



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management
(Region 1)

REFERENCE: 16/3/3/1/E2/31/1073/18
NEAS REFERENCE: WCP/EIA/0000490/2018
ENQUIRIES: Arabel McClelland
DATE OF ISSUE: 2019 -03- 11

Municipal Manager
Overstrand Municipality
P.O. Box 20
HERMANUS
7200

Attention: Mr. Hanré Blignaut

Tel: (028) 313 8972
Fax: (028) 313 2958

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 ADDITIONAL POTABLE WATER RESERVOIR ON ERF NO. 1423, PRINGLE BAY

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, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully


DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. C. Bruwer Snr (EnviroAfrica)
(2) Mr. T. Dry/Ms. T. Zweig (Overstrand Municipality)
(3) Ms. C. Rampartab (CapeNature)

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REFERENCE: 16/3/3/1/E2/31/1073/18
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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 ADDITIONAL POTABLE WATER RESERVOIR ON ERF NO. 1423, PRINGLE BAY

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 Department 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 ("BAR"), dated February 2019.

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

Overstrand Municipality
c/o The Municipal Manager
P.O. Box 20
HERMANUS
7200

Tel: (028) 313 8972
Fax: (028) 313 2958

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 -</p> <p>Activity Number: 2</p> <p><i>The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.</i></p> <p>(i) Western Cape:</p> <ul style="list-style-type: none"> <i>i. A protected area identified in terms of NEMPAA, excluding conservancies;</i> ii. In areas containing indigenous vegetation; or <i>iii. Inside urban areas:</i> <ul style="list-style-type: none"> <i>(aa) Areas zoned for use as public open space; or</i> <i>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</i> 	<p>The proposal entails the establishment of a new reservoir with an approximate capacity of 1.5Ml within an area that comprises indigenous vegetation.</p>
<p>Listing Notice 3 -</p> <p>Activity Number: 12</p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>(i) Western Cape:</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; <i>ii. Within critical biodiversity areas identified in bioregional plans;</i> <i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or</i> <i>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</i> <i>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the</i> 	<p>The footprint of the new reservoir is approximately 420m², thus necessitating the clearance of an area of more than 300m² of indigenous vegetation characterised as Kogelberg Sandstone Fynbos, which is categorised as Critically Endangered.</p>

prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.

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 activities as it relates to the development:

The construction of a new circular water reservoir, with a storage capacity of approximately 1.5Ml, adjacent to an existing reservoir, located on Erf no. 1423, Pringle Bay. The approximate diameter of the new reservoir is 24m, while the approximate height is 4m. The reservoir will be partially sunken into the hillside. Excavated material and topsoil will be used to cover the reservoir structure upon completion with the resultant slope revegetated with indigenous vegetation. Additional and associated infrastructure to be installed includes pipelines, control equipment and access points that will connect the reservoir to the existing water distribution network. The proposal includes the upgrade of the existing access road to the site and the storm water channels in the immediate vicinity of the site.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Erf no. 1423, Pringle Bay.

The co-ordinates of the new reservoir are:

Latitude (S)	Longitude (E)
34° 20' 56.53" South	18° 50' 52.49" East

The SG digit code is: C01300170000142300000

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

EnviroAfrica (Overberg) Environmental Planning and Impact Assessment Consultants
c/o Mr. Charel Bruwer Snr
P.O. Box 4
ONRUS
7200

Tel: (028) 316 2888
Fax: (086) 513 2141

L. 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 February 2019, on the site as described in Section C above.
2. The holder must commence with the listed activities on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **10 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. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction 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, 11 and 17.

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 Appeals 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, and
 - 7.4.6 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 (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. 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 Environmental Management Programme ("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 commencement of any construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. 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.
13. Access to the site referred to in Section C 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 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).

The holder must undertake an environmental audit (quarterly for the duration of the construction phase) and submit Environmental Audit Reports to the Competent Authority (once every six months during the construction phase). The final Environmental Audit Report must be submitted to the Competent Authority (six months after operation commenced).

The holder must, within 7 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 and on a publicly accessible website (if applicable).

