



REFERENCE: 16/3/3/2/F5/16/2017/21
NEAS REFERENCE: WCP/EIA/0000891/2021
DATE OF ISSUE: 21 February 2022

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7299

Attention: Mr. Joggie Scholtz

E-mail: swartlandmun@swartland.org.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): PROPOSED ESTABLISHMENT OF THE DE HOOP HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERVEN 2400, 5105, 7456, 7460 – 7470, 11280, 12492, 12493 AND 12567, MALMESBURY.

1. With reference to the above application, the competent authority 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 EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties are provided with access to and reasons for the decision, and that all registered interested and affected parties are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. Lauren Abrahams (Enviro-EAP (Pty) Ltd.)
(2) Mr. André Oosthuizen (DEA&DP: DDF)

E-mail: lauren@envro-eap.co.za
E-mail: andre.oosthuizen@westerncape.gov.za

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED): PROPOSED ESTABLISHMENT OF THE DE HOOP HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERVEN 2400, 5105, 7456, 7460 – 7470, 11280, 12492, 12493 AND 12567, MALMESBURY.

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 NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the EIA Report dated 15 January 2022.

In terms of the NEMA and the EIA Regulations, 2014 (as amended), the competent authority hereby adopts the Maintenance Management Plan (“MMP”) dated September 2021 for the proposed maintenance or managements works to be undertaken in the watercourses, including wetlands.

The granting of this Environmental Authorisation (hereinafter referred to as the “Environmental Authorisation”) is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

Swartland Municipality
c/o Mr. Joggie Scholtz
Private Bag X52
MALMESBURY
7299

Tel.: (022) 487 9400
Fax: (022) 487 9440
E-mail: swartlandmun@swartland.org.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 9: <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;</i> <i>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>Infrastructure exceeding 1000m in length for the bulk transportation of water and/or storm water will be developed outside the urban area.</p>
<p>Activity 10: <i>"The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –</i> <i>(i) with an internal diameter of 0,36 metres or more;</i> <i>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 the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or</i> <i>(b) where such development will occur within an urban area".</i></p>	<p>Infrastructure exceeding 1000m in length for the bulk transportation of sewage/waste water will be developed outside the urban area.</p>
<p>Activity 12: <i>"The development of-</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs-</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</i></p>	<p>Infrastructure/structures of more than 100m² will be constructed within 32m from the edge of a watercourse.</p>

<p>excluding-</p> <ul style="list-style-type: none"> (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared". 	
<p>Activity 19: <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></p> <ul style="list-style-type: none"> (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (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". 	<p>The development proposal entails the removing or moving, dredging, excavation, infilling or depositing of material of more than 10m³ from the watercourse.</p>
<p>Activity 24: <i>"The development of a road -</i></p> <ul style="list-style-type: none"> (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 (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; <p><i>but excluding a road -</i></p>	<p>An internal road network with road reserves, as well as the expansion of the Darling - N7 link dual carriage way will be constructed.</p>

<p>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014;</p> <p>(b) where the entire road falls within an urban area;</p> <p>or</p> <p>(c) which is 1 kilometre or shorter".</p>	
<p>Activity 28: <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;</i></p> <p>or</p> <p>(ii) <i>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 proposed site was zoned and used for agricultural use on or after 01 April 1998 and is located outside the urban area.</p>

Listed Activity	Activity/Project Description
<p>Listing Notice 2 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 15: <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>(ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan".</i></p>	<p>More than 20ha of indigenous vegetation will be cleared.</p>
<p>Activity 27: <i>"The development of a road –</i></p> <p>(iii) <i>with a reserve wider than 30 metres; or</i></p> <p>(iv) <i>catering for more than one lane of traffic in both directions;</i></p> <p><i>but excluding a road -</i></p> <p>(a) <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, in which case activity 24 in Listing Notice 1 of 2014 applies;</i></p> <p>(b) <i>which is 1 kilometre or shorter; or</i></p> <p>(c) <i>where the entire road falls within an urban area".</i></p>	<p>A road will be developed that has a reserve wider than 30m.</p>

Listed Activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 4: <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> <ul style="list-style-type: none"> i. <i>Areas zoned for use as public open space or equivalent zoning;</i> ii. <i>Areas outside urban areas;</i> <ul style="list-style-type: none"> (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> <ul style="list-style-type: none"> (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>An internal road network with road reserves as well as the expansion of the Darling - N7 link dual carriage way will be constructed on areas containing indigenous vegetation.</p>
<p>Activity 12: <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>i. Western Cape</p> <ul style="list-style-type: none"> i. <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i> ii. <i>Within critical biodiversity areas identified in bioregional plans;</i> 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 on erven in urban areas;</i> iv. <i>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</i> v. <i>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".</i> 	<p>More than 300m² of critically endangered vegetation will be cleared.</p>

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

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

The proposal entails the establishment of a housing development and associated infrastructure on Erven 2400, 5105, 7456, 7460 - 7470, 11280, 12492, 12493 and 12567 Malmesbury.

