



**REFERENCE:** 16/3/3/1/B2/32/1067/24  
**NEAS REFERENCE:** WCP/EIA/0001547/2024  
**ENQUIRIES:** Bernadette Osborne  
**DATE OF ISSUE:** 10 JULY 2025

Mr. Jaco Steyn  
Breede-Valley Municipality  
30 Baring Street  
**WORCESTER**  
6849

Cell: 079 342 8123  
E-mail: jsteyn@bvm.gov.za

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014: THE PROPOSED RESIDENTIAL DEVELOPMENT AT SOMERSET PARK ON ERF NO. 13674, WORCESTER.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation and **adopt** the Maintenance Management Plan (MMP), together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties (“I&APs”) are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

Cc: Mr. Ryan Jonas (JG Africa (Pty) Ltd)

E-mail: jonas@jgafrica.com

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## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED RESIDENTIAL DEVELOPMENT AT SOMERSET PARK ON ERF NO. 13674, WORCESTER.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Layout Alternative described in the Basic Assessment Report ("BAR"), dated 20 March 2025.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the Maintenance Management Plan** for the maintenance of the watercourse at Somerset Park, Erf No. 13674, Worcester.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Breede-Valley Municipality  
c/o Mr. Jaco Steyn  
30 Baring Street  
**WORCESTER**  
6849

Cell: 079 342 8123  
 E-mail: jsteyn@bvm.gov.za

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

**B. ACTIVITIES AUTHORISED**

<b>Listed Activity</b>	<b>Project Description</b>
<p><b>Listing Notice 1 –</b>  <b>Activity Number: 12</b>  <i>The development of—</i></p> <ul style="list-style-type: none"> <li><i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i></li> <li><b>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</b></li> </ul> <p><i>where such development occurs—</i></p> <ul style="list-style-type: none"> <li><i>(a) within a watercourse;</i></li> <li><i>(b) in front of a development setback; or</i></li> <li><b>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</b></li> </ul> <p><i>excluding—</i></p> <ul style="list-style-type: none"> <li><i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i></li> <li><i>(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;</i></li> <li><i>(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;</i></li> <li><i>(dd) where such development occurs within an urban area;</i></li> <li><i>(ee) where such development occurs within existing roads, road reserves or railway lines; or</i></li> <li><i>(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.</i></li> </ul>	<p>The development will have a footprint of more than 100m<sup>2</sup> and will be located within 32m of a watercourse.</p>
<p><b>Listing Notice 1 –</b>  <b>Activity Number: 19</b></p>	<p>Continued maintenance of the watercourse is proposed and could require the movement of more than</p>

<p><b>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 or more than 10 cubic metres from a watercourse;</b></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 harbor, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>10 cubic metres into or from a watercourse.</p>
<p><b>Listing Notice 1 – Activity Number: 27</b></p> <p><b>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance if indigenous vegetation is required for –</b></p> <p>(i) The undertaking of linear activity; or</p> <p>(ii) Maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The proposed development will result in the clearance of more than 1ha of indigenous vegetation.</p>
<p><b>Listing Notice 3 – Activity Number: 14</b></p> <p>The development of-</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p><b>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</b></p> <p>where such development occurs-</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p><b>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</b></p> <p>excluding 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>The development will have a footprint of more than 10m<sup>2</sup> and will be located within 32m of a watercourse.</p>

<p><b>Western Cape</b></p> <p><b>i. Outside urban areas:</b></p> <p>(a) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(b) National Protected Area Expansion Strategy Focus areas;</p> <p>(c) World Heritage Sites;</p> <p>(d) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(e) Sites or areas listed in terms of an international convention;</p> <p>(f) <b>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</b></p> <p>(g) Core areas in biosphere reserves; or</p> <p>(h) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>	
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The abovementioned activities are hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities:

The proposal entails the clearance of indigenous vegetation and development within 32m of a watercourse to allow for the development of 23 single residential units at Somerset Park on Erf No. 13674, Worcester. A 10m buffer area will be implemented along the watercourse on the property and no development will occur within the buffer area. The associated infrastructure will include the installation of water and effluent pipelines along Maitland Street. Maintenance work pertaining to the watercourse located on the site will also be undertaken. The development will have a footprint of approximately 3ha.

