



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

REFERENCE NUMBER: 16/3/3/1/F4/9/3026/19

ENQUIRIES: MS. K. ADRIAANSE

DATE OF ISSUE:

2020 -03- 17

The Municipal Manager
Saldanha Bay Municipality
Private Bag X12
VREDENBURG
7380

For Attention: Mr. H. Mettler

Tel: (022) 701 7000

Fax: (022) 715 1518

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 CLEARANCE OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF A HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERVEN 1003 AND 7752, LOUWVILLE.

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. ZAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to: (1) Ms. L. Abrahams / Ms. J. Pienaar (Enviro-EAP (Pty) Ltd.)
(2) Mr. A. Oosthuizen (DEA&DP – DDF)

Fax: (086) 435 4691
Email: Andre.Oosthuizen@westerncape.gov.za



REFERENCE: 16/3/3/1/F4/9/3026/19
NEAS REFERENCE: WCP/EIA/0000640/2019
ENQUIRIES: MS. K. ADRIAANSE
DATE OF ISSUE:

2020 -03- 17

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 CLEARANCE OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF A HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERVEN 1003 AND 7752, LOUWVILLE.

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 Layout Alternative 1, described in the Basic Assessment Report ("BAR"), dated 07 November 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

The Municipal Manager
c/o Mr. H. Mettler
Saldanha Bay Municipality
Private Bag X12
VREDENBURG
7380

Tel: (022) 701 7000
Fax: (022) 715 1518

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: 27 Activity Description:</p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p>(i) <i>the undertaking of a linear activity; or</i> (ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> | <p>The proposed development entails the clearance of approximately 2ha of indigenous vegetation.</p> |
| <p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 4 Activity Description:</p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p>i. Western Cape</p> <p>i. <i>Areas zoned for use as public open space or equivalent zoning;</i> ii. <i>Areas outside urban areas;</i> (aa) <i>Areas containing indigenous vegetation;</i> (bb) <i>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</i> iii. <i>Inside urban areas;</i> (aa) <i>Areas zoned for conservation use; or</i> (bb) <i>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</i></p> <p>Activity Number: 12 Activity Description:</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> <p>i. <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></p> | <p>The proposed development entails the development of roads wider than 4m with a reserve less than 13.5m on areas zoned for use as public open space.</p> <p>The proposed development entails the clearance of approximately 2ha within an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p> |

- ii. *Within critical biodiversity areas identified in bioregional plans;*
- 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;*
- 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; or*
- v. *On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.*

Activity Number: 15
 Activity Description:

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.

f. Western Cape

- i. *Outside urban areas, or*
- ii. *Inside urban areas:*
 - (aa) *Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;*
 - (bb) *A protected area identified in terms of NEMPAA, excluding conservancies; or*
 - (cc) *Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.*

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.

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 proposed development:

The proposed development entails the clearance of approximately 2ha of indigenous vegetation for the establishment of a housing development and associated infrastructure on Erven 1003 and 7752, Louwville.

The proposed development will comprise:

- Approximately 154 residential erven;
- Approximately 3 open spaces;
- Internal roads; and
- Associated infrastructure.

An existing church and creche located on Erf 7752, Louville will be retained and incorporated into the proposed development.

An existing stormwater channel located south of the proposed site will be retained as open space. No residential units will be located within the 1:50 and 1:100 year floodlines.

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 Kootjieskloof Road and Maclon Street. The internal roads will be more than 4m in width and will have a road reserve of less than 13.5m.

The total development footprint will be approximately 5.122ha in extent.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on Erven 1003 and 7752, Louville, which is located on the corner of Kootjieskloof Street and Maclon Street, Louville and has the following co-ordinates:

| Point | Latitude | Longitude |
|--------|--------------------|------------------|
| Middle | 32°54'53.71" South | 18°0'26.18" East |

The SG 21-digit codes are:

| | |
|----------|-----------------------|
| Erf 1003 | C04600140000100300000 |
| Erf 7752 | C04600140000775200000 |

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

Enviro-EAP (Pty) Ltd.
c/o Ms. L. Abrahams
School Street 2
AGULHAS
7287

Cell: (066) 210 9892
Fax: (086) 435 4691

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 Layout Alternative 1 described in the BAR dated 07 November 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 **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 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: 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 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 Environmental Management Programme ("EMPr") dated November 2019 and submitted as part of the application for Environmental Authorisation is hereby approved 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 activities 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.