The proposed development will provide for a total of 2569 residential units consisting of a range of housing typologies to suite the need of various income groups. The proposed development will comprise of the following:

- Approximately 1262 Residential Zone 2 erven (Integrated Redevelopment Programme ("IRDP"));
- Approximately 730 Residential Zone 2 erven (walk-ups);
- Approximately 31 Residential Zone 4 erven (Upgrading of Informal Settlements Programme ("UISP"));
- Approximately 546 Residential Zone 1 erven (affordable housing);
- Approximately 7 General Residential Zone 3 erven;
- 40 Open Space Zone 1 erven;
- 7 Community Zone 2 erven (church);
- 8 Community Zone 1 erven (crèche and school);
- 1 Community Zone 3 erf (hospital);
- 12 Business Zone 2 erven;
- 3 Authority Zone erven;
- 1 Transport Zone 2 erf; and
- Associated bulk services and road infrastructure.

The proposed development will be undertaken in phases as the need for housing arises and availability of services. Please see Annexure 2: Site Plan for the Preferred Phasing Plan.

The existing non-perennial stream will be incorporated into three of the open space erven to protect the watercourse and to allow for recreational activities next to the stream.

Services infrastructure:

N7 - Darling Road Arterial:

An arterial road linking Darling Road with Alfa Street will provide access to the site and improve access to the residential suburbs of Wesbank and Ilinge Lethu. The proposed arterial road will link up with the Abbotsdale Interchange on the N7. A railway bridge crossing and a storm water culvert crossing a tributary of the Diep River will be constructed during the final phase of the arterial road.

Peperboom Street:

An 8m wide access road at the Peperboom Street intersection will provide access from Darling Road to the proposed hospital and school sites. The vertical alignment of Darling Road at the intersection will be improved to create safe sight distances. The road will link with Phola Park to improve the access to the suburb. Provision will also be made for public transport parking facilities.

Internal Roads:

The internal road widths will vary for the access collectors as well as for the access loops. Sidewalks will be provided on either side of the roads.

Public transport:

The location and details of taxi and bus ranks will be determined after discussions with the relevant role players.

There are a few access points to the site, of which the two main access points will be from Alpha Street and the proposed arterial route connecting the N7 and Darling Road (R315). Secondary access points will be from a new access on Darling Road across from Peperboom Avenue, Sarah Bartman Street and internal streets in Saamstaan and Phola Park.

Storm water:

A storm water network will be installed in the road reserves. The existing earth channel which runs down the middle of the site is quite steep and badly eroded. The channel will be formalised in places to prevent further erosion. Storm water retention ponds will be designed to ensure that the post-development storm water runoff from the site is limited to the pre-development volumes. Storm water will discharge into the non-perennial stream situated along the western boundary of the site. The storm water will be channelled under the railway line through the existing storm water culverts.

Water supply, sewerage disposal, solid waste disposal and electricity supply:

The proposed development will connect to the Wesbank water reticulation network. The existing reservoirs have adequate capacity to provide the required storage of 48 hours. Sewerage will be pumped to the existing bulk sewer line and gravitate to the Malmesbury Waste Water Treatment Works. Solid waste will be disposed of at the Highlands Waste Disposal Facility. Electricity will be supplied from a new 132/11kV substation which will be built on the southern side of the site.

The proposed development will be approximately 123ha in size.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Erven 2400, 5105, 7456, 7460 – 7470, 11280, 12492, 12493 and 12567 Malmesbury.

The erven are located west of the existing neighbourhoods of Phola Park and Ilinge Lethu and south of Saamstaan.

Surrounding land uses include high density UISP residential neighbourhoods to the east, vacant land to the north, a railway line to the west and the N7 to the south.

The SG 21-digit codes are:

Erf number	SG 21 digit code
2400	C04600080000240000000
5105	C04600080000510500000
7456	C04600080000745600000
7460	C04600080000746000000
7461	C04600080000746100000
7462	C04600080000746200000

7463	C04600080000746300000
7464	C04600080000746400000
7465	C04600080000746500000
7466	C04600080000746600000
7467	C04600080000746700000
7468	C04600080000746800000
7469	C04600080000746900000
7470	C04600080000747000000
11280	C04600080001128000000
12492	C04600000000069500002
12493	C04600000000069700001
12567	C04600000000076600015

Co-ordinates:

Erf No.	Co-ordinates
2400	Latitude: 33° 27' 48.05" S
	Longitude: 18° 42' 06.82" E
5105	Latitude: 33° 28' 06.94" S
	Longitude: 18° 41' 31.52" E
7456	Latitude: 33° 27' 44.34" S
	Longitude: 18° 42' 02.48" E
7460	Latitude: 33° 27' 37.24" S
	Longitude: 18° 42' 00.41" E
7461	Latitude: 33° 27' 39.77" S
	Longitude: 18° 42' 02.44" E
7462	Latitude: 33° 27' 39.24" S
	Longitude: 18° 42' 02.18" E
7463	Latitude: 33° 27' 38.71" S
	Longitude: 18° 42' 01.91" E
7464	Latitude: 33° 27' 38.17" S
	Longitude: 18° 42' 01.66" E
7465	Latitude: 33° 27' 37.62" S
	Longitude: 18° 42' 01.35" E
7466	Latitude: 33° 27' 37.08" S
	Longitude: 18° 42' 01.09" E
7467	Latitude: 33° 27' 36.54" S
	Longitude: 18° 42' 00.82" E
7468	Latitude: 33° 27' 36.01" S
	Longitude: 18° 42' 00.54" E
7469	Latitude: 33° 27' 35.49" S
	Longitude: 18° 42' 00.30" E
7470	Latitude: 33° 27' 34.82" S
	Longitude: 18° 42' 00.09" E
11280	Latitude: 33° 27' 51.08" S
	Longitude: 18° 41' 40.37" E
12492	Latitude: 33° 27' 40.57" S
	Longitude: 18° 41' 30.60" E
12493	Latitude: 33° 27' 32.71" S
	Longitude: 18° 41' 51.84" E
12567	Latitude: 33° 28' 21.29" S

