



REFERENCE: 16/3/3/2/A3/57/2052/21
NEAS REFERENCE: WCP/EIA/0000990/2021
DATE OF ISSUE: 03 May 2022

City of Cape Town: Directorate Human Settlements
Department: Human Settlement Implementation
Private Bag X9181
CAPE TOWN
8000

Attention: Ms. San-Marie van Jaarsveld

E-mail: susanna.vanjaarsveld@capetown.gov.za

Dear Madam

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 VLAKTEPLAAS HOUSING DEVELOPMENT (SERVICED PLOTS) ON ERVEN 34412 AND 34413, REMAINDER ERF NO. 5092, AND PORTION 183 OF FARM NO. 918, SOMERSET WEST.

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. ELDON VAN BOOM

ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. Leena Ackbar (Envirocarb Consulting T/A ECA Consulting)
(2) Mr. André Oosthuizen (DEA&DP: DDF)

E-mail: leena@ecaconsulting.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 VLAKTEPLAAS HOUSING DEVELOPMENT (SERVICED PLOTS) ON ERVEN 34412 AND 34413, REMAINDER ERF NO. 5092, AND PORTION 183 OF FARM NO. 918, SOMERSET WEST.

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 07 February 2022.

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

City of Cape Town: Directorate Human Settlements
Department: Human Settlement Implementation
c/o Ms. San-Marie van Jaarsveld
Private Bag X9181
CAPE TOWN
8000

Tel.: (021) 444 4678

E-mail: susanna.vanjaarsveld@capetown.gov.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; 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 11: <i>"The development of facilities or infrastructure for the transmission and distribution of electricity -</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or</i> <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> <i>(a) temporarily required to allow for maintenance of existing infrastructure;</i> <i>(b) 2 kilometres or shorter in length;</i> <i>(c) within an existing transmission line servitude; and</i> <i>(d) will be removed within 18 months of the commencement of development".</i></p> | <p>A 132kV substation with a capacity of more than 33 but less than 275 kilovolts 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> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(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;</p> <p>(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;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(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> | |
| <p>Activity 19:</p> <p>"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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(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> | <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 28:</p> <p>"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:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</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> |

| | |
|---|--|
| excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes". | |
|---|--|

| 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> (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> |

| Listed Activity | Activity/Project Description |
|--|--|
| <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> <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 urban areas;</i></p> <p>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></p> <p>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> | <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 proposed development entails the establishment of approximately 4 344 serviced plots on Erven 34412 and 34413, Remainder Erf No. 5092, and Portion 183 of Farm No. 918, Somerset West. The development footprint is approximately 124.2ha.

Serviced erven for residential use will accommodate a range of housing typologies that will be constructed by the respective land owners. Top structures will only be provided for the elderly, veterans, disabled and child-headed households and the units will line the entrance road from Bloubos, the new N2 and the school. These are mostly semi-detached or free-standing units.

The serviced plots will allow for the following land uses (but are not limited to):

- Residential (serviced erven);
- Residential (top structures for veterans/disabled/elderly);
- GAP/FLISP;
- Civic;
- School; and
- Business/Commercial.

| Land use | Approximate area in ha |
|--|------------------------|
| Business | 10.6 |
| Civic | 2.2 |
| Gap | 3 |
| Housing (disabled/veteran/elderly units) | 3.6 |
| Housing (serviced erven) | 49.2 |
| School | 8.8 |
| Sport/Open space | 4.9 |
| Transport | 0.8 |
| Urban agriculture (community garden) | 4.1 |
| Water attenuation | 2.8 |
| Substation | 1.1 |
| Switching station | 0.2 |
| Servitude | 6.8 |
| Road reserve | 26 |

Access will be obtained from Bloubos Road closer to the centre of the proposed development. The proposed development also involves the provision of potable water, electricity and water-borne sanitation and new access roads within the development. The layout takes cognisance of the previously approved River Corridor Plan and precludes high density land uses along the River Corridor.

The proposed accesses are as follows:

Access 1: Vlakteplaas Road onto the existing N2:

This access point currently does not exist. The access position is fixed as per a previous application for rezoning and was agreed to be kept unchanged for the proposed development. This access will be a signalised access onto the N2 to the northwest of the site. Access point 1 will connect to the proposed new Vlakteplaas Road.

Access 2: Access onto Broadlands Drive from Broadlands Drive into the development:
Access road 2 will be a Class 4 road and will have two lanes. The road reserve will be 20m and the access road will be approximately 490m in length.

Access 3: Access onto Broadlands/Lwandle Junction from Broadlands Drive into the development:

Access road 3 will be a Class 4 road and will have two lanes. The road reserve will be 20m and the access road will be approximately 570m in length. Access road 3 already obtained an Environmental Authorisation.

Access 4: Connection to the future Bloubos Road from Albertyn Road Circle to Bloubos Road:

Access road 4 will be from Albertyn Road Circle to Bloubos Road and will be a Class 3 road. The road reserve will have a width of 40m, i.e., there is no approved road reserve. The access road will be approximately 750m in length.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Erven 34412 and 34413, Remainder Erf No. 5092, and Portion 183 of Farm No. 918, Somerset West.

The N2 is situated along the north and northeast of Portion 183 of Farm No. 918. Scattered residential units are located to the south of the site. To the northwest are light industrial developments with a light industrial/commercial development to the north of Portion 183 of Farm No. 918. There is an existing dam directly northwest of Remainder of Erf No. 5092.

The SG 21-digit codes are:

| | |
|------------------------------|-----------------------------|
| Erf No. 34413: | C06700230003441300000000000 |
| Erf No. 34412: | C06700230003441200000000000 |
| Remainder Erf No. 5092: | C067002300005092000000000RE |
| Portion 183 of Farm No. 918: | C06700000000091800183000000 |

Co-ordinates:

| Erf No. | Co-ordinates |
|-----------------------------|-----------------------------|
| 34412 | Latitude: 34° 07' 50.36" S |
| | Longitude: 18° 52' 20.69" E |
| 34413 | Latitude: 34° 07' 45.74" S |
| | Longitude: 18° 52' 12.25" E |
| Remainder of Erf No. 5092 | Latitude: 34° 07' 39.56" S |
| | Longitude: 18° 52' 33.83" E |
| Portion 183 of Farm No. 918 | Latitude: 34° 07' 32.78" S |
| | Longitude: 18° 52' 59.10" E |

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")

Envirocarb Consulting T/A ECA Consulting
c/o Ms. Leena Ackbar
P.O. Box 56382
Chatsworth
DURBAN
4030

Tel.: (031) 403 4972
Fax: (086) 619 9945
E-mail: leena@ecaconsulting.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 07 February 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 Environmental Management Programme ("EMPr").
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be 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 and 21.1.



