



EIA REFERENCE NUMBER: 16/3/3/2/A8/41/3013/19
NEAS REFERENCE: WCP/EIA/0000599/2019
ENQUIRIES: Ms. M. Schippers
DATE OF ISSUE: 2020-03-25

The Municipal Manager
City of Cape Town
P. O. Box 655
CAPE TOWN
8000

Attention: Mr. D. Norman

Tel: (021) 444 6300
Fax: (086) 201 1411

Dear Sir

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) FOR THE PROPOSED MIXED USE DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF PORTION 12 OF FARM NO. 508, DELFT.

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 Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

Copies to: (1) Ms. B. Ditcham (Sharples Environmental Services)
(2) Mr. D. Georgeades (City of Cape Town)
(3) Mr. A. Oosthuizen (DEA&DP: DDF)

Fax: (086) 575 2869
Fax: (086) 576 2919
Email: Andre.Oosthuizen@westerncape.gov.za



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ENVIRONMENTAL AUTHORISATION

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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 and the Environmental Impact Assessment Regulations, 2014 as amended on 07 April 2017 ("EIA Regulations, 2014") the competent authority herewith **grants environmental authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred alternative described in the Final Environmental Impact Assessment Report ("EIAR") dated December 2019.

The granting of this environmental authorisation is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

City of Cape Town
c/o Mr. D. Norman
P. O. Box 655
CAPE TOWN
8000

Tel: (021) 444 6300
Fax: (086) 201 1411

The abovementioned juristic person is the holder of this environmental authorisation and is hereinafter referred to as "the applicant".

B. LISTED ACTIVITIES AUTHORISED

The listed activities in terms of the EIA Regulations, 2014 (as amended) on 07 April 2017.

| Listed activities | Activity/Project description |
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| <p>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 9 Activity Description:</p> <p><i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more; or</i></p> <p><i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where—</i></p> <p><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></p> <p><i>(b) where such development will occur within an urban area.</i></p> | <p>The storm water pipelines with a diameter of 375mm to 825mm will be developed.</p> |
| <p>Activity Number: 11 Activity Description:</p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or</i></p> <p><i>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more;</i></p> <p><i>excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is —</i></p> <p><i>(a) temporarily required to allow for maintenance of existing infrastructure;</i></p> <p><i>(b) 2 kilometres or shorter in length;</i></p> <p><i>(c) within an existing transmission line servitude; and</i></p> <p><i>(d) will be removed within 18 months of the commencement of development.</i></p> | <p>Transmission lines and substations will be developed.</p> |

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| <p>Activity Number: 24 Activity Description:</p> <p><i>The development of a road—</i></p> <p><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></p> <p><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></p> <p><i>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014;</i></p> <p><i>(b) where the entire road falls within an urban area; or</i></p> <p><i>(c) which is 1 kilometre or shorter.</i></p> | <p>The proposed development will include roads that is wider than 8m.</p> |
| <p>Activity Number: 28 Activity Description:</p> <p><i>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></p> <p><i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i></p> <p><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>Listing Notice 2 of the NEMA EIA Regulations, 2014 (as amended):</p> | <p>The land was used for agriculture after 1 April 1998 and will be developed for residential purposes bigger than 1ha.</p> |
| <p>Activity Number: 15 Activity Description:</p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for—</i></p> <p><i>(i) the undertaking of a linear activity; or</i></p> <p><i>(ii) maintenance purposes undertaken in</i></p> | <p>The proposed development will result in the clearance of more than 20ha of indigenous vegetation.</p> |

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| <p>accordance with a maintenance management plan.</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></p> <p>ii. <i>Areas outside urban areas;</i></p> <p><i>(aa) Areas containing indigenous vegetation;</i> <i>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</i></p> <p>ii. <i>Inside urban areas:</i></p> <p><i>(aa) Areas zoned for conservation use; or</i> <i>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</i></p> | <p>The proposed development will include roads wider than 4m.</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>ii. <i>Within critical biodiversity areas identified in bioregional plans;</i></p> <p>iii. <i>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 or even in</i></p> | <p>The proposed development will include the clearance of 300m² or vegetation classified as a critically endangered ecosystem.</p> |

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| <p>urban areas;</p> <p>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</p> <p>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.</p> | |
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The abovementioned is hereinafter referred to as "the listed activities".

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The proposed development entails the development of a mixed use development and associated infrastructure on the remainder of Portion 12 of Farm No. 508, Delft.

