



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

REFERENCE NUMBER: 16/3/3/1/A8/23/3043/19

ENQUIRIES: MS. K. ADRIAANSE

DATE OF ISSUE:

2020 -03- 2 0

The Municipal Manager
City of Cape Town
Private Bag X 9181
CAPE TOWN
8000

For Attention: Mr. G. Basson

Tel: (021) 444 6300

Email: Grobler.Basson@capetown.gov.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO.107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 135314-RE, BONTEHEUWEL.

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 summarised in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: (1) Ms. T. Solomon (Infinity Environmental (Pty) Ltd.)

(2) Mr. D. Georgeades (City of Cape Town: Environmental Resource Management)

(3) Mr. A. Oosthuizen (Directorate: Development Facilitation)

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NEAS REFERENCE: WCP/EIA/0000700/2019

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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 135314-RE, BONTEHEUWEL.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR"), dated January 2020.

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
c/o Mr. G. Basson
City of Cape Town
Private Bag X9181
CAPE TOWN
8000

Tel: (021) 444 6300
Email: Grobler.Basson@capetown.gov.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 15 Activity Description:</p> <p><i>The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</i></p> <p>f. Western Cape</p> <p><i>i. Outside urban areas, or</i></p> <p><i>ii. Inside urban areas:</i></p> <p><i>(aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</i></p> <p><i>(bb) A protected area identified in terms of NEMPAA, excluding conservancies; or</i></p> <p><i>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</i></p>	<p>The proposed development entails the transformation of land bigger than 1000m² in size to residential use where such land was zoned open space on or after 02 August 2010.</p>

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

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

The proposed development entails transformation of approximately 1.3947ha of a portion of Erf 135314-RE, which is zoned open space, for the establishment of a housing development and associated infrastructure on Erf 135314-RE, Bonteheuwel.

The proposed development will comprise:

- Approximately 120 residential units;
- A stormwater pond and associated infrastructure;
- Internal roads;
- Open Space, which will include a sports field and additional space for possible parking and associated infrastructure; and
- Associated infrastructure.

The proposed development will connect to the following existing municipal services:

- Potable water supply;
- Electricity supply;
- Sewage treatment capacity; and
- Solid waste removal.

Access to the site will be gained off Juniper Street and Camellia Street.

The total development footprint will be approximately 1.3947ha in extent.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on Erf 135314-RE, which is located off Kameeldoring Street, Bonteheuwel and has the following co-ordinates:

Point	Latitude	Longitude
Middle	33°56'49.09" South	18°33'12.45" East

The SG 21-digit code is:

Erf 135314	C01600070013531400000000RE
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Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Infinity Environmental (Pty) Ltd.
c/o Ms. T. Solomon
Suite No. 17
Private Bag X11
MOWBRAY
7705

Tel: (021) 834 1602
Fax: (086) 591 8616

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative described in the BAR dated January 2020 on the site as described in Section C above.
2. The holder must commence with the listed activity on site within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within 10 (ten) years from the date of commencement of the listed activity.
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: 6, 7 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; and
 - 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 activity, 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 activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The draft Environmental Management Programme ("EMPr") dated January 2020 and 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 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 where the listed activity will be undertaken and must be made available to any authorised official on request.
13. 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

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 Reports 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 development/construction activities and submit an Environmental Audit Report to the Competent Authority upon the completion of the environmental audit.
 - 14.2. A final Environmental Audit Report must be submitted to the Competent Authority 1 (one) month after the completion of the development/construction activities.
 - 14.3. The holder must submit an Environmental Audit Report every 5 (five) years while the EA remains valid.
 - 14.4. The holder must, within 7 (seven) calendar days of the submission of an Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to an authorised person 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. 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.
16. 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.

F. GENERAL MATTERS

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

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

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the NEMA EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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 form/s must be submitted by means of one of the following methods:
 - By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000
 - By facsimile: (021) 483 4174; or
 - By hand: Attention: Mr. M. Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 2659, E-mail DEADP.Appeals@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 LOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 20/03/2020

Copies to: (1) Ms. T. Solomon (Infinity Environmental (Pty) Ltd.)

(2) Mr. D. Georgeades (City of Cape Town: Environmental Resource Management)

(3) Mr. A. Oosthuizen (Directorate: Development Facilitation)

