200, RE /1/1222, PORTION 4/941, PORTION 7/1220 AND ERF 115, SIMONDIUM.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (as amended), you are instructed to ensure, within 14 days of the date of the 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 National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: Mr. C. Williams (Guillaume Nel Environmental Consultants)
Ms. C. Winter (Drakenstein Municipality)
Mr. A. Oosthuizen (Directorate: Development Facilitation)

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EIA REFERENCE: 16/3/3/1/B3/28/1019/22
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE PROPOSED SIMONDIUM LOW COST HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON FARMS RE/1200, RE /1/1222, PORTION 4/941, PORTION 7/1220 AND ERF 115, SIMONDIUM.

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, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred alternative as described in the Basic Assessment Report ("EIAR"), received on 12 July 2022.

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 Municipal Manager
Drakenstein Municipality
Cnr Breda Street and Bergriver Boulevard
PAARL
7646

Tel: (021) 807 4775
E-mail: Nicola.October@drakenstein.gov.za

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

B. LISTED ACTIVITIES AUTHORISED

Listed Activities	Project Description
<p>EIA Regulations Listing Notice 1 of 2014: Activity Number: 9 <i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more; or</i> <i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where—</i></p> <p><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 stormwater pipelines will exceed 1000m in length with an internal diameter of more than 0.36m.</p>
<p>EIA Regulations Listing Notice 1 of 2014: Activity Number: 12 <i>The development of—</i></p> <p><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></p> <p><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></p> <p><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; (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</i></p>	<p>Roads with a footprint of more than 100m² will be developed within 32m of a watercourse.</p>

<p>area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation</p> <p>(a) will not be cleared.</p>	
<p>EIA Regulations Listing Notice 1 of 2014:</p> <p>Activity Number: 28</p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	<p>The proposed development will occur outside an urban area on land that was used for agriculture after 1 April 1998, with a development footprint bigger than 1ha.</p>

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

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

The proposed development will entail the following:

- 829 Breaking New Ground ("BNG") houses comprising of a variety of housing typologies.
- 103 Finance Linked Individual Subsidy Programme ("FLISP") houses (with 103 onsite parking bays) comprising of a variety of housing typologies.
- 71 serviced sites for non-qualifiers.
- The upgrade of 10 existing houses on the site.
- A community node comprising of the following:
 - The retention and upgrade (not expansion) of two existing cemeteries;
 - An early childhood development centre ("ECD");
 - A public square for informal traders, periodic markets and outdoor social gatherings;
 - A settlement administration/community service centre; and
 - A public facility (swimming pool) with the existing buildings being converted to change rooms, toilets, showers, and recreational spaces.
- A temporary water supply scheme consisting of a 500 Kℓ reservoir (steel tank) and a booster pump station with a capacity of 15 ℓ/s. A permanent water supply scheme consisting of a 3 Mℓ reservoir with a development footprint of approximately 90m² will replace the temporary water supply

scheme in future. The temporary water supply scheme can be expanded to a 1.5 Ml steel tank if the permanent water scheme's implementation is delayed.

- A temporary sewage package plant with a throughput capacity of 500 kl/day and a footprint of approximately 924m². This will be in operation until such time as the Pearl Valley Waste Water Treatment Works ("WWTW") is upgraded, whereafter it will be removed.
- Water, stormwater and sewage pipelines:
 - Sewage pipelines with a diameter ranging between 200mm to 315mm.
 - Water pipelines with a diameter ranging between 110mm to 250mm.
 - Stormwater pipelines with a diameter ranging between 250mm to 825mm.
- Electrical Infrastructure:
 - The installation of a new 11 kV indoor switchgear panel at the Prison Substation.
 - A new 11 kV switching station on the proposed development site.
 - The installation of a new overhead power line with a length of approximately 2.6km running from the existing substation to Watergat Road.
 - The installation of a 185 mm² copper 11 kV feeder cable from the new overhead line in Watergat Road up to Franschhoek road.
- The development of internal roads (5 to 8m wide).

