



REFERENCE: 16/3/3/1/A5/20/2033/20
ENQUIRIES: Natasha Bieding
DATE OF ISSUE: 14 December 2020

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 CONSTRUCTION OF A LIGHT INDUSTRIAL DEVELOPMENT ON A PORTION OF THE REMAINDER OF THE FARM NO. 180 AND PORTION 3 OF THE FARM NO. 180, FISANTEKRAAL, DURBANVILLE

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 Design Alternative 1, described in the Final Basic Assessment Report ("BAR"), dated 30 October 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

Terraplan Associates, Town and Regional Planners
c/o Mr. Martinus Hendrik Scott
P. O. Box 1756
DURBANVILLE
7551

Tel.: (021) 975 1300
Email: tinus@terraplan.co.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 9 Activity Description: <i>“The development of infrastructure exceeding 1/000 metres in length for the bulk transportation of water or storm water—</i> <i>(i) with an internal diameter of 0,36 metres or more; or</i> <i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where—</i> <i>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i> <i>(b) where such development will occur within an urban area”.</i></p>	<p>The storm water infrastructure for the proposed development will have a diameter which varies between a minimum of 375mm and maximum of 525mm and the site is located outside of the urban area.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)-</p> <p>Activity Number: 19 Activity Description: <i>“The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i> <i>(a) will occur behind a development setback;</i> <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> <i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i> <i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i> <i>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies”.</i></p>	<p>The riparian area between the storm water attenuation pond and the watercourse will be infilled and vegetated with indigenous vegetation in order to ‘polish’ storm water runoff and decrease the velocity and volume of water entering the watercourse.</p>

<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended) –</p> <p>Activity Number: 24 Activity Description: <i>“The development of a road—</i> <i>(i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i></p> <p><i>but excluding a road—</i> <i>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014;</i> <i>(b) where the entire road falls within an urban area; or</i> <i>(c) which is 1 kilometre or shorter”.</i></p>	<p>The associated roads will have a road reserve width of approximately 16 metres and exceed 1 kilometre in length.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended) -</p> <p>Activity Number: 28 Activity Description: <i>“The Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i> <i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes”.</i></p>	<p>The light industrial development will be constructed on the site and the site was used for agricultural purposes after 1 April 1998.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended) -</p> <p>Activity Number: 56 Activity Description: <i>“The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—</i> <i>(i) where the existing reserve is wider than 13,5 meters; or</i> <i>(ii) where no reserve exists, where the existing road is wider than 8 metres;</i></p> <p><i>excluding where widening or lengthening occur inside urban areas.</i></p>	<p>The existing road(s) with an existing reserve wider than 13,5 meters will be upgraded and widened by more than 6 metres and lengthened by more than 1 kilometre.</p>

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 relating to the development:

The proposed development entails the construction of a light industrial development comprising:

- 79 General Industrial Zoned erven;
- two Business Zoned erven;
- one erf to be utilised as a retention pond;
- one Utility zoned erf;
- one Open Space Zoned 3 erf; and
- two Transport Zoned erven.

The associated infrastructure will include:

- access roads;
- widening of existing roads;
- a stormwater attenuation pond to attenuate and treat stormwater run-off and new underground stormwater pipe system;
- sewer reticulation, including a new gravity main and sewer pump station;
- upgrade of the existing Fisantekraal business park pump station
- water reticulation.

The total development footprint will be approximately 19.5156ha.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 3 of the Farm No. 180 and the Remainder of the Farm No. 180 which is located approximately 7.5km to the north-east of Durbanville and to the south-east of Klipheuwel road (close to Fisantekraal).

The geographic coordinates for Portion 3 of the Farm No. 180 are the following:

33° 47' 09.14" South, 18° 42' 15.33" East

The coordinates for the Remainder of the Farm No. 180 are the following:

33° 47' 08.50" South, 18° 42' 18.10" East

The SG 21 digit codes are the following:

Portion 3 of the Farm No. 180	C0160000000018000003
The Remainder of the Farm No. 180	C0160000000018000000

Refer to Annexure 1: Locality Plan

The above is hereinafter referred to as “**the site**”.