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.

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 activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the 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 3721, 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



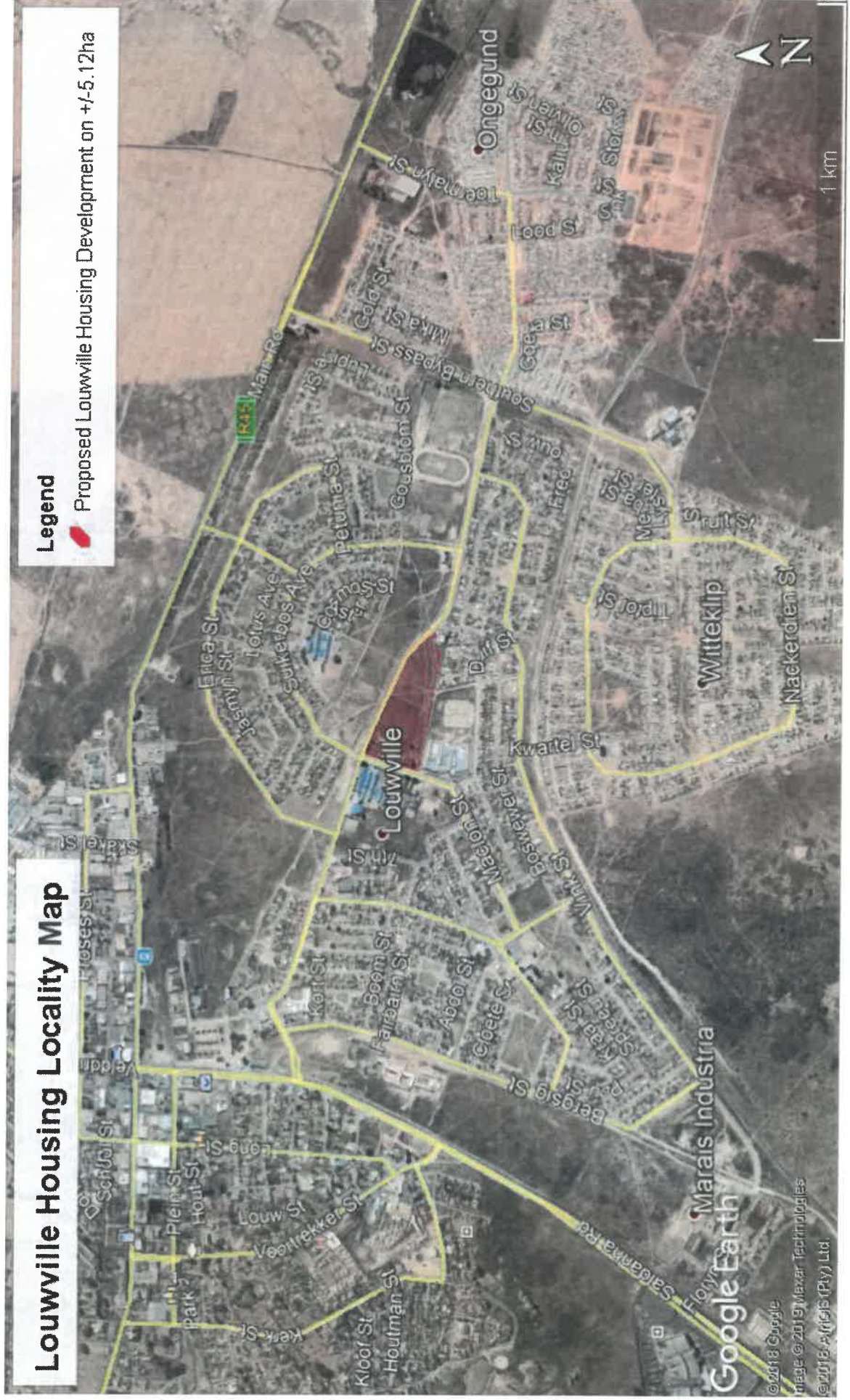
MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 17/03/2020

