



EIA REFERENCE: 16/3/3/1/A2/37/3022/23
NEAS REFERENCE: WCP/EIA/0001273/2023
DATE OF ISSUE: 06 February 2024

The Board of Directors
The Hilltop Plettenberg Bay (Pty) Ltd.
P. O. Box 129
BLACKHEATH
7581

For Attention: Mr. Denver George Naicker

Tel.: (021) 907 1300
E-mail: dnaicker@powergrp.co.za

Dear Sir

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): THE PROPOSED CONSTRUCTION OF THE WESTBROOK RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 644, SCHAAPKRAAL

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered Interested and Affected Parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the Environmental Authorisation below.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:

- (1) Dr. Johan Neethling (Johan Neethling Environmental Services cc)
(2) Ms. Azanne van Wyk (City of Cape Town)

E-mail: info@jnes.co.za
E-mail: Azanne.vanWyk@capetown.gov.za



EIA REFERENCE: 16/3/3/1/A2/37/3022/23
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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): THE PROPOSED CONSTRUCTION OF THE WESTBROOK RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 644, SCHAAPKRAAL

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 Listed Activities specified in section B below with respect to the Preferred Alternative 2, described in the final Basic Assessment Report ("BAR"), dated 28 September 2023.

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

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

The Hilltop Plettenberg Bay (Pty) Ltd.
C/O Mr. Denver George Naicker
P. O. Box 129
BLACKHEATH
7581

Tel.: (021) 907 1300
E-mail: dnaicker@powergrp.co.za

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

B. LISTED ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
Listing Notice 1 of the EIA Regulations, 2014 (as amended)– Activity Number: 27 Activity Description: "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) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan."	The proposed development will result in the clearance of more than 1ha of indigenous vegetation.
Listing Notice 3 of the EIA Regulations, 2014 (as amended)– 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 erven 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 Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister."	The proposed development will result in the clearance of more than 300m² of Critically Endangered Cape Flats Dune Strandveld vegetation.

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 establishment of a residential development, comprising of the following:

- Approximately 623 Single Residential Erven, measuring approximately 77 507m² in extent;
- Two (2) Public Open Space II areas, measuring approximately 4322m² in extent;
- Open Space I (Conservation), measuring approximately 32746m² in extent;
- A crèche or Early Childhood Development ("ECD") centre, measuring approximately 2761m² in extent;
- A place of worship, measuring approximately 2480m² in extent;
- Seven (7) Utility Zone areas for electricity substations, measuring approximately 400m² in extent;
- Transport Zone II for public roads and parking areas, approximately 46550m² in extent;
- Primary Distributor of approximately 17385m² in extent;
- A 60m wide biodiversity corridor; and
- Associated infrastructure.

Faunal Corridor

The existing road traversing the biodiversity corridor will have 3 box culverts spaced across the width of the said corridor, which will function as a faunal underpass. The biodiversity corridor will be zoned Open Space I (Conservation).

Roads and Access

The development will be serviced by internal roads measuring approximately 8m and 10m in width, which includes the extension of the existing Weltevreden Parkway across the site to link up with Wespoort Drive to the south is 16m wide with an intersection in the centre of the development with a 13m east to west feeder road, with the required surfaced sidewalks. Access will be primarily gained from the extended Weltevreden Parkway at the section located adjacent to Wespoort Drive as well as opposite the existing Sheigh Yusuf Road.

Service Infrastructure

The existing water network will serve the development and the internal network will connect to existing pipelines in the vicinity of the site. The proposed internal reticulation system will include Unplasticised Polyvinyl Chloride ("uPVC") pipes measuring approximately 200mm, 160mm and 110mm in diameter.

The proposed sewerage network will include a conventional gravity waterborne system. The wastewater will gravitate towards the connection point located at the corner of Weltevreden Drive and Wespoort Drive, whilst a remaining portion of the development will connect to the manhole in Sheigh Yusuf Road. The proposed development's sewer network will connect to the municipal sewer system, which conveys sewerage to the Mitchells Plain Waste Water Treatment Works ("WWTW"). A section of the bulk sewer line immediately upstream of the Mitchells Plain Waste Water Treatment Works will be upgraded.

A new substation as well as various 500 Kilo-volt-amperes ("kVA") mini substations will be positioned throughout the site to accommodate the individual Erven supplied by the low voltage system.

Stormwater Management

Stormwater infrastructure, inclusive of the dry stormwater attenuation pond in the biodiversity corridor and the Sustainable Urban Drainage System ("SUDS") will be implemented in accordance with the municipal requirements as well as the Stormwater Management Plan.

The total development footprint amounts to approximately 14.6 hectares ("ha").

C. SITE DESCRIPTION AND LOCATION

The Listed Activities will be undertaken on Erf 644, Schaapkraal, which is located on the corner of Weltevreden Parkway / Jakes Gerwel Drive and Wespoort Drive.

The SG 21-digit code is given below:

Erf 644, Schaapkraal	C01600500000064400000
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The site co-ordinates are given below:

Erf 644, Schaapkraal	Latitude (S)	Longitude (E)
	34° 03' 10.38" South	18° 35' 29.72" East

Refer to **Annexure 1**: Locality Maps. Refer to **Annexure 2**: Site Layout Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Johan Neethling Environmental Services cc
C/O Dr. Johan Neethling
P. O. Box 16594
Vlaeberg
CAPE TOWN
8018

Tel.: (021) 461 4386

E-mail: info@jnes.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 2 described in Section B 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.
 - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised Listed Activities, during which period the authorised Listed Activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing agent, sub-contractor, employee or any person rendering a service to the holder.
 4. Any changes to, or deviations from the scope of the alternative described in section B above must be approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, the Competent Authority may request information in order to evaluate the significance and

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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 written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 11, 21.1 – 21.5 and 28.

Notification of Environmental Authorisation 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 decision reached on the application;
 - 6.1.2. the reasons for the decision as included in Annexure 4;
 - 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, 2014 (as amended) detailed in Section H below;
 - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4. provide the registered I&APs with the:
 - 6.4.1. 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, of the holder; and
 - 6.4.6. 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 Appeals Regulations, 2014 (as amended).