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

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

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

Fax: (086) 435 4691
E-mail: lauren@enviro-eap.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 EIA Report dated 15 January 2022 on the site as described in Section C above.
2. Authorisation of 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 ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of fifteen (**15**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 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 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 ("I&APs") 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 I&APs 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 I&APs to the manner in which they may access the decision; and
 - 6.4 provide the registered I&APs 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 I&APs 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 I&APs 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 minimum of 7 (seven) calendar days' notice, in writing, 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, 21.1 and 22.3.

Management of activity

10. The draft Environmental Management Programme ("EMPr") dated 15 January 2022 (as compiled by Enviro-EAP (Pty) Ltd.); Maintenance Management Plan for the Watercourses Including Wetlands dated September 2021 (as compiled by Enviro-EAP (Pty) Ltd.); Rehabilitation and Alien Vegetation Management Plan dated 13 September 2021 (as compiled by Enviro-EAP (Pty) Ltd.) and submitted as part of the application for Environmental Authorisation are 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, including the MMP, 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 also 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 phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;
- 14.2 ensure compliance with the EMPr, MMP and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

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 an environmental audit report three (3) months after commencement of the construction phase to the relevant competent authority;
 - 15.3 submit an environmental audit report six (6) months after completion of the construction phase to the relevant competent authority; and
 - 15.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
16. The environmental audit reports must be prepared by an independent person with expertise 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 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

- 18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
- 19. 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.
- 20. 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; shipwrecks; 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.

21. As per the recommendations provided in the Aquatic Biodiversity Impact Assessment Report dated August 2021 and compiled by Enviro-EAP (Pty) Ltd., as included in the EMPr, the following must be implemented:
 - 21.1 The non-perennial river and wetland, its riparian zones and buffer areas must be clearly demarcated before commencement of construction.
 - 21.2 The non-perennial river and wetland, its riparian zones and buffer areas must be regarded as no-go areas during the construction phase.
 - 2213 Contractor laydown areas and stockpiles must be established further than 100m from the watercourses and wetland.
 - 21.4 Construction activities must be limited to the drier summer months to avoid sedimentation and siltation of riparian features in the vicinity of the site.
 - 215 Invasive alien vegetation must be removed during construction and must be disposed of at a licensed waste disposal facility.
 - 21.6 Invasive alien vegetation may not be used for fire wood.
 - 21.7 All excess sediment that is removed from the watercourses must be utilised as part of the building activities or must be removed from the site.
 - 21.8 The excess sediment may not be dumped on site or within any of the freshwater features identified within the surrounding area.
 - 21.9 Soil surrounding the constructed infrastructure must be suitably backfilled and sloped (minimum 1:3 ratio) and concrete aprons as well as gabion mattresses must be installed up and downstream for energy dissipation and sediment trapping.

22. As per the recommendations provided in the Socio- Economic Impact Assessment Report dated August 2021, and compiled by Leap Sustainable Development cc, the following must be implemented:
 - 22.1 The contractor must employ 90% locals of whom 90% must be Human Development Index ("HDIs") and whom are suitably qualified.
 - 22.2 If there is a lack of suitably qualified persons, skills transfer must be prioritised whilst construction is taking place.
 - 22.3 A database of locals including small businesses owned and run by HDIs that qualify as service providers (construction companies, catering companies, waste collection companies, site cleaning companies etc.) must be compiled by the contractor before commencement of construction.
 - 22.4 A Development and Monitoring Committee must be established in collaboration with representatives of the local community, Swartland Municipality and business owners to ensure that the proposed development is implemented and that any problems that arise and which is associated with the construction phase, is addressed.
 - 22.5 The Monitoring Committee must:
 - 22.5.1 Facilitate the appointment of jobs that have been generated from a local data basis that has been compiled.

- 22.5.2 Address problems arising during the construction and operational phases.
 - 22.5.3 Reserve 60% of jobs for youth (35 years and younger) and 40% to vulnerable people.
23. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
- 23.1 Dual-flush toilet systems.
 - 23.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 23.3 Water-wise landscaping must be done.
24. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
- 24.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.
 - 24.2 Street lighting must be kept to a minimum and down lighting must be used to minimize light impacts. Streetlights must be switched off during the day.
 - 24.3 All geysers must be covered with geyser "blankets".
 - 24.4 The installation of solar water heaters and solar panels must be considered for all buildings.