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants
c/o Mr. Guillaume Nel / Mr. Christoff Dippenaar
P.O. Box 2632
PAARL
7620

Tel.: (021) 870 1874
Email: guillaume@gnec.co.za / christoff@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated 30 October 2020 on the site as described in Section C above.
2. Authorisation for the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure 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.
3. The holder must commence with and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority. This Environmental Authorisation is granted for–
 - (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised must only be carried out at the site described in Section C above in terms of the approved “Environmental Management Programme” (“EMPr”).
5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be 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 such information 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.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1 notify all registered Interested and Affected Parties of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
 - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
 - 6.4 provide the registered Interested and Affected Parties with:

- 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
- 6.4.2 name of the responsible person for this Environmental Authorisation,
- 6.4.3 postal address of the holder,
- 6.4.4 telephonic and fax details of the holder,
- 6.4.5 e-mail address, if any;
- 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

- 7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties of this decision.
- 8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

- 9. A written notice of seven calendar days must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 14 and 22.

Management of activity

- 10. The EMPr submitted, as dated October 2020 is hereby approved and must be implemented.
- 11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
- 12. The EMPr must be included in all contract documentation for all phases of implementation.
- 13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr 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. The Environmental Authorisation and EMPr must be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

- 14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation.

The ECO must–

- 14.1 be appointed prior to commencement of any land clearing or construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein; and
- 14.3 keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO.

Environmental audit reports

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit at least two environmental audit reports to the relevant competent authority during the construction phase. The holder must submit one audit report within three (3) months after commencement of the construction phase and another audit report within six (6) months after completion of the construction period; and
 - 15.3 submit an environmental audit report every five (5) years after the commencement of the operational phase while the environmental authorization remains valid.
16. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

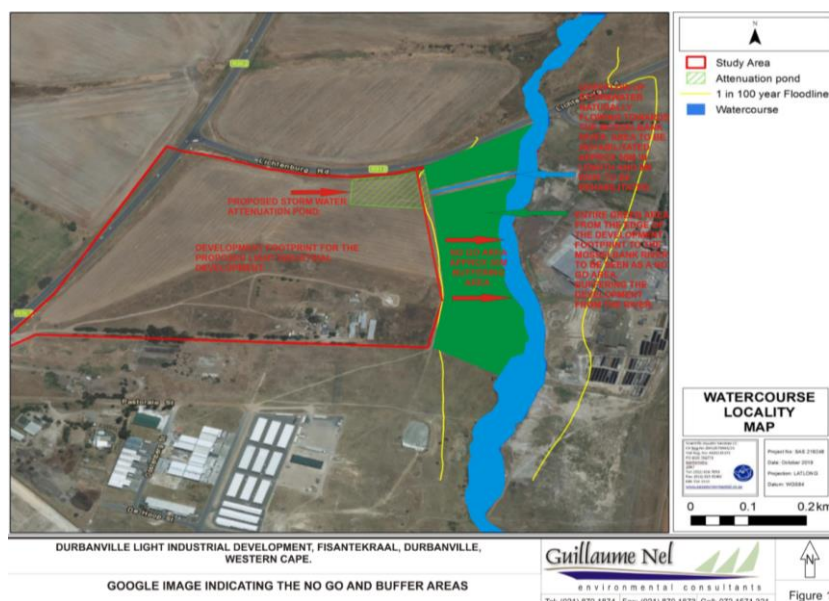
In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on–
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
 - 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 16.3 evaluate the effectiveness of the EMPr;
 - 16.4 identify shortcomings in the EMPr;
 - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 16.7 include a photographic record of the site applicable to the audit; and
 - 16.8 be informed by the ECO reports.
17. The holder must, within 7 (seven) calendar days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

18. The following mitigation measures as included in the Final BAR dated 30 October 2020 compiled by Mr. Guillaume Nel / Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants must be implemented:
 - 18.1. The attenuation pond must be designed to function as a wetland and must be planted with endemic plant species.
 - 18.2. All areas outside the construction footprint must be treated as no go areas.