### C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Erf No. 13674, Worcester and have the following co-ordinates:

	Latitude (S)	Longitude (E)
Co-ordinates:	33° 38' 12.22" South	19° 25' 31.91" East

The SG digit codes are: C08500040001367400000

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

The above is hereinafter referred to as "**the site**".

#### **D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER**

JG Afrika (Pty) Ltd.  
c/o Mr. Ryan Jonas  
14 Central Square  
**Pinelands**  
7430

Tel: (021) 530 1800  
E-mail: jonasr@jgafrika.com

#### **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 Layout Alternative described in the BAR dated 20 March 2025 on the site and according to the Site Development Plan as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

##### **Written notice to the Competent Authority**

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
  - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
  - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 12 and 18

### **Notification and administration of appeal**

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1 the outcome of the application;
    - 7.1.2 the reasons for the decision as included in Annexure 3;
    - 7.1.3 the date of the decision; and
    - 7.1.4 the date when the decision was issued.
  - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2025 detailed in Section G below;
  - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 7.4 provide the registered I&APs with:
    - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
    - 7.4.2 name of the responsible person for this Environmental Authorisation,
    - 7.4.3 postal address of the holder,
    - 7.4.4 telephonic and fax details of the holder,
    - 7.4.5 e-mail address, if any, of the holder,
    - 7.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2025 National Appeals Regulations.
8. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

### **Management of activity**

9. The construction phase Environmental Management Programme (“EMPr”) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The Maintenance Management Plan (“MMP”) adopted as part of the EMPr must be implemented.
11. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

12. The holder must appoint a suitably experienced environmental control officer (“ECO”), or site agent where appropriate, before commencement of construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct monthly site visits and must submit ECO reports on a quarterly basis to the competent authority.
13. A copy of the Environmental Authorisation, EMPr, MMP, audit report and compliance monitoring report must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
14. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner or Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit and submit an Environmental Audit Report to the Competent Authority within 6 months of commencement of the development phase and on an annual basis during the development phase.

A final Environmental Audit Report must be submitted within 3 (three) months after development activities have been completed.

The holder must, within 7 days of the submission of the above-mentioned 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 on a publicly accessible website (if applicable).

### **Specific Conditions**

16. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
18. The development areas must be clearly demarcated prior to the commencement of development activities. All areas outside the demarcated areas must be regarded as "no-go" areas.

### **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.

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

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

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 or any relevant legislation that may be applicable at the time.

## **G. APPEALS**

Appeals must comply the National Appeal Regulations, 2025 (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025. Please note the provisions of Regulation 1(2) & (3) of the National Appeal Regulations, 2025 when calculating the period of days.

1. The holder (applicant) of this decision must submit an appeal to the Appeal Administrator, any registered Interested and Affected Parties (I&AP's) and the decision maker (Competent Authority who issued the decision) within 20 calendar days from the date this decision was sent by the decision maker.
2. The I&AP's (not the holder of this decision) must submit an appeal to the Appeal Administrator, the holder (applicant) of the decision and the decision maker within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision.
3. All appeals submitted must:
  - a. be in writing in the appeal form obtainable from the Departmental website;
  - b. include supporting documents referred to in the appeal; and
  - c. include proof of payment of the prescribed non-refundable appeal fee, if prescribed.
4. The holder (applicant) of the decision must:
  - a. notify registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within 5 calendar days after the 20-day appeal period ends.
  - b. submit proof of this notification to the Appeal Administrator within 5 calendar days after sending the last notification.

5. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the National Appeal Regulations, 2025 may submit a Responding Statement within 20 calendar days from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.
6. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:
  - a. **By e-mail:**  
DEADP.Appeals@westerncape.gov.za; or
  - b. **By hand** where that person submitting does not hold an electronic mail account:  
Attention: Mr Marius Venter  
Room 809, 8th Floor Utilitas Building,  
1 Dorp Street, Cape Town, 8001

**Note:** You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via email or to the address listed above.

A prescribed appeal form, responding statement form as well as assistance regarding the appeal processes is obtainable from the relevant website of the appeal authority: <http://www.westerncape.gov.za/eadp> or the office of the Minister at: Tel. (021) 483 3721 or email [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

