



**REFERENCE NUMBER:** 16/3/3/1/A3/57/2017/25  
**NEAS REFERENCE NUMBER:** WCP/EIA/0001638/2025  
**DATE OF ISSUE:** 11 November 2025

The Director  
Balwin Properties (Pty) Ltd.  
Paardevelei Rising, First Floor  
12 Gardner Williams Avenue  
**SOMERSET WEST**  
7130

**For Attention: Mr. M. Gerber**

Tel: (021) 869 8023

Email: [marnog@balwin.co.za](mailto:marnog@balwin.co.za) / [wernerd@balwin.co.za](mailto:wernerd@balwin.co.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 360 OF FARM NO. 959, STRAND.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the 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 ("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 National 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)**

Copies to: (1) Mr. P. Badenhorst/ Ms. T. Oberholzer (GroenbergEnviro (Pty) Ltd)

(2) Ms. A. Van Wyk (City of Cape Town)

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REFERENCE NUMBER: 16/3/3/1/A3/57/2017/25

## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 360 OF FARM NO. 959, STRAND.**

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

### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative described in the Basic Assessment Report ("BAR") dated 25 July 2025.

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

The Director  
Balwin Properties (Pty) Ltd.  
c/o Mr. M. Gerber  
12 Gardner Williams Avenue  
**SOMERSET WEST**  
7130

Telephone: (021) 869 8023  
Email: [marnog@balwin.co.za](mailto:marnog@balwin.co.za) / [wernerd@balwin.co.za](mailto:wernerd@balwin.co.za)

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

## B. AUTHORISED ACTIVITIES

Listed Activities	Activity/Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 27 Activity Description:</p> <p><i>“The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</i></p> <p><i>(i) the undertaking of a linear activity; or</i></p> <p><i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.”</i></p> <p>Activity Number: 28 Activity Description:</p> <p><i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.”</i></p>	<p>The proposed development will require the clearance of more than 1 hectare, but less than 20ha of indigenous vegetation.</p> <p>The proposed development is bigger than 1ha and is located on a property that was used for agricultural purposes and will require a change in land use to residential use.</p>
<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 4 Activity Description:</p> <p><i>“The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><b>i. Western Cape</b></p> <p><i>i. Areas zoned for use as public open space or equivalent zoning;</i></p>	<p>The proposed development includes the development of internal roads approximately 7m in width outside an urban area on an area containing indigenous vegetation and zoned for use as public open space.</p>

ii. Areas outside urban areas;

(aa) Areas containing indigenous vegetation;

(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or

iii. Inside urban areas:

(aa) Areas zoned for conservation use; or

(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority."

Activity Number: 12

Activity Description:

*"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. Western Cape*

*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;*

*ii. Within critical biodiversity areas identified in bioregional plans;*

*iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas;*

*iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or*

*v. On land designated for protection or conservation purposes in an Environmental*

The proposed development will result in the clearance of more than 300m<sup>2</sup> of indigenous vegetation within a critically endangered ecosystem (i.e. Lourensford Alluvium Fynbos).

<p><i>Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister."</i></p> <p>Activity Number: 12 Activity Description:</p> <p><i>"The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</i></p> <p><i>f. Western Cape</i></p> <p><i>i. Outside urban areas, or</i></p> <p><i>ii. Inside urban areas:</i></p> <p><i>(aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</i></p> <p><i>(bb) A protected area identified in terms of NEMPAA, excluding conservancies; or</i></p> <p><i>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority."</i></p>	<p>The proposed development will result in the transformation of land bigger than 1000 square metres in size, from open space to residential use.</p>
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The abovementioned list is hereinafter referred to as "**the listed activities**".

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

The proposed development entails the construction of residential housing units and associated infrastructure on Portion 360 of Farm No. 959, Strand.

The proposed development will comprise of the following:

- Three (3) apartment blocks, which will comprise of 108 apartments in total.
- Approximately 177 parking bays.
- Open space of approximately 775m<sup>2</sup> in extent.
- A temporary package plant and conservancy tank with a 3-day overflow storage capacity to serve as a backup in the event of infrastructure failure.
- Stormwater infrastructure, which will consist mainly of traditional underground pipes, catchpits and two detention ponds. The detention ponds will be positioned toward the lowest part of each of the sub-catchments within the development and will be discharged into the existing stormwater network along Firlands Road.
- Internal roads will be constructed with interlocking paving and concrete kerbs.