Commencement

7. The Listed Activities, including site preparation, must not be commenced within (20) twenty calendar days from the date the applicant notifies the registered I&APs of this decision.
8. 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 draft Environmental Management Programme ("EMPr") (dated April 2022 and revised September 2023) is hereby approved and must be implemented.
10. The Environmental Authorisation and EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the Listed Activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein. The ECO must submit ECO reports on a quarterly basis for the duration of the construction phase.
12. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office during the construction phase and thereafter the said documents must be kept at the office of the holder and must be made available to any authorised official of the Competent Authority on request.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. Environmental audit reports must be compiled and be submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
15. The audit reports must be compiled and subsequently submitted to the Competent Authority in the following manner:
 - 15.1. An audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction phase; and
 - 15.2. A final audit report must be submitted within **three (3) months** of the proposed development being completed.
 - 15.3. The holder must submit an environmental audit report **every five (5) years** while the Environmental Authorisation remains valid.
16. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.
17. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request and, where the holder has such a facility, place on a publicly accessible website.

Specific Conditions

18. Should any heritage remains be exposed during excavations or any other actions on the site, this 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 disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, meteorites, archaeological and/or paleontological 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.

19. A qualified archaeologist and/or paleontologist 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.
20. An integrated waste management approach must be used that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste that cannot be recycled, re-use shall be disposed of at a licensed waste disposal facility.
21. The recommendations contained in the Biodiversity Offset Report (dated 22 September 2021 and compiled by Eco-Pulse Environmental Consulting), as included in the EMPr, must be implemented. Proof of compliance with the following recommendations must be submitted to this Directorate prior to the commencement of construction activities:
 - 21.1. The 60m wide biodiversity corridor to be located on the southern boundary of the site must be zoned Open Space I and fenced (inclusive of appropriate access gates) with appropriately marked gaps or holes in the fence to allow for small faunal movement. The tops of these gaps must be smoothed off to limit the chance of wildlife being injured when passing through the fence. Proof of having zoned the biodiversity corridor as well as the required fencing being implemented must be submitted to this Directorate before construction work can be commenced with.
 - 21.2. The on-site dune area running in a north-south direction along the eastern boundary of the site measuring approximately 32746m² in extent must be ceded to the City of Cape Town for inclusion in the existing Westridge Dune Conservation Area (Stewardship Protected Area). A letter confirming the successful ceding of the said portion of the site to the City of Cape Town must be submitted to this Directorate prior to the commencement of construction activities.
 - 21.3. The newly ceded dune area running in a north-south direction along the eastern boundary of the site must be fenced (inclusive of appropriate access gates) with appropriately marked gaps or holes in the fence to allow for small faunal movement. The tops of these gaps must be smoothed off to limit the chance of wildlife being injured when passing through. Proof of the fencing being implemented must be submitted to this Directorate before construction work can be commenced with.
 - 21.4. The following areas must be regarded as permanent 'no-go' areas, throughout the lifecycle of the Westbrook Residential Development (See Annexure 3 for an illustration):
 - 21.4.1. The 60m wide biodiversity corridor located on the southern boundary of the site; and
 - 21.4.2. On-site dune area running in a north-south direction along the eastern boundary of the site.
 - 21.5. A search and rescue programme must be undertaken by an experienced botanist or horticulturalist before any land clearing and construction activities. Proof of having appointed an experienced botanist or horticulturalist must be submitted to this Directorate prior to any land clearing and construction activities being undertaken.

22. The recommendations contained in the final Basic Assessment Report (dated 28 September 2023 and compiled by Dr. Johan Neethling of Johan Neethling Environmental Services cc), as included in the EMPr, must be implemented.
23. The recommendations contained in the Botanical Assessment Report (dated 26 September 2023 and compiled by P. J. J. Botes of P. B Consult Environmental Management Services), as included in the EMPr, must be implemented.
24. The recommendations contained in the Freshwater Ecological Assessment Report (dated September 2023 and compiled by FEN Consulting), as included in the EMPr, must be implemented.
25. The recommendations contained in the Traffic Impact Assessment ("TIA") Report (dated September 2023 and compiled by Annebet Krige of Sturgeon Consulting (Pty) Ltd.), as included in the EMPr, must be implemented.
26. The recommendations contained in the Geotechnical Site Investigation Report (dated December 2020 and compiled by Core Geotechnical Consultants Pty Ltd.), as included in the EMPr, must be implemented.
27. The invasive alien vegetation management plan (dated July 2023 and compiled by Dr. Johan Neethling of Johan Neethling Environmental Services cc) must be implemented. Any deviations from the said plan must be permitted by this Directorate, in writing, prior to such deviations being implemented.
28. A signed Memorandum of Agreement ("MOA") between the relevant Departments at the City of Cape Town (which must include (1) Recreation and Parks and (2) Environmental Resource Management) and the holder of this Environmental Authorisation, must be compiled to clarify, establish and confirm roles and responsibilities with regards to the future maintenance and management of the 60m wide biodiversity corridor and the newly expanded Westridge Dune Conservation Area. The signed MOA must be submitted to this Directorate prior to the commencement of construction activities.
29. Any resulting Management Plan(s) applicable to the 60m wide biodiversity corridor and the newly expanded Westridge Dune Conservation Area, as endorsed/recognised/approved by the City of Cape Town must be submitted to Directorate prior to its implementation.

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 for 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. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
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 EIA Regulations, 2014 (as amended) must be submitted.

5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be as follows:
 - 6.1. Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (as amended) or any relevant legislation that may be applicable at the time.