Management of activity

10. The draft EMPr dated 02 February 2022 (as compiled by Envirocarb Consulting T/A as ECA Consulting) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must 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 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 conduct weekly site inspections during the construction of the houses to check for issues such as dumping/passage of construction waste into the storm water system, river corridor and/or its buffer areas and to effect prompt removal of such waste;
- 14.5 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and
- 14.6 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 six (6) 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.

- 20.1 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.
- 20.2 A suitably qualified paleontologist must be appointed to prepare a Chance Find Protocol if excavations of more than 1.5m depth are reached in the area of moderate sensitivity. The Chance Find Protocol must be included as part of the EMPr and must be upgraded continuously during the construction phase, as required.
- 21. As per the recommendations provided in the Specialist Aquatic Ecologist Report dated October 2020 and Addenda dated 28 October 2020 and 19 October 2021 and compiled by Liz Day Consulting, as included in the EMPr, the following must be implemented:
 - 21.1 The outer edge of the ecological buffer area along the reconfigured Sir Lowry's Pass River in its reaches past the site must be fenced off before commencement of any earthworks or other construction activities on the site, using robust temporary fencing, lined with windbreak or other similar material that will catch sediment and litter before it reaches the corridor.
 - 21.2 The windbreak or similar material must be trenched in or secured to the ground to prevent surface runoff, contaminated with sediment, passing into the corridor.
 - 21.3 Bollards or other measures (excluding fencing) that reduce vehicle access to the river corridor must be introduced between the road and river buffer area.
 - 21.4 At the end of construction, any areas of the River Corridor that have been negatively impacted by construction (e.g. trampling or loss of plants, sediment accumulation, litter, erosion from concentrated flows) must be rehabilitated to their design condition, and must be managed through a one-year establishment phase, as per the requirements of the original river reconfiguration project.
 - 21.5 The storm water outlet to the River Corridor must include an easily accessible litter trap. If the storm water system is to be designed as a dry system and used as a dry season kick-about then the litter trap/forebay must be upstream of the facility.
 - 21.6 The storm water attenuation and treatment system for the site must be in place prior to the start of construction of any residential units.
 - 21.7 The civic center, sports fields and commercial nodes abutting the River Corridor must be constructed prior to residents moving onto the site. If this is not practical, then these areas must be maintained in a condition that is compatible with their intended purpose as development/river corridor interfaces.
 - 21.8 Housing in the area abutting the river corridor must remain available for Gap or FLISP housing only and must comprise duplex-type or other dwelling units that will not accommodate backyard dwellings.
 - 21.9 Proof must be submitted that the required levels of planting and landscaping in the reconfigured channel have been realised, prior to any further loss of natural wetland on the floodplain.

22. As per the recommendations provided in the Traffic Impact Assessment Report dated August 2020, and compiled by SMEC South Africa, the following must be implemented:
 - 22.1 Pedestrian and cycle facilities must be provided on Broadlands Drive to accommodate the fair number of pedestrians and cyclists who will use this road.
 - 22.2 Bicycle parking's must be provided within the business areas of the proposed development to accommodate cyclists traveling to work.
 - 22.3 Pedestrian signals and crossing lines must be present at all signalised intersections at the exits from the site and a parallel pedestrian phase must be implemented for pedestrian movement across the intersection.
 - 22.4 At intersections with pedestrian crossings, dropped kerbs must be used to provide universal access to pedestrians.
 - 22.5 Pedestrian walkways must be provided at the following places as a minimum:
 - 22.5.1 Along the river bank from the N2, through the development connecting with Bloubos Road;
 - 22.5.2 Along the access road into the proposed development;
 - 22.5.3 All Class 3 and 4 roads within the site at 2100mm width on both sides;
 - 22.5.4 All Class 5a roads within the site at 1500mm width on both sides; and
 - 22.5.5 All new connections crossing the future N2 towards the south and west.
 - 22.6 Drop-off and pick-up zones must be provided at the central hubs of Clusters 2 and 3.
 - 22.7 Formalisation of a mini-bus taxi drop off and pick-up area must be considered along the Broadlands corridor in the vicinity of Access 3.
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".

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. ELDON VAN BOOM
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 03 MAY 2022

CC: (1) Ms. Leena Ackbar (Envirocarb Consulting T/A ECA Consulting)
(2) Mr. André Oosthuizen (DEA&DP: DDF)

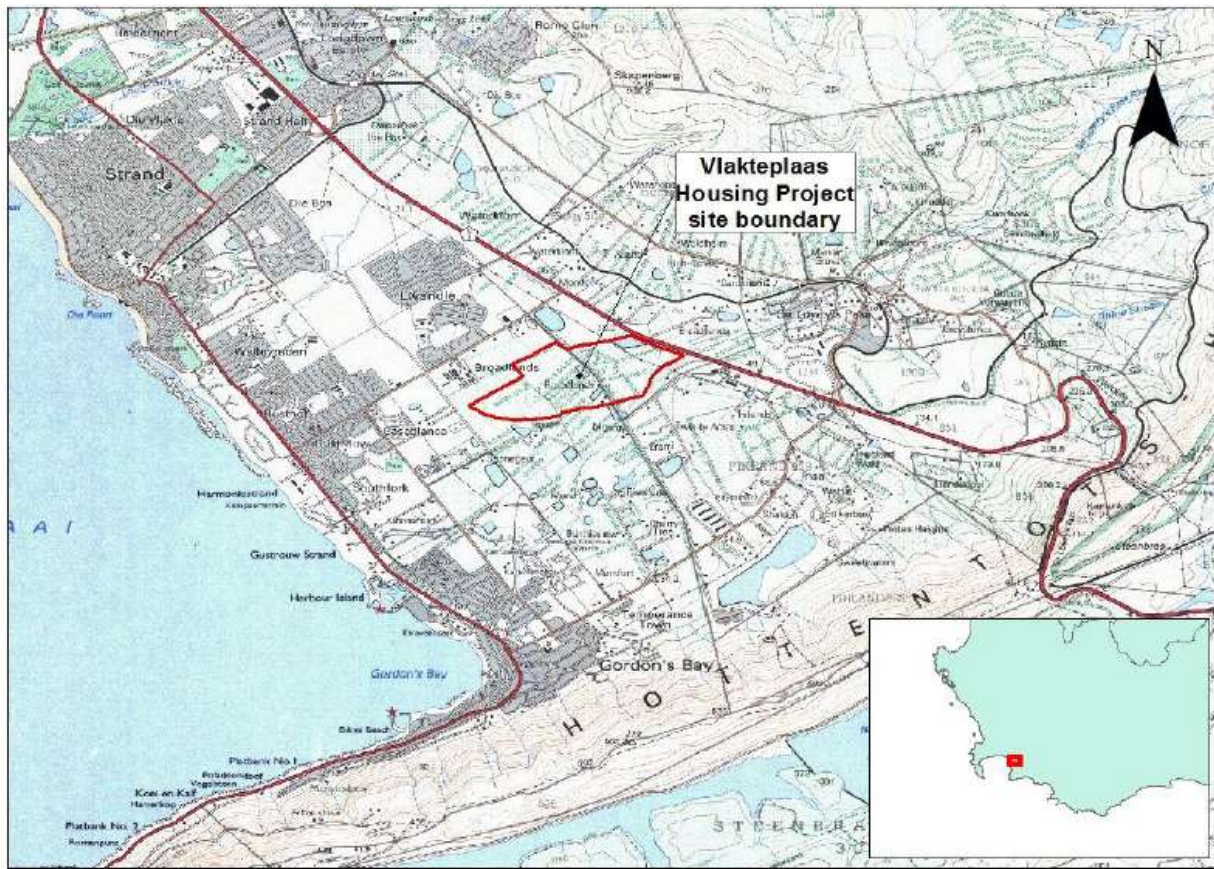
E-mail: leena@ecaconsulting.co.za
E-mail: andre.oosthuizen@westerncape.gov.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/2/A3/57/2052/21