A pipeline of 200mm in diameter and 1.8km in length will be developed. It will start at Forest Village Drive and be routed along a small section of the planned Bloubos Road and various properties to link into the municipal services required for the proposed development.

The proposed development will gain access from Firlands Minor Road, which branches off from the N2 highway.

The proposed development footprint will be approximately 14960m<sup>2</sup> in extent.

**C. PROPERTY DESCRIPTION AND LOCATION**

The listed activities will take place on Portion 140, the Remainder of Portion 198, Portion 360 and the Remainder of Farm No. 959, Portions 4, 5, 6, 7, 27, 28, 29 and the Remainder of Farm No. 1154, the Remainder of Farm No. 965 and the Remainder of Farm. No. 1282, Strand.

The 21-digit Surveyor General code for the residential component is:

Portion 360 of Farm No. 959	C06700000000095900360
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The 21-digit Surveyor General codes for the pipeline route are:

Portion 140 of Farm No. 959	C06700000000095900140
Remainder of Portion 198 of Farm No. 959	C06700000000095900198
Remainder of Farm No. 959	C06700000000095900000
Remainder of Farm No. 1154	C06700000000115400000
Portion 27 of Farm No. 1154	C06700000000115400027
Portion 4 of Farm No. 1154	C06700000000115400004
Portion 5 of Farm No. 1154	C06700000000115400005
Portion 6 of Farm No. 1154	C06700000000115400006
Portion 7 of Farm No. 1154	C06700000000115400007
Portion 28 of Farm No. 1154	C06700000000115400028
Portion 29 of Farm No. 1154	C06700000000115400029
Remainder of Farm No. 965	C06700000000096500000
Remainder of Farm No. 1282	C06700290000128200000

The middle co-ordinates for the residential component are:

Middle	34° 7' 36.15" South	18° 53' 30.75" East
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The start, middle and end co-ordinates for the proposed bulk water pipeline are:

Start	34° 7' 38.68" South	18° 53' 31.63" East
Middle	34° 7' 30.17" South	18° 53' 59.87" East
End	34° 7' 20.47" South	18° 54' 26.56" East

Refer to **Annexure 1**: Locality Plan and **Annexure 2A and 2B**: Layout Plan.

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

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

GroenbergEnviro (Pty) Ltd.  
 c/o Mr. P. Badenhorst / Ms. T. Oberholzer  
 P.O. Box 1058  
**WELLINGTON**  
 7654

Cellphone: 082 776 3422 / 072 089 5750  
 E-mail: [pieter@groenbergenviro.co.za](mailto:pieter@groenbergenviro.co.za) / [therina@groenbergenviro.co.za](mailto:therina@groenbergenviro.co.za)

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Alternative, described in the BAR dated July 2025 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
  - b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activities during which period the authorised listed activities for the construction phase, must be concluded.
3. 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.
  4. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written notice to the Competent Authority

5. 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.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 10.

### Notification and administration of appeal

6. The holder must in writing, within fourteen (14) 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 as included in Annexure 3;
    - 6.1.3. The date of the decision; and
    - 6.1.4. The date when the decision was issued.

- 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, 2025 detailed in Section F below;
- 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. The name of the responsible person for this Environmental Authorisation,
  - 6.4.3. The postal address of the holder,
  - 6.4.4. The telephonic and fax details of the holder,
  - 6.4.5. The e-mail address, if any of the holder; and
  - 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, 2025.
7. The listed activities, including site preparation, must not commence within **twenty (20)** calendar days from the date the holder notifies the registered I&APs of this decision. 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 i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

### **Management of activities**

8. The Environmental Management Programme ("EMPr") (compiled by GroenbergEnviro (Pty) Ltd, dated July 2025) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of the development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
11. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activity during the development activities thereafter it must be kept at the office of the holder and must be made available to any authorised person on request.
12. 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**

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

- 13.1. The holder must undertake an environmental audit within three (3) months of the commencement of the development activities and submit an Environmental Audit Report to the Competent Authority one (1) month after the completion of the environmental audit.
- 13.2. Thereafter, the holder must undertake environmental audits every two years during the duration of the construction phase and submit the Environmental Audit Reports to the Competent Authority one (1) month after the completion of the environmental audits.
- 13.3. A final Environmental Audit Report must be submitted to the Competent Authority one (1) month after the completion of the development/construction activities.
- 13.4. The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to any I&APs upon request.