The proposed development will include the following:

- A residential component;
- A mixed use component;
- An agricultural component;
- Public Open Spaces; and
- Associated infrastructure (roads, pipelines, detention ponds and electricity infrastructure).

The proposed development will result in the loss of indigenous vegetation. Land within the Macassar East Dunes have been identified by the local authority (City of Cape Town ("CoCT")) for the implementation of the Metro South East Conservation Implementation Plan that can be used as a land bank to offset the loss of indigenous vegetation on the proposed site. The CoCT's Biodiversity Management Branch have indicated in correspondence (dated 04 March 2020) that they would support the use of the land bank as an offset for the loss of the indigenous vegetation on the site once operational budget is made available to ensure adequate conservation management of this area. Further, a draft report will be submitted to council shortly to request for operational and capital budget for the implementation of the Conservation Implementation Plan. Approximately 31.7ha of the conservation land bank will be utilised to compensate for the loss of indigenous vegetation once operational budget has been secured for conservation management.

The local authority (CoCT) has confirmed in correspondence dated (09 December 2019) that sufficient water resources and solid waste management are available for the proposed development. Further, the local authority confirmed that the Borchers Quarry Waste Water Treatment works can accommodate the disposal and treatment of sewage for the northern phase housing component. However, the disposal and treatment of sewage for the rest of the development can only be accommodated once the Zandvliet Waste Water Treatment works has been upgraded by approximately 2024. Eskom has indicated in correspondence (dated 02 September 2019) that 3MVA is available for the proposed development of the 8.9MVA that is required. However, Eskom has agreed to install all the infrastructure that is

required to provide the proposed development with electricity. The proposed development will therefore be phased for the necessary services to be available.

The proposed development and associated infrastructure will have a footprint of approximately 31.7ha. Access to the site will be gained from existing roads.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on the Remainder of Portion 12 of Farm No. 508, Delft.

The SG 21 digit code: C0160000000050800012

Co-ordinates of the site:

33° 57' 58.83" South
18° 37' 26.78" East

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Sharpley Environmental Services
c/o Ms. B. Ditcham
P. O. Box 443
MILNERTON
7435

Tel: (021) 554 5195

Fax: (086) 575 2869

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 EIAR dated December 2019 on the site as described in Section C above.
2. The holder must commence with 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.
3. This Environmental Authorisation is:
 - 3.1. Granted for a period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
 - 3.2. The development must be concluded within 20 years from the date of commencement of the first listed activity
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.

5. Any changes to, or deviations from the scope of the preferred 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 seven calendar days notice, in writing, must be given to the competent authority before commencement of the development phase.
 - 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 condition described herein:

Condition: 7, 13 and 17.

Notification and administration of appeal

7. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4 (2) –
 - 7.1. Notify all registered interested and affected parties 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 of issue of the decision;
 - 7.2. 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 detailed in section F below;
 - 7.3. Draw the attention of all registered interested and affected parties to the manner in which they may access the decision;
 - 7.4. Provide the registered Interested and Affected Parties with-
 - 7.4.1. the name of the holder (entity) of this environmental authorisation;
 - 7.4.2. the name of the responsible person for this environmental authorisation;
 - 7.4.3. the postal address of the holder;
 - 7.4.4. the telephonic and fax details of the holder;
 - 7.4.5. the e-mail address if any; and
 - 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 2014 National Appeals Regulations.

Commencement

8. The listed activities, including site preparation, must not be commenced with within twenty (20) calendar days from the date the applicant notified the registered I&APs of this decision.

9. 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.

Management of activity

10. The draft Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
11. An application for amendment to the outcomes of the EMPr must be submitted to the competent authority if any amendments are to be made to the EMPr other than those required by this environmental authorisation, and this 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.

Monitoring

13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO"), or site agent where appropriate to ensure compliance with the EMPr and the conditions contained herein.
14. A copy of the environmental authorisation and the EMPr, audit reports and compliance monitoring reports must be kept at the site and must be made available to any official on request.
15. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMPr must be produced to any official 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 also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Auditing

16. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, 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.
 - 16.1. The 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);
 - 16.2. A first audit report must be submitted to the Competent Authority within six (6) months of commencement of the proposed development;
 - 16.3. A second audit report must be submitted to the Competent Authority within three (3) year of commencement of the proposed development;
 - 16.4. After the second audit report, audit reports must be submitted to the Competent Authority every five (5) years until the completion of the proposed development and/or while the Environmental Authorisation remains valid;
 - 16.5. The audit reports must indicate compliance status with the conditions of this environmental authorisation, and the EMPr and make recommendations for improved environmental management;

- 16.6. The holder must, within 7 days of the submission of an audit report to the Competent Authority, notify potential and registered I&APs of the submission and make the report available to anyone on request; and
- 16.7. If the audit reports are not submitted, the competent authority may give 30 days written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.