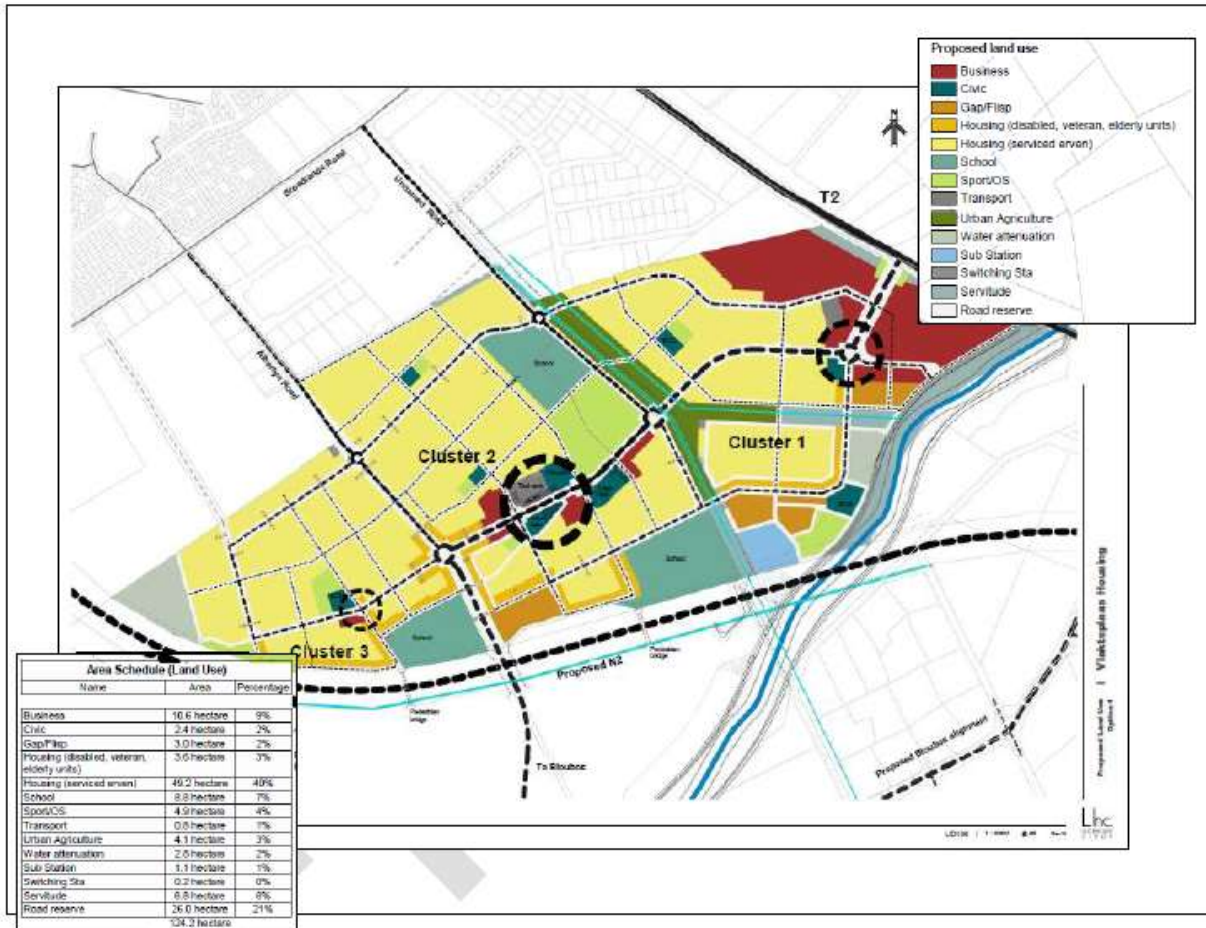
NEAS EIA REFERENCE NUMBER: WCP/EIA/0000990/2021