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. 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.
17. The construction phase disturbance footprint must be limited as far as possible with the construction area clearly demarcated before commencement of any construction activities. The temporary excavated material and topsoil stockpile areas situated outside of the reservoir site, to the north east, must also be clearly demarcated and restricted to the disturbed areas only. Construction and stockpile areas must be strictly adhered to. All areas beyond the construction footprint must be considered as no-go areas.
18. During the construction phase, site access must be limited as far as possible to use of the direct route from the R44 that links to Caesar Road and then to the reservoir site. In the event access must be taken via both Carla and Caesar Roads, this is to operate as a one-way system for construction vehicles.

19. Topsoil removed from the new disturbance footprint during construction must be stored and protected for use in rehabilitation of the new reservoir site. In addition, adequate dust suppression measures must also be employed for the duration of the stockpiles' existence to prevent windblown material and dust in the area.
20. Storm water channels in the immediate vicinity of the site must be formalised as a component of the site access/road upgrade of the section of road from Carla Street.
21. The construction phase disturbance footprint, including the stockpile areas and portion of the site where excavated material and topsoil is used to cover the reservoir, must be rehabilitated upon completion of the construction phase and revegetated with locally occurring indigenous vegetation. This must be undertaken with the supervision of a suitably qualified and experienced botanical or rehabilitation specialist.

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 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 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which 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 on which 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 Organs 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 Organs 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
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 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>.

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

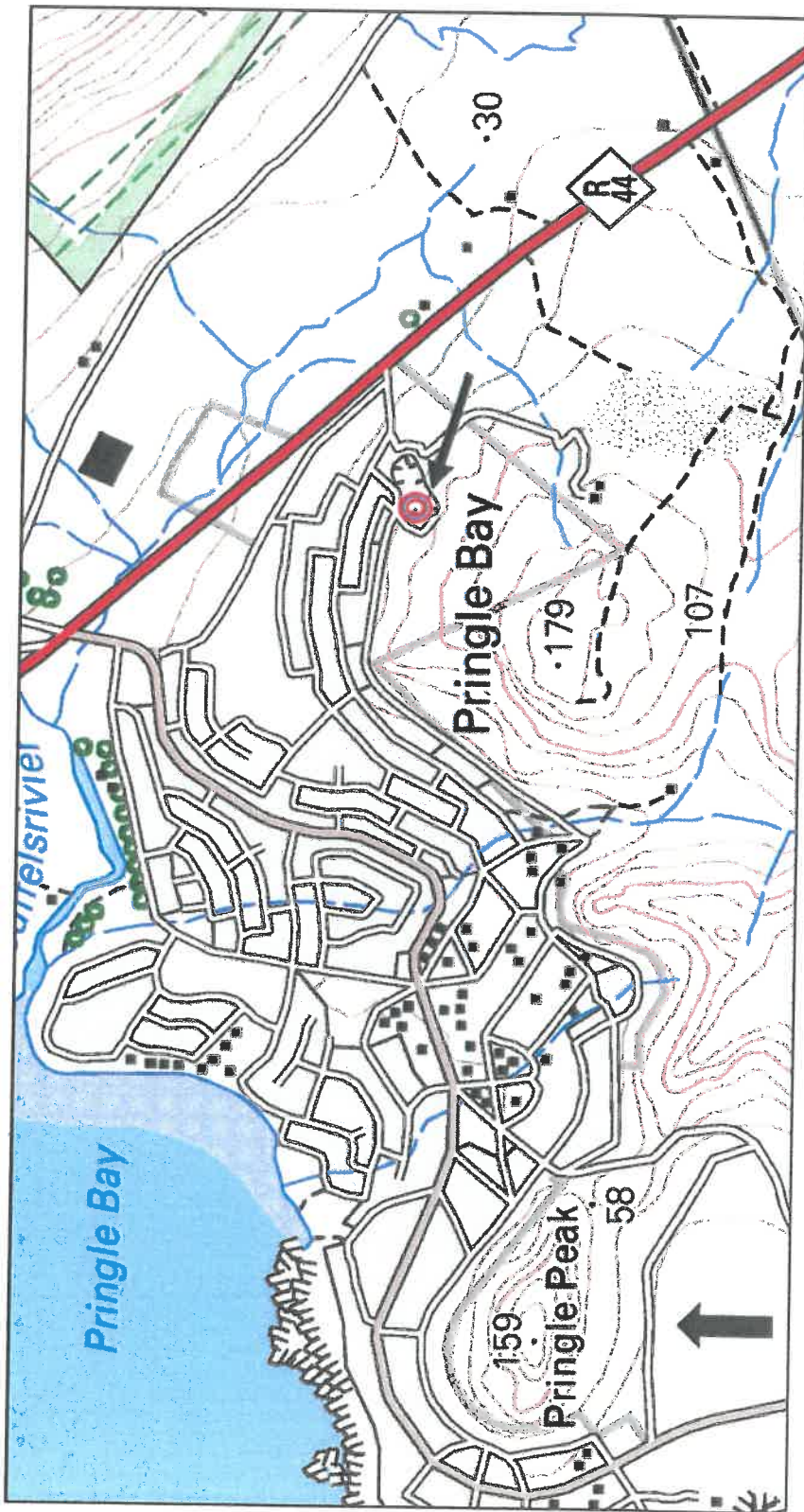
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 11/03/2019