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 twenty (20) calendar days from the date the 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 twenty (20) 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 twenty (20) 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: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel.: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the 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 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 greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 06 February 2024

Copied to:

(1) Mr. Johan Neethling (Johan Neethling Environmental Services cc)
(2) Ms. Azanne van Wyk (City of Cape Town)

E-mail: info@jnes.co.za

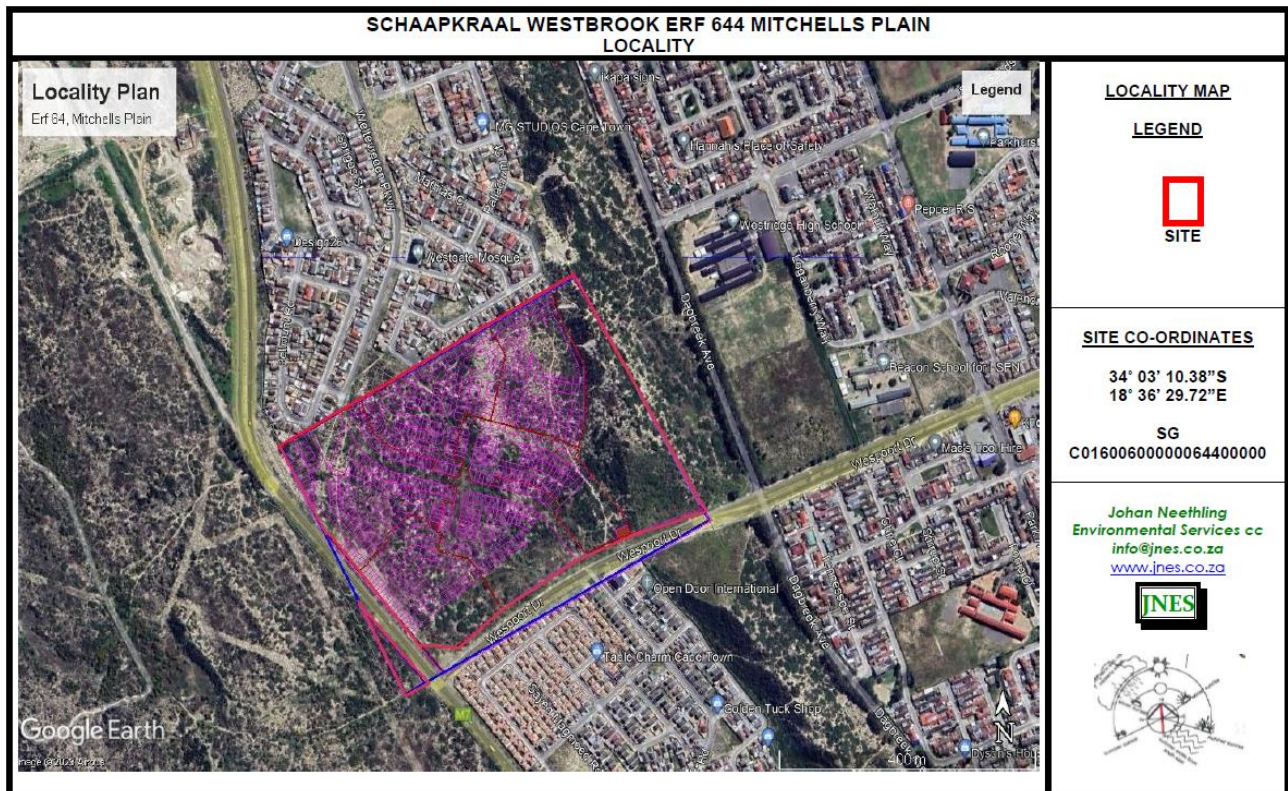
E-mail: Azanne.vanWyk@capetown.gov.za

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ANNEXURE 1: LOCALITY MAP



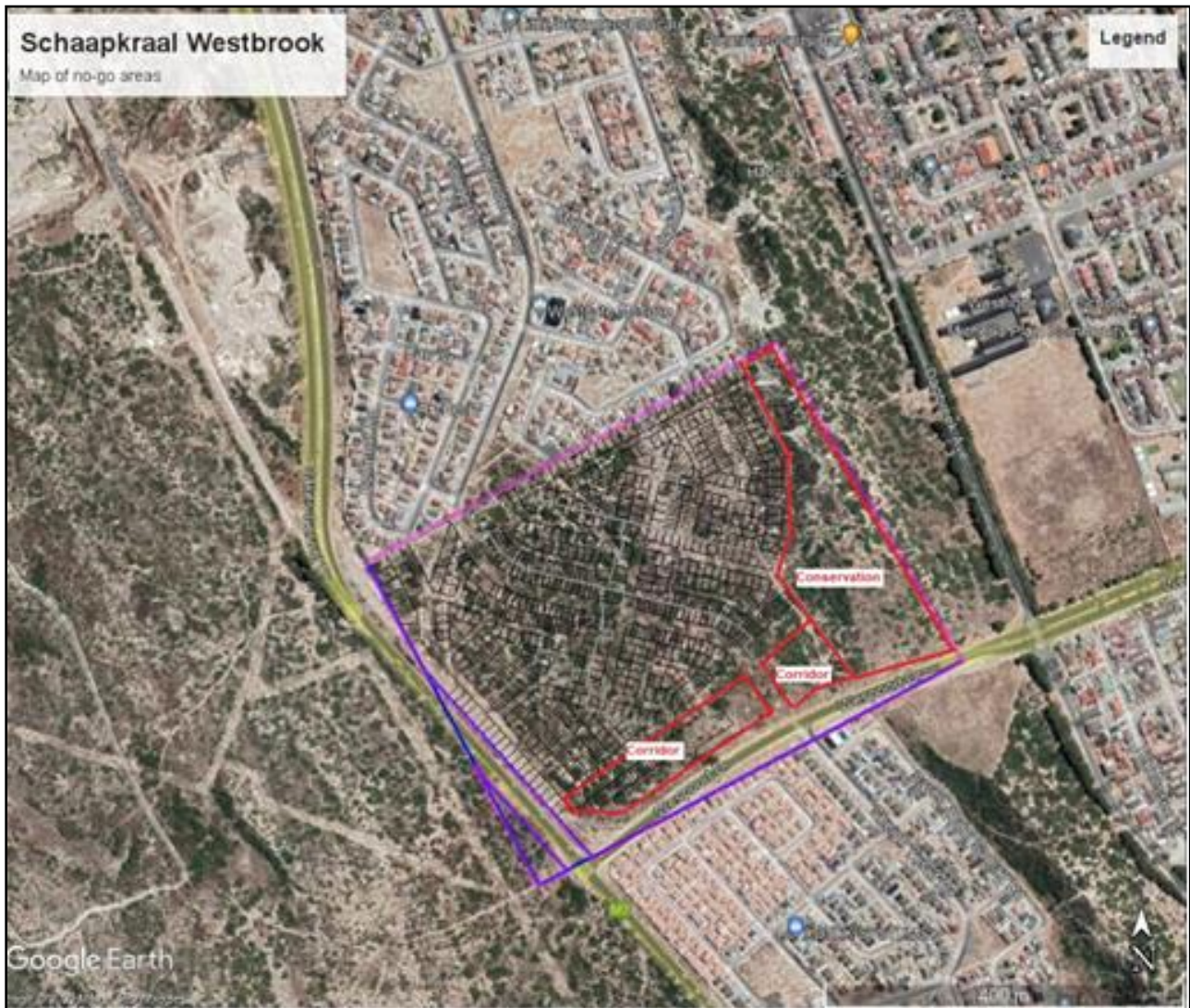
ZONING	LAND USE TABLE	TOTAL ERYVIN	AREA (m²)	%
Single Residential Zoning 1: Conventional Housing (SR1)	Residential	625	77 507	37,36
Community Zoning 1: Local (CO1)	Worship	1	2 485	1,20
Open Space Zoning 1: (OS1) Environmental Conservation	Early childhood development	1	2 761	1,23
Open Space Zoning 2: (OS2) Public Open Space	Conservation	4	56 055	27,03
Utility Zoning (UT)	Public Open Space	2	4 322	2,08
Transport Zoning 2: Public Road & Public Parking (TR2)	Sub-stations	7	400	0,19
	Public Roads	1	46 500	22,43
	Public Road - Primary	1	17 385	8,38
	Substation	1	17 385	8,38
TOTAL		640	207 500	100

