



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

REFERENCE NUMBER: 16/3/3/1/A8/2/3057/17

ENQUIRIES: Mr. M. Lamour

DATE OF ISSUE: 2018 -05- 11

The Director
KDGC (Pty) Ltd.
Atterbury Property Developments (Pty) Ltd. Die Klubhuis, 2nd Floor
Corner of 18th Street and Pinaster Avenue, Hazelwood
PRETORIA
0081

Attention: Mr. A. De Beer

Tel: (012) 471 1600
Email: alex@atterbury.co.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 INFILLING OF WETLANDS FOR THE ESTABLISHMENT OF THE KING DAVID WAREHOUSING, INDUSTRIAL AND MIXED-USE BUSINESS DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF ERF 112674, ERF 159269 AND THE REMAINDER OF ERF 1181, MATROOSFONTEIN, CAPE TOWN.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

MR. ZAHRIR JOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to: (1) Ms. M. Penwarden (Chand Environmental)
(2) Mr. D. Daniels (Department of Water and Sanitation)
(3) Mr. D. Geogardes (City of Cape Town)

Fax: (021) 422 0998
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Fax: (086) 1201 1241



REFERENCE: 16/3/3/1/A8/2/3057/17
NEAS REFERENCE: WCP/EIA/0000324/2017
ENQUIRIES: Mr. M. Lamour
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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 INFILLING OF WETLANDS FOR THE ESTABLISHMENT OF THE KING DAVID WAREHOUSING, INDUSTRIAL AND MIXED-USE BUSINESS DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF ERF 112674, ERF 159269 AND THE REMAINDER OF ERF 1181, MATROOSFONTEIN, CAPE TOWN.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative, described in the BAR, dated January 2018.

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 Director
KDGC (Pty) Ltd.
c/o Mr. A. De Beer
Atterbury Property Developments (Pty) Ltd. Die Klubhuis, 2nd Floor
Corner of 18th Street and Pinaster Avenue, Hazelwood
PRETORIA
0081

Tel: (012) 471 1600
Email: alex@atterbury.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 Activities	Activity/Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 19 Activity Description:</p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>The proposed development will result in the infilling or depositing of more than 10m³ of material into the wetlands due to the development of stormwater infrastructure.</p>
<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 4 Activity Description:</p> <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>a. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>The Remainder Erf 1181 and the Remainder of Erf 112674 are zoned Open Space 3 and the development includes the construction of roads on these erven. The road widths will vary from 5.5m to 11.8m.</p>

<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended)</p> <p>Activity Number: 18 Activity Description:</p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> <p>a. Western Cape</p> <ul style="list-style-type: none"> i. Areas zoned for use as public open space or equivalent zoning; ii. All areas outside urban areas: <ul style="list-style-type: none"> (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or iii. Inside urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for conservation use; or <p>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>A small area of the proposed main access point (Pallotti Road/ Robert Sobukwe Road) will extend beyond the road reserve into areas zoned as public open. These road widths will extend to a maximum of 6.8 m.</p>
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The abovementioned list is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the proposed development:

The proposed development entails the infilling of approximately 10.649 m² of wetlands for the development of the King David, Warehousing, Industrial and Mixed-use Business development on the Remainder of Erf 112674, Erf 159269 Cape Town and the Remainder of Erf 1181, Matroosfontein, Cape Town. The proposed development will take place in 3 phases over a period of approximately 10 years. The development also entails the development of roads on areas zoned as Open Space 3, where the roads will be wider than 4m but with a reserve of less than 13.5m. The widening of the Pallotti Road to maximum of 6.8 m will also take place on an area zoned as Public Open Space.

A network of internal roads will be constructed to provide road access to all areas within the development. Various other roads including Robert Sobukwe Road may be upgraded.

Main access will be provided from Robert Sobukwe.

Stormwater management will be managed through the use of water storage tanks, three stormwater attenuation ponds as well as a storm water ditches and swales. This is reflected in the Environmental Management Programme ("EMPr"). A total wetland area of approximately 8.667 m² will be retained to form part of the stormwater infrastructure. These measures will save approximately 79 550 m³ of water. Potable water will be supplied by the local authority.

Electricity will be provided by the local authority with various upgrades at a cost to the applicant.

The proposed development will link to existing municipal sewerage services.

The total development footprint will be approximately 71 ha in extent and in accordance with the layout attached as Annexure 2.

Developments within the development footprint may require additional environmental authorisation for other listed activities not authorized in this environmental authorisation.