- 18.3. A buffer area measuring approximately 50m wide must be maintained between the site and the Mosselbank river located on the eastern portion of the site, as displayed in image below:



19. The Alien Clearing Management Plan dated July 2020 compiled by Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants must be implemented.
20. The Dust Management Plan dated 9 June 2020 compiled by Dust Watch must be implemented.
21. The Rehabilitation Plan dated October 2020 compiled by Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants must be implemented.
22. A Stormwater Management Plan that has been commented on by the City of Cape Town must be submitted to this Department. The Stormwater Management Plan and associated letter of comment from the City of Cape Town must be submitted to this Department before any construction activities can be commenced with.
23. The recommendations contained in the Traffic Impact Study Report compiled by Innovative Transport Solutions and dated 6 November 2019 must be implemented. The recommendations are attached to this environmental authorization as Appendix A.
24. 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 waste disposal facility licensed in terms of the applicable legislation.
25. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). 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: archaeological remains (including fossil bones and fossil shells); 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; rock art and rock engravings and graves or unmarked human burials.
A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

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. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the 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.
3. An application for amendment of the Environmental Authorisation must be submitted 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.
 - 3.1. 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.
4. The manner and frequency for updating the EMPr is as follows:
 - 4.1. Amendments to the EMPr, other than those mentioned above, must be made in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

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 notification of the decision was sent to the holder by the competent authority -

Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
Submit a copy of the appeal to any registered Interested and Affected Parties, 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 Interested and Affected Parties -
 - 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 Interested and Affected Party, 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 Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

By post: 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 Marius Venter (Tel.: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from 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 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

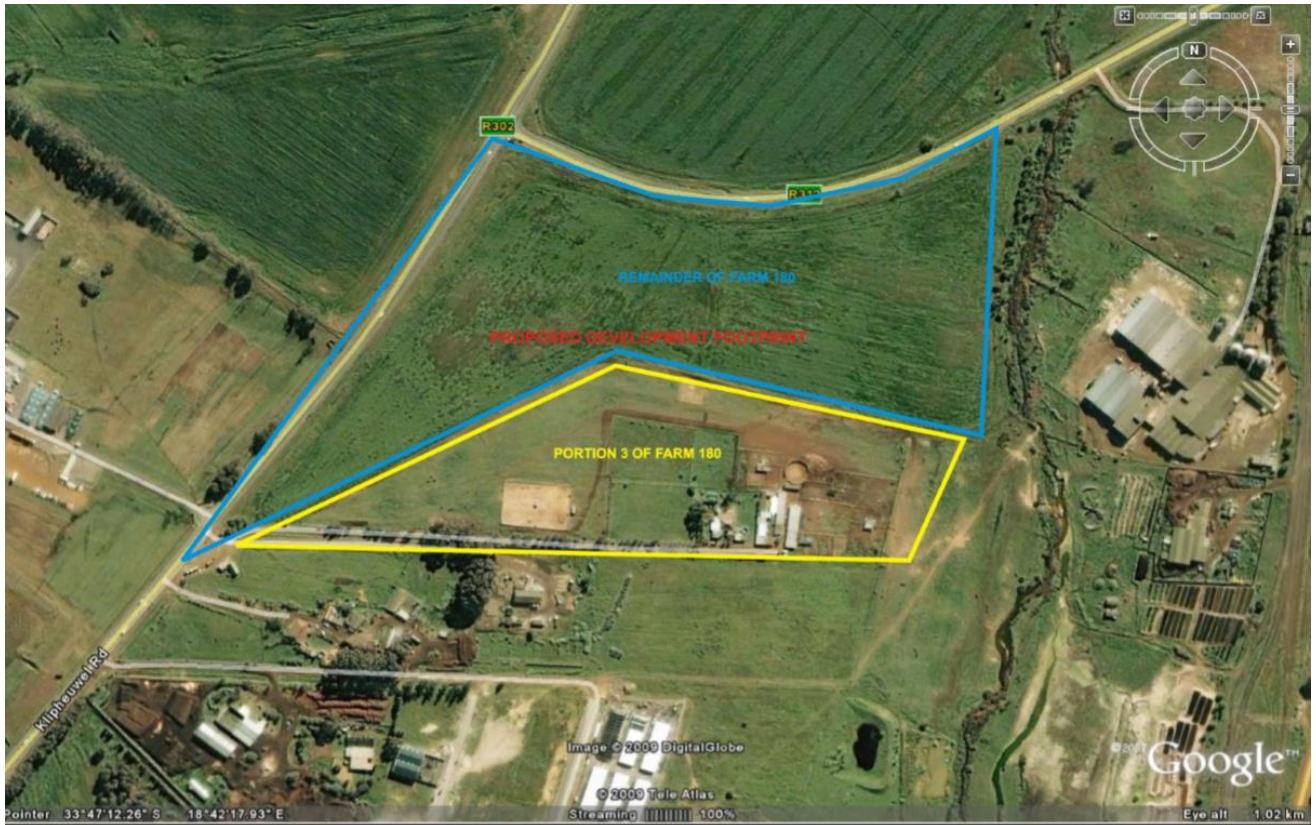
MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 14 DECEMBER 2020