Copies to: (1) Ms. L. Abrahams / Ms. J. Pienaar (Enviro-EAP (Pty) Ltd.)
(2) Mr. A. Oosthuizen (DEA&DP – DDF)

Fax: (086) 435 4691
Email: Andre.Oosthuizen@westerncape.gov.za

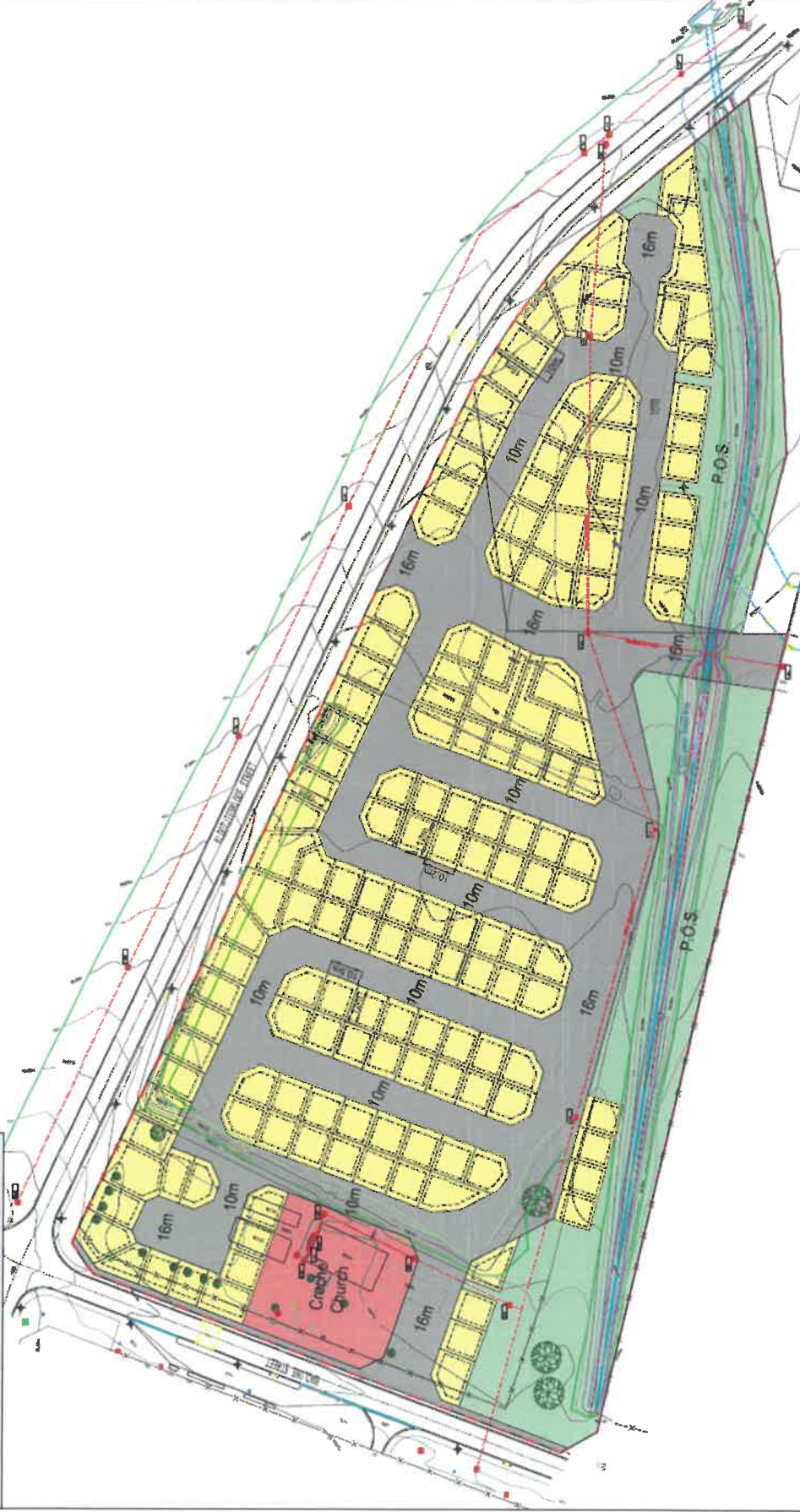
ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN

DEVELOPMENT PROPOSAL: ERF 7752 AND PORTION OF ERF 1003, VREDENBURG
 LOUWVILLE HOUSING PROJECT

DRAFT 9



| DEVELOPABLE AREA | |
|-------------------------|------------------------|
| Total area: | ±5,1220ha |
| Average erf size: | ±120x160m ² |
| Amount of erven: | 154 |
| Residential erven: | ±2,234ha |
| 3 Open Space erven: | ±1,115ha |
| Creche/Church erf: | ±1980m ² |
| Road erf: | ±1,6539m ² |

| | |
|---|--|
| | S. J. VAN DER MERWE & ASSOCIATES ENGINEERS & ARCHITECTS 101 BLOEMHOUT STREET WINDHOLM, NAMIBIA TEL: +264 61 231 111 FAX: +264 61 231 112 WWW: WWW.SJVM.CO.NA |
| DATE: 16/3/19 DRAWN BY: S. J. VAN DER MERWE CHECKED BY: S. J. VAN DER MERWE | SCALE: 1:500 PROJECT NO.: 16/3/19/01 |
| PROJECT NO.: 16/3/19/01 SHEET NO.: 1 OF 1 | NORTH |

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 31 July 2019, the BAR received by the Competent Authority on 21 November 2019 and the EMPr received by the Competent Authority on 21 November 2019;
- 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 07 November 2019;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) The site visit conducted on 13 September 2019.

Attended by Ms. K. Adriaanse and Mr. E. van Boom of the Western Cape Government Department of Environmental Affairs and Development Planning.

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 activities are to be undertaken on 04 October 2018;
- 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 12 October 2018;
- the placing of a newspaper advertisement in the 'Weslander' on 11 October 2018; and
- making the BAR available to I&APs for public review from 02 August 2019 for a comment period of 30 days and from 03 October 2019 for a comment period of 30 days.

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 earmarked for residential development in the Saldanha Bay Spatial Development Framework (2019). Therefore, Layout Alternative 1 and the “no-go” alternative were identified and assessed as part of the proposed development.

Layout Alternative 1 (the preferred alternative - herewith authorised)

The proposed development entails the clearance of approximately 2ha of indigenous vegetation for the establishment of a housing development and associated infrastructure on Erven 1003 and 7752, Louville.

The proposed development will comprise:

- Approximately 154 residential erven;
- Approximately 3 open spaces;
- Internal roads; and
- Associated infrastructure.

An existing church and creche located on Erf 7752, Louville will be retained and incorporated into the proposed development.

An existing stormwater channel located south of the proposed site will be retained as open space. No residential units will be located within the 1:50 and 1:100 year floodlines.

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 Kootjieskloof Road and Maclon Street. The internal roads will be more than 4m in width and will have a road reserve of less than 13.5m.

The total development footprint will be approximately 5.122ha in extent.

Layout Alternative 1 is deemed as the preferred alternative since the layout excludes the development of residential units within the 1:50 and 1:100 year floodlines. The south and south-eastern areas of the site are mapped as a Critical Biodiversity Area and an Ecological Support Area. However, most of the mapped areas occur within the 1:50 and 1:100 year floodlines and will thus not be impacted upon by the proposed development. This alternative incorporates the creche and church erven and can connect to existing municipal service infrastructure. Further, the existing stormwater infrastructure will be retained. Layout Alternative 1 was therefore deemed as the preferred.