SCHAAAP KRAAL ERF 644

Proposed rezoning & sub-division

2017 - S1 - 01

ANNEXURE 3: PERMANENT 'NO-GO' AREAS DEPICTED BY RED POLYGONS



ANNEXURE 4: 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 May 2023), the information contained in the updated Application Form (dated 28 September 2023), the final BAR (dated 28 September 2023) and the EMPr (dated April 2022 and revised September 2023);
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and 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 the responses thereto, included in the final BAR;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) A site visit conducted by Ms. N Bieding of this Directorate on 17 January 2024.

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 ("PPP") included:

- Potential I&APs and relevant authorities were identified and a list was compiled;
- A register was opened and kept for all I&AP's requesting to be registered;
- Registered letters and emailed notices were sent to adjacent landowners and identified I&APs to inform them of the proposed development and the availability of the pre-application BAR on 21 April 2022;
- An emailed notice as well as a copy of the pre-application- and application reports were sent to the local Ward Councillor;
- An emailed notice as well as a copy of the draft BAR were sent to the commenting authorities 15 May 2023;
- On 23 April 2022 and 15 May 2023, ratepayers associations in the area (Westridge Ratepayers Association and the Westgate Ratepayers Association) were informed via email of the pre-application- and formal EIA application processes and were provided with access to the pre-application- and application reports;
- An advertisement was placed in the 'Plainsman' local newspaper publication on 20 April 2022;
- A notice board was placed on site on 22 April 2022;
- Copies of the pre-application BAR were made available for a minimum thirty (30) day comment period from 23 April 2022 to 30 May 2022;
- Copies of the draft BAR were made available for a minimum thirty (30) day comment period from 15 May 2023 to 14 June 2023; and
- Copies of revised draft BAR were made available for a minimum thirty (30) day comment period from 23 August 2023 to 22 September 2023.

This Directorate is satisfied that the PPP that was followed met the minimum legal requirements. All the comments raised, and responses thereto were included in the comments and responses report.

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

2. Alternatives

Preferred Site Alternative (Authorised together with the preferred Alternative)

The Preferred Site Alternative entails the proposed Westbrook residential development and associated infrastructure to be constructed on Erf 644, Schaapkraal. This is the only and preferred site alternative, as the applicant owns the site, which is intended for the proposed development.

Erf 644, Schaapkraal is further the preferred site alternative based on the following reasons:

- The site is surrounded by existing urban and residential development;
- The new residential development can readily be connected to the available services and infrastructure;
- The site is easily accessible from the existing major municipal roads;
- The site is one of the last remaining parcels of vacant land located east of Weltevreden Parkway/Jakes Gerwel Drive; and
- The site was previously assessed and similarly deemed appropriate and thus approved for residential development.

Preferred Activity Alternative (Authorised together with the preferred Alternative)

The Preferred Activity Alternative entails developing the site for affordable residential purposes with ancillary services. This is the only preferred Activity Alternative, as the site is accessible and surrounded by similar residential developments. Municipal services connections are readily available in the vicinity of the site.

Alternative 1

Alternative 1 entails the establishment of a residential development, comprising of the following:

- Approximately 693 Single Residential Erven, measuring approximately 88862m² in extent;
- Public Open Space II, measuring approximately 5032m² in extent;
- Open Space III, measuring approximately 11299m² in extent;
- Open Space I, measuring approximately 32746 min extent²;
- A crèche or ECD centre of approximately 1400m² in extent;
- A place of worship, measuring approximately 2400m² in extent;
- Utility Zone areas, measuring approximately 380m² extent;
- Transport Zone II for public roads and parking areas;
- An approximately 23m wide biodiversity corridor;
- A 23m wide biodiversity corridor; and
- Associated infrastructure.