Specific conditions

17. A search and rescue programme for plant species that can be relocated must be carried out by a suitably qualified person in conjunction with the CoCT's Biodiversity Management Branch and must be implemented before commencement of the proposed development. All plant material must be relocated to the Symphony Way West Conservation area.
18. The development must not commence until such time that the biodiversity offset (Macassar Dunes East conservation land bank as part of the Metro Southeast Strandveld Conservation Implementation Plan) has been secured. The agreement between the relevant parties for the offset must be submitted to this Department for record purposes.
19. Landscaping of public open spaces must be done with indigenous vegetation.
20. The recommendations as included in the Traffic Impact Assessment Report (dated October 2018 and compiled by Techso (Pty) Ltd.) (herewith attached as Appendix A) must be implemented.
21. The mitigation measures as included in section 8.4.3.3. of the EIAR (herewith attached as Appendix B) to minimise potential noise impacts must be implemented.
22. 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.
23. All noise and sounds generated during the proposed development must comply with the relevant SANS codes and standards and the relevant noise regulations.
24. Dust suppression methods must be used to mitigate dust during the development phase. No potable water must be used for dust suppression. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation, etc.) must be implemented instead.
25. The use of all generators on site must include the use of drip trays.
26. The following conditions regarding the temporary storage of fuel on site during construction must be complied with:
 - 26.1. The combined capacity of the temporary fuel storage tanks must not exceed 30m³;
 - 26.2. Temporary fuel storage tanks bigger than 1 000L must be bunded (110% of the proposed tank's capacity) to contain any possible spills and to prevent any infiltration of fuel into the ground; and
 - 26.3. Temporary fuel storage tanks must be designed and installed in accordance with relevant SANS codes. The tanks must be constructed to conform to the requirements of all relevant legislation.

F. GENERAL MATTERS

1. The holder is 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.
2. Any changes to, or deviations from the scope of the description set out 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 such information as it deems necessary 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.
3. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
4. The applicant must submit an application for amendment in terms of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended) of the environmental authorisation to the competent authority where any detail or scope with respect to the environmental authorisation must be amended, added, substituted, corrected, removed or updated.
5. 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.
6. Non-compliance with a condition of this environmental authorisation or EMPr may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the holder) must –
 - 1.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the Competent Authority of this decision:
2. An appellant (if NOT the holder) must –
 - 2.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&AP, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of the decision.
3. The holder (if not the appellant), the decision-maker, I&AP and 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. This appeal and 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 Marius Venter (Tel: 021 483 2659)
Room 809, 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator 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 office of the Minister at: Tel. (021) 483 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the 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 development or operation subsequent to development is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



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

DATE OF DECISION: 25/03/2020

Copies to: (1) Ms. B. Ditcham (Sharples Environmental Services)
(2) Mr. D. Georgeades (City of Cape Town)
(3) Mr. A. Oosthuizen (DEA&DP: DDF)