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. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, other than those mentioned above, must be done 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 a 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 -
 - 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 and the responding statement must be submitted to the address listed below:

By post: Attention: Mr. 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 also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the

address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail 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)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 21 FEBRUARY 2022

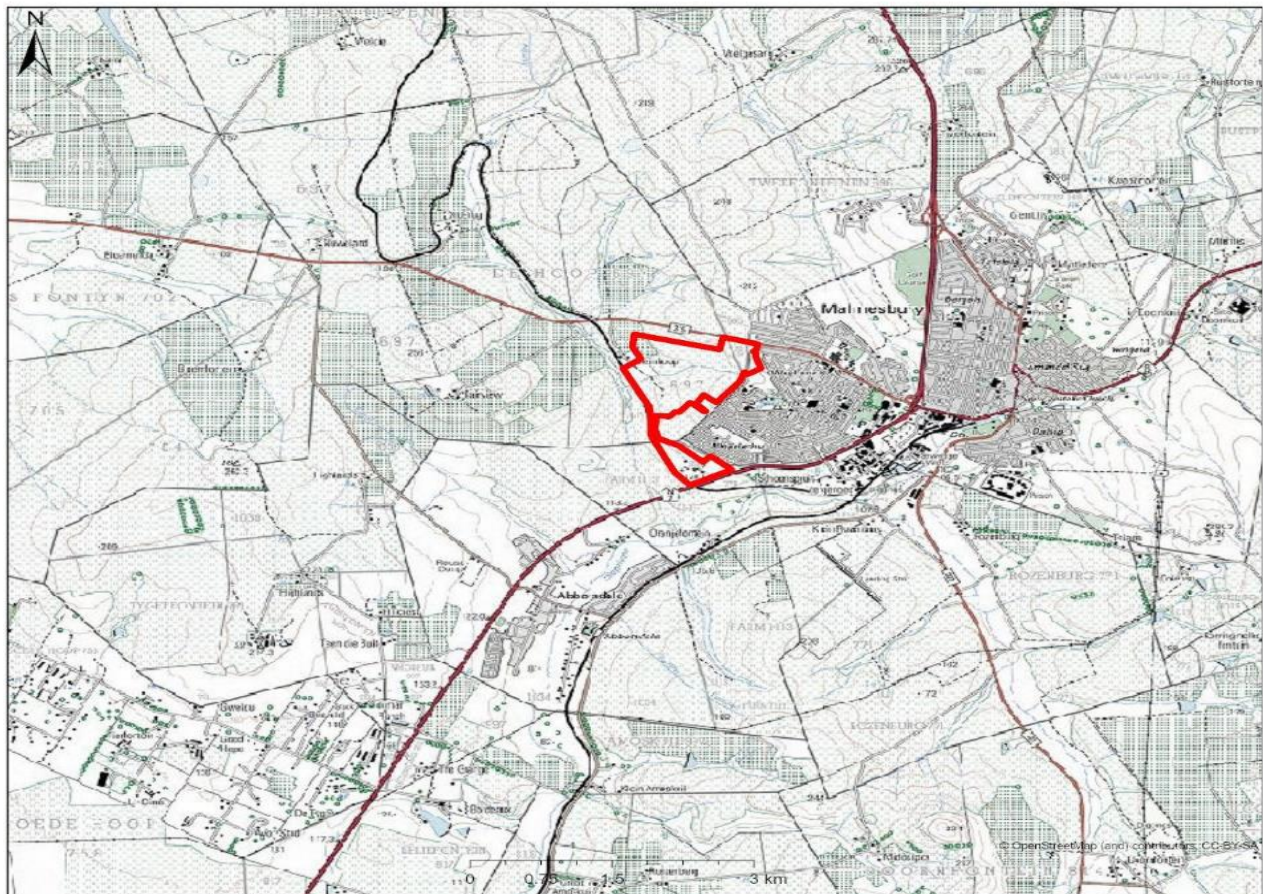
CC: (1) Ms. Lauren Abrahams (Enviro-EAP (Pty) Ltd.)
(2) Mr. André Oosthuizen (DEA&DP: DDF)

E-mail: lauren@envro-eap.co.za
E-mail: andre.oosthuizen@westerncape.gov.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/2/F5/16/2017/21
NEAS EIA REFERENCE NUMBER: WCP/EIA/0000891/2021

ANNEXURE 1: LOCALITY PLAN



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the application form received by the competent authority via electronic mail correspondence on 12 April 2021; the final Scoping Report dated and received by the competent authority via electronic mail correspondence on 28 May 2021; the final EIA Report dated 15 January 2022, as received by the competent authority via electronic mail correspondence on 17 January 2022; the EMPr submitted together with the final EIA Report; and the comment from the Western Cape Department of Agriculture received by the competent authority via electronic mail correspondence on 03 February 2022;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from I&APs and the responses provided thereon, as included in the final EIA Report dated 17 January 2022;
- d) 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 comprised of the following:

- Notices were placed at seven locations surrounding the site on 19 August 2020;
- Adjacent landowners and occupants were notified via registered mail, e-mail, and SMS on 22 September 2020;
- E-mails were sent on 22 September 2020 to thirteen potential I&APs as well as the ward councillors in Wards 4, 9, 10 and 11 for distribution amongst ward representatives;
- SMS notifications were sent on 22 September 2020;
- Letters were posted via registered mail on 22 September 2020;
- An advertisement was placed in the "Swartland Gazette" newspaper on 18 August 2020;
- E-mails were sent on 12 April 2021 to announce the availability of the draft Scoping Report;
- The draft Scoping Report was made available from 12 April 2021 until 13 May 2021;
- E-mails were sent on 17 September 2021 to announce the availability of the draft EIA Report;
- The draft EIA Report was made available from 17 September 2021 until 18 October 2021;
- E-mails were sent on 17 November 2021 to announce the availability of the revised draft EIA Report; and
- The revised draft EIA Report was made available from 17 November 2021 until 10 January 2022.

Authorities consulted

The authorities consulted included the following:

- Department of Environmental Affairs and Development Planning ("DEA&DP") Directorate: Pollution & Chemicals Management;
- DEA&DP Directorate: Waste Management;
- Western Cape Department of Agriculture;

- Heritage Western Cape;
- Department of Agriculture, Land Reform and Rural Development;
- Transnet Freight Rail Infrastructure Maintenance Department;
- Swartland Municipality;
- West Coast District Municipality;
- Department of Human Settlements;
- Department of Water and Sanitation;
- South African National Roads Agency Limited;
- Transnet;
- Passenger Rail Agency of South Africa;
- Western Cape Department of Transport and Public Works; and
- CapeNature.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were responded to and included in the EIA Report.

2. Alternatives

The following layout alternatives were investigated:

Layout alternative 1:

This alternative entails the establishment of 123ha mixed-use development comprising of the following:

- 1259 Residential Zone 2 erven (IRDP);
- 738 Residential Zone 2 erven (walk-ups);
- 542 Residential Zone 1 erven (affordable housing);
- 7 General Residential Zone 3 erven;
- 31 Residential Zone 4 erven (UISP);
- 107 Residential Zone 1 erven;
- 30 Open Space Zone 1 erven;
- 8 Community Zone 2 erven (church);
- 10 Community Zone 1 erven (crèche and school);
- 1 Community Zone 3 erf (hospital);
- 12 Business Zone 2 erven;
- Authority Zone erven;
- 1 Transport Zone 2 erf; and
- Associated bulk services and road infrastructure.

An additional 107 low density residential erven located on a portion of Portion 2 of Farm No. 695 also forms part of the proposed development.

This layout was discarded as the proposed development will be separated by Darling Road (R315) from the main development footprint and the site is furthermore located on the western boundary of Wesbank (north of Darling Road off Peperboom Avenue). This alternative also makes provision for future expansion (low density residential, high density residential and business erven) along Darling Road, which is undesirable. The separation of the low-density residential units from the main development footprint does not promote integration of different income-groups, cultures, and social standing. Future expansion along Darling Road will increase the significance of the negative impact associated with a permanent change in landscape aesthetics.

Preferred layout alternative – herewith authorised:

The preferred alternative entails the establishment of a housing development and associated infrastructure on Erven 2400, 5105, 7456, 7460 - 7470, 11280, 12492, 12493 and 12567 Malmesbury.

The proposed development will provide for a total of 2569 residential units consisting of a range of housing typologies to suite the need of various income groups. The proposed development will comprise of the following:

- Approximately 1262 Residential Zone 2 erven (IRD);
- Approximately 730 Residential Zone 2 erven (walk-ups);
- Approximately 31 Residential Zone 4 erven (UISP);
- Approximately 546 Residential Zone 1 erven (affordable housing);
- Approximately 7 General Residential Zone 3 erven;
- 40 Open Space Zone 1 erven;
- 7 Community Zone 2 erven (church);
- 8 Community Zone 1 erven (crèche and school);
- 1 Community Zone 3 erf (hospital);
- 12 Business Zone 2 erven;
- 3 Authority Zone erven;
- 1 Transport Zone 2 erf; and
- Associated bulk services and road infrastructure.

The proposed development will be undertaken in phases as the need for housing arises and based on the availability of services.

The existing non-perennial stream will be incorporated into three of the open space erven to protect the watercourse and to allow for recreational activities next to the stream.

Reasons for the preferred alternative:

The preferred alternative allows for better integration with the existing neighbourhoods and ensures the maximum usage of vacant land, thereby limiting the potential for urban sprawl. The preferred layout responds to the spatial planning objectives on a local, provincial, and national level and the proposed development can be viewed as an extension/expansion of the existing residential neighbourhoods.

“No-Go” Alternative:

This alternative entails maintaining the *status quo* and as such, the site will not be developed. This alternative was not deemed as preferred as the proposed development will augment the economic activities, provide for much needed housing and the benefits to the holder and creation of jobs would not be realised. The “no-go” alternative is therefore not warranted.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

The layout and design will create an integrated neighbourhood which will accommodate beneficiaries on the waiting list and provide private erven within an area where employment and social uses are in close proximity. The proposed development will create a safe living environment with centrally placed open spaces and social uses.