## 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

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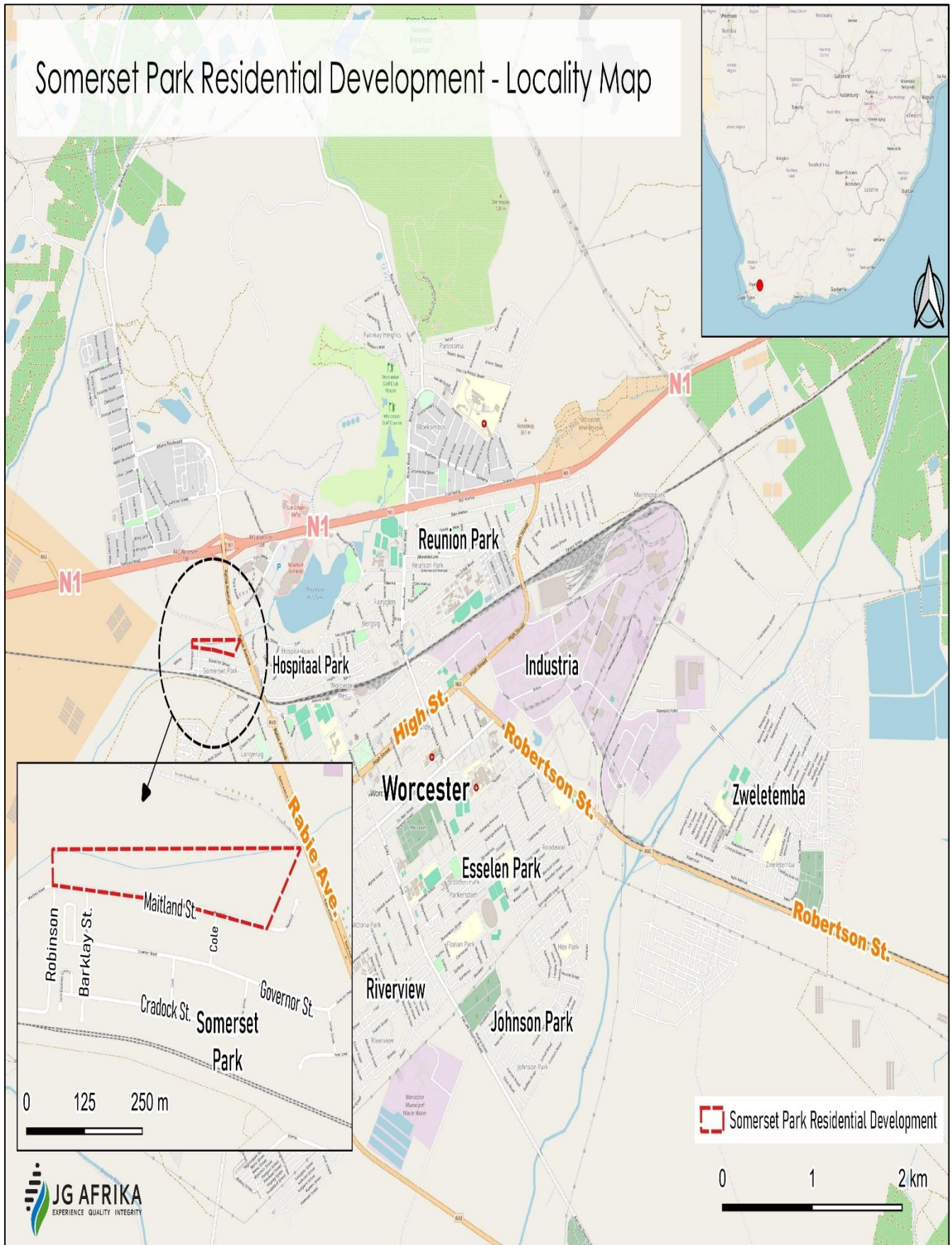
**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