### **Specific conditions**

14. 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.
15. 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 ("HWC"). Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.
16. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

## **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 the listed activities within the period referred to in Condition 2 this Environmental Authorisation shall lapse for the 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. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the NEMA 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.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr, must be made in accordance with Regulations 35 to 37 of the NEMA EIA Regulations, 2014 (as amended) 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 five (5) calendar days after the 20-day appeal period ends.
  - b. notify registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within five (5) calendar days after the 20-day appeal period ends.
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: 11 NOVEMBER 2025**

Copies to: (1) Mr. P. Badenhorst/ Ms. T. Oberholzer (GroenbergEnviro (Pty) Ltd)

(2) Ms. A. Van Wyk (City of Cape Town)

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[therina@groenbergenviro.co.za](mailto:therina@groenbergenviro.co.za)

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## ANNEXURE 1: LOCALITY MAP

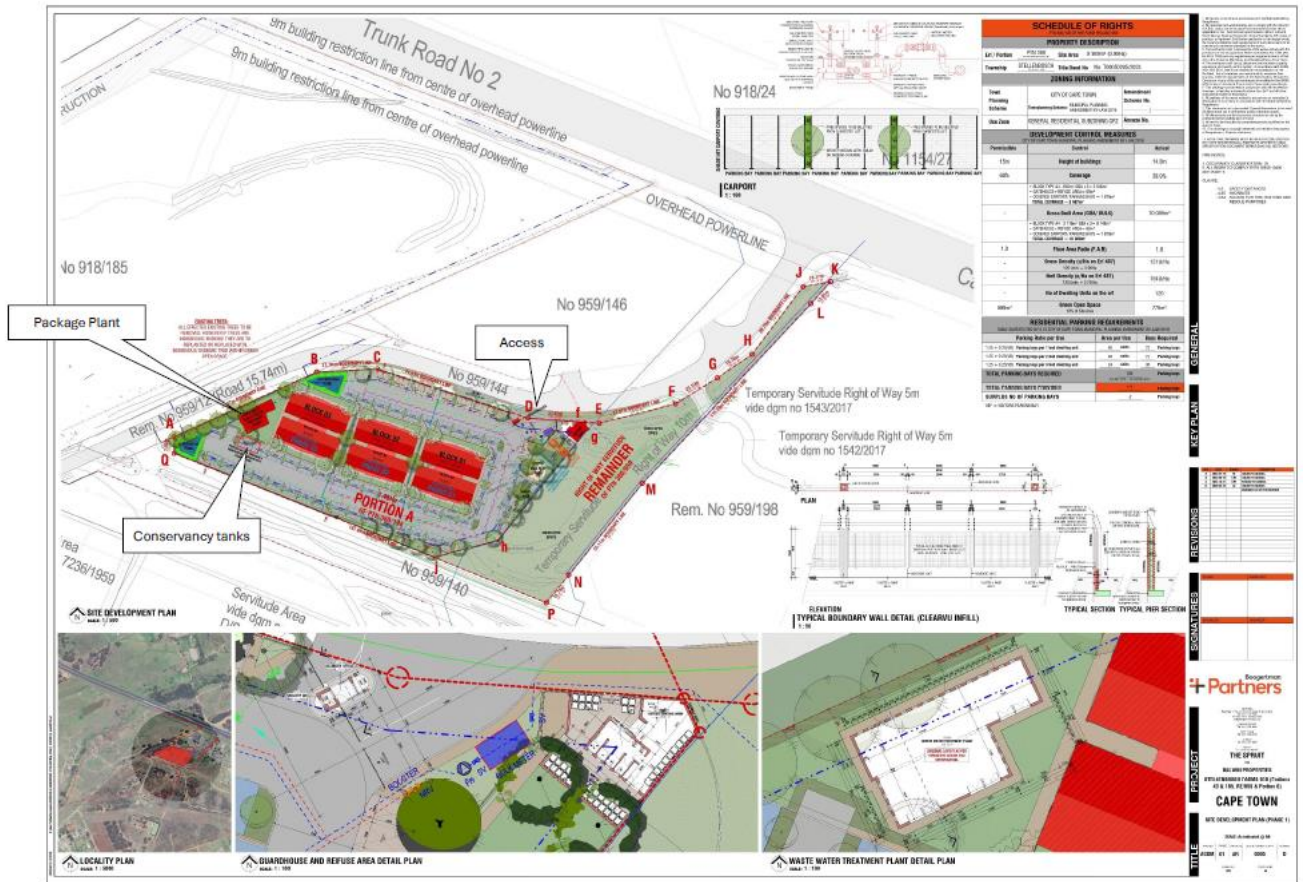
The boundary of the proposed site is demarcated in red in the locality map below.