The proposed development will have a footprint of approximately 23.2ha. Access to the proposed site will be gained from an existing road.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the Remainder of Farm No. 1200, Portion 7 of Farm 1220, Remainder of Portion 1 of Farm 1222, Portion 4 of Farm No. 941 and Erf No. 115, Paarl, at the following co-ordinates:

Co-ordinates of the proposed low-cost housing development:

Latitude (S)	33°	50'	14.17"
Longitude (E)	18°	57'	36.47"

The SG digit code:

Remainder of Farm 1200 - C05500000000120000000
 Portion 7 of Farm 1220 – C05500000000122000007
 Remainder of Portion 1 of Farm 1222 - C05500000000122200001
 Portion 4 of Farm 941 - C05500000000094100004
 Erf 115 - C05500120000011500000

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Mr. Cahlan Williams,
Guillaume Nel Environmental Consultants (GNEC)
P. O. Box 2632

PAARL
7620

Cell: 076 684 6566
Email: eg@gnec.co.za/cahlan@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred Alternative described in the BAR received on 12 July 2022 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for-

- (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
 - (b) A period of ten (10) years, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities, must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
 4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.

- 5.2. The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, and 10.

Notification and administration of appeal

6. The holder 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 as included in Annexure 3;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was issued.
 - 6.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section F below;
 - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 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, of the holder,
 - 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 2014 National Appeals Regulations.
7. The listed activities, including site preparation, may not commence within **20 (twenty)** calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of activity

8. The draft or Environmental Management Programme (“EMPr”) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of the proposed development to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct site visits every 2 (two) weeks and must submit ECO Reports on a monthly basis to the competent authority.
11. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
12. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person, that is not the ECO referred to in Condition 10 above and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.
14. The audit reports must be compiled and subsequently submitted to the Department in the following manner:
 - 14.1. The holder must undertake an environmental audit and submit an Environmental Audit Report to the Competent Authority within 6 (six) months of commencement of construction and on an annual basis during the construction phase.
 - 14.2. A final Environmental Audit Report must be submitted within 3 (three) months of completion of the authorised development.
15. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.
16. The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website.

Specific Conditions

17. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape,

Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

18. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under directive from the relevant heritage resources authority.
19. The two cemeteries must be clearly demarcated prior to the commencement of construction to ensure that no damage thereto occurs during the construction activities on the site.
20. The quality of the effluent from the temporary wastewater package plant must be tested every six (6) months at suitably qualified South African National Accreditation System (SANSAS) facility. The results of the analysis must be reported to the Department of Water and Sanitation and must be submitted to this Department as part of the ECO reporting, as applicable.
21. A contingency plan to mitigate possible malfunction and power supply outages related to the temporary wastewater package plant must be developed prior to operation of the package plant. The contingency plan must be submitted to this Department prior to the temporary wastewater package plant becoming operational.
22. 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 landfill licensed in terms of the applicable legislation.
23. All noise and sounds generated during the proposed development must comply with the relevant SANS codes and standards and the relevant noise regulations.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for 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 EIA Regulations, 2014 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 EIA Regulations 2014 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.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 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 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: 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>.

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: 28 OCTOBER 2022

Copies to: Mr. C. Williams (Guillaume Nel Environmental Consultants)
Ms. C. Winter (Drakenstein Municipality)
Mr. A. Oosthuizen (Directorate: Development Facilitation)

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E-mail: andre.oosthuizen@westerncape.gov.za

ANNEXURE 1: LOCALITY MAP



Figure 1: Location of proposed Simondium Low-Cost housing project, Paarl.