ANNEXURE 1: LOCALITY PLAN

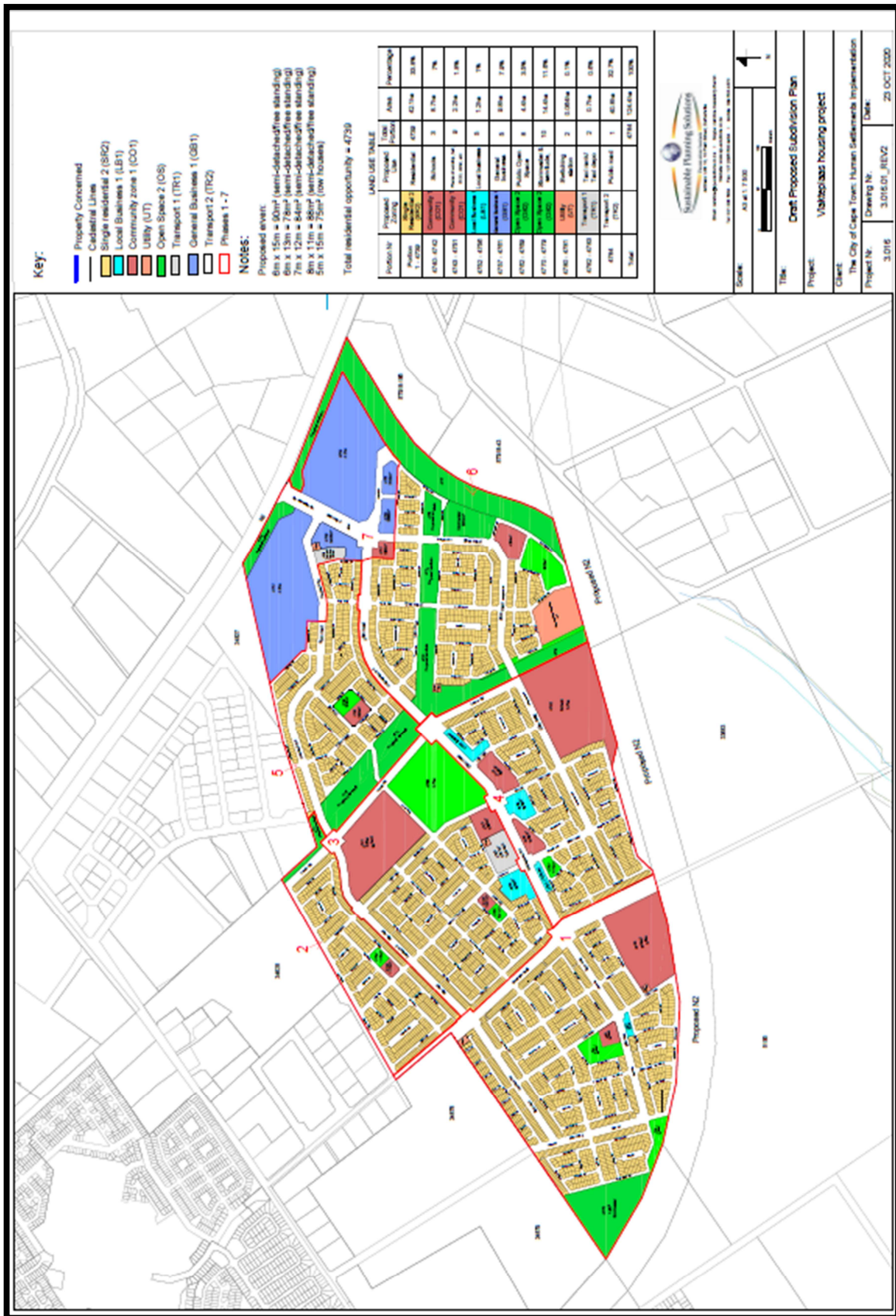


ANNEXURE 2: SITE PLAN

Proposed land uses associated with the preferred layout:



Preferred layout 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 05 October 2021; the Scoping Report that was accepted by the competent authority on 07 October 2020; the final EIA Report dated 07 February 2022, as received by the competent authority via electronic mail correspondence on 08 February 2022; the EMPr submitted together with the EIA Report; and the comment from the City of Cape Town received by the competent authority via electronic mail correspondence on 14 March 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 07 February 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:

- A previous application referenced "16/3/3/2/A3/57/2022/20" was lapsed on 13 August 2021.
- The competent authority advised the holder in a letter dated 13 August 2021 that she was not required to submit a Scoping Report as stipulated by Regulation 21(2) since the findings of the previously accepted Scoping Report (referenced "16/3/3/2/A3/57/2022/20") were still valid and the environmental context had not changed.
- Proof has been provided that registered I&APs, who participated in the Public Participation Process conducted as part of the application referenced "16/3/3/2/A3/57/2022/20", were notified of the intended resubmission of the application.

Pre-application phase:

- Six notices were placed at strategic locations on the site on 19 June 2018;
- The ward councillor was notified in writing on 19 June 2018;
- The ward councillor assisted by notifying the occupiers of the land and the adjacent landowners by distributing A5 pamphlets;
- Background Information Documents were distributed via e-mail to relevant State Departments/organs of state from 20 to 22 June 2018;
- An advertisement was placed in the "*Helderberg Gazette*" newspaper on 26 June 2018; and
- A pre-application Basic Assessment Report was made available from 09 April 2019 until 14 May 2019.

Scoping and EIA phase:

- Notices were placed on site on 21 July 2020;
- Adjacent landowners, the ward councillor and relevant State Departments/organs of state were notified via e-mail and in person from 21 until 24 July 2020, respectively;
- An advertisement was placed in the "Helderberg Gazette" newspaper on 21 July 2020;
- The draft Scoping Report was made available on the website of the EAP for the duration of the commenting period;
- The draft Scoping Report was made available from 21 July 2020 until 21 August 2020;
- E-mails were sent on 24 August 2020 to announce that the final Scoping Report has been submitted to the competent authority;
- E-mails were sent on 07 September 2021 to advise I&APs about the resubmission of the application to the competent authority;
- E-mails were sent on 02 November 2021 to announce the availability of the draft EIA Report;
- E-mails were sent on 08, 16, 23 and 30 November 2021, respectively, to remind I&APs about the commenting period on the draft EIA Report; and
- The draft EIA Report was made available from 03 November 2021 until 03 December 2021.

Authorities consulted

The authorities consulted included the following:

- Department of Environmental Affairs and Development Planning ("DEA&DP") Directorate: Waste Management;
- DEA&DP Directorate: Biodiversity & Coastal Management;
- Western Cape Department of Agriculture;
- Western Cape Department of Human Settlements;
- Heritage Western Cape;
- Department of Cooperative Governance and Traditional Affairs;
- Various departments within the City of Cape Town;
- Department of Water and Sanitation;
- South African National Roads Agency Limited;
- Eskom;
- 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

Previously preferred alternative:

The previously preferred alternative entails the establishment of approximately 5000 housing units with access from Bloubos Road closer to the centre of the site. This alternative was discarded since the National Government decided that constructed housing units for new housing developments will be replaced with serviced plots to beneficiaries.

The following layout alternatives were investigated:

Two layout options were identified. The difference in the layouts is the position of the neighbourhood centre in relation to the main access onto the site. The position of the access road further alters the distribution of land allocation and how the different land uses integrate with each other.