The proposed development will relieve the urgent housing need in the Swartland area. A mix of housing typologies will connect with the surrounding neighbourhoods and promote integration and densification.

The proposed development is consistent with the Provincial Spatial Development Framework ("PSDF") (March 2014, revised 2019), the Swartland Spatial Development Framework ("SDF") (2019), Human Settlement Plan and Integrated Development Plan (2017-2021) in terms of the policy goals, strategies and objectives.

The proposed development complies with the special agendas, key transitions, themes and resources of the PSDF as follows:

- The development promotes denser settlement patterns to support the transition to public transport and mixed land uses to reduce the need for travel and create walkable neighbourhoods;
- The development of quality community precincts which incorporates social development facilities is key to changing negative township perspectives;
- The development prevents settlement encroachment into viable agricultural areas, scenic landscapes and biodiversity areas;
- It promotes smart growth by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill;
- The density of the settlement and dwelling units are increased in this new housing project; and
- Investment in community facilities, public infrastructure and public spaces are prioritised.

The proposed development complies with the Swartland Municipality SDF as follows:

- An increase in density for the next 20 years from 10.8 units/ha to 18 units/ha;
- The proposal provides for subsidised housing in Malmesbury as it includes top-structures for subsidised houses;
- The proposed development creates affordable commercial properties and integrate commercial areas with previously disadvantaged neighbourhoods; and
- The proposal creates social nodes and related community uses in previously disadvantaged communities.

Malmesbury was identified as one of the Regional Social Economic Programme focus areas. One of the projects include the pedestrian links under the N7 towards Wesbank and llinge Lethu and the pedestrian walkways to Alfa Street. These projects are almost completed and will further be elevated by extending the pedestrian walkways further into the proposed development where Alfa Street connects to the development. Economic opportunities are also created within the development which will create a second economic node to reduce the need to travel to the Central Business District.

The urban design principles used will create a walkable all-inclusive settlement that will promote human safety and an increased life expectancy of the community. The streets are designed to accommodate effective traveling patterns and all the major routes will have sidewalks for non-motorised traffic like pedestrians and cyclists.

Social services are provided throughout the development in clusters to ensure each household is within walking distance of a church, crèche and public open space. Economic opportunities are also located next to major routes and all households are within a 1km radius of a business area to supply in basic needs and job opportunities. The proposed development is also integrated with the surrounding neighbourhoods to ensure inclusion within the existing urban area.

The site is identified for the development of an integrated neighbourhood with residential, educational, social, business, light industrial, service industries, institutional and commercial uses in the Swartland Municipality SDF. Community services such as

crèches, churches and even for educational facilities will provide for the social and recreational needs of the community. These even are located near open spaces, which is desirable in terms of accessibility.

The benefits of the proposed development are highly significant whilst the costs to the community are limited. The significance of the benefits confirms the catalytic nature of the proposed development.

3.2 Botanical impacts

A Terrestrial Biodiversity Impact Assessment Report dated August 2021 and a Terrestrial Plant Species Compliance Statement dated August 2021 were compiled by Enviro-EAP (Pty) Ltd., to assess the botanical impacts of the proposed development.

A small terrestrial Critical Biodiversity Area ("CBA") occurs in the western part of the site. The southern part of the site was incorrectly identified as a terrestrial CBA. This southern area is heavily impacted on by small farming activities. The southern terrestrial CBA was previously ploughed with signs of agricultural engineered contours still being present. As such, there is not a terrestrial CBA present in this area.

Some areas have not been ploughed during the past ten years and contain some vegetation. The vegetation is dominated by alien grasses (*Cynodon dactylon*), *Leysera gnaphalodes*, *Cotula turbinata*, *Tulbaghia acutiflora* and *Oxalis pes-caprae*.

The botanical specialist confirmed that the preferred layout is likely to have a low negative construction phase botanical impact after mitigation. The botanical specialist's recommendations have been included in the conditions of this Environmental Authorisation and the EMPr.

3.3 Freshwater Impacts

An Aquatic Biodiversity Impact Assessment Report dated August 2021 was compiled by Enviro-EAP (Pty) Ltd., to assess the freshwater impacts of the proposed development.

A non-perennial river and an un-channelled valley bottom wetland occur in the north-western part of the site. An earth dam and weir wall have been constructed in the middle of the non-perennial river and wetland features have established in the earth dam. The non-perennial river flows downslope from east to west underneath a railway line into a tributary of the Diep River. The upper half of the non-perennial river has been channelled and is degraded due to agricultural activities.

The Present Ecological State of the non-perennial river is assessed as poor. The riparian system falls into a Category E, which indicates that a loss of natural habitat, biota and basic ecosystem functions has occurred. The non-perennial river is considered to be of moderate ecological importance. The overall ecological and importance of the non-perennial river is assessed to be low.

The watercourses that are located on the site have been subjected to modification due to the surrounding agricultural activities. The impacts relate largely to the loss of indigenous vegetation within the riparian zones and the associated growth of invasive alien plants.