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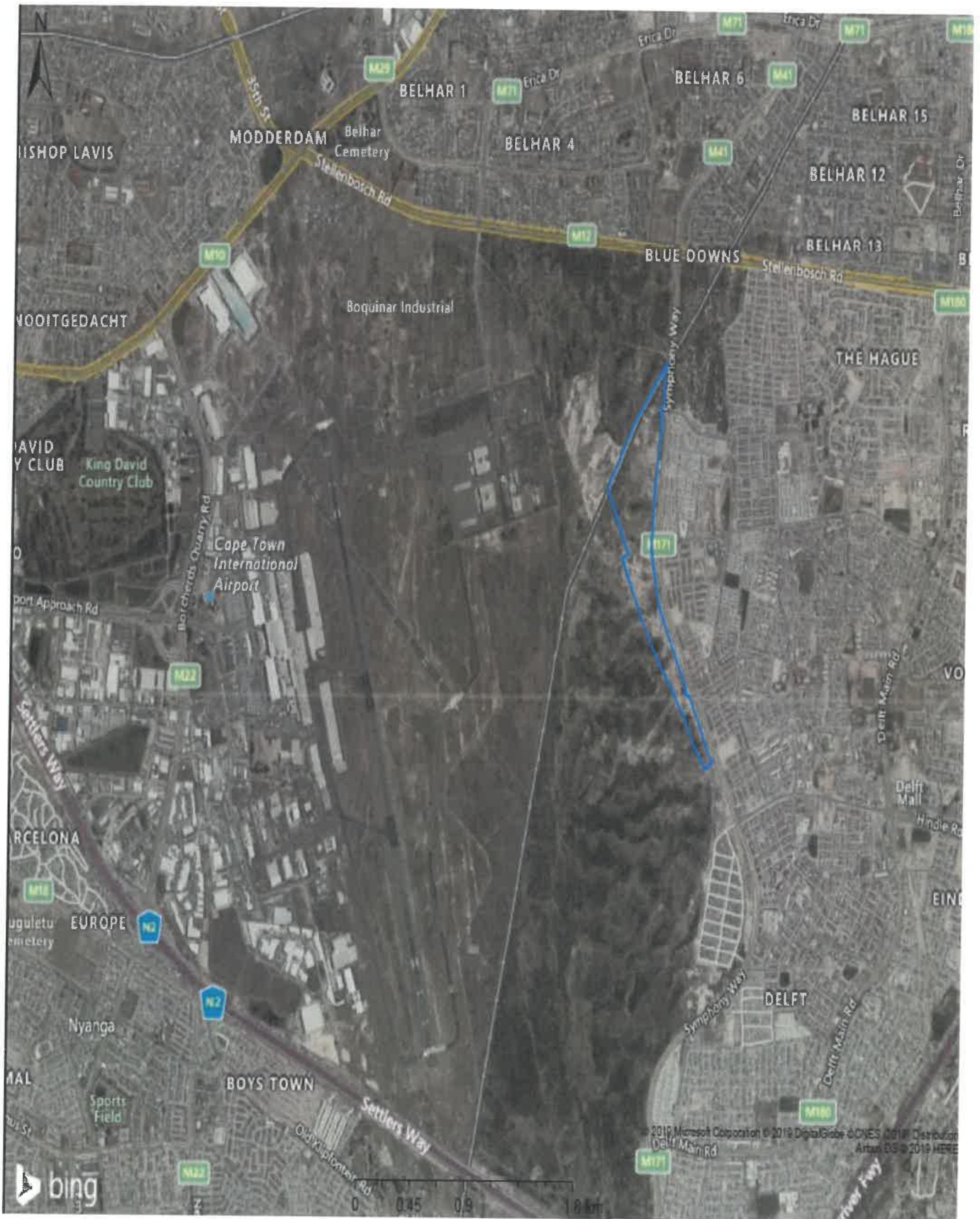
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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The listed activities applicable in terms of the NEMA EIA Regulations as amended on 07 April 2017.
- b) The information contained in the amended application form dated and received by the competent authority on 13 December 2019, the EIAR received by the competent authority on 13 December 2019 and the EMPr submitted together with the EIAR;
- c) The assessment of the activities in the EIAR received by the competent authority on 13 December 2019;
- d) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- e) 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);
- f) The comments received from interested and affected parties and the responses provided thereon, as included in the EIAR received by the Department on 13 December 2019; and
- g) 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 which, according to the competent authority, were the most significant reasons for the decision, is set out below.

1. Public Participation

The public participation process ("PPP") included, *inter alia*, the following:

- identification of and engagement with interested and affected parties;
- fixing a notice board at the site where the listed activities are to be undertaken on 10 May 2019;
- giving written notice to the owners of the land and 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 10 May 2019; and
- the placing of a newspaper advertisement in the 'Tygerburger' on 08 May 2019.

The Department is satisfied that the PPP 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 management and mitigation measures have been considered in this environmental authorisation and in the EMPr to adequately address significant concerns raised.

2. Alternatives

Various layout alternatives were investigated. However, the preferred alternative (herewith authorised) was considered to be the most reasonable and feasible alternative which was assessed as part of the EIA phase. The preferred alternative (as per Annexure 2) entails the development of a mixed use development and associated infrastructure on the remainder of Portion 12 of Farm No. 508, Delft.