Layout alternative 1 (access from the southwestern portion of Bloubos Road):

This alternative entails the establishment of approximately 4344 serviced plots on Erven 34412 and 34413, Remainder Erf No. 5092, and Portion 183 of Farm No. 918, Somerset West.

Access will be obtained from Bloubos Road over/under the N2 onto the site, resulting in a strong connection point with the southwest. The route connects with the neighbourhood centre, with two connections from Broadlands in the north. The route continues into a commercial node and onto the N2.

Layout alternative 1 was discarded since the main access from Bloubos is pulled too far from the heart of the neighbourhood. The eastern most connection onto Broadlands is problematic as it conflicts with the electrical servitude. Furthermore, small neighbourhood greens will be provided within the superblocks, which is problematic from a maintenance point of view. In addition, the high density land uses about the River Corridor, which will diminish the ability to meet the management objectives of the approved River Corridor Plan.

Preferred layout alternative – herewith authorised:

The preferred alternative entails the establishment of approximately 4344 serviced plots on Erven 34412 and 34413, Remainder Erf No. 5092, and Portion 183 of Farm No. 918, Somerset West. The development footprint is approximately 124.2ha.

Serviced erven for residential use will accommodate a range of housing typologies that will be constructed by the respective land owners. Top structures will only be provided for the elderly, veterans, disabled and child-headed households and the units will line the entrance road from Bloubos, the new N2 and the school. These are mostly semi-detached or free-standing units.

The serviced plots will allow for the following land uses (but are not limited to):

- Residential (serviced erven);
- Residential (top structures for veterans / disabled / elderly);
- GAP/FLISP;
- Civic;
- School; and
- Business/Commercial.

| Land use | Area in ha |
|--|------------|
| Business | 10.6 |
| Civic | 2.2 |
| Gap | 3 |
| Housing (disabled/veteran/elderly units) | 3.6 |
| Housing (serviced erven) | 49.2 |
| School | 8.8 |
| Sport/Open space | 4.9 |
| Transport | 0.8 |
| Urban agriculture (community garden) | 4.1 |
| Water attenuation | 2.8 |
| Substation | 1.1 |
| Switching station | 0.2 |
| Servitude | 6.8 |
| Road reserve | 26 |

Access will be obtained from Bloubos Road closer to the centre of the proposed development. The proposed development also involves the provision of potable water, electricity and water-borne sanitation and new access roads within the development. The layout takes cognisance of the previously approved River Corridor Plan and precludes high density land uses along the River Corridor.

The proposed accesses are as follows:

Access 1: Vlakteplaas Road onto the existing N2:

This access point currently does not exist. The access position is fixed as per a previous application for rezoning and was agreed to be kept unchanged for the proposed development. This access will be a signalised access onto the N2 to the northwest of the site. Access point 1 will connect to the proposed new Vlakteplaas Road.

Access 2: Access onto Broadlands Drive from Broadlands Drive into the development:

Access road 2 will be a Class 4 road and will have two lanes. The road reserve will be 20m and the access road will be approximately 490m in length.

Access 3: Access onto Broadlands/Lwandle Junction from Broadlands Drive into the development:

Access road 3 will be a Class 4 road and will have two lanes. The road reserve will be 20m and the access road will be approximately 570m in length. Access road 3 already obtained an Environmental Authorisation.

Access 4: Connection to the future Bloubos Road from Albertyn Road Circle to Bloubos Road:

Access road 4 will be from Albertyn Road Circle to Bloubos Road and will be a Class 3 road. The road reserve will have a width of 40m, i.e., there is no approved road reserve. The access road will be approximately 750m in length.

Reasons for the preferred alternative:

The preferred layout takes cognisance of the River Corridor by precluding high density housing along this area. The neighbourhood centre is positioned such that it enables access to facilities for all users. The access is more centralised and aligns with the connection to the north on Broadlands Drive. This option creates a core with a critical mass of facilities and allows for the community to have a better integration into their surroundings with a centralised facility that enables access to civic users. The layout allows for more functional open space areas, i.e., larger centralised parks into each cluster.

Traffic circles allow for access to a greater area of the proposed development and the roads allow for well-connected and linked public transport routes. The eastern link from Broadlands Road allows for the use of both sides of this main route. The roads allow for further transport land uses, such as a taxi rank within the neighbourhood centre and within Clusters 1 and 2, in proximity to the business and housing land uses.

The access from Bloubos is well aligned with one of the main access points onto Broadlands Road. Access from Bloubos Road is aligned with the neighbourhood core and is also well aligned with the Albertyn access onto Broadlands Road. The eastern link from Broadlands Road turns onto the site and forms a structured edge onto the high-level power line servitudes.

"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

Although the site is zoned for Agriculture, the site is not used for intensive agriculture or intensive grazing of animals. Furthermore, the future use of the site for intensive agriculture or grazing is not supported by the various local and municipal planning policies and strategies. The rezoning of the site from Agriculture to General Residential and the proposed land use will not result in loss of agricultural areas. The Helderberg District Plan (2013) does not identify the site as agri-areas of significant value or an area of high potential and unique agricultural land, due to the site's existing land use.

The site is well located in terms of local job opportunities (the adjacent industrial precinct, and the central Business Districts of Strand, Gordon's Bay and Somerset West). The proposed development will provide housing opportunities that allow for public transportation to access and exit the site. The proposed development will relieve the urgent housing need in the Somerset West area.

The proposed development is aligned with and supports the key policy and land use planning documents, including the City of Cape Town's Densification Policy (2012), Integrated Development Plan ("IDP") (2017-2022) and Spatial Development Framework ("SDF") (2012). The proposed development supports the long-term vision and objectives of the SDF, namely, to create a more compact, integrated, and inclusive City with an emphasis on densification, infill, and incremental growth in existing areas within or in adjacency to the existing urban edge.

The Helderberg Development Plan (2013) identifies the site as suitable for the establishment of high-density residential development to accommodate public assisted housing. The proposed development is therefore aligned with and supports the planning vision and objectives for the site as outlined in the Helderberg Development Plan (2013).

The City of Cape Town SDF (2012) earmarks Portion 183 of Farm No. 918 for industrial development. The proposed development falls within the urban edge and is designated for urban development which permits and includes buildings and infrastructure with a residential purpose. The proposed development is consistent with the policy designation for urban development and promotes a higher density, which is supported. An application in terms of Section 9(3) of the Cape Town Municipal Planning By-Law (2015) is required to deviate from the SDF (2012) for the consideration of an urban development (township establishment) *in lieu* of industrial development.