Copied to: (1) Mr. Guillaume Nel (Guillaume Nel Environmental Consultants)
(2) Ms. Clarissa Fransman (City of Cape Town)

Email: guillaume@gnec.co.za
Email: Clarissa.Fransman@capetown.gov.za

ANNEXURE 1: LOCALITY MAP



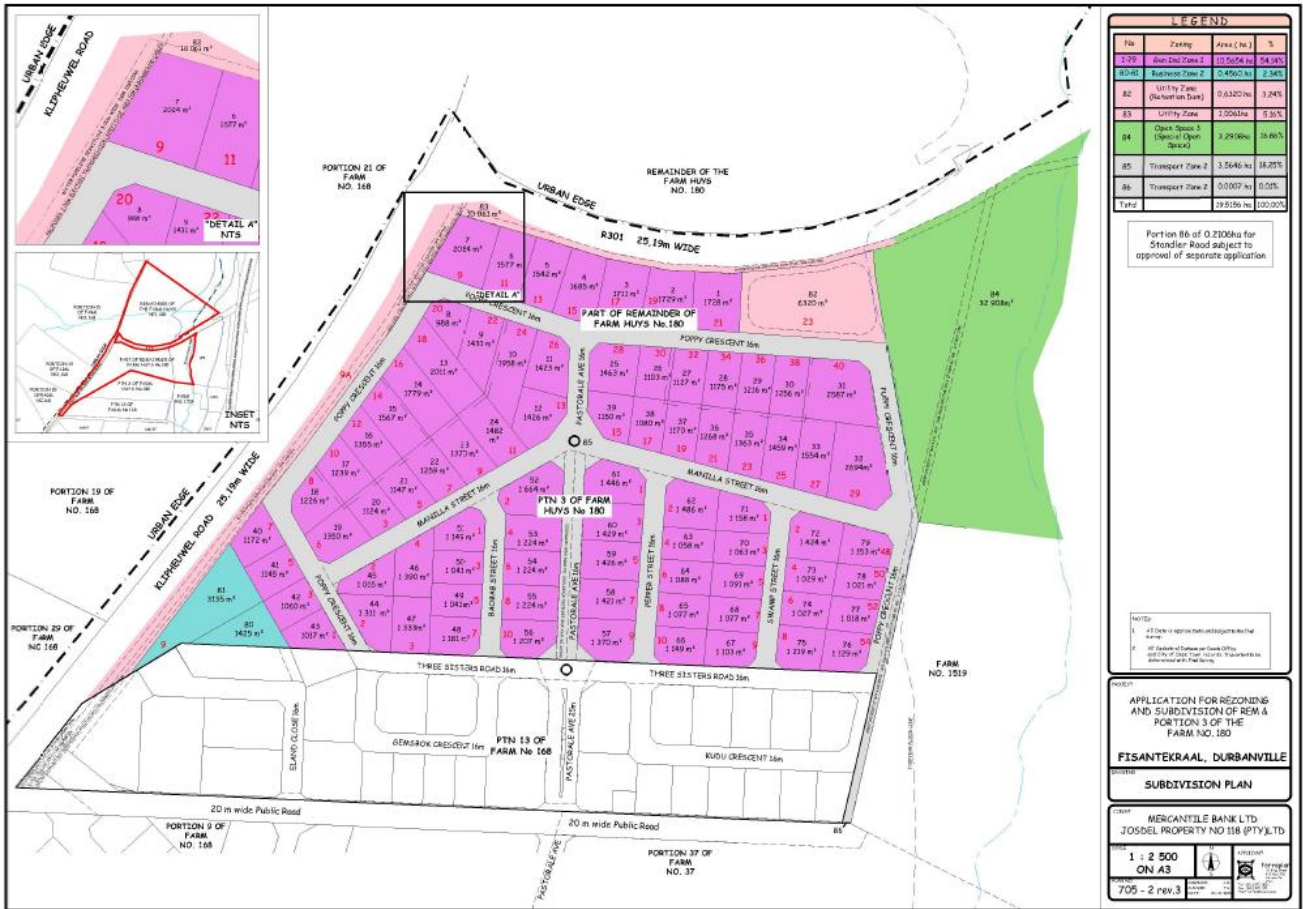
DURBANVILLE LIGHT INDUSTRIAL DEVELOPMENT, FISANTEKRAAL, DURBANVILLE,
WESTERN CAPE.