“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 1003, Louwville and Erf 7752, Louwville are zoned Public Open Space and Private Open Space, respectively, and the proposed site is used as an informal sports field. Although the proposed development will result in the loss of open space, existing formal and informal sports fields are located in close proximity to the site. The proposed site is, however, earmarked for residential development in the Saldanha Bay Spatial Development Framework (2019) and is located within an urban area. The proposed development is in line with the various planning policies applicable to the area and will provide for much needed housing opportunities that are required. Further, the proposed development is in accordance with the Western Cape Housing Settlement Plan to address the housing needs in the Saldanha Bay and Vredenburg areas.

3.2. Biodiversity Impacts

A Terrestrial Biodiversity Impact Assessment (compiled by Eco Impact Legal Consulting and dated July 2019) was conducted to determine the potential biodiversity impacts associated with the proposed development.

The vegetation on the proposed site was identified as Saldanha Granite Strandveld, which is classified as an Endangered ecosystem 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, 2011. The southern section of the site is mapped as a Critical Biodiversity Area and an Ecological Support Area. The mapped section of the proposed site, is largely located within the 1:100 year floodline of the stormwater channel that is located along the southern border of the proposed site. No species of conservation concern or indigenous fauna were recorded during the specialists' site survey.

Although the specialist indicated that the proposed site is transformed and degraded, approximately 2ha of indigenous vegetation will be cleared for the proposed development. The proposed site is considered to be of low terrestrial biodiversity sensitivity and conservation value. The potential biodiversity impacts are anticipated to be of low negative significance post mitigation. The recommendations of the specialist have been included in the EMPr.

No objections were raised by CapeNature (in their correspondence dated 26 August 2019). CapeNature is of the opinion that this site will not be able to contribute meaningfully in the medium or long-term towards meeting conservation targets for Saldanha Flats Strandveld vegetation as the site is severely degraded. CapeNature's comment further noted that the mitigation measures pertaining to waste management, erosion control and on-going clearing of alien vegetation are included in the EMPr, which is supported and must be strictly implemented.

3.3. Floodline Report

A Floodline Report (compiled by iX Engineers (Pty) Ltd. and dated 12 November 2018) was compiled to determine the floodlines of the existing stormwater channel located along the southern border of the proposed site. Three flow obstructions were observed and were used in determining the 1:50 and 1:100 year floodlines. The specialist indicated that the current floodlines will have no impact on the proposed development. However, the specialist recommended that the proposed development be constructed above the expected 1:50 and 1:100 year floodlines. The specialists' recommendations have been incorporated into the layout of the proposed development and have been included in the EMPr.

3.4. Geotechnical considerations

A Phase 1 Geotechnical Site Investigation (compiled by Core Geotechnical Consultants and dated February 2019) 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 gravelly clayey sand and variable amounts of builders and domestic waste. Groundwater was encountered within one test pit located within close proximity to the stormwater channel, which was approximately at 2.8m below ground level. The specialist concluded that the proposed site is broadly suitable for the proposed development. Design precautions will need to be considered in view of the nature of the site, including the presence of uncontrolled fill and compressible sandy soils. The specialists' recommendations to address the aspects of concern have been included in the EMPr.

3.5. Services / Bulk Infrastructure

The Saldanha Bay Municipality have confirmed (in their correspondences dated 14 February 2019 and 04 June 2019) that sufficient, spare and unallocated electricity supply, water supply, sanitation and sewerage capacity and solid waste removal is available.

3.6. Traffic Impacts

The proposed development is 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.

3.7. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their correspondence dated 27 November 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.

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

Positive impacts include:

- The alleviation of the housing needs in the Vredenburg area;
- The provision of additional housing opportunities;
- Some economic benefits; 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 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.*"

-----END-----