The proposed development is consistent with the City's strategic objectives of Strategic Focus Area 3. This objective centres on excelling in delivering basic services so as to improve living conditions and provide basic services to the citizens of Cape Town. The proposed development is furthermore aligned with Core Objective 3.2 "*mainstreaming basic service delivery to informal settlements and backyard dwellers*". The proposed development will provide basic service delivery to informal settlements and backyard dwellers to facilitate improved living conditions, and focus on security of tenure.

The proposed development aims to accommodate residents from the Strand area, such as backyard dwellers who qualify to access the national housing subsidy. The

proposed development is consistent with the City of Cape Town's IDP (2017-2022) as it will improve the living conditions of people in the Strand area.

The proposed development is consistent with the Provincial Spatial Development Framework ("PSDF") (March 2014, revised 2019), the City of Cape Town SDF (2012) and IDP (2017-2022) 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; and
- Investment in community facilities, public infrastructure and public spaces are prioritised.

3.2 Botanical Impacts

A Wetland and Ecological Impact Assessment Report dated October 2018 was compiled by Sustainable Development Projects cc, to assess the ecological impacts of the proposed development.

The site is degraded and the vegetation transformed from its natural state due to agriculture and other activities. The current land use on the site comprises an instant (kikuyu) lawn cultivation business in the northeastern part of the site abutting the N2; grazing by sheep, goats and cattle; a SWAT outdoor gaming area; various old farm buildings/houses in various states of disrepair; and a small number of informal settlements in places on the abandoned agricultural land. Large gum trees line some of the access roads. The access points onto the site from the industrial and residential areas to the northwest are heavily littered with high levels of dumping and pollution in places. Numerous tracks and drainage lines cross the site.

The unused and vineyard areas currently lie derelict and are used for illegal dumping. The dominant plant species include the exotic *Coronopus didymis* which grow between *Cynodon dactylon* and other creeping weeds. The grazed area appears to be used for instant lawn but have been abandoned and is used only for grazing of livestock.

Portion 183 of Farm No. 918 is used extensively for the cultivation of instant lawn. The dominant grass is kikuyu with some *Cynodon dactylon*. Although used by certain bird species as forage grounds (Egyptian geese and Sacred Ibis) the area of instant lawn is of very low botanical diversity and of no conservation value.

The degraded areas show no definitive land use and are unmanaged and unused. The vegetation varies from *Pennisetum clandestinum*, which has grown out to a range of exotic vegetation. Other vegetation occurs in places, particularly along the Sir Lowry's Pass River and adjacent riparian habitat.

None of the vegetation communities on site can be regarded as sensitive as they have or are being subject to varying levels of regular and sustained disturbance.

3.3 Freshwater impacts

A Specialist Aquatic Ecologist Report dated October 2020 and Addenda dated 28 October 2020 and 19 October 2021 were compiled by Liz Day Consulting, to assess the potential freshwater impacts associated with the proposed development.

There are no natural wetlands on the site. The following aquatic ecosystems are present on and immediately abutting the site:

- A number of artificial drainage channels;
- The Sir Lowry's Pass River;
- A number of artificial dams; and
- A few "induced" wetlands due to dam seepage or roadside drainage.

A *Pennisetum macrourum* wetland occurs north of the N2. The wetland will not be affected by the proposed development as it is located upstream of the N2.

A number of small perched wetlands occur on the site. There are also three small areas on the site which were mapped as natural seasonal wetland. The wetlands are dominated by *Eleocharis limosa*, as well as annual grasses, and owe their existence to shallow perching of direct precipitation on shallow soils above a clay layer. However, the wetlands have lost most of their natural plant diversity and are thus considered of low importance. From an ecosystems services perspective, the wetlands are of low significance since they are perched, and do not contribute to water quality amelioration or groundwater recharge.

All four of the *Eleocharis limosa* wetlands identified on the site will be completely lost due to the proposed development. The significance of their loss is of low to medium negative significance, considering their small size, fragmentation from all other natural areas, low biodiversity significance in terms of vegetation and the fact that a portion of the Critical Ecological Support Area wetland along the southern boundary of the site will be affected by the planned Sir Lowry's Pass River reconfiguration project.

The site partially falls within the 1:100-year flood line of the Sir Lowry's Pass River. The City of Cape Town plans to reconfigure the River such that it can be managed within a 105m wide corridor, which will accommodate up to 1:100-year flood events. When the Sir Lowry's Pass River reconfiguration project has been implemented, the site will completely lie outside of the 1:100-year flood line. The site lies in the segment between the N2 and the diversion canal at the Gordon's Bay Waste Water Treatment Works southeast of the site. Approximately 530m of the new river configuration, from the existing N2 downstream, will thus abut the site.

Backyard dwellings will be accommodated in the bulk service design and sewage treatment capacity. The layout was amended to accommodate the key specialist concerns and includes the following land uses along the bank of the Sir Lowry's Pass River, where it passes through the site:

- A business precinct in the northeastern corner of the site, abutting the N2;
- Gap/FLISP housing along the river corridor immediately southwest (downstream) of the business precinct;
- An Eskom servitude;
- A storm water attenuation facility;
- A Civic centre/community amenity area;

- Sports fields/open space areas;
- An electricity substation; and
- Separation of both the park and the civic facility from the River Corridor by a road, meaning the park and civic facility front, rather than back, onto the River Corridor.

A pedestrian pathway will run along the edge of the River Corridor, providing a link to the N2. All serviced housing will include one main connection to the sewer with allowance for additional structures on the site to connect to the system.

The changes to the layout significantly address the concerns regarding the implications of the proposed development to the Sir Lowry's Pass River, particularly, the issues regarding the objectives of the River Corridor and how these will be prejudiced by the proposed development.

The amended layout poses a significantly reduced likelihood of affecting the ecological outcomes of the reconfigured Sir Lowry's Pass River Corridor. The land uses most likely to be associated with backyard dwelling have been pulled back from the edge of the River Corridor, making the area less vulnerable to issues of dumping of organic and other waste.

The impact of the proposed development will be reduced to medium with the implementation of mitigation measures. The revised layout is acceptable from an aquatic ecosystems perspective.

3.4 Socio-economic impacts

A Socio- Economic Statement dated November 2020 was compiled by Tony Barbour Environmental Consultant and Researcher, to assess the potential socio-economic impacts associated with the proposed development.