LOCALITY MAP OF THE PROPOSED FOOTPRINT

Guillaume Nel
environmental consultants
Tel: (021) 870 1874 Fax: (021) 870 1873 Cell: 072 1571 321

Figure 1

ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated 4 July 2020, the EMPr submitted together with the BAR on 28 October 2020 and the additional information received on 30 November 2020 and 1 December 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA; and
- d) The comments received from Interested and Affected Parties and the responses to these, included in the BAR dated 30 October 2020.

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 Interested and Affected Parties on 13 of November 2019;
- 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;
- Background information letters were hand-delivered to surrounding landowners on 13 November 2019 to notify and inform Interested and Affected Parties of the proposed project;
- fixing 3 notices at visible and accessible locations 13 November 2019;
- fixing an additional notice at a clinic and shop;
- Interested and Affected Parties registered by completing registration forms and forwarding comments by email, fax, post and telephone;
- the placing of a newspaper advertisement in the "Tygerburger" on 13 November 2019;
- identified and registered Interested and Affected Parties, including key stakeholders representing the following sectors, were directly informed of the proposed development by Email and We Transfer on 28 of August 2020; and
- availing and distributing the BARs and associated information to all Interested and Affected Parties.

This Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses made were included in the reports.

2. Alternatives

Design Alternative 1 (Preferred and herewith authorised)

This alternative entails the construction of a light industrial development comprising:

- 79 General Industrial zoned erven;
- two Business zoned erven;
- one erf to be utilised as a retention pond;
- one Utility Zoned erf;
- one Open Space 3 erf; and
- two Transport Zoned erven.

The preferred Design Alternative 1 was designed to incorporate large street frontages to ensure adequate exposure and factory design options.

The preferred Design Alternative 1 includes stormwater management options to treat the storm water runoff to acceptable water quality. This will help to ensure that storm water runoff does not negatively impact on the adjacent Mosselbank River or contribute to a degradation of water quality of this river.

The total development footprint will be approximately 19.5156ha in extent.

Design Alternative 2 (Rejected)

This alternative entails the construction of a light industrial development comprising:

- 95 General Industrial erven;
- two General Business erven;
- one erf to be utilised as a retention pond; and
- one Rural Zone erf for the construction a Private Road.

Design Alternative 2 incorporates smaller street frontages which will limit the exposure and factory design options. Design Alternative 2 also makes no provision for any measures to manage stormwater and includes more General Industrial erven than Design Alternative 2.