# ANNEXURE 2A: LAYOUT PLAN

The proposed development on Portion 360 of Farm No. 959, Strand.

Appendix B1: Site development plan(s)



## ANNEXURE 2B: LAYOUT PLAN

The proposed pipeline route across various properties within Strand.



## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority took, *inter alia*, the following into consideration:

- a) The information contained in the Application Form dated and received by the Competent Authority on 25 April 2025, and the BAR dated July 2025 and the EMPr dated July 2025 and received by the Competent Authority on 25 July 2025;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated July 2025;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) 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, are set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing site notices at the property entrance on 18 September 2024 and on 15 May 2025;
- the placing of an advertisement in the “*District Mail & Helderberg Gazette*” newspaper on 18 September 2024 and on 14 May 2025;
- giving written notice to I&APs and Organs of State having jurisdiction in respect of any aspect of the listed activities on 18 September 2024 and 16 May 2025;
- providing written reminders to I&APs and Organs of State having jurisdiction in respect of any aspect of the listed activities on 16 October 2024, 27 May 2025 and 4 June 2025;
- making the draft BAR submitted in terms of the previous EIA application available to I&APs for public review for a period of 30 days from 18 September 2024 to 21 October 2024;
- making the revised draft BAR submitted in terms of the previous EIA application available to I&APs for public review for a period of 30 days from 22 November 2024 to 18 January 2025; and
- making the draft BAR submitted in terms of the current EIA application available to I&APs for public review for a period of 30 days from 16 May 2025 to 17 June 2025.

The concerns raised by I&APs were responded to and addressed during the public participation process. The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address concerns raised.

### 2. Alternatives

No feasible or reasonable site alternatives were considered for the proposed development due to the fact that the property is owned by the applicant. The applicant proposes to develop the entire subject property for residential use as it is in line with the spatial planning of the area. Various design alternatives were considered to optimize the use of the site in light of environmental and spatial planning considerations, and enhanced by specialist recommendations with respect to varied building

orientations to enhance aesthetics and reduce intrusiveness. Two alternative pipeline route options were considered with respect to the routing of the proposed water reticulation pipeline with the preferred option being favored for its alignment with existing civil service infrastructure.

Various technology options were investigated with respect to water use reduction and energy-saving measures. It is noted that the proposed stormwater management will be conducted in line with the Greenfields Development in terms of the City of Cape Town's Sustainable Urban Drainage System Objectives.

The Preferred Alternative and the "No-go" Alternative was therefore assessed as follows:

#### The Preferred Alternative (herewith authorised)

The proposed development entails the construction of residential housing units and associated infrastructure on Portion 360 of Farm No. 959, Strand.

The proposed development will comprise of the following:

- Three (3) apartment blocks, which will comprise of 108 apartments in total.
- Approximately 177 parking bays.
- Open space of approximately 775m<sup>2</sup> in extent.
- A temporary package plant and conservancy tank with a 3-day overflow storage capacity to serve as a backup in the event of infrastructure failure.
- Stormwater infrastructure, which will consist mainly of traditional underground pipes, catchpits and two detention ponds. The detention ponds will be positioned toward the lowest part of each of the subcatchments within the development and will be discharged into the existing stormwater network along Firlands Road.
- Internal roads will be constructed with interlocking paving and concrete kerbs.

A pipeline of 200mm in diameter and 1.8km in length will be developed. It will start at Forest Village Drive and be routed along a small section of the planned Bloubos Road and various properties to link into the municipal services required for the proposed development.