The impact of the proposed development is as follows:

- Creation of business and employment opportunities during the construction phase.

The majority of work during the construction phase will be undertaken by local contractors and builders. The proposed development will therefore represent a positive benefit for the local construction and building sector within the City of Cape Town Metropolitan Area. The majority of building materials associated with the construction phase will be sourced from locally based suppliers in the City of Cape Town, which will represent a positive injection of capital into the local economy.

The majority of employment opportunities will benefit local Historically Disadvantaged members of the community, which represent a significant opportunity for the local building sector and members of the local community who are employed in the building sector.

The total annual wage bill is estimated to be approximately R450m. The annual wage bill for semi-skilled and skilled workers will be approximately R270m (60%) and R180m (40%), respectively. The total wage bill over five years will be approximately R2.25b. The majority of the wage bill will be spent within the City of Cape Town Metropolitan Area which benefit local business.

The provision of housing will assist the City of Cape Town to meet the large housing backlog and provide households that are currently living in informal areas with serviced, formal houses or serviced sites. As such, the provision of formal, serviced

accommodation and sites located within in close proximity to amenities, train stations and taxi routes represent a significant social benefit. The establishment of Early Childhood Development facilities and schools will further enhance these benefits.

The construction of the proposed development will positively impact on the income of households employed locally and regionally.

3.5 Traffic impacts

A Traffic Impact Assessment Report dated August 2020 and a Traffic Statement dated 16 September 2021 were compiled by SMEC South Africa assess the traffic impacts of the proposed development.

There is an existing access to Portion 183 of Farm No. 918 and Erf No. 5092, off the N2 and onto an unnamed road that runs adjacent to the site. However, there is no direct access to Erven 34412 and 34413. Four access roads are proposed for the proposed development. The new access routes take into consideration the future N2 by SANRAL.

The proposed accesses are as follows:

Access 1: Vlakteplaas Road onto the existing N2 National Road:

This access point currently does not exist. The position was fixed and agreed to be kept unchanged for the proposed development. This access will be a signalised access onto the N2 to the northwest of the site. Access point 1 will connect to the proposed new Vlakteplaas Road.

Access 2: Access onto Broadlands Drive from Broadlands Drive to the site:

Access road 2 will be a Class 4 road with two lanes. The road will be approximately 490m in length.

Access 3: Access onto Broadlands/Lwandle Junction from Broadlands Drive to the site:

Access road 3 will be a Class 4 road with two lanes. An Environmental Authorisation has already been obtained for this access road.

Access 4: Connection to the future Bloubos Road from Albertyn Road Circle to Bloubos Road:

Access road 4 will be from Albertyn Road Circle to Bloubos Road and will be a Class 3 road. The road will be approximately 750m in length.

The trip generation for the total development is calculated to be 2426 trips during the am peak hour and 2557 trips during the pm peak hour. The five intersections that were analysed for the 2018 scenario (before the proposed development) operate at acceptable Levels of Service. Seven intersections were analysed for the 2026 scenario (full development) and produced varying results.

Since the proposed development will cater for lower income groups with very low car ownership, a greater pedestrian presence will be expected. A fair number of cyclists also use the road around the site. The proposed three schools will also generate cyclists. The walkway along the N2 is sufficient to cater for pedestrians along the corridor. Traffic calming measures such as a system of traffic circles will be implemented throughout the proposed development to keep the travel speed low and discourage rat runs through the development.

The Transport Department of the City of Cape Town indicated in a letter dated 14 February 2022 that they concur with the Traffic Impact Assessment which has satisfactory identified improvements to adequately sustain the proposed development.

3.6 Storm water impacts:

There are currently three artificial dams on the site that provide storm water management functions. However, the dams will not be retained.

The proposed storm water management system has been split into a major and a minor storm water system. The major system is the trunk system that receives storm water discharge from the minor system and acts as the emergency system when the minor system overflows or fails. The major system includes large conduits where open channel flow is not practical, roads, storm water attenuation facilities, drainage servitudes, public open spaces, sport fields and parking areas.

Major storm water system:

This system will comprise the construction of three storm water attenuation ponds, a grass lined cut-off drain, a grass lined open channel and possible unlined storm water depressions.

Overland conveyance of water along roads and channels during less frequent storm events will be channelled to the storm water attenuation ponds. The attenuation ponds will control the quantity and quality of the water. The attenuation ponds will result in the reduction of the post-development peak outflows to that of the pre-development peak flows. The grass lined cut-off drain will divert existing runoff from the upstream Broadlands sub-catchment to the grass-lined open channel along the western site boundary. Depressions within the Eskom servitude will not encroach onto the pylon exclusion zones.

Minor storm water system:

This system will comprise of kerbs and channels, catch pits, piped storm water mains, manholes and inlet and outlet structures. The structures will be designed to cater for the drainage of short duration storms.

The length of the channel flow until the first catch pit will not exceed 120m and the distance between catch pits will not exceed 90m. The gradient of the catch pit connections will not be less than 1:60. Pollution and control measures will include the installation of swales, silt-litter/ silt traps, storm water outlet trash racks and bio-retention gullies.

The Catchment, Stormwater and River Management Branch of the City of Cape Town indicated in a letter dated 02 December 2021 that they support the proposed development.

3.7 Geotechnical impacts:

A Geotechnical Report dated August 2018 was compiled by SMEC South Africa, to assess the geotechnical impacts of the proposed development.

Test pits were excavated and ranged in depth with an average depth of 2.6m and a maximum depth of 3.1m below existing ground level. The results indicate that the site is underlain by variable materials ranging from colluvial topsoil, alluvial clay, silt and cobbles, as well as occasional instances of fairly shallow rock mass with a generally thin residual soil horizon.

The site is underlain by variable materials that can be described in five horizons. The site comprises predominantly Horizons 2 and 3 which is made up of alluvial sandy clay and clayey sand. Occasionally rock mass and accompanying residual soils were intersected at depths. This is most notable along the northern and southern boundaries of the site. A notable fill horizon is observed immediately west of the active dam, most likely a result of construction of the dam itself. Four of the test pits intersected groundwater, indicating localised perched conditions rather than a permanent groundwater table.

Groundwater is not prevalent across the site and only slow seepage was noted in some test pits at relative depths ranging from 1.5m to 2.6m below existing ground level. Most of the material on site is not suitable for use as selected materials for pipe bedding, but will be suitable for general service trench backfill. The site is flat with a generalised topography and it is not foreseen that major earthworks in the form of fill embankments and/or terracing will be required.