Design Alternative 1 is preferred and Design Alternative 2 is rejected, as the additional General Industrial erven forming part of Design Alternative 2 require more bulk services and infrastructure and the absence of any stormwater management measures in the case of Design Alternative 2 means that stormwater will not be treated. This has the potential to cause a significant negative impact on the water quality of the Mosselbank River.

"No-Go" Alternative

The "no-go" alternative entails maintaining the "status quo", i.e. not proceeding with proposal of establishing a light industrial development and associated infrastructure on the site.

This alternative was rejected, as this alternative means the applicant will lose the opportunity of optimally using the site as industrial erven in an existing industrial precinct. The "no-go" alternative also means that the associated socio-economic benefits, including the provision of employment opportunities will not be realised.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The site is currently not being efficiently utilised. However, if the authorized development is established on the site, this will be of more benefit to the local community and the local economy, as the authorized development will contribute towards economic development and the provision of employment opportunities.

3.2 Regional/ planning context

Portion 3 of Farm 180 and the Remainder Farm 180 are zoned Agriculture. However, it is only the Remainder of Farm 180 which consists of previously disturbed and degraded agricultural land. Land use planning approvals are required in order for the proposed development to take place on the site. Industrial areas already exist to the south of the site.

3.3 Biophysical

The site has no indigenous vegetation and has been completely altered from its natural state. More specifically, the site consists mainly of agricultural crops, bare soil, exotic weeds and the presence of exotic invasive *Acacia saligna*. Farm 180 Portion 3, is highly disturbed as the property is used as a horse-riding centre with the presence of horse pastures.

No significant indigenous vegetation of conservation concern exists on the site and the site is deemed as being of low conservation value as a result the high degree of disturbance and transformation.

This proposed development will be located outside of the 1:50 and 1:100-year flood lines.

The Mosselbank river is located on the eastern section of the site. The ecological state of the river is considered to be largely modified and has been affected by the ingress of stormwater from the surrounding cultivated fields, urban stormwater runoff, road crossing and historical vegetation clearance. In order to avoid causing any direct impact on the Mosselbank river, a buffer area measuring approximately 50m in width will be maintained between the site and the river. This is included in the conditions of this environmental authorisation (Condition 18.3, refers).

The on-site stormwater management system will include a retention pond and an attenuation pond in which stormwater will be treated to more acceptable water quality levels. This is to help ensure that stormwater entering the Mosselbank River does not cause significant negative impact on the river's water quality. The system will also help to prevent siltation in the Mosselbank River. These stormwater management measures form part of the EMPr and Rehabilitation plan dated October 2020 that was compiled by Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants which will be implemented by the applicant. An Alien Clearing Management Plan dated July 2020 that was compiled by Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants will also be implemented to manage and control the on-site alien/invasive vegetation.

3.4 Noise

Only normal construction noise is likely to be the result during the construction phase. This will be temporary and will be managed by the implementation of the EMPr. Furthermore, the site is not situated in close proximity to residential properties and the likelihood of significant noise impacts caused by the authorized development is low.

During the operational phase, the noise will be comparable to the noise of the industrial and commercial properties that already exist south of the site.

3.5 Traffic

According to the Transport Impact Study Report compiled by Innovative Transport Solutions and dated 6 November 2019, the proposed development will generate 612 vehicular trips during the weekday am peak hour traffic and 449 vehicular trips during the weekday pm peak hour traffic. It is indicated in the Transport Impact Study Report that the transport related impacts can be accommodated, if the road upgrades to the surrounding road networks and intersections are implemented as per the recommendations contained in the aforesaid Transport Impact Study Report. The required road upgrades will be implemented by the applicant as is required in Condition 23 of this environmental authorization.

3.6 Visual / sense of place

During the construction phase, construction activities may result in visual impacts. However, these will be short-term and will be adequately managed by the implementation of the EMPr.

The authorised development will take place within an existing industrial precinct which does not form part of any significant cultural landscape. The authorized development will therefore visually blend in with the existing industrial and commercial developments of the local area.