ANNEXURE 2: SITE PLAN

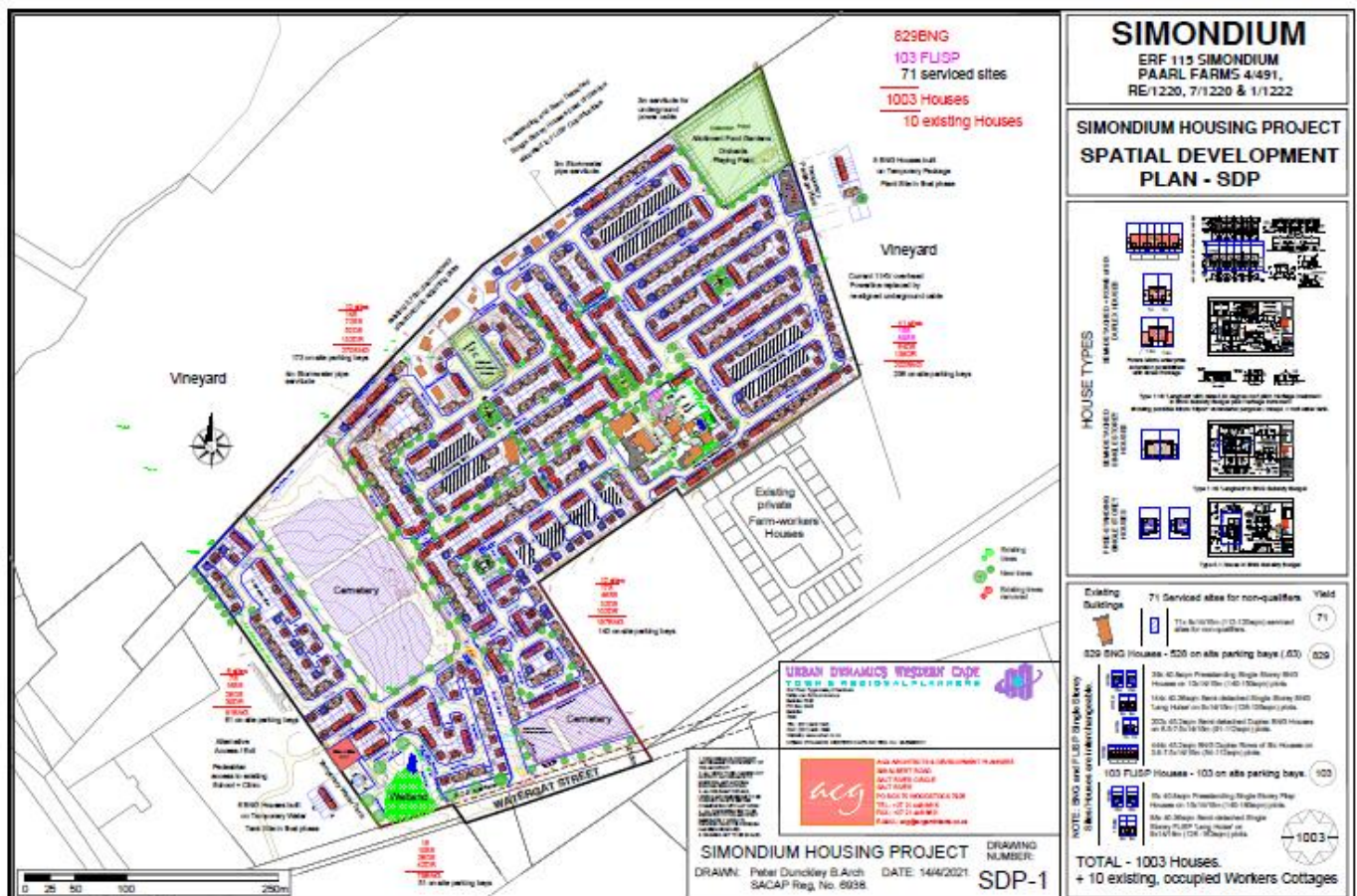


Figure 2: Proposed site plan

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 received by the Department on 6 April 2022 and the EMPr submitted together with the Basic Assessment Report on 12 July 2022.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the Basic Assessment Report received on 12 July 2022; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

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

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board at the site where the listed activities are to be undertaken on 19 November 2020;
- the placing of a newspaper advertisement in the "Paarl Post" on 19 November 2020;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 19 November 2020;
- making the pre-application draft BAR available to I&APs for comment from 19 November 2020 to 11 January 2021 and from 2 June 2021 to 5 July 2021; and
- making the post application draft BAR available to I&AP's for comment from 6 April 2022 to 16 May 2022.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and that the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Site alternatives

After a survey to determine the number of housing opportunities that could be created on municipal land in the Simondium area, it was found that only 225 such opportunities could be created. Given the need for housing opportunities in the area, land in private ownership was investigated through a due diligence exercise, resulting in seven possible sites being considered. These sites were Farm 4/941; Farm 1/1222; Farm 11/946; Farm 1264; Farm 1477; Farm 1/904 and Farm 2/946. Only some landowners within the area were willing to sell their land, while other sites were discarded based on environmental sensitivities, the presence of high value agricultural land or restrictions in term of access to some sites. After the completion of the due diligence exercise, the proposed development site consisting of five properties, namely RE/1200, RE 1/1222, Portion 4/941, Portion 7/1220 and Erf 115) was identified as the preferred site (herewith authorised). The following aspects were considered when identifying the site for the proposed development:

- Utilisation of already disturbed areas;
- Location near amenities; and
- Lack of sensitive biodiversity on the site.