The preferred alternative will include the following:

- A residential component;

- A mixed use component;
- An agricultural component;
- Public Open Spaces; and
- Associated infrastructure (roads, pipelines, detention ponds and electricity infrastructure).

The proposed development and associated infrastructure will have a footprint of approximately 31.7ha.

"No-Go" Alternative

The "no-go" alternative was not considered appropriate as there is a great need for housing opportunities in the area. The potential impacts associated with the proposed development are regarded as acceptable and with the implementation of the environmental authorisation and the EMP, will be managed to acceptable levels.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

The provision of housing and services to communities is considered a priority, and is an ongoing issue of national importance. The proposed development will assist in alleviating the housing shortage in the area and other areas in the City by providing new housing opportunities. The proposed development will also cater for the communities that will have to be relocated as a result of the re-alignment of the run way at Cape Town International Airport.

The proposed development is located inside the urban edge of the CoCT and the local authority and Eskom has confirmed that the necessary services are available to accommodate the proposed development should it be developed in phases.

3.2. Botanical Impacts

According to the Botanical Impact Assessment Report (dated June 2018 and compiled by Mark Berry Environmental Consultants), the vegetation occurring on the site is Cape Flats Dune Strandveld classified as an endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004 ("NEM:BA"), List of Threatened Ecosystems in Need of Protection, December 2011. The specialist report further indicates that frequent fires have negatively impacted the vegetation on the proposed site and the site has been disturbed due to mining activities. No species of conservation concern was observed on the site.

Land within the Macassar East Dunes have been identified by the local authority (CoCT) for the implementation of the Metro South East Conservation Implementation Plan which can be used as a land bank to offset the loss of indigenous vegetation on the proposed site. The CoCT's Biodiversity Management Branch have indicated in correspondence (dated 04 March 2020) that they would support the use of the land bank as an offset for the loss of indigenous vegetation on the site once operational budget is made available to ensure adequate conservation management of this area. This is in the process of being secured. A condition has been included in the environmental authorisation that the development must only commence once this offset has been secured.

3.3. Freshwater Impacts

According to the Freshwater Impact Assessment Report (dated October 2018 and compiled by Scientific Aquatic Services) no natural watercourses are located on the proposed site. The report indicates that an artificial depression is located on the proposed site which has been formed due to anthropogenic activities (waste dumping and formalisation of a road). The specialist further indicates

that if the anthropogenic activities did not take place, the depression would not have formed. Therefore, the impacts on the artificial depression was not further assessed.

3.4. Heritage Impacts

Heritage Western Cape in comment (dated 19 September 2018) indicated that there is no reason to believe that the proposed development will have an impact on heritage resources and that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

3.5. Traffic Impacts

Based on the Transport Impact Assessment Report (dated October 2018 and compiled by Techso (Pty) Ltd.) the proposed development will result in additional traffic on the road network. The report further indicates that some intersections are currently experiencing traffic congestion and requires upgrading that is the responsibility of the local authority. The report has identified intersections that must be upgraded to accommodate the additional traffic as a result of the proposed development. These upgrades will be implemented by the holder of the environmental authorisation.

3.6. Noise Impacts

According to the noise statement from Demos Dracoulides and Associates (dated 13 November 2019) the proposed development is located within the 55db noise contour with the respect to the airport and the re-alignment of the runway. Further, the houses that will be developed along Symphony Way will have an equal noise impact to the airport. Mitigation measures has been proposed to miminise noise impacts as a result of the airport and traffic on Symphony Way. A noise study (dated May 2019 and compiled by Demos Dracoulides and Associates) was conducted for the site adjacent to the proposed development and mitigation measures were proposed as part of this study. The same mitigation measures will be applicable to the proposed development and will be implemented.

All noise and sounds generated during the development phase will comply with the relevant SANS codes and standards and the municipal by-laws. Furthermore, noise impacts will be mitigated by the implementation of the conditions in this environmental authorisation and the EMPr.

3.7. Dust Impacts

Potential dust generated during the development phase will be mitigated by the implementation of the conditions of this environmental authorisation and the mitigation measures included in the EMPr. No potable water will be used to mitigate dust nuisance as far as is practically possible. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation) will be implemented instead.