CC: (1) Mr. C. Bruwer Snr (EnviroAfrica)
(2) Mr. T. Dry/Ms. T. Zweig (Overstrand Municipality)
(3) Ms. C. Rampartab (CapeNature)

Fax: (086) 513 2141
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 **NEXURE 1: LOCALITY MAP**



Pringle Bay reservoir Google 400m scale

Write a description for your map.



ANNEXURE 2: SITE PLAN



aurecon
www.aurecongroup.com



REVISIONS

NO.	DATE	DESCRIPTION
1	11/11/14	ISSUED FOR INFORMATION
2	04/22/19	ALTERNATIVE ACCESS INDICATED

DESIGNER

A. VERSFELD

CHECKED BY

R. BUCKLE
R. BUCKLE

PROJECT

PRINGLE BAY 1.5 ML RESERVOIR
ERF 1423

CLIENT

503080 - 0000 - DRG - CC - 0007

TITLE

LOCALITY PLAN

DATE

04/22/19

SCALE

AS SHOWN

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 18 September 2018, the EMPr submitted together with the BAR on 12 December 2018, and the additional information and revised BAR received by the Department on 8 February 2019;
- 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 BAR, dated December 2018;
- e) The additional information contained in the revised BAR, dated February 2019;
- f) The comments received from CapeNature, dated 14 February 2019 and 1 March 2019; and
- g) 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 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;
- the placing of a newspaper advertisement in the 'Overstrand Herald' on 2 November 2017;
- placement of a notice board, on 2 November 2017, at the site entrance where the listed activities are to be undertaken;
- 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 councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 6 November 2017;
- making the draft BAR available to I&APs for public review from 18 September 2018;

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all 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

The proposed development is intended to feed into the current water supply distribution network and supply the town of Pringle Bay with potable water. Due to the placement of the existing water storage reservoir on Erf no. 1423 to the south east of Pringle Bay, and as a result of the nature of the project, location, activity, technology and operation alternatives were not considered feasible and not investigated further.

Preferred Alternative (Herewith authorised)

This alternative entails the construction of a new circular water reservoir, with a storage capacity of approximately 1.5Ml, adjacent to an existing reservoir, located on Erf no. 1423, Pringle Bay. The approximate diameter of the new reservoir is 24m, while the approximate height is 4m. The reservoir will be partially sunken into the hillside. Excavated material and topsoil will be used to cover the reservoir structure upon completion. The resultant slope will be revegetated with indigenous vegetation. Additional and associated infrastructure to be installed include feed-in and feed-out pipelines, control equipment and access points that will connect the reservoir to the existing water distribution network. The proposal includes the upgrade of the existing access road to the site and the storm water channels in the immediate vicinity of the site.

This alternative is preferred as the design allows for the reservoir to be sunken into the hillside with a height of approximately 3.5m from the reservoir floor to the flat top of the structure. Although this design has a larger footprint, at approximately 460m², it allows the structure to be concealed underground, thereby not only connecting to existing pipeline infrastructure, but also softening the visual impact of the reservoir structure. This will be achieved by stacking the material against the upright reservoir wall and planting this with natural vegetation. It is estimated that the whole reservoir structure, as seen from a side view, will be covered. Thus, the top of the reservoir will not break the ridgeline thereby mitigating the potential visual impact of the structure on the hillside.