Layout Alternative 1: preferred alternative (herewith authorised)

This alternative entails the following:

- 829 Breaking New Ground ("BNG") houses comprising of a variety of housing typologies.
- 103 Finance Linked Individual Subsidy Programme ("FLISP") houses (with 103 onsite parking bays) comprising of a variety of housing typologies.
- 71 serviced sites for non-qualifiers.
- The upgrade of 10 existing houses on the site.
- A community node comprising of the following:
 - The retention and upgrade (not expansion) of two existing cemeteries;
 - An early childhood development centre ("ECD");
 - A public square for informal traders, periodic markets and outdoor social gatherings;
 - A settlement administration/community service centre; and
 - A public facility (swimming pool) with the existing buildings being converted to change rooms, toilets, showers, and recreational spaces.
- A temporary water supply scheme consisting of a 500 Kℓ reservoir (steel tank) and a booster pump station with a capacity of 15 ℓ/s. A permanent water supply scheme consisting of a 3 Mℓ reservoir with a development footprint of approximately 90m² will replace the temporary water supply scheme in future. The temporary water supply scheme can be expanded to a 1.5 Mℓ steel tank if the permanent water scheme's implementation is delayed.
- A temporary sewage package plant with a throughput capacity of 500 kl/day and a footprint of approximately 924m². This will be in operation until such time as the Pearl Valley Waste Water Treatment Works ("WWTW") is upgraded, whereafter it will be removed.

- Water, stormwater and sewage pipelines:
 - Sewage pipelines with a diameter ranging between 200mm to 315mm.
 - Water pipelines with a diameter ranging between 110mm to 250mm.
 - Stormwater pipelines with a diameter ranging between 250mm to 825mm.
- Electrical Infrastructure:
 - The installation of a new 11 kV indoor switchgear panel at the Prison Substation.
 - A new 11 kV switching station on the proposed development site.
 - The installation of a new overhead power line with a length of approximately 2.6km running from the existing substation to Watergat Road.
 - The installation of a 185 mm² copper 11 kV feeder cable from the new overhead line in Watergat Road up to Franschoek road.
- The development of internal roads (5 to 8m wide).
- The proposed development will have a footprint of approximately 23.2ha. Access to the proposed site will be gained from an existing road.

This alternative is preferred as the depression wetland will be retained.

Alternative 2

This alternative entails a proposed low-cost housing development which would consist of the following:

- 833 (Eight hundred and thirty three) Breaking New Ground (BNG) houses comprising of various housing typologies.
- 112 (One hundred and twelve) Finance Linked Individual Subsidy Programme (FLISP) houses comprising of various housing typologies.
- 70 (Seventy) serviced sites for non-qualifiers.
- The upgrade of 10 existing houses on the site.
- A community node comprising of the following:
 - An early childhood development centre (ECD);
 - A public square for informal traders, periodic markets and outdoor social gatherings;
 - A swimming pool and associated infrastructure; and
 - A settlement administration/ community service centre.

This alternative was not preferred as this layout will result in the infilling of the depression wetland which occurs on the site.

The “No-Go” Alternative

The “No-Go” option of not proceeding with the proposed development is not preferred, as it would not provide much needed housing opportunities for the area.

3. Impact Assessment and Mitigation measures

3.1. Activity needs and desirability

The provision of housing and services is an ongoing national priority. Despite the need for housing opportunities in the Simondium area, developable land is scarce, mainly due to factors such as environmental and cultural/historic sensitivities, as well as good quality agricultural land.

There is currently an informal settlement on a portion of the proposed site, where the living conditions are poor. The community is not only in need of houses, but also of public open spaces and youth orientated facilities. The proposed development will provide such opportunities as part of the "community node" that has been incorporated into the design. Furthermore, this node will create opportunities for economic activity and social gatherings.

The proposed development will generate both temporary and permanent job opportunities and is focussed on the upliftment of the Simondium community through the facilities and opportunities that it will provide.

3.2. Biophysical impacts

According to CapeNature's comment (dated 25 November 2020), the proposed site was historically covered by Swartland Alluvium Fynbos, and Boland Granite Fynbos, both vegetation types classified as Endangered ecosystems. However, the site has been largely transformed due to various agricultural activities and there is no significant natural vegetation remaining.

According to the Freshwater Assessment Report (dated September 2019 and revised in May 2020, compiled by Scientific Aquatic Services), an unnamed tributary of the Berg River is located approximately 700m northeast of the proposed site and a naturalized wetland is located on the proposed site. The depression wetland is heavily disturbed due to the invasion of alien species and the disposal of building rubble and litter and is in a severely modified ecological state. The proposed roads will be located within 32m of the wetland, however, the impacts on the watercourse have been identified as being of low negative significance after mitigation.