A MMP has been compiled for maintenance or managements works to be undertaken in the watercourses. The freshwater specialist's recommendations have been included in the EMPr.

With the implementation of mitigation measures, including the Environmental Water Requirements and the MMP, the condition of the non-perennial river and unchannelled valley bottom wetland can be maintained at the desired level of ecosystem functioning. Buffers will be established around the sensitive areas which will be included in areas zoned as Open Space.

3.4 Agricultural impacts

A Site Sensitivity Verification Report and Agricultural Compliance Statement dated 16 August 2021 was compiled by Johann Lanz, to assess the potential agricultural impacts associated with the proposed development.

The site has limitations for crop production and is therefore not considered conservation-worthy as agricultural land. Although the site is suitable for the production of cultivated crops, there are significant limitations on the productive potential of the site due to theft and disturbance to agricultural produce, and the presence of existing infrastructure. The site can therefore not be considered as having a high production potential. The site thus has a medium agricultural sensitivity.

The proposed development will therefore not have an unacceptable negative impact on the agricultural production capability of the site.

3.5 Faunal impacts

A Terrestrial Animal Species Impact Assessment Report dated August 2021 was compiled by Enviro-EAP (Pty) Ltd., to assess the potential impacts on animal species associated with the proposed development.

The site was previously ploughed which impacted on and altered the habitat of animal species on the site. Faunal species include mammals, birds, reptiles, amphibians, fish and invertebrates. No species of conservation concern were recorded or observed or are likely to occur on the site due to habitat loss and the current ecological status of the site and the surrounding area. Although the proposed development will impact on terrestrial animal species, it will not result in the loss or significantly impact on the population size of any species, nor change the conservation status of species or lead to its extinction.

The proposed development will have a low negative impact on terrestrial animal species.

3.6 Socio-economic impacts

A Socio- Economic Impact Assessment Report dated August 2021 was compiled by Leap Sustainable Development cc, to assess the potential socio-economic impacts associated with the proposed development.

The impacts of the proposed development are as follows:

- Supply of bulk services unlocking economic opportunities and settlement (housing);
- Improved road infrastructure, thereby enhancing mobility;
- Diversification of the local economy and increased local sales and Gross Domestic/ Geographical Product ("GGP");
- Improved proximity to work and generation of jobs; and
- Improved security of tenure.

The proposed development is compatible with the following National and Provincial plans and policies:

- Western Cape PSDF (March 2014, revised 2019);
- Swartland Municipality SDF (2019);
- Swartland Municipality IDP (2017-2021) and Human Settlement Plan.

The proposed development will provide substantially in the housing backlog in the Swartland, will create employment opportunities within walking distance and facilitates the integration of communities physically separated by the N7 and R315 as a result of South Africa's political history.

Direct and positive impacts during the construction phase are as follows:

- Increased employment opportunities;
- Increased income;
- Increased skills levels of working age population;
- Increased local sales and GGP; and
- Diversification of the local economy.

Direct and positive impacts during the operational phase are as follows:

- Increased employment opportunities;
- Increased income;
- Increased skills levels of working age population and youth in particular;
- Increased local sales and GGP;
- Diversification of the local community;
- Establishment of a regional tertiary education facility;
- Establishment of high end social and commercial amenities;
- Proximity to work;
- Integration of different income gradients;
- A broadened municipal tax base;
- Biodiversity enhancement;
- Enhanced supply of bulk services;
- Increased road infrastructure and increased motorised and non-motorised traffic levels; and
- A changed sense of place.

By combining residential and mixed uses to achieve a compact settlement, the proposed development will establish an integrated, compact, mixed-use development. The construction of the proposed development will positively impact on the income of households employed locally and regionally.

3.7 Traffic impacts

A Traffic Impact Assessment Report dated August 2020 was compiled by Innovative Transport Solutions to assess the traffic impacts of the proposed development.

Access to the site is from Darling Road via the Peperboom Street intersection. This access is currently a gravel road. Access is also available from the internal road network within Wesbank, via the Alpha Street extension.

Existing traffic conditions:

All the study intersections currently operate at acceptable Levels-of-Service ("LOS") and with sufficient spare capacity. No road upgrades are therefore required from an intersection capacity point of view. However, right turning lanes should be provided at the following intersections:

Intersection 5: Darling Road/Palmboom Street - westbound;

Intersection 7: Darling Road/Disa Street - eastbound;

Intersection 8: Darling Road/Jasmyn Street - eastbound; and
Intersection 9: Darling Road/Azalia Street - westbound.

Background traffic conditions:

All the study intersections will continue to operate at acceptable LOS and with sufficient spare capacity. Therefore, no road upgrades are required from an intersection capacity point of view. However, a right turn lane is recommended at Intersection 6 (Darling Road/Alfa Street) from a safety point of view.

Access:

The main site access will be from Darling Road approximately 636m west of the existing Peperboom intersection, at the new "Western Ring Road" intersection. The proposed main access spacing is acceptable.

The proposed development will also gain access via the existing Darling Road/Peperboom Street intersection as well as the Darling Road/Alfa Street intersection. As such, acceptable intersection/access spacing are proposed along both Darling Road, as well as the Western Ring Road.