Design Alternative 2

This design alternative also entails the construction of a circular concrete reservoir with a full storage capacity of 1.5Ml. However, the configuration of the reservoir would result in a diameter of approximately 19m and a height of 5.5m from the reservoir floor to the flat top of the structure. In this configuration, the reservoir would have a footprint of approximately 275m². The reservoir structure would also be sunken to enable connection to the existing distribution infrastructure with material used to cover the structure.

This alternative is not preferred as the whole reservoir structure, as seen from a side view, will not be covered as the smaller footprint and same depth limitation will reduce the volume of soil to be excavated. Therefore, the concrete structure will protrude above the ground by approximately 2m, with the top of the reservoir breaking the ridgeline, thus resulting in a more significant visual impact.

"No-Go" Alternative

The "no-go" option was also investigated but was not preferred as the *status quo* of the water supply situation for the town of Pringle Bay would persist. If the no-go option was implemented, the Overstrand Municipality would not be positioned to supply adequate potable water to the Pringle

Bay area. This would in turn negatively affect the residents of the area and prevent further growth and development in the immediate region.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

An additional reservoir is required to increase water storage capacity so as to ensure adequate potable water supply to meet demand in the Pringle Bay area. An additional reservoir, and thus additional potential supply capacity, shall also provide sufficient water supply capacity to enable projected growth and development and cater to urban expansion in the region.

3.2 Biophysical Impacts

The proposed site for the new reservoir is located within a fenced off area, containing an existing rectangular reservoir, situated on a portion of Erf No. 1423, to the south-east of Pringle Bay on the lower slopes of Pringle Peak. The property is surrounded by the Brodie Link Nature Reserve, which lies within the buffer zone of the Kogelberg Biosphere Reserve. Non-perennial tributaries of the Buffelsjag River run along the northern and eastern borders of the erf, with a channelled valley-bottom wetland along the northern tributary, which is classified as a National Freshwater Ecosystem Priority Area. The fenced area itself has been mapped to contain Kogelberg Sandstone Fynbos, which is a Critically Endangered vegetation type.

A Botanical Statement was compiled by PB Consult, dated 5 December 2018, to evaluate the condition of the vegetation on the site and provide recommendations on impact mitigation and minimisation associated with the development. Notably, the fenced off site partially falls within a Critical Biodiversity Area ("CBA"), identified as an important ecological corridor. The area has been subject to recent fires and vegetation on site is recovering, comprising annuals, pioneer species and re-sprouting plant species. The area beyond the fenced site is in very good condition, with the exception of the strip between the site and the dwellings to the north. The site itself shows evidence of disturbance and vegetation composition is significantly reduced. Construction work can be spatially constrained to within the disturbance footprint to ensure the CBA is not impacted on directly. The exception to this are the topsoil and excavated material stockpiles, which due to space constraints within the fenced off area, are to be stored to the north of the site on either side of the access road. Limitations exist relating to the placement of the reservoir and connection to the existing infrastructure and distribution network, however, this also results in the proposed development occurring within a largely disturbed footprint. As a result, the reservoir development will not impact on pristine indigenous vegetation. The potential biodiversity impact is therefore considered acceptable on condition the footprint is limited as far as possible and topsoil is stored, protected and used for rehabilitation purposes and that the stockpiles are restricted to the identified areas only. Removal of alien invasive vegetation is also a key ongoing management requirement for future maintenance of the site. CapeNature also confirmed in their comment dated 1 March 2019 that the concerns raised in their initial comment have been adequately addressed.

The development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will result in construction related impacts such as dust, visual and noise impacts during the construction period.
- An increase in construction vehicles and traffic will occur during the construction phase.

- An area of indigenous vegetation will be removed for the establishment of the reservoir, with some minor additional areas being cleared for connection of infrastructure and upgrade of the access road. Stockpiles situated to the north of the site will also result in the loss of an area of disturbed indigenous vegetation.
- The reservoir will result in a minor visual impact.

Positive impacts:

- The development will provide temporary employment opportunities during the construction phase.
- Upgrades to the access road and associated storm water channels shall improve storm water management in the immediate vicinity of the site.
- The local receiving community of Pringle Bay, as well as the wider area, will benefit from reliable water supply and provision of basic services.
- Improved service infrastructure will be provided by the Municipality for the town.
- Sufficient service capacity will enable potential growth and development in the area, which will in effect provide opportunities for development, as well as potential employment and economic benefits, for the area.

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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