Alternative 2 (Preferred and Herewith Authorised)

Alternative 2 entails the establishment of a residential development, comprising of the following:

- Approximately 623 Single Residential Erven, measuring approximately 77 507m² in extent;
- Two (2) Public Open Space II areas, measuring approximately 4322m² in extent;
- Open Space I (Conservation), measuring approximately 32746m² in extent;
- A crèche or Early Childhood Development ("ECD") centre, measuring approximately 2761m² in extent;
- A place of worship, measuring approximately 2480m² in extent;
- Seven (7) Utility Zone areas for electricity substations, measuring approximately 400m² in extent;
- Transport Zone II for public roads and parking areas, approximately 46550m² in extent;
- Primary Distributor of approximately 17385m² in extent;
- A 60m wide biodiversity corridor; and
- Associated infrastructure.

Faunal Corridor

The existing road traversing the biodiversity corridor will have 3 box culverts spaced across the width of the corridor, which will function as a faunal underpass. The biodiversity corridor will be zoned Open Space I (Conservation).

Roads and Access

The development will be serviced by internal roads measuring approximately 8m and 10m in width, which includes the extension of the existing Weltevreden Parkway across the site to link up with Wespoort Drive to the south is 16m wide with an intersection in the centre of the development with a 13m east to west feeder road, with the required surfaced sidewalks.

Access will be primarily gained from the extended Weltevreden Parkway at the section located adjacent to Wespoort Drive as well as opposite the existing Sheigh Yusuf Road.

Service Infrastructure

The existing water network will serve the development and the internal network will connect to existing pipelines in the vicinity of the site. The proposed internal reticulation system will include Unplasticised Polyvinyl Chloride ("uPVC") pipes measuring approximately 200mm, 160mm and 110mm in diameter.

The proposed sewerage network will include a conventional gravity waterborne system. The wastewater will gravitate towards the connection point located at the corner of Weltevreden Drive and Wespoort Drive, whilst a remaining portion of the development will connect to the manhole in Sheigh Yusuf Road. The proposed development's sewer network will connect to the municipal sewer system, which conveys sewerage to the Mitchells Plain Waste Water Treatment Works ("WWTW"). A section of the bulk sewer line immediately upstream of the Mitchells Plain Waste Water Treatment Works will be upgraded.

A new substation as well as various 500 Kilo-volt-amperes ("kVA") mini substations will be positioned throughout the site to accommodate the individual Erven supplied by the low voltage system.

Stormwater Management

Stormwater infrastructure, inclusive of the dry stormwater attenuation pond in the biodiversity corridor and the Sustainable Urban Drainage System ("SUDS") will be implemented in accordance with the municipal requirements as well as the Stormwater Management Plan.

The total development footprint amounts to approximately 14.6ha.

Alternative 1 is rejected and Alternative 2 is preferred, as the latter incorporates a wider biodiversity corridor (approximately 60m wide), resulting in greater ecological benefits when compared with Alternative 1, which incorporate an approximately 23m wide corridor.

'No-go' Alternative

The 'No-Go' Alternative of maintaining the *status quo*, i.e., no construction of the Westbrook residential development and associated infrastructure as well as the associated components, was considered. The 'No-Go' Alternative was rejected, as it means that the goal of providing affordable residential opportunities and associated socio-economic benefits will not be realised. Additionally, the various undesirable activities such as, *inter alia*, petty crime, occasional and unlawful squatting, trespassing and dumping will persist, which may result in the gradual degradation of the site. Furthermore, the opportunity to establish an approximately 60m wide biodiversity corridor located on the southern boundary of the site, and a 'no-go' area for the on-site dune area running in a north-south direction along the eastern boundary of the site will not be realised. The 'No-go' Alternative was therefore deemed undesirable.

3. Impact Assessment and Mitigation Measures

3.1 Need and Desirability

The proposed development will help ensure affordable, well-located residential opportunities within the City of Cape Town are provided. The site is located in close proximity to existing municipal bulk services/connections, and a high level of accessibility is provided by the surrounding road network and existing urban fabric in the vicinity of the site. The development of the site will inhibit undesirable activities, such as petty crime, occasional and unlawful squatting, trespassing and dumping from persisting and further degrading the site. The development of the site will ensure that an approximately 60m wide biodiversity corridor located on the southern boundary of the site and a 'no-go' area for the on-site dune area running in a north-south direction along the eastern boundary of the site is maintained.

In terms of the Municipal Spatial Development Framework ("MSDF") (2023), the site is located in a "Critical Natural Asset" area that has a Critical Biodiversity Area 1 ("CBA1") demarcation. This demarcation is linked to the presence of the on-site Cape Flats Dune Strandveld. It is in this regard that the primary measures to mitigate for the loss of Strandveld includes the incorporation of the on-site area into the 'West Ridge Dunes Conservation Area' as well as the implementation of the on-site biodiversity corridor of approximately 60m in width. These measures align with the Environmental Management Framework of the District Spatial Development Framework, which requires that areas with a CBA status receive careful consideration to promote, *inter alia*, conservation, connectivity and multi-functional open space areas in order to mitigate the loss of biodiversity. The loss of biodiversity has been carefully considered, which culminated in the conservation of the aforesaid portions of the site.

At the same time, the contextual socio-economic considerations of the site must be taken into account. To this end, the site is deemed to be located in a well accessible and established urban area with remaining portions of land increasingly reserved for urban landuses (both formal and informal). The site's location has left it vulnerable to threats and risks of criminal activity, land invasion and dumping, which resulted in some degradation of the site. These anthropogenic impacts on the site are deemed to be in direct conflict with the site's "Critical Natural Asset" demarcation, which if left unabated, will see the site be lost to unlawful occupation and activities with little chance of any form of conservation or ecological connectivity. Given the site's surrounding urban context, it enjoys the status of being one of the last pieces of serviced vacant land parcels in the local area that can readily be connected to the existing infrastructural network. Hence, developing the site for residential purposes remains a feasible option in terms of not only deterring unlawful activities and occupation of the site as well as contributing to the conservation of "Critical Natural Assets" but also in terms of identifying and using underutilised or vacant land to meet the needs for housing and infrastructure.