Furthermore, the proposed development will include the discharge of treated effluent from the temporary waste water treatment plant into the Berg River. According to the Freshwater Impact Statement (dated 22 November 2021, compiled by F.E.N Consulting), disturbances as a result of both historic and present agricultural activities on the banks of the river have resulted in the river being in a modified ecological condition. The specialist indicated that limited impacts to the water quality of the Berg River are expected as a result of effluent discharge. Treated effluent will be discharged into the stormwater channel approximately 700m from the Berg River and it is expected that the flow in the channel will ensure additional 'polishing' due to an influx of water from an unnamed tributary which discharges into the same stormwater channel. The potential impact on the Berg River as a result of effluent discharge has been identified as being of low negative significance after mitigation.

3.3. Impact on Heritage Resources

According to the Heritage Impact Assessment (dated February 2021, compiled by CTS Heritage), the proposed site is of moderate heritage sensitivity due to its position adjacent to the civic node of Simondium, as well as the existing worker's cottages and farm werf. The area proposed for the development is not located in close proximity to the main access route through the town (the R45), and therefore removed from the Victorian high street elements of Simondium. The proposed development will therefore not have a negative impact on the historic core of Simondium. Two cemeteries are present on the proposed site and will be retained. The specialist supports the preferred layout, should the recommended mitigation measures be implemented. Heritage Western Cape indicated in their comment dated 4 June 2021 that they support the preferred alternative as well as the mitigation measures as included in the HIA. These mitigation measures have been included in the EMP and will be implemented.

3.4. Visual Impacts

According to the Visual Impact Assessment (dated 15 September 2020, compiled by Terra Landscape Architects), the proposed site has a degree of visual absorption capacity as a result of existing vegetation surrounding buildings and structures. The proposed development avoids visually prominent ridgelines and very exposed areas and is balanced with tree planting. The specialist further indicates that the proposed development is achievable without compromising the rural quality of the broader area. The visual indicators have been taken into consideration with the layout and design of the proposed development to maximize the visual absorption capacity of the site as far as possible. As a result of this, the proposed development is regarded to be visually recessive as the proposed buildings have either a predominantly 'horizontal' form or compact footprint. The overall visual impact is regarded to be of medium positive to high positive significance with mitigation in the form of landscaping and architectural measures.

3.5. Socio-Economic Impacts

According to the Socio-economic Impact Assessment (dated 2022, compiled by Urban Econ-Development Economists), the proposed development will provide housing opportunities for individuals and families from the Municipal waiting list, farm workers from the surrounding farms, backyarders that reside in Simondium and the informal settlement currently located within the development area. The population of Simondium would therefore not increase, as the beneficiaries already reside in the Simondium area. The proposed development will cater for different income groups that will assist farm workers and residents within the Simondium area. The proposed development will provide access to basic services and is in close proximity to a range of civic, educational, religious and health care services. While retail within the area is limited, farm workers utilise local spaza shops within the area and/ or obtain transport to areas where additional retailers are available. The development will create employment opportunities, which in turn would contribute to an improved level of income and standard of living for the residents of the area. The proposed development is expected to have a positive stimulus on the local economy and employment creation. There are no fatal flaws from a socio-economic perspective and the location of the proposed development is deemed acceptable. The specialist regards the socio-economic impacts to be of high positive significance after mitigation.

3.6. Loss of Agricultural land

The Western Cape Department of Agriculture has indicated in comment dated 30 March 2022 that they have no objection to the proposed development. Furthermore, the Department did not request that additional studies be conducted with respect to the loss of agricultural land.

3.7. Traffic Impact Assessment

According to the Traffic Impact Assessment (dated September 2021, compiled by Deca Consulting Engineers), the proposed development will add additional traffic to the road network. The report further indicates that some intersections that will be impacted upon as a result of the proposed development are currently operating at unacceptable levels of service and require upgrading. These intersections will be upgraded as part of the proposed development. The report further indicates that the traffic impact is regarded to be of moderate negative significance.

The development will result in both negative and positive impacts.

Negative Impacts:

- Noise and dust impacts during the construction phase; and
- Increased traffic.

Positive impacts:

- Provision of housing opportunities for the Simondium community;
- The creation of temporary employment opportunities during the construction phase;
- Optimal use of available land in the area; and
- Improving the living conditions of the community of Simondium.

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 activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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