Fax: (086) 591 8616

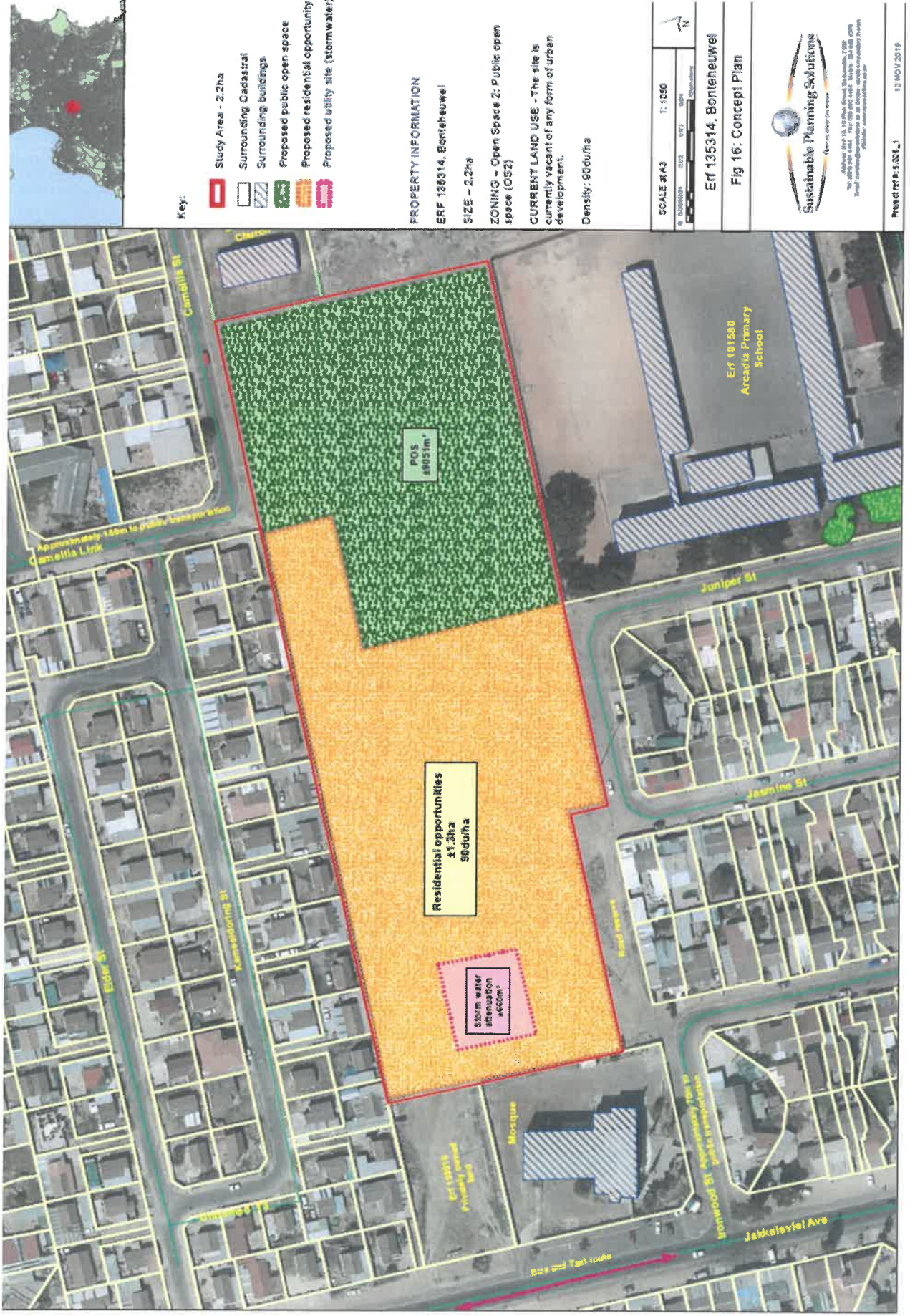
Fax: (021) 425 4448

Email: Andre.Oosthuizen@westerncape.gov.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



- Key:**
- Study Area - 2.2ha
 - Surrounding Cadastral Surrounding buildings
 - Proposed public open space
 - Proposed residential opportunity
 - Proposed utility site (stormwater)

PROPERTY INFORMATION
ERF 135314, Bonteheuwel
SIZE - 2.2ha
ZONING - Open Space 2: Public open space (OS2)
CURRENT LAND USE - The site is currently vacant of any form of urban development.
Density: 50du/ha

SCALE 1:1000

Erf 135314, Bonteheuwel

Fig 16: Concept Plan

Sustainable Planning Solutions
 (Pty) Ltd
 Address: Unit 15, 12 Park Street, Bonteheuwel, 7500
 Tel: 0876 200 444 | Fax: 021 450 444 | Email: info@sps.co.za
 Email: info@sps.co.za | Website: www.sps.co.za

Project ref: S.024_1 13 NOV 2019

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 13 November 2019, the BAR received by the Competent Authority on 14 January 2020, the EMPr received by the Competent Authority on 14 January 2020 and the additional information received by the Competent Authority on 18 March 2020;
- 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 2020;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) 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 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 on the site where the listed activity is to be undertaken on 01 August 2018;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 31 July 2018;
- the placing of a newspaper advertisement in the 'Athlone News' on 01 August 2018; and
- making the BAR available to I&APs for public review from 14 November 2019 to 13 December 2019.

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

No site alternatives were investigated as the proposed site is located within the urban edge adjacent to existing residential areas and is owned by the City of Cape Town. Layout Alternatives were identified and investigated. Initially approximately 130 residential units were proposed. However, this layout did not accommodate the stormwater infrastructure required for the proposed development. The Preferred Alternative and the "no-go" alternative were therefore identified and assessed as part of the proposed development.