According to the correspondence from the City of Cape Town (dated 21 September 2023), certain planning-related applications, including a deviation approval from the approved District Spatial Development Framework ("SDF") (2023) are underway. It was further confirmed in the aforesaid correspondence from the City of Cape Town that the proposed deviation from the approved District SDF (2023) is supported on condition that efforts towards conservation and open space systems are provided. Hence, the setting aside of the 60m wide biodiversity corridor and the 'no-go' area is to be incorporated into the Westridge Dune Conservation Area, and open space systems (*i.e.*, zoned open spaces/system), which form part of the residential development. It was further confirmed in the said correspondence that there is no objection against both the residential development as well as proposed deviation, provided that the 60m wide biodiversity corridor is implemented.

3.2 Regional and Local Planning

It should be noted that the Westbrook Residential development was previously authorised, both in terms of the NEMA and the EIA Regulations and the relevant landuse planning legislation at the time. The authorised development was not commenced with and the approvals subsequently lapsed. The footprint of the previously authorised development was larger in scale and offered a smaller biodiversity corridor than what is authorised, as part of this Environmental Authorisation.

The site was previously rezoned for residential purposes, which subsequently lapsed, resulting in the site reverting back to the original zoning, *i.e.*, Agriculture. All relevant landuse applications must be lodged with the relevant local authority in order to permit the proposed development.

3.3 Aquatic Impacts

No watercourses, including floodplains and natural surface water sources, occur on the site.

According to the Freshwater Ecological Assessment Report (dated September 2023 and compiled by FEN Consulting), two depression wetlands were identified approximately 270m west of the site. One of the wetlands can be considered to be in a moderately modified ecological condition (Class C) with very low ecoservice provision, whilst the other wetland is not expected to be directly impacted upon (due to the south westerly flow of surface water in the area). Based on the findings of the abovementioned study, the construction and operational phases, pose a Low Risk significance to the overall integrity of these wetlands. This is attributed to the location of the wetlands, the relatively flat topography of the area and existing roads (Weltevreden Parkway/Jakes Gerwel Drive), which acts as a barrier between the study area and the identified wetlands. No significant impacts from a surface water perspective are therefore anticipated.

The Cape Flats Aquifer underlies the site. The Aquifer has a "very high" vulnerability classification in terms of risk contamination, meaning that mitigation is necessary to prevent the risk of any potential contamination. These mitigation measures, as per the Groundwater Impact Assessment Report (dated 29 January 2021 and compiled by GEOSS South Africa Pty Ltd.) have been made conditional to this Environmental Authorisation, have been included in the provisions of EMPr and must be implemented. The implementation of these measures will reduce the risk of groundwater contamination to Low-Medium negative significance. Overall, the impact of the proposed development on the groundwater resources is deemed to be of Low-Medium significance.

3.4 Geotechnical Considerations

According to the Geotechnical Site Investigation Report (dated December 2020 and compiled by Core Geotechnical Consultants Pty Ltd.), the site is broadly suitable for the proposed residential development, provided that the following measures are implemented:

- Suitable compaction, modified construction methods and soil improvement must be used for any conventional founding bearing pressure limitations.
- Suitable compaction and grading of the site must be carried as part of the initial earthworks, in order to limit the additional earthworks that will be required at a later stage.
- Any engineered terrace platforms forming part of bulk earthworks must be constructed using a suitable quality material, compacted to at least 95% Mod AASHTO maximum dry density, over its full depth.
- All other necessary measures (depending on the encountered founding conditions) must be implemented in order for development to be suitable from a geotechnical perspective.
- Access roads and parking areas must be constructed with adequate provisions for drainage in order to prevent deterioration of the upper layer works (base course and sub-base layers).
- Retaining walls for engineered terraces must be constructed with adequate provisions for drainage.

These mitigation measures have been made conditional to this Environmental Authorisation, have been included in the EMPr and must be implemented.

3.5 Botanical Impacts

Erf 644, Schaapkraal is a greenfield site comprising Cape Flats Dune Strandveld in good condition (although portions of the site are degraded because of illegal dumping and other anthropogenic impacts). The site contains no red-listed or other protected plant species. The edges of the site as well as scattered sections of the site contain several alien weeds.

According to the Botanical Assessment Report (dated 26 September 2023 and compiled by P. J. J. Botes of PB Consult Environmental Management Services), the development will result in the transformation of the site and the resultant loss of vegetation. The study, however, highlights that Alternative 2 is likely to result in a high negative impact, which may be reduced to medium-low (leaning towards low) through mitigation (inclusive of the 60m wide biodiversity corridor). Owing to a wider biodiversity corridor, the preferred Alternative 2 will result in reduced levels of botanical impacts when compared to the rejected Alternative 1. Hence, the abovementioned study recommended that Alternative 2 be approved. In this regard, Alternative 2, with an approximately 60m wide biodiversity corridor is considered substantial when compared to Alternative 1, which only measures 23m in width. The 60m wide biodiversity corridor consequently resulted in a reduction of the number of residential opportunities that the site can accommodate. Hence, Alternative 1 proposes a total of 693 single residential Erven, whereas the preferred Alternative only proposes a total of 623 single residential Erven. The preferred Alternative is a further reduction of the previously authorised proposal, which included approximately 729 residential Erven.

In order to ensure that the biodiversity corridor is secured and maintained, as intended (conservation), the said corridor will be zoned Open Space I. Although a dry stormwater attenuation pond is proposed in the biodiversity corridor, this section of the site where the pond is to be constructed is the lowest point on the site. The EMPr also stipulates that the pond be located in the already degraded areas next to Wespoort Drive (as south as possible) and that its layout be designed to minimise the impact of remaining thicket patches. Furthermore, the new dry stormwater attenuation pond must be constructed under the supervision of a botanist or the appointed ECO. Solid waste- and silt traps will be installed to limit any unforeseen negative impacts on the established corridor.