The proposed development will gain access from Firlands Minor Road, which branches off from the N2 highway.

The proposed development footprint will be approximately 14960m<sup>2</sup> in extent.

#### "No-Go" Alternative

The "no-go" alternative implies that the "status quo" would remain. This alternative is not preferred as it would result in the site remaining in its current state and the land-use potential of the site would therefore not be maximised to its full potential. Given that the proposed development will not result in unacceptable environmental impacts, the No-Go alternative was not warranted.

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

#### **3.1. Need and Desirability and Planning Context**

The proposed site is currently zoned Rural and Open Space 3 and will be rezoned to General Residential 2 and Transport Zone 2 in terms of the relevant planning legislation. In terms of the Municipal Spatial Development Framework ("MSDF"), 2023, the subject property is situated within an Incremental Growth and Consolidation Area and in terms of the Helderberg District Plan the proposed site is earmarked for potential Mixed Use Intensification purposes, which was confirmed in the City of Cape Town comment (dated 18 June 2025). The proposed development also adheres to the City of Cape Town's Urban Design Policy, focusing on creating attractive and sustainable urban spaces. The BAR indicates that the development of medium density residential development has already occurred in the immediate surroundings of the subject property and is

therefore suitable from a need and desirability perspective. The proposed site is not sensitive from a botanical and freshwater perspective.

### 3.2. Agricultural impacts

The proposed development site is already heavily disturbed, as a result of agricultural and related land use activities. The proposed development is not anticipated to impact the area's agricultural production or activities. The proposed development site is not ideal for agricultural activities due to its location and its intended purpose in terms of the relevant planning policies applicable to the area. The Western Cape Department of Agriculture (in their comment dated 03 October 2025) stated that they do not object to the proposed development.

### 3.3. Botanical impacts

The Terrestrial Biodiversity Compliance Statement (compiled by Bergwind Botanical Surveys & Tours CC and dated 12 September 2024) identified that the proposed development site is irreversibly transformed and that there are no viable remnants of critically endangered ecosystems present on the site. The specialist confirmed that no important species or habitats remain on the site and no botanical constraints apply to the proposed development.

CapeNature indicated (in their letters dated 23 January 2025 and 17 June 2025) that the information contained in the Terrestrial Biodiversity Compliance Statement is supported.

### 3.4. Aquatic impacts

The Aquatic Biodiversity Compliance Statement (compiled by BlueScience and dated September 2024) identified that there are no functional wetland areas on the site that would potentially be impacted by the proposed development. The nearest watercourse to the site is the Sir Lowry's Pass River, which is located approximately 200m from the site and is in a modified ecological condition. There are thus no aquatic ecosystem constraints to the proposed development of the site.

CapeNature indicated (in their letters dated 23 January 2025 and 17 June 2025) that the information contained in the Aquatic Biodiversity Compliance Statement is supported.

This Directorate notes that the proposed development requires a Water Use Authorisation as the proposed activity triggers water uses in terms of S21 (c) and S21 (i) of the National Water Act, 1998 (Act No. 36 of 1998). The Department of Water and Sanitation ("DWS") indicated (in their letter dated 11 July 2025) that no activity must take place within the 1:100 year floodline or within 500m of a wetland, no abstraction of surface or groundwater is allowed and that no surface, groundwater or stormwater may be polluted as a result of activities on the site. The recommendations of the DWS have been incorporated into the EMPr.

### 3.5. Traffic Impacts

The Traffic Impact Assessment (compiled by Trafficon cc and dated May 2025) was compiled to investigate the potential traffic related impacts associated with the proposed development. The Traffic Impact Assessment identified that existing traffic conditions show good operational performance at key intersections and the study indicates that the development will not adversely affect local traffic conditions.

Access to the development is proposed to be behind the Shell Garage, close to the current rear service access, via the existing Firlands Minor Road. The turning volumes in this vicinity are considered to be negligible and the location has been assessed together under the future traffic conditions and the results indicate acceptable operational performance.

The specialist identified that no road upgrades are necessary to mitigate traffic impacts. The Department of Infrastructure indicated (in their comment dated 25 November 2024) that they have no objection to the application, on condition that Minor Road 6 be deproclaimed and replaced by a municipal street, which is not within the scope of this EIA application.