3.7 Heritage / archaeological / built environment

The proposed site has experienced disturbance caused by ongoing agricultural activities, horse pastures, horse camp, informal road and informal structures. No structures older than 60 years exist on the site.

Heritage Western Cape indicated in its correspondence dated 30 May 2019 that the proposed development will not impact on any heritage resources.

3.8 Socio-economic

The authorized development will provide employment opportunities for the residents of the local area during the construction phase and also during the operational phase when goods are being produced by the light industries.

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.

Negative impact

- The riparian area between the stormwater attenuation pond and the watercourse will be infilled and vegetated in order to manage stormwater runoff.

Positive impacts

- provision of employment opportunities for residents of the local and wider area; and
- improved use of a site located within an existing and growing industrial precinct.

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.

-----END-----

Appendix A

Int. 1: Klipheuwel Road / Lichtenburg Road:

- Northbound - Construct a dedicated right-turn lane with 100m storage capacity
- Westbound - Construct a dedicated right-turn lane with 35m storage capacity
- Intersection Control – Install a traffic signal, *when warranted*.

Int. 4: Klipheuwel Road / Darwin Street:

- Westbound - Construct a dedicated right-turn lane with 20m storage capacity
- Intersection Control – Install a traffic signal, *when warranted*.

Int. 5: Klipheuwel Road / Okavango Road:

- Provide additional through lanes (locally) through the intersection on both the north- and southbound approaches of Klipheuwel Road.

Development Trips – 880 / 1 293 total trips during the weekday AM / PM peak hours respectively.

Development Accesses – The following development accesses are proposed:

- **Access A – Left-In, Left-Out Only Access from Klipheuwel Road**
 - A *deceleration taper* is recommended / warranted for the left-in movement.
 - The location of this access is 160 meters north of re-aligned Servitude Road
- **Access B – Full Priority Controlled Access from Servitude Road**
 - Free flow along Servitude Road and Stop Controlled on the development exit.
 - The location of this access is 150 meters from Klipheuwel Road.
- **Access C – Main / Full Access at Pastorale / Servitude Intersection**
 - Free flow along Servitude Road and Stop Controlled on the development exit.

Total Traffic – The following upgrades are recommended:

- ***Construct Darwin Road*** from New Langeberg Road to Klipheuwel Road.

Int. 1 - Klipheuwel Road / Lichtenburg Road:

- Southbound – Construct a dedicated left-turn lane with min. 60 meters storage capacity
- Change signal phasing from two- to three phases, with a northbound protected right-turn phase plus overlapping westbound left-turn movement.

Int. 2 - Klipheuwel Road / Servitude Road:

- Northbound – Construct a dedicated right-turn lane with min. 15 meters storage capacity and construct an additional shared through and left turn lane.
- Southbound – Construct dedicated left- and right–turn lanes with min. 15 meters storage capacity, and construct an additional through lane.
- Westbound – Construct a dedicated right-turn lane and shared through and left-turn lane. The right-turn lane should have a min. 24 meters storage capacity.
- Eastbound – The re-aligned Tydstroom Access. Construct a dedicated right-turn lane and shared through and left-turn lane. The right-turn lane should have a min. 15 meters storage capacity. A median island of min. 6 meters should be constructed to enable two stage crossing of Klipheuwel Road.

Int. 4 - Klipheuwel Road / Darwin Road: (upgrades based on Darwin Road being in place.)

- North- / Southbound – One through lane per direction would be sufficient.
- Northbound – A right-turn lane of only 70m storage capacity should be sufficient.
- Westbound - Construct a dedicated left-turn slip lane, with receiving downstream lane.
- Change signal phasing to provide additional northbound right-turn protected phase.

Int. 5 – Klipheuwel Road / Okavango Road:

Int. 6 – Darwin Road / Pastorale Avenue:

- Install traffic signal (when warranted) as well as a southbound right-turn lane.

Int 7 – Pastorale Avenue / Stillewater Street:

- North- and Southbound – Construct dedicated right-turn lanes along Pastorale Street, with min. 15 meters storage capacity.