3.8. Offsets

Land within the Macassar East Dunes have been identified by the local authority (CoCT) for the implementation of the Metro South East Conservation Implementation Plan which will be used as a land bank to offset the loss of indigenous vegetation on the proposed site. The CoCT's Biodiversity Management Branch have indicated in correspondence (dated 04 March 2020) that they would support the use of the land bank as an offset for the loss of indigenous vegetation on the site once operational budget is made available to ensure adequate conservation management of this area.

3.9. Impact Assessment and significance rating

3.9.1. The loss of indigenous vegetation as a result of the proposed development has been identified in the EIAR as being of medium negative significance after mitigation. The impacts will be further mitigated by the implementation of the EMPr, conditions of this environmental authorisation and the offset once it finalised.

3.9.2. Potential traffic impacts as a result of the development and operation of the proposed development have been identified in EIAR as being of low negative significance after mitigation. Potential impacts will be mitigated by the implementation of the EMPr and conditions of this environmental authorisation.

3.9.3. Potential noise impacts as a result of the development and operation of the proposed development have been identified in the EIAR as being of low negative significance after mitigation. Potential impacts will be mitigated by the implementation of the EMPr and conditions of this environmental authorisation.

National Environmental Management Act Principles

The National Environmental Management Act 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.

The development will result in both negative and positive impacts.

Negative Impacts Include:

- Loss of indigenous vegetation;
- Potential traffic impacts; and
- Potential noise and dust impacts.

Positive impacts Include:

- Provision of housing, commercial and industrial opportunities in the area;
- Some employment opportunities during development;
- Optimal use of available land in the area; and
- Improving the living conditions of the surrounding communities.

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 the 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-

APPENDIX A

THE RECOMMENDATIONS AS INCLUDED IN THE TRAFFIC IMPACT ASSESSMENT REPORT (DATED OCTOBER 2018 AND COMPILED BY TECHSO (PTY) LTD.)

- q) Five (5) bus embayment's, with bus shelters, should be added to Sheffield Road western road edge;
- r) Paved sidewalks should be provided on Polkadraai Drive southern road edge and along Sheffield Road western road edge, in support of the development that will generate high numbers of public transport commuters.
- s) A 28m wide road reserve should be provided for the east west roads providing access to the envisaged future industrial development.

It is recommended that:

- a) The current levels of traffic congestion, particularly along Polkadraai Drive, be recognised and intersection improvements in support of the development be viewed with circumspect (i.e. the developer should not be required to fix existing traffic capacity issues that are the responsibility of the Local Authority. In this regard, improvements to the intersection LOS is proposed in support of this development, rather than attaining a LOS E or better for each traffic movement);
- b) The proposed intersection improvements as determined from the intersection capacity analysis are listed below. (Note numbering below refers to intersection/site numbers used throughout this report).

2 - Polkadraai Drive / Robert Sobukwe Road:

- West Approach - Add 250 m Through lane
- East Approach - Change shared Through/Right-turn lane to Right-turn only to accommodate exclusive Right-turn Phase
- East Exit – Add 150 m exit lane

3 - Polkadraai Drive / Erica Drive:

- No Upgrading

4 - Polkadraai Drive / Symphony Way / Sheffield Road:

- West Approach - Add 60 m exclusive Right-turn slot

5 - Polkadraai Drive / Belhar Road / Delft Main Road:

- North Approach – Change left-turn lane to high angle left-turn slip lane (under yield control)

7 – Sheffield Road / Baleles Street:

- Signalise intersection
- North Approach - Add 30 m Right-turn slot, change shared Through / Right-turn lane to Through Lane, and change Left-turn lane to a shared Through / Left-turn lane
- East Approach – Extend 30 m Right-turn lane to 60 m
- South Approach – Add 30 m Right-turn slot
- South Exit – Add 150 m exit lane
- West Approach – Add development access road with approach and exit lane

8 – Sheffield Road / Fort Worth Road:

- Signalise Intersection
- North Approach - Add 30 m Right-turn slot, change shared Through / Right-turn lane to Through lane and change Left-turn lane to a shared Through/Left-turn lane

- North Exit – add 150 m exit lane
- South Approach – Add 30 m Right-turn slot and add 60 m shared Through/Left-turn lane
- South Exit – Add 150 m exit lane
- East Approach - Add development access road with 30 m Right-turn slot, and shared Through/Left-turn lane and exit lane.