Whilst the biodiversity corridor will serve as a link between the Westridge Dune Conservation Area to the east and the Philippi Horticultural Area to the west of the site, it should be noted that an existing road (Jakes Gerwel Drive) already separates the site from the Philippi Horticultural Area. The existing and fairly new expanded residential development surrounding the site has already impacted the ecosystem connectivity which the site originally supported. The site can therefore be classified as some of the last remaining isolated and undeveloped pockets of land to the east of Weltevreden Parkway/Jakes Gerwel Drive, which is located in the rapidly expanding urban area of Schaapkraal and Mitchell's Plain. It is also in this regard that the proposed development can be viewed, as a natural link and/or extension to the fairly new 'Westgate' residential area to the north and across Wespoort Drive as well as Westridge residential area to the south.

In addition to the biodiversity corridor, it is proposed that an on-site dune area running North-South along the eastern boundary of the site must be ceded to the City of Cape Town for inclusion in the existing Westridge Dune Conservation Area (Stewardship Protected Area). Ultimately both the biodiversity corridor and the site section of the site to be incorporated into the Westridge Dune Conservation Area will result in approximately 5.6095ha of the site being conserved and largely left unaffected by the residential development. In order to ensure the financial sustainability and management of the expansion of the Westridge Dune Conservation Area, a trust fund will be created.

The abovementioned measures are largely acts of avoidance in terms of the mitigation hierarchy, whereby the biodiversity corridor and the newly protected dune area will be totally avoided from being directly impacted by the proposed development. In order to

limit any unforeseen edge effects that the proposed development may have on the biodiversity corridor, concrete walls will be constructed to reduce disturbance impacts. The areas of avoidance will further ensure that the site, to a certain extent, maintains the last physical link and connectivity between the protected Westridge Dune Conservation Area and the remaining natural veld to the west of the property (Montagu's Gift area) via the corridor.

The correspondence from the City of Cape Town: Biodiversity Management Branch (dated 2 June 2022), particularly highlighted the high demand for housing in the proposed area. However, it is indicated in the said correspondence as well as other correspondences from the City of Cape Town: Biodiversity Management Branch (dated 25 September 2022 and 2 June 2023), that the 60m biodiversity corridor is supported, as the preferred alternative.

The City of Cape Town: Recreation and Parks in the correspondence (dated 28 September 2023), agreed to transferring the designated conservation areas (i.e., the 60m wide biodiversity corridor and dune area running north-south along the eastern boundary of the site) to the said municipal branch.

According to the correspondence from CapeNature (dated 15 June 2023), the preferred alternative inclusive of the 60m biodiversity corridor, is supported.

3.6 Biodiversity: Fauna

According to the Terrestrial Biodiversity Compliance Statement (Butterflies) Report (dated 7 December 2020 and compiled by Mr. Davida), neither the endangered butterfly nor its larval host plant was observed on the site. It was further concluded that based on the conditions of the site, there is no possibility that the site could support a population of butterflies (Species of Conservation Concern).

According to the Terrestrial Animal Species Site Sensitivity Assessment and Compliance Report (dated 27 June 2022 and compiled by Mr. Jonathan Colville of Terrestrial Ecologist & Invertebrate Surveys), the proposed development will not have significant negative impacts on any faunal species. This is attributed to the site not serving as a suitable habitat, the busy double-laned motorway Weltevreden Parkway/Jakes Gerwel Drive, which may prevent faunal species migration, the surrounding urban context, and the lack of aquatic biodiversity on the site.

The existing road traversing the biodiversity corridor will have 3 box culverts specifically spaced across its width so that it allows for any likely movement of fauna underneath the road (faunal underpass). It is projected that ceding the on-site dune area for inclusion in the Westridge Dune Conservation Area will further mitigate and reduce the likelihood of having any negative impacts on any fauna in the vicinity of the site and surrounds. Further, both the proposed biodiversity corridor as well as newly protected dune area will be fenced with appropriately marked gaps in the fence to allow for faunal movement, whilst protecting these areas from any direct negative impacts associated with the construction of the proposed development.

3.7 Compensation for Biodiversity Loss

A study was commissioned to investigate options to compensate for the biophysical impacts resulting from the proposed development. According to the results contained in the Biodiversity Offset Report (dated 22 September 2021 and compiled by Eco-Pulse Environmental Consulting), it was determined that approximately 13.21ha of Cape Flats Dune Strandveld would be transformed, as a result of the proposed development.

By applying a 2:1 ratio for impacts, the initial target to compensate for the associated biophysical impacts was 26.42ha. This target was reduced as a result of the 'gains' afforded by the areas to be avoided and set aside for conservation purposes (i.e., the 60m wide biodiversity corridor and the newly ceded on-site dune area); meaning that

the final target to compensate for the associated biophysical impacts was therefore assessed to be 20.65ha. To meet this target (through e.g., securing and managing suitable offsite offset areas), it was calculated that such cost would exceed the land value of the property. Therefore, in consideration of the contextual realities of the site together with the input from various authorities including, *inter alia*, the City of Cape Town and CapeNature, it was deemed permissible that the following compensatory measures be considered, as adequate to counter the resultant impacts of biodiversity loss:

- Timeous implementation of the 60m wide biodiversity corridor (*i.e.*, prior to construction);
- Ceding the on-site dune area running in a north-south direction along the eastern boundary of the site to the City of Cape Town for inclusion in the existing Westridge Dune Conservation Area and thereby securing it for conservation purposes; and
- Ensuring that a financial contribution is secured, to ensure the future maintenance of the expanded Westridge Dunes Conservation Area.

In addition to the above, compensatory measures, such as alien plant control and the compilation of an updated management plan for the expanded Westridge Dunes Conservation Area will further help to ensure that the corridor and newly ceded dune area are appropriately managed for its intended purpose, *i.e.*, conservation.

Given the above factors, a balance between human needs and the biodiversity needs of the site was reached.