### 3.6. Services

A Civil Services Report (compiled by Inani and dated 14 November 2024) was undertaken to determine the service requirements for the proposed development. Based on the estimated service requirements for the preferred alternative, confirmation of services was sought from the City of Cape Town.

The City of Cape Town indicated (in their letter dated 18 June 2025) that the bulk supply system has sufficient water resources, treatment, bulk storage and conveyance capacity to supply the estimated average daily demand for the proposed development. A pipeline of 200mm in diameter and 1.8km in length will be developed. It will start at Forest Village Drive and be routed along a small section of the planned Bloubos Road and various properties to link into the services required on the proposed site.

The proposed development site falls within the Gordon's Bay Wastewater Treatment Works ("WWTW") catchment area, which has no spare capacity to service the development and there are no immediate plans to upgrade the WWTW. A new pumping station at the Gordon's Bay WWTW is currently being designed to pump effluent to the Macassar WWTW. The planned completion of this pump station and rising main with the upgrade of the Macassar WWTW is expected in June 2028. A further lifting station will be required in tandem with the new main pump station to cater for the gravity system for this catchment. Ultimately, it is planned that this catchment would drain to Macassar WWTW via the future bulk gravity network and the new pumping system. As an interim measure, a temporary package plant and emergency conservancy tank will be built, which can accumulate 3 days of sewer flows to arrange for a suction tanker if the treatment plant is out of operation. An emergency municipal connection for maintenance or unexpected failure of the plant will be installed. The City of Cape Town (in their comment dated 18 June 2025) has in principle agreed to the use of the temporary plant and will tie into the municipal system once the wastewater treatment works upgrades have been completed.

From a stormwater perspective, the City of Cape Town requested (in their comment dated 18 June 2025) that the Stormwater Management Plan (compiled by Inani and dated 14 November 2024) be revised to incorporate additional mitigation measures pertaining to the disposal of surplus treated effluent during the winter months. The Stormwater Management Plan has been included in the BAR in this regard.

The City of Cape Town confirmed (in their letter dated 18 June 2025) that the Urban Waste Management unit has no objection to the development and confirmed that the City has sufficient unallocated capacity to accept, collect and dispose of all types of waste to a designated licensed landfill site.

Eskom indicated (in their letter dated 13 March 2025) that the existing electricity network in the area has sufficient capacity to cater for the full load required by the proposed development. The electricity connection for the development will eventually switch to the City of Cape Town. City of Cape Town confirmed that they have sufficient capacity to cater for the full requirements of the development, but require a lead-time of minimum 18 months to make the supply available. The City also requires the developer to provide an 11kV substation building within the development boundaries for the connection and provision has been made in the site development plan for the relevant infrastructure required.

### 3.7. Heritage Impacts

A Notification of Intent to Develop in terms of the requirements of Section 38(4) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) was submitted to Heritage Western Cape ("HWC"). HWC confirmed (in their correspondence dated 14 August 2024) that since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) was required.

### 3.8. Visual impacts

The Visual Impact Assessment (compiled by Dr G Theron and dated 14 November 2024) indicates that the proposed site is located within a transitional area between urban and rural environments. Surrounding land use includes mixed residential, commercial, and industrial areas, with significant transport routes nearby. The potential visual impacts are anticipated to be of low significance post mitigation, with recommendations for architectural adjustments to minimise visual disruption and requiring significant tree screening for better integration. Mitigation measures from the Visual Impact Assessment have been included in the EMPr. The City of Cape Town (in their letter dated 18 June 2025) raised concerns regarding the retention of an avenue of mature trees on either side of Firlands Manor Road, which screens the site. The applicant responded indicating that the trees will be retained where possible and in line with layout of the development.

### 3.9. Dust and Noise Impacts

The potential dust and noise impacts are anticipated to be negligible and generated primarily during the construction phase. Dust mitigation measures have been addressed in the Dust Management Plan, which is included in the EMPr. Noise mitigation measures have been included in the EMPr.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential traffic impacts;
- Potential visual impacts; and
- Potential dust and noise impacts during the construction phase.

Positive impacts include:

- Provision of housing opportunities;
- Optimal use of land; and
- Potential employment opportunities.

## 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.

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.”*

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