DATE OF DECISION: 10 JULY 2025

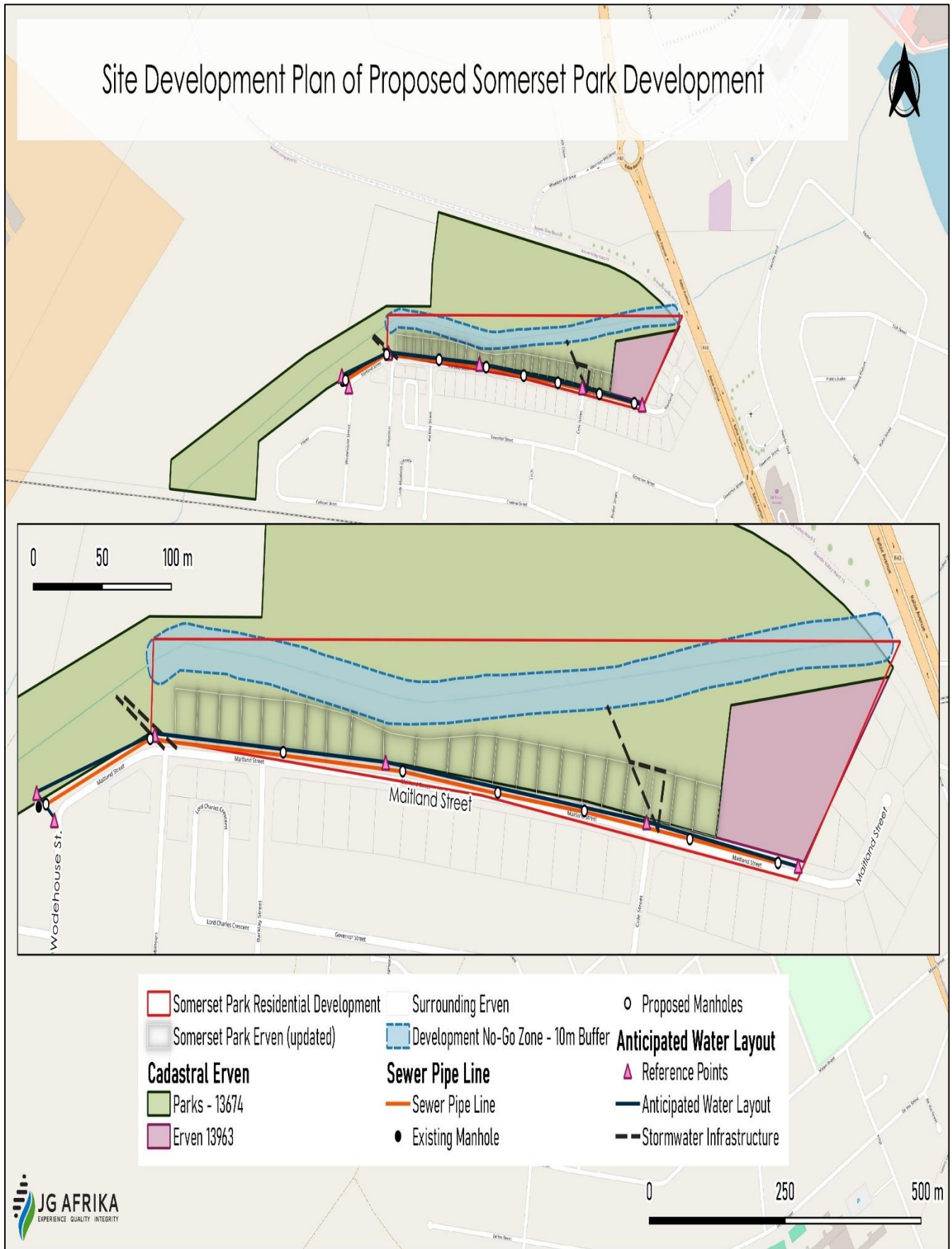
Cc: Mr. Ryan Jonas (JG Africa (Pty) Ltd)

E-mail: [jonas@jgafrika.com](mailto:jonas@jgafrika.com)

**ANNEXURE 1: LOCALITY MAP**



**ANNEXURE 2: SITE PLAN**



### **ANNEXURE 3: REASONS FOR THE DECISION**

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

- a) The information contained in the Application Form dated 9 October 2025 and the amended application form dated 20 March 2025, the EMPr and MMP submitted together with the final BAR dated 20 March 2025;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated 20 March 2025; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

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 that were considered to be the most significant for the decision is set out below.

#### **1. Public Participation**

The public participation process included:

- identification of and engagement with I&APs;
- site notices were placed;
- the placing of a newspaper advertisement in the '*Standard*' and "*Die Burger*" on 10 October 2024;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 10 October 2024;
- making the Draft BAR available for a 30-day commenting period from 10 October 2024 until 11 November 2024; and
- making the revised Draft BAR available for a 30-day commenting period from 14 February 2025 until 17 March 2025.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

## **2. Alternatives**

### **Preferred Layout Alternative (herewith authorised)**

This alternative entails the clearance of indigenous vegetation and development within 32m of a watercourse to allow for the development of 23 single residential units at Somerset Park on Erf No. 13674, Worcester. A 10m buffer area will be implemented for the watercourse on the property and no development will occur within the buffer area. The associated infrastructure will include the installation of water and effluent pipelines along Maitland Street. Maintenance work pertaining to the watercourse located on the site will also be undertaken. The development will have a footprint of approximately 3ha.

