



**Western Cape
Government**
Environmental Affairs and
Development Planning

DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 2)



*TP- A Theart
(S ubl merna)*

EIA REFERENCE: 16/3/1/1/E2/10/2092/13
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 2016-03-01

Rina

The Board of Directors
Suppliers to all (Pty) Ltd. t/a Motlekar Overstrand
PO Box 4697
DURBANVILLE
7551

FILE NO:	<i>EL 210 CB</i>
SCAN NO:	<i>ERF 210</i>
COLLABORATOR NO:	<i>880432</i>

Attention: Mr Rieger van Rooyen

Tel: (086) 144 4489
Fax: (021) 976 0984

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"), THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") AMENDMENT REGULATIONS, 2010 AND THE EIA REGULATIONS, 2014: THE BLOMPARK LOW-COST HOUSING PROJECT, PORTION OF ERF NO. 210, GANSBAAI.

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

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the NEMA, the EIA Amendment Regulations, 2010 and the EIA Regulations, 2014 the competent authority herewith **grants environmental authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred Layout Alternative 1 described in the final Basic Assessment Report ("BAR") dated November 2015.

The granting of this environmental authorisation is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Suppliers to all (Pty) Ltd. t/a Motlekar Overstrand
% Mr Rieger van Rooyen

2nd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 483 3679/4349 Fax: +27 21 483 3633
E-mail: Bernadette.Osborne@westerncape.gov.za

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

TP

- 1 MAR 2016

1 MAR 2016

PO Box 4697
DURBANVILLE
7551

Tel: (086) 144 4489
Fax: (021) 976 0984

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

B. LIST OF ACTIVITIES AUTHORISED

Government Notice ("GN") No. R.544 of 18 June 2010 -

Activity Number: 23

The transformation of undeveloped, vacant or derelict land to:

- (i) *residential, retail, commercial, recreation, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, or*
- (ii) *residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares.*

Government Notice ("GN") No. R.546 of 18 June 2010 -

Activity Number: 12

The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

In the Western Cape:

- (a) *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;*
- (b) *Within critical biodiversity areas identified in bioregional plans;*
- (c) *Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas.*

Government Notice ("GN") No. R.983 of 4 December 2014 -

Activity Number: 27

The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation.

Government Notice ("GN") No. R.985 of 4 December 2014 -

Activity Number: 12

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. **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; or
- 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.

The abovementioned activities are hereinafter referred to as "**the listed activities**".

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

The construction of a residential development on a total area of approximately 16.60ha on a portion of Erf No. 210, Gansbaai, which consists of the following components:

- Approximately 539 erven for formal houses;
- Two business precincts;
- Three erven for community facilities;
- The upgrade and provision of basic services (potable water supply, effluent management, solid waste management, stormwater management and electricity) for an existing informal residential development of approximately 100 erven located to the south-west of the site and known as Beverly Hills, forming part of an Upgrading of Informal Settlements Program ("UISP");
- 15 public open spaces; and
- Internal roads.

Please refer to Annexure 2: Site Plan

PROPERTY DESCRIPTION AND LOCATION

The listed activities will be undertaken on a portion of Erf No. 210, Gansbaai, at the following co-ordinates:

34° 35' 39.67" South
19° 20' 34.27" East

The SG digit code is: C01300090000021000000

hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Withers Environmental Consultants (Pty) Ltd
% Mr Aubrey Withers
PO Box 6118
Uniedal
STELLENBOSCH
7612

Tel: (021) 887 4000
Fax: (021) 883 2952

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority, unless the holder has lodged a valid application for the amendment of the validity period of this environmental authorisation, **at least three (3) months prior** to the expiry of this environmental authorisation.

Note that: (1) in terms of Regulation 28(2) of the NEMA EIA Regulations, 2014, failure to lodge an application for amendment at least three months prior to the expiry of the validity period of the environmental authorisation may result in the competent authority being unable to process the application for amendment and in the lapsing of the environmental authorisation, and (2) it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an environmental authorisation for the undertaking of the activity.

2. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date the applicant notified the registered interested and affected parties ("I&AP's"). In the event that an appeal is lodged with the competent authority, the effect of this environmental authorisation is suspended until such time as the appeal is decided.
3. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with Regulation 10(2)–
 - 3.1 notify all I&AP's of –
 - 3.1.1 the outcome of the application;
 - 3.1.2 the reasons for the decision as included in Annexure 1;
 - 3.1.3 the date of the decision; and
 - 3.1.4 the date of issue of the decision;
 - 3.2 draw the attention of all registered I&AP's to the fact that an appeal may be lodged against the decision in terms of Chapter 7

of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section F below;

- 3.3 draw the attention of all registered I&AP's to the manner in which they may access the decision; and
- 3.4 provide the registered I&AP's with:
 - 3.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 3.4.2 the name of the responsible person for this Environmental Authorisation; and
 - 3.4.3 the postal, telephonic and fax details of the holder and e-mail address if any.
4. Seven calendar days' notice, in writing, must be given to the competent authority