3.8 Groundwater impacts:

A Hydrogeological Report dated December 2019 was compiled by SRK Consulting South Africa (Pty) Ltd., to assess the groundwater impacts of the proposed development.

A dam is located in the northern corner which supplies the site with water. Water is supplied to the dam via a pipeline from the mountain areas north of the site. A disused dam is located east of the operational dam. The disused dam resembles an artificial wetland and is filled with mud and reeds.

There are no groundwater users west of the site, however, groundwater users were identified to the north and east. The groundwater in the area is generally used for irrigation and ablutions. The groundwater flows in a southwest direction towards the coast. Due to the clayey soil, infiltration is very slow causing surface water to pond.

The site is underlain by a fractured aquifer with median borehole yields (excluding dry boreholes) ranging between 0.5 and 2.0L/s. The site is located in an area with a medium to high groundwater vulnerability rating. The aquifer is classified as a Minor Aquifer System. The deeper fractured-rock aquifer is protected against potential contaminants by the weathered zone, which consist of a residual clay horizon in places overlying it.

The impact of the proposed development on groundwater quality is deemed insignificant during the construction phase and very low during the operational phase.

3.9 Visual impacts:

A Visual Impact Assessment Report dated November 2020 was compiled by Environmental Planning and Design, to assess the visual impacts of the proposed development.

Inland, the site is bisected by a range of mountains that limit visibility from the north, south and east reducing the Approximate Limit of Visibility. The mountain range also provides elevated areas from which views over the site and surrounding landscape are possible.

The majority of the affected landscape have been largely transformed by a combination of agriculture and settlement. To the west, the urban area mainly

comprises of industries which are unlikely to be sensitive to change in view. To the south and southwest, the land uses are largely residential in nature. However, these areas are relatively dense and from which views towards the proposed development are only likely to be feasible from the urban edges that face directly towards the development. The proposed development will be visible, but will be partially screened by existing vegetation. Due to the oblique nature of the view, the proposed development will also be seen as a small extension to the existing urban area. Tree planting within and on the edge of the site will further help to visually soften the development.

The proposed development will extend into the rural Landscape Character Areas, reducing its extent. However, the affected area is degraded, has been invaded by informal settlements and is subject to fly tipping. Although the proposed development will result in a reduction in green space in the area, the significance of this loss is assessed as low.

The proposed development will be visible from the Sir Lowry's Pass Road and the R44. The proposed development is unlikely to be visually obvious from these roads and the visual impact is therefore likely to be neutral with a low significance.

The proposed development is likely to be highly visible from the adjacent residential areas, including Lwandle to the north and Secor Park to the west. However, due to an intervening industrial area and the density of existing residential areas, the visual impact is anticipated to have a low significance.

The proposed development will be visible from the existing residential areas on the lower slopes of the surrounding mountain range. The existing vegetation will largely screen the proposed development. Although a proportion of the existing trees will be removed which could open up a view of the development, tree planting within and on the edges of the site will ensure that views of the site are visually softened from the residential areas. The visual impact is assessed as a neutral impact with a low significance with the implementation of mitigation measures.

The proposed development will be visible and may impact on views from the surrounding mountain range including hiking trails, nature reserves, the historic Gantouw Pass and the Sir Lowry's Pass. Since the proposed development will largely fill a space between existing developed areas, it is anticipated that the existing landscape pattern will not be highly disrupted and the visual impact will be largely neutral.

3.10 Noise impacts:

A revised Noise Impact Assessment Report dated 23 January 2020 was compiled by Jongens Keet Associates, to assess the noise impacts of the proposed development.

The potential noise sources that may impact on the proposed development are:

- Noise emanating from road traffic on the existing N2;
- Noise emanating from road traffic on the proposed future N2 bypass; and
- Noise emanating from the Broadlands Industrial Park.

Noise emanating from the N2:

Without noise mitigation, noise emanating from the N2 produce daytime and night-time rating levels of noise that exceed that for an urban district ranging from 14dB at a separation distance of 20m from the N2, to 3dB at 400m. The respective intensities of noise impact range from high to low. For separation distances to beyond 400m the

outdoor rating levels of noise will not comply with the Noise Control Regulations and noise mitigation procedures must be implemented.

A barrier height of just more than 4m is required for single storey dwellings located 20m within the site boundary. For double storey dwellings the barrier height must be increased to 6.5m. The barrier must be continuous, without gaps, extending from beyond the western boundary to well beyond the eastern boundary.

Business premises will be located along the N2 and along the eastern boundary with the Sir Lowry's Pass River. This is the most appropriate noise mitigation procedure as the buildings provide a very effective noise barrier obviating the need for a purpose built noise barrier.

Noise emanating from the proposed future N2 bypass:

The road reserve boundary of the future N2 bypass abuts the southern boundary of the site. An extensive tract of site will thus be exposed to similar levels of traffic noise as that along the existing N2.

A gap grade Ultra-Thin Friction Course with aggregate size not exceeding 8mm will reduce road noise emission levels by 5dB compared to other conventional surfaces. A significant reduction in noise level will occur on all land exposed to the road noise. Although additional noise reduction, such as a noise barrier, is required for noise sensitive receptors located close to the road, the required height of the barrier will be reduced.

Noise emanating from the Broadlands Industrial Park:

The Broadlands Industrial Park is partially developed, primarily along the existing N2 and bordering the site boundary as well as along Broadlands Road. Currently, noise cannot be heard along the site boundary above noise emanating from the N2.

No special noise mitigation procedures are required. However, the residences should be designed to locate less noise sensitive kitchens, toilets, and bathrooms along the facades facing the Industrial Park with living rooms bedrooms and outdoor spaces located on the opposite side of the dwelling.

3.11 Heritage impacts:

A Heritage Impact Assessment Report dated 25 April 2018 was compiled by Umlando Archaeological Surveys and Heritage Management, to assess the heritage impacts of the proposed development.

Several Archaeological and Heritage Impact Assessments have previously been undertaken in the general area. These studies have found Early and Middle Stone Age tools that are in a secondary context and of low significance. The general area also forms one of the first farms of the area and dates back to 1711. There is thus a colonial, or historical component to the heritage of the area.

Most of the site is in an area of low paleontological sensitivity. Due to deep weathering, it is highly unlikely that any fossils will be exposed. Heritage Western Cape has no objection against the proposed development.

3.12 Dust impacts

Potential dust impacts are anticipated during the construction phase. However, no significant potential dust 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 Somerset West 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-----