3.8 Agriculture Aspects

Although the site was reverted back to its original zoning, *i.e.*, Agriculture, given the site's urban context, no negative impacts from an agricultural perspective are expected. It is noteworthy that the site was never used for agriculture purposes on or after 1 April 1998. The site was regarded as being of low agricultural sensitivity in terms of the Agricultural Compliance Statement (dated 15 August 2020 and compiled by Mr. Johann Lanz). The site's low agricultural sensitivity is largely attributed to the urban context in which the site is located.

According to the correspondence from the Western Cape Government: Agriculture (dated 30 October 2023), there is no objection against the proposed development.

3.9 Nuisance Impacts

Nuisance-related impacts such as noise and dust can be expected during the construction phase. These will, however, be temporary and appropriately managed in accordance with the standard provisions of the approved EMP. Compliance with other Municipal By-laws and other statutory requirements relevant to nuisance-related matters must also be adhered to.

3.10 Heritage Impacts

The negative impact of the proposed development on heritage resources is deemed to be very low. Additionally, the likelihood of material being found during earthworks is deemed to be low, given the site's location and urban context. The comments from Heritage Western Cape (dated 14 September 2020), indicated that no heritage resources will be impacted upon and that no further action in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required. On 19 July 2023, Heritage Western Cape indicated that the original comments of 14 September 2020 remain unchanged.

The implementation of Conditions 18 and 19 of this Environmental Authorisation will help to ensure the protection of any heritage resources that may be encountered on the site.

3.11 Visual Impacts

Although the site is visible from surrounding urban roads, the site is surrounded by residential development. The proposal will thus not be out of character with the immediate surroundings. Additionally, the residential development will be of similar typology and scale, as the surrounding affordable housing developments bordering the site on three sides. The negative visual impacts of the proposed development are therefore deemed to be of low negative significance.

3.12 Traffic Impacts

According to the Traffic Impact Assessment ("TIA") Report (dated September 2023, and compiled by Annebet Krige of Sturgeon Consulting (Pty) Ltd.), the proposed development will potentially generate approximately 374 total AM peak trips (94 inbound, 280 outbound) and 374 total PM trips (262 inbound, 112 outbound). It was determined that the proposed development can be accommodated by the adjacent transport network, provided that certain mitigation measures are implemented. Therefore, should the required measures be implemented, the development is deemed to be supported from a traffic perspective. These required mitigation measures have been included in the provisions of the EMP.

The City of Cape Town: Integrated Transport Planning Department in correspondence (dated 25 August 2023), concurred with the findings and recommendations of the TIA that was undertaken.

3.13 Service Requirements

Internal Roads

The development will be serviced by approximately 8m and 10m wide internal roads, including the extension of Weltevreden Parkway across the site with the required surfaced sidewalks.

Water Supply and Sewerage Network

The existing water network will serve the development and the internal network will connect to existing pipelines in the vicinity of the site. The proposed internal reticulation system will include uPVC pipes measuring approximately 200mm, 160mm, and 110mm in diameter.

The proposed sewerage network will include a conventional gravity waterborne system. The wastewater will gravitate towards the connection point located at the corner of Weltevrede Drive and Wespoort Drive, whilst a remaining portion of the development will connect to the manhole in Sheigh Yusuf Road.

The proposed development's sewer network will connect to the municipal sewer system, which conveys sewerage to the Mitchells Plain Waste Water Treatment Works ("WWTW").

According to the initial correspondence from the City of Cape Town: Water and Sanitation Directorate (dated 11 May 2022), sufficient capacity in terms of water and sanitation service requirements exists. According to the correspondence from the City of Cape Town (dated 13 June 2023), it was confirmed that these original comments in terms of water and sanitation service requirements remains unchanged.

Electricity

A new substation as well as various 500 kVA mini substations will be positioned throughout the site to accommodate the individual Erven supplied by the low voltage system.

According to the correspondence from the City of Cape Town: Energy Directorate (dated 15 August 2023), sufficient capacity to cater to the energy requirements of the proposed development.

Stormwater Management

Stormwater infrastructure, inclusive of the dry stormwater attenuation pond in the biodiversity corridor and SUDS will be implemented in accordance with the municipal requirements and the Stormwater Management Plan.

General Waste Disposal

According to the latest correspondence from the City of Cape Town: Waste Services - Collections Department (dated 25 August 2023), there is no objection to the proposed development and sufficient unallocated capacity exists to accept, collect and dispose of all types of waste to a designated licenced landfill site.

3.14 Socio-economic Impacts

Employment opportunities are expected to be generated during the construction phase. Further positive socio-economic impacts are expected after the construction period has concluded through the provision of residential opportunities to help alleviate the demand for housing.

Whilst the implementation 60m wide biodiversity corridor in terms of the preferred alternative will result in more biophysical gains when compared with Alternative 1, which measures 23m in width, the capital investment and operational revenue will be lower. As a result, the consequential economic, socio-economic and fiscal positive impacts generated by the preferred Alternative during its construction and operational phases will be lower than Alternative 1.

Given the number of employment opportunities created, the provision of housing opportunities as well as the demarcation of a 60m wide biodiversity corridor and the inclusion of the on-site dune area running in a north-south direction along the eastern boundary of the site to the City of Cape Town in the existing Westridge Dune Conservation Area, alternative 2 is deemed to be the best practicable environmental option.

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

Negative Impacts include:

- Temporary nuisance related impacts during the construction phase.
- Loss of indigenous vegetation to accommodate the residential development.
- Increased traffic levels in the local area.

Positive Impacts include:

- Supply of much needed affordable residential opportunities.
- Optimal usage of vacant space in an urban area.
- Associated positive biophysical gains, i.e., the conserved spaces, i.e., the fenced 60m wide biodiversity corridor and the on-site dune area incorporated into the Westridge Dune Conservation Area.
- The provision of employment opportunities during the construction phase.

4. National Environmental Management Act, 1998 (Act No. 107 of 1998) 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 activity (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 authorised 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 undertaking of the Listed Activities can be mitigated to acceptable levels.

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