9 – Sheffield Road / Hindle Road:

- Signalise Intersection
- North Approach - Add 30 m Left-turn high angle slip-lane
- South Approach – Add 30 m Right-turn slot
- South Exit – Add 150 m exit lane
- West Approach - Add development access road with approach and exit lanes

10 – Hindle Road/Delft Main Road:

- No changes
- On Sheffield Road the 660 m signal spacing between Baleles Street and Fort Worth Road be accepted due to the built environment, and where it is expected that Sheffield Road / Fort Worth Road intersection would eventually require signalisation regardless of the proposed development;
 - Raised median islands be provided at intersections on Sheffield Road for pedestrian safety and to enable staged pedestrian crossing;
 - Bus embayment's and Bus shelters be provided along Sheffield Road at 5 locations as indicated in this report;
 - Premix sidewalks be provided on Polkadraai Drive southern road edge and on Sheffield Road western road edge in the vicinity of the development;
 - At the priority controlled intersections on Baleles Street and Sheffield Road, two-way two-lane roads be provided to serve the proposed development.
 - The 28 m wide road reserve be provided on the access roads serving the envisaged future industrial area to the west of site B.

18 REFERENCES

- Committee for Transport Authorities (COTO) TMH 16 Vol 1 and 2 - South African Traffic Impact and Site Traffic Assessment Standards and Requirements Manual (August 2012 and February 2014 respectively)
- Committee of Transport Officials (COTO) Technical Manual for Highways (TMH) 17 South African Trip Data Manual Version 1.01 (September 2013)
- Committee of Transport Officials (COTO) Technical Manual for Highways (TMH) 26 South African Road Classification and Access Management Version 1.0 (August 2012)
- Signalised and Unsignalised Intersection Design Research Aid (SIDRA) 6.1 Plus
- City of Cape Town, Public Right of Way, Plan No. RD1-1, August 2013

APPENDIX B

THE MITIGATION MEASURES AS INCLUDED IN SECTION 8.4.3.3. OF THE EIAR TO MINIMISE POTENTIAL NOISE IMPACTS.

8.4.3.3. Recommended Mitigation Measures

- The final proposed mitigation measures are as follows:
 - Level < 50 dB(A): No mitigation required.
 - Level 50-55 dB(A): Single glazing with ventilation.
 - Level > 55 dB(A): Double glazing with ventilation.
- In addition to the above-mentioned retrofitting of the identified bedroom windows, the following need to be ensured:
 - If the identified house front door is next to a window that requires mitigation, this door needs to be a solid core door and sealed properly for noise, so as it does not have any gaps between the door and the frame. In addition, a thick weather stripping should be installed to the bottom of the door.
 - For the bedrooms requiring noise mitigation, ensure that there are no openings between the plastered wall and the roof tiles. Such openings need to be closed with high density noise insulation material.
 - Any other obvious openings on the identified bedroom walls where sound has easy access from the outside, such as a fireplace, or an air conditioning unit, including gaps around any penetrations in the wall (e.g. pipes or conduits), should be sealed airtight with suitable filler.
 - Air vents in the façades of the identified bedrooms should be either replaced with a vent that reduces traffic noise, or acoustically treated, or removed and the resulting gap in the wall filled airtight with suitable material.
 - For the bedrooms with insulated windows, ensure ventilation in accordance with Part O of section 3 of SABS 0400 "The application of the National Building regulations (NRB)".

8.4.4. Traffic Impact Assessment

8.4.4.1. Key Findings

- Techso conducted a Traffic Impact Assessment for the proposed development in October 2018. This report was revised in September 2019 to address comments received during the Scoping Phase.
- The purpose of the report was to assess the traffic and transportation impacts of proposed development relating to the impact on the surrounding road network
- It was found that the site has good access to the metropolitan road network.
- The proposed low cost housing development would generate approximately 380 additional peak hour vehicle trips, with development traffic distributed along Metropolitan Routes to the north and west of the site, and along the R300 and N2 to the east and south of the site.
- Intersections along Polkadraai Road experience high levels of traffic congestion with most intersections analysed operating at LOS F. Development traffic will exacerbate the intersection capacity issues particularly along Polkadraai Drive.

8.4.4.2. Key Impacts Identified

- The construction phase traffic expected as a result of the delivery of materials and employees driving to work and back could result in **traffic impacts on the existing road networks, especially at the key intersections.**
- **Damage to access roads** as a result of increased truck traffic.
- The operational phase traffic expected as a result of the residents travelling to work and back could result in **traffic impacts on the existing road networks, especially at the key intersection (Symphony Way /**