C. SITE DESCRIPTION AND LOCATION

The Remainder of Erf 112674 Cape Town, Erf 159269 Cape Town and the Remainder of Erf 1181, Matroosfontein:

Point	Latitude (S)	Longitude (E)
The remainder of Erf 1181	33° 57' 32.61" South	18° 34' 54.97" East
The remainder of Erf 112674	33° 57' 49.42" South	18° 34' 57.90" East
Erf 159269	33° 57' 37.17" South	18° 35' 06.07" East

The SG 21 digit codes are:

The Remainder of Erf 1181	C01600310000118100000
The Remainder of Erf 112674	C01600070011267400000
Erf 159269	C01600070015926900000

The co-ordinates for the route of the widening of Pallotti Road at access to Robert Sobukwe Road

Point	Latitude (S)	Longitude (E)
Start	33° 57' 30.62" South	18° 34' 51.10" East
Middle	33° 57' 30.33" South	18° 34' 51.13" East
End	33° 57' 29.78" South	18° 34' 51.20" East

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Environmental Assessment Practitioner:

Chand Specialist Environmental and Sustainability Consultants
 c/o Ms. M. Penwarden
 P.O. Box 238
PLUMSTEAD
 7801

Tel: (021) 762 3050
 Fax: (021) 762 3240

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 December 2017 in areas as described in Section C above.
2. The holder must commence with the listed activities within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **five (5) years** from the date of commencement of the listed activities.
4. 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.

5. 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

6. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activities.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
 - 7.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Annexure 3;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date when the decision was issued.
 - 7.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3. Draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4. Provide the registered I&APs with:
 - 7.4.1. the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2. name of the responsible person for this Environmental Authorisation,
 - 7.4.3. postal address of the holder,
 - 7.4.4. telephonic and fax details of the holder,
 - 7.4.5. e-mail address, if any, of the holder,
 - 7.4.6. 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).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. 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 i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The draft "EMPr" submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any land clearing or development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site office of the authorised activities during the development activities whereafter it must be kept at the office of the applicant, and must be made available to anyone on request.
13. Access to the areas 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

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 14.1. The holder must undertake an environmental audit within 6 (six) months of the commencement of the listed activities and submit Environmental Audit Reports to the Competent Authority one month after the completion of the development phase. The final Audit Report must be submitted to the competent authority within six (6) months of completion of the listed activities.
 - 14.2. The holder must, within 7 (seven) days of the submission of the report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request.

Specific Conditions

15. 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.
 - 15.1. 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.

- 15.2. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
16. The following recommendations of the Freshwater Impact Assessment (compiled by Blue Science and dated October 2017) must be implemented:
- 16.1. Vegetated swales must provide a link between various wetland attenuation areas;
- 16.2. The development of stormwater ponds must consist of three zones, which includes an initial treatment area, a deeper pond area and a seasonal wetland area;
- 16.3. The appropriate aquatic riparian vegetation must be used within stormwater infrastructure;
- 16.4. A 10m buffer must be allowed around the wetland areas once construction is complete; and
- 16.5. A total wetland area of approximately 8.667 m² must be retained as part of the proposed development.
17. Locally indigenous vegetation must be used for landscaping.
18. The following recommendations regarding the widening of the Pallotti Road made by the Transport Impact Assessment dated October 2017 compiled by Innovative Transport Solutions, must be implemented:
- Intersection 2 (Robert Sobukwe/Salm/Pallotti Road):
- Robert Sobukwe western approach: add a through lane and an acceptance lane on the exit approach;
 - Robert Sobukwe eastern approach: remark the left-turn lane to a shared through and left-turn lane and add a dedicated left-turn lane and an acceptance lane on the exit approach;
 - Pallotti southern approach: widen approach for four lanes - one left turn only, shared left and through and two right turn only lanes. Widen Pallotti southbound for two accepting lanes; and
 - Salm Road northern approach: add separate left-turn and through lanes and reconfigure the existing shared lane to a right-turn lane only.
19. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

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 a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for

amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.

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 (as amended) must be submitted.

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

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

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

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision. -
2. An appellant (if NOT the holder of the decision) must, within 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: 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 Jaap de Villiers (Tel: 021 483 3721)
Room 809

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 Jaap.DeVilliers@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 Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the holder, 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. ZAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 11/05/2018

Copies to: (1) Ms. M. Penwarden (Chand Environmental)
(2) Mr. D. Daniels (Department of Water and Sanitation)
(3) Mr. D. Geogardes (City of Cape Town)

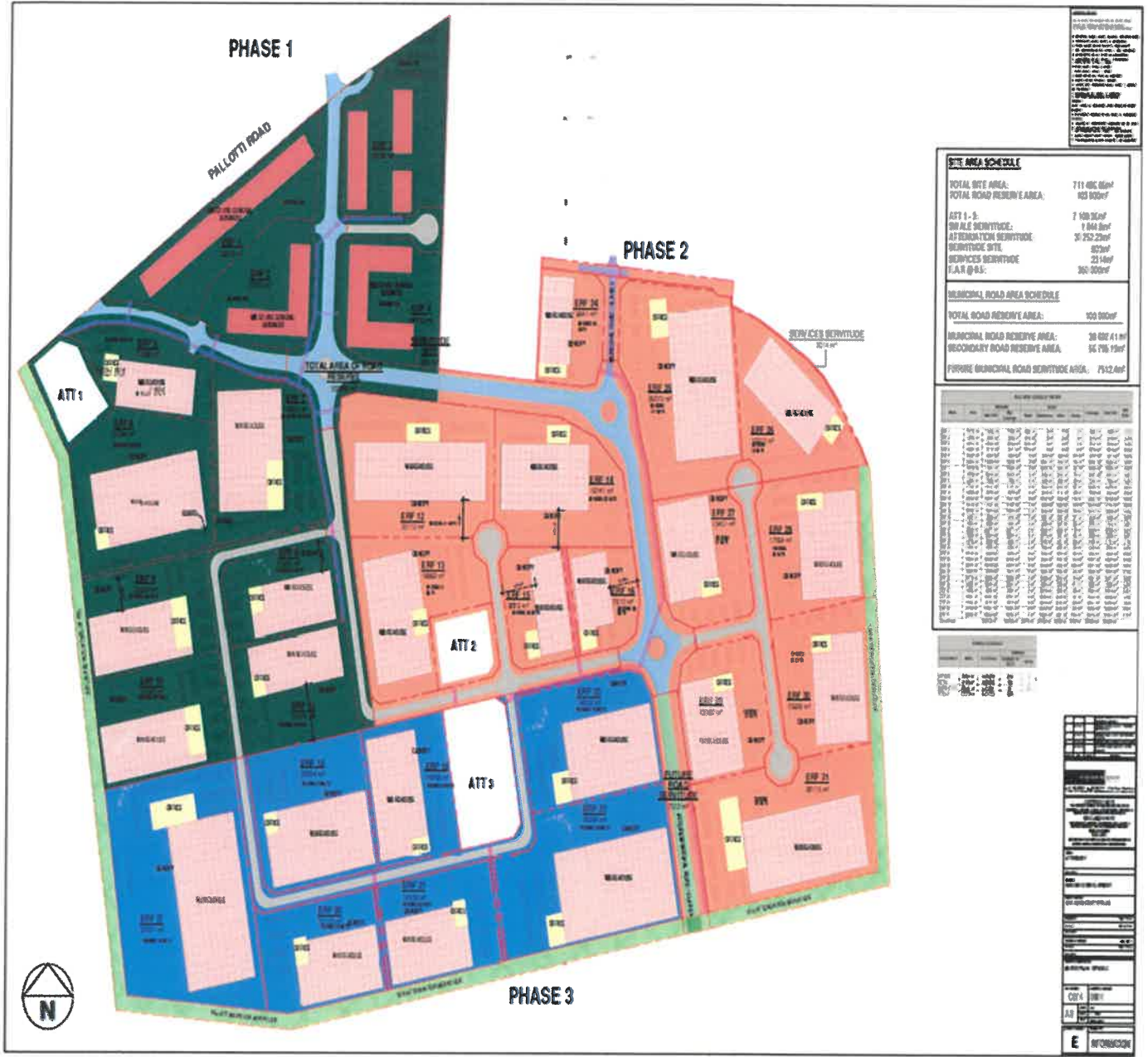
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ANNEXURE 1 (LOCALITY MAP)



THE AREA FOR DEVELOPMENT IS REPRESENTED BY THE KING DAVID COUNTRY GOLF CLUB

ANNEXURE 2 (PREFERRED LAYOUT ALTERNATIVE)



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated 25 October 2017, the BAR received by the Competent Authority on 22 January 2018, the EMPr submitted together with the BAR on 22 January 2018;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives and Need and Desirability (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 BAR dated January 2018;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No field 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 considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board at the area where the listed activities are to be undertaken on 31 March 2017;
- giving written notice to the owners and occupiers of land adjacent to the area where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 13 November 2017;
- the placing of a newspaper advertisement in the 'Tygerburger' on 19 July 2017; and
- making the BAR available to I&APs for public review from 15 November 2017 to 14 December 2017.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

The Competent Authority concurs with the Environmental Assessment Practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

2. Alternatives

Alternatives were considered.

Layout Alternative 1

Alternative 1 consists of 25 different leasehold areas (portioned off the block subdivision) with a concentration of smaller warehouses and office blocks in the north western portion adjacent to Pallotti Road. Each site will have their own warehouses, offices, parking areas, landscaped areas and storm water attenuation structures.

With Alternative 1 there is no change in Pallotti Road and the internal roads within the King David Warehousing/Industrial and Commercial Development Park would be used exclusively by traffic associated with the development.

The main access point would be in the north-western corner off Pallotti Road, with a smaller access road for light vehicles providing access for the smaller business properties along the boundary with Pallotti Road. The road network is designed in a circular fashion to facilitate the movement of trucks and other light vehicles around the property and providing road access to each property.

Traffic movement at intersections will be facilitated by 6 traffic circles. There is only one cul-de sac road in this alternative. The main through road will be developed as a class 3 road, and the rest of the internal service roads will be developed as class 5 roads.

Alternative 2

Alternative 2 consists of 20 different leasehold areas (portioned off the block subdivision) with a concentration of smaller warehouses and office blocks in the north western portion adjacent to Pallotti Road. Each site will have their own warehouses, offices (except for 2 warehouse sites), parking areas, landscaped area and storm water attenuation tanks.

With alternative 2, the Pallotti/Robert Sobukwe traffic gets diverted into the King David development and goes through it (an initiative that is in with line future upgrades of the City of Cape). Traffic movement into and within the development at intersections will be facilitated by 6 traffic circles. The road network is designed in a circular fashion to facilitate the movement of trucks and other light vehicles around the property and providing road access to each area. In this alternative there are three cul-de sacs.

Alternative 1 and 2 were not considered preferred due to the following:

- Increased noise and air pollution along the Pallotti Road;
- Increased traffic impacts and poor levels of traffic services in the area;
- Little value for money to the applicant as a result of less development allowed; and
- Adequate open spaces.

Alternative 3 (The Preferred Alternative herewith authorised)

The proposed development entails the infilling of approximately 10.649 m² of wetlands for the development of the King David, Warehousing, Industrial and Mixed-use Business development on the Remainder of Erf 112674, Erf 159269 Cape Town and the Remainder of Erf 1181, Matroosfontein, Cape Town. The proposed development will take place in 3 phases over a period of approximately 10 years. The development also entails the development of roads on areas zoned as Open Space 3, where the roads will be wider than 4m but with a reserve of less than 13.5m. The widening of the Pallotti Road/ to maximum of 6.8 m will also take place on an area zoned as Public Open Space.

A network of internal roads will be constructed to provide road access to all areas within the development. Various other roads including Robert Sobukwe Road may be upgraded.

Main access will be provided from Robert Sobukwe.

Stormwater management will be managed through the use of water storage tanks, three stormwater attenuation ponds as well as a storm water ditches and swales. This is reflected in the Environmental Management Programme ("EMPr"). A total wetland area of approximately 8.667 m² will be retained to form part of the stormwater infrastructure. These measures will save approximately 79 550 m³ of water. Potable water will be supplied by the local authority.

Electricity will be provided by the local authority with various upgrades at a cost to the applicant.

The proposed development will link to existing municipal sewerage services.

The total development footprint will be approximately 71 ha in extent and in accordance with the layout attached as Annexure 2.

The layout of this alternative will be similar to alternative 2, however the following differences will form part of it:

- There are additional bulk services totaling up to 350 000m²;
- The main northern access road off Robert Sobukwe Road has been shifted slightly to the west for ease of access to and from the development;
- The majority of the site will be utilized for warehousing with general industrial zoning and the remaining area of the proposed land use would be for mixed use;
- There is an increase in attenuation area, particularly in attenuation pond number 3 to mitigate potential stormwater impacts; and
- Internal road alignment has been slightly altered to lower the traffic impact and associated noise and air pollution in the area.

This alternative is deemed as preferred as it will manage traffic loads better and it takes into account the recommendations of the Transport Impact Assessment. More development can take place on the same footprint than the other two layout alternatives. It also provides for better stormwater management.

"No-Go" Alternative

The "No-Go" alternative would result in maintaining the "*status quo*". However, since the proposed development will not result in unacceptable environmental impacts, the "No-Go" alternative was not warranted.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

Although the existing area is used as a golf course, the proposed development would not compromise the integrity of the existing approved Municipal IDP and SDF. As with the Provincial Spatial Development Framework, the nature of the proposed development is aligned with the urban zoning of this area in the Cape Town Spatial Development Framework, 2012 and supports the further development of the Airport Precinct and the intention to expand economic employment opportunities for people living in neighbouring low income residential areas. This directly relates to the goals of the Integrated Development Plan.

3.2. Freshwater Impacts

Due to the presence of some wetlands on the site, Freshwater Impact Assessment was conducted by Blue Science for the proposed development dated October 2017. The study indicated that the site has a number of wetlands on the borders of the existing golf course that have a total area of approximately 1.8 ha. These freshwater features are largely artificial wetlands that have mostly been created as water features within the golf course and are filled with treated wastewater from the adjacent Borchers Quarry Waste Water Treatment Works (WWTW). Some additional wetlands have formed due to storm water runoff and seepage from the adjacent developed areas and the WWTW. It was therefore concluded that, in general, these features provide limited goods and services and are considered to be of a low ecological importance and sensitivity.

Wetlands areas will also form part of the development since open space and stormwater infrastructure will accommodate these features. Once the area is developed, buffer areas will be allowed for around these wetlands.

The freshwater impacts is therefore regarded as being of medium negative significance prior to mitigation and medium to low negative significance post mitigation.

The required mitigation measures have also been included in the conditions of this environmental authorisation and EMPr.

A Water Use Licence Application in terms of the National Water Act, 1998 (Act No. 36 of 1998) has been applied for on 27 October 2017 and is in process.

Cape Nature indicated (in their correspondence dated 18 December 2017) that they are satisfied that their comments regarding wetlands have adequately been addressed.

3.3. Botanical Impacts

A Botanical Constraints Analysis dated February 2016 was undertaken by Bergwind Botanical Surveys and Tours to ascertain whether there are any botanical constraints associated with the proposed development. The study found that the original vegetation found has been all but lost due to the long-term existence of the golf course and the resultant transformation of the environment. No 'red flags' in terms of species of conservation concern or sensitive vegetation and habitat were identified. As a result hereof, it was concluded that there are very low constraints applicable to development of the site and the impact assessment reflects this in that the proposed development would have low to very low negative botanical impacts. The botanical impacts of the proposed development are therefore regarded as being low negative significance prior to mitigation and very low significance post mitigation.

Mitigation measures have also been included in the conditions of this environmental authorization and EMPr.

3.4. Traffic Impacts

Due to the expected traffic impact associated with the proposed development, a Transport Impact Assessment dated October 2017, was conducted by Innovative Transport Solutions. The study found that although there may be impacts associated with the proposed development, these impacts can be mitigated. It indicated that the existing road network can accommodate the proposed development provided that some upgrades are implemented to the network.

It should be noted that the preferred layout herewith authorised has been designed to accommodate the recommendations made by this assessment. Some upgrades that do not require environmental authorisation may be implemented.

Mitigation measures have been included in the conditions of this environmental authorisation and the EMPr.

The traffic impacts associated with the proposed development are therefore regarded as being of medium negative significance prior to mitigation and low post mitigation.

3.5. Noise Impacts

A Noise Impact Assessment dated October 2017 was conducted by Jongens Keet Associates Acoustical Engineering Consultants. The study was specifically aimed at measuring the increase in traffic noise associated with two road access alternatives of the various layout alternatives proposed. The assessment specifically conducted during peak traffic hours found that alternative 1, would result in a high negative noise impact on many of Pallotti Road residences with noise mitigation procedures required to be implemented. The study found that the preferred alternative would not result in significant negative noise impacts in contrast will result in medium positive.

Adjacent developments include a bus depot, a waste water treatment works, busy roads and the Cape Town International Airport.

3.6. Bulk Service Infrastructure

Bulk services have been confirmed by the local authority subject to certain requirements.

3.7. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their comment dated 19 June 2017) that since the proposed development will not impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

3.8. Development on open spaces

Certain sections of the proposed development will entail the development of roads across areas zoned as open spaces. Although some of the existing open spaces will be lost as a result of the proposed development these will be compensated for by the establishment of other open spaces.

3.9. Socio-Economic Impacts

Temporary employment opportunities will be afforded to the local community (as far as possible). The development will contribute to the local authority.

3.10. Dust Impacts

Potential dust impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr.

The development will result in both negative and positive impacts.

Negative impacts include:

- Impacts on wetlands; and
- Potential traffic and dust impacts.

Positive impacts include:

- Improved storm water management;
- Some employment opportunities; and
- Economic benefits.

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.

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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