The Preferred Alternative (herewith authorised)

The Preferred Alternative entails transformation of approximately 1.3947ha of a portion of Erf 135314-RE, which is zoned open space, for the establishment of a housing development and associated infrastructure on Erf 135314-RE, Bonteheuwel.

The proposed development will comprise:

- Approximately 120 residential units;
- A stormwater pond and associated infrastructure;
- Internal roads;
- Open Space, which will include a sports field and additional space for possible parking and associated infrastructure; and
- Associated infrastructure.

The proposed development will connect to the following existing municipal services:

- Potable water supply;
- Electricity supply;
- Sewage treatment capacity; and
- Solid waste removal.

Access to the site will be gained off Juniper Street and Camellia Street.

The total development footprint will be approximately 1.3947ha in extent.

The Preferred Alternative takes cognisance of the concerns raised by I&APs, service infrastructure and stormwater infrastructure required for the proposed development. Due to concerns raised by I&APs regarding the loss of open space, which is used for recreational activities, the Preferred Alternative was amended to include a larger public open space area of 0.9051ha in extent.

"No-Go" Alternative

The "No-Go" alternative would result in maintaining the "*status quo*". However, since the Preferred Alternative 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

Erf 135314-RE, Bonteheuwel is zoned Open Space 2: Public Open Space in terms of the City of Cape Town's Municipal Planning Bylaw, 2015 and is used as an informal sports field. Initially, concerns were raised by the City of Cape Town: Recreation and Parks Department regarding the loss of open space. However, the City of Cape Town: Recreation and Parks Department confirmed (in their comment dated 19 October 2019) that the revised layout plan, which includes an open space of approximately 0.9051ha in extent and additional space is supported. Although the proposed development will result in the loss of some open space, a portion of the site will be formalised to establish a sports field, parking and associated infrastructure. The Tygerberg District Plan (2012) designates the proposed site for 'urban development'. The proposed development is further in line with the City of Cape Town's Spatial Development Framework (2018), which focuses on 'inward growth' and densification. Further, the proposed development is in accordance with the City of Cape Town's Integrated Human Settlement Plan to address the housing needs in the Bonteheuwel area.

3.2. Biophysical Impacts

Historically, the site would have supported the Cape Flats Sand Fynbos vegetation type, which is Critically Endangered in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – National list of ecosystems that are threatened and in need of protection. However, the site is transformed and no indigenous vegetation occurs on the proposed site. The potential botanical impacts are therefore anticipated to be negligible.

A Freshwater Statement (compiled by BlueScience and dated 04 February 2019). The freshwater specialist indicated that there are no visible aquatic features in or adjacent to the site. It is therefore anticipated that the proposed development will not result in any impact from a freshwater ecological perspective.

3.3. Geotechnical considerations

A Phase 1 Geotechnical Investigation Report (compiled by SRK Consulting (South Africa) (Pty) Ltd. and dated June 2018) was conducted to determine the suitability of the proposed site for the proposed development. Seven test pits were excavated across the proposed site. Fill encountered across the entire site comprises slightly clayey fine to medium sand with some plastic and traces of glass. No water seepage was encountered within a depth of approximately 1.3m. However, given that the investigation was conducted towards the end of a prolonged drought, a perched water table could develop. The specialist concluded that the proposed site is suitable for the proposed development and provided recommendations in relation to the foundations that may be established based on the environmental conditions that could occur when development activities commence. The specialists' recommendations have been included as a condition set in this Environmental Authorisation and in the EMPr.

3.4. Services / Bulk Infrastructure

The City of Cape Town have confirmed (in their correspondences dated 14 December 2018, 28 January 2019, 15 May 2019 and 17 March 2020) that sufficient, spare and unallocated sanitation and sewerage capacity, electricity supply, water supply and solid waste removal is available.

3.5. Traffic Impacts

A Traffic Impact Assessment (conducted by Innovative Transport Solutions and dated April 2019) was undertaken to determine the potential traffic impacts associated with the proposed development. The specialist indicated that the estimated number of trips associated with the proposed development would be approximately 33 trips. Although upgrades to various intersections were identified by the specialist for the 2023 Background traffic conditions, the specialist indicated that the 2023 Total traffic conditions will continue to operate sufficiently with the upgrades proposed as part of the 2023 Background traffic conditions. Therefore, no transport improvements or upgrades are required as part of the proposed development. The proposed development is therefore not anticipated to result in significant traffic impacts. The potential traffic impacts will be of low negative significance post mitigation. Mitigation measures have been included in the EMPr.

3.6. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their correspondence dated 31 July 2018) that the proposed development will not impact on heritage resources and no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

3.7. Dust, Noise and Visual Impacts

No significant dust, noise and visual impacts are anticipated. Potential dust, noise and visual 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:

- Loss of some Open Space; and
- Potential dust, noise and visual impacts during the development phase.

Positive impacts include:

- The alleviation of the housing needs in the Bonteheuwel area;
- The provision of additional housing opportunities;
- The provision of a formal sports field and associated infrastructure; and
- Some employment opportunities. Employment opportunities to be allocated to previously disadvantaged individuals in accordance with the municipal guidelines.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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

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