This alternative is preferred since it includes the recommendations of the Freshwater specialist for the residential erven to be located outside the 10m buffer of the Panorama stream and the installation of the sewerage pipeline along Maitland Street instead of along the Panorama stream.

### **'No-go' Alternative**

The 'no-go' alternative was not preferred as it will not provide housing opportunities and additional income for the municipality.

## **3. Impact Assessment and Mitigation measures**

### **3.1 Activity need and desirability**

The site is vacant and owned by the Breede Valley Municipality. According to the information provided in the Final BAR on pages 19 to 20, the site is earmarked for housing development and is in line with the municipal Spatial Development Framework. The development will contribute to provision of housing opportunities in the Worcester area.

### **3.2 Biophysical Impacts**

According to the Terrestrial Biodiversity, Animal and Plant Species compliance statement (compiled by Biodiversity Africa dated April 2024), the site historically contained Robertson Karoo vegetation and Breede Alluvium Fynbos which are classified as a least threatened and endangered ecosystem, respectively. However, the site was historically cleared and is mostly devoid of indigenous vegetation and these vegetation types are no longer present on the site, except for a patch of secondary vegetation in the eastern corner of the site. The sensitivity of the site is regarded as low from a botanical perspective. The specialist therefore concluded that the botanical impacts associated with the proposed development is regarded to be of low negative significance after mitigation. These mitigation measures have been included in the EMPr for implementation.

The specialist further indicated that there is a limited diversity of faunal habitats available on the site, since the majority thereof has been cleared in the past. No faunal species of conservation concern have a high likelihood of occurrence on the site. The faunal impacts are therefore regarded to be of low to negligible significance after mitigation. Mitigation measures have been included in the EMP for implementation.

According to the Aquatic Ecosystem Assessment (compiled by Stuart Barrow of Freshwater Consulting dated May 2024), a watercourse, namely the channeled Panorama stream, is present on the site. The development will be located within 32 meters of this stream. The Panorama stream is, however, largely modified. A 10m buffer area where no development will occur, will be implemented around the watercourse. The specialist concluded that the development would have a low impact on aquatic ecosystems with the implementation of the recommended mitigation measures. The recommendations regarding the 10m buffer area and the relocation of the sewer pipeline outside of the buffer area were taken into account in the preferred layout alternative. All other recommendations were included in the EMP.

An MMP has been compiled to address routine maintenance activities within the watercourse located on the site. It must be noted that the accepted maintenance activities only relate to the activities described in the MMP. Should any new activities and associated infrastructure not included in the MMP, require maintenance and if any of the applicable listed activities are triggered, an Environmental Authorisation must be obtained prior to the undertaking of such activities. It remains the responsibility of the proponent to determine if any other listed activities are triggered and to ensure that the necessary Environmental Authorisation is obtained.

### 3.3 Visual Impacts

According to the Visual Impact Assessment (compiled by Nuleaf Planning and Environmental (Pty) Ltd dated May 2024) the visual quality of the site is low to moderate since the area surrounding the site has been heavily impacted upon by residential development and other urban activities. No potential fatal flaws from a visual perspective are expected.

### 3.4 Heritage Impacts

Heritage Western Cape indicated in comment dated 3 July 2024 that there is no reason to believe that the proposed residential development will impact on heritage resources, and no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) was required.

### 3.5 Traffic Impacts

According to the Transport Statement (compiled by Innovative Transport Solutions, dated 24 February 2025) the impact of the development on the surrounding road network is expected to be relatively low and no road upgrades are required. The R43/Governor Street intersection is currently operating well below capacity and has sufficient spare capacity to accommodate the additional trips that will result from the proposed development. The development was found to be acceptable from a transport point of view.

**The development will result in both negative and positive impacts.**

**Negative Impacts:**

Potential pollution and degradation on the watercourse. This will be addressed through the implementation of the mitigation measures contained in the EMPr, as well as the implementation of the MMP.

**Positive impacts:**

The development will create housing opportunities and contribute to increased revenue generation for the municipality.

**4. National Environmental Management Act Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

**5. Conclusion**

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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