Phase 1 will generate the following peak hour trips:

- Am peak hour: 125 total trips; and
- Pm peak hour: 145 total trips.

Phase 2 (*i.e.*, total Phase 1 + Phase 2) will generate the following peak hour trips:

- Am peak hour: 1385 total trips; and
- Pm peak hour: 1377 total trips.

2025 total traffic conditions for Phase 1:

Most study intersections will continue to operate at acceptable LOS and with sufficient spare capacity, expect for the Darling Road/Alfa Street intersection. This intersection will operate at unacceptable LOS F and delays in excess of 50 seconds during the am peak hour. A traffic signal should be installed when warranted, to ensure that the intersection operates at an acceptable LOS A as it will reduce the delays to an acceptable 7.7 seconds during the am peak hour.

2030 total traffic conditions for Phase 2 (full development):

Most study intersections will continue to operate at acceptable LOS and with sufficient spare capacity, expect for the following intersections:

Intersection 5 (Darling/Palmboom):

The intersection will operate at unacceptable LOS F and over capacity during the peak hours, due to long delays on the southbound approach. An additional east and westbound through lane and a median island should be constructed to enable the side road traffic to cross the main road traffic in two stages. This upgrade will ensure that the intersection operates acceptably (LOS C) during the peak hours.

Intersection 6 (Darling/Alfa):

The intersection will operate over capacity during the am peak hour with relatively long vehicle queues (*i.e.*, between 210m and 350m). An additional east and westbound through lane should be constructed to ensure that the intersection operates at acceptable LOS A during the peak hours with average queues less than 55m.

Intersection 8 (Darling/Jasmyn):

The intersection will operate over capacity during both peak hours. A traffic signal should be installed, when warranted and additional east and westbound through lanes be constructed to ensure that the intersection operates at an acceptable LOS A during the peak hours and average queues are less than 42m.

Intersection 10 (Darling/Peperboom):

The intersection will operate at unacceptable LOS F. A traffic signal should be installed, when warranted and separate right-turn lanes for the north, east and westbound movements be constructed. The right turn lane for the westbound movement is a safety upgrade based on turning lane warrants. This upgrade will ensure that the intersection operates at acceptable LOS B/A during the am and pm peak hours, respectively.

2030 total traffic conditions for Phase 3:

Most study intersections will continue to operate at acceptable LOS and with sufficient spare capacity, expect for the following intersections:

Intersection 11 (Darling/Western Ring Road):

The intersection will operate at unacceptable LOS F during the peak hours. A traffic signal should be installed, when warranted and a separate northbound right-turn lane be constructed to ensure that the intersection operates at an acceptable LOS B during the peak hours.

Intersection 12 (Western Ring Road/internal intersection):

The intersection will operate at unacceptable LOS F with a delay greater than 50 seconds during the pm peak hour. A single circulation lane roundabout should be constructed to ensure that the intersection operates at an acceptable LOS A/B during the am and pm peak hours, respectively.

Intersection 15 (Western Ring Rd/internal intersection):

The intersection will operate at unacceptable LOS F with a delay greater than 50 seconds during the peak hours. A single circulation lane roundabout should be constructed to ensure that the intersection operates at an acceptable LOS B/C during the am and pm peak hours, respectively.

Intersection 16 (Western Ring Road/internal intersection):

The intersection will operate acceptably, from a capacity analyses point of view, however, a northbound right-turn lane is recommended from a safety point of view.

Intersection 17 (Western Ring Road/internal intersection):

The intersection will operate acceptably, from a capacity analyses point of view, however, a southbound right-turn lane is recommended from a safety point of view.

Non-motorised transport:

Gravel sidewalks are currently provided along Darling Road from Alfa Street to Azalia Street. There are no sidewalks along Darling Road in the vicinity of the site. Pedestrians currently use the gravel shoulders along Darling Road to walk or cycle. As such, pedestrian sidewalks should be provided along Darling Road, from Azalia Street up to the Western Ring Road, as well as all internal roads of the proposed development. Pedestrian sidewalks should be provided along one side of the road, but preferably along both sides. Shoulders are also recommended along Darling Road and the Western Ring Road to enable a safer road environment for cyclists.

Public transport:

Darling Road is used by mini-bus taxis. There are currently no mini-bus taxi/bus embayments or shelters in the vicinity of the site. Mini-bus taxi/bus embayments should be provided along both Darling Road as well as the Western Ring Road, on the downstream side of intersections. The embayments should link with a pedestrian sidewalk network.

3.8 Dust and noise impacts

Potential dust, noise and visual impacts are anticipated during the construction phase. However, no significant potential dust, noise and visual impacts are anticipated as these impacts 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:

- Loss of indigenous vegetation;
- Potential impacts on aquatic ecosystems; and
- Potential traffic, impacts.

Positive impacts:

- Employment opportunities will be created during the construction and operational phases of the development;
- Optimal use of available vacant land;
- Additional residential opportunities in the Malmesbury area; and
- Contribution to the local economy.

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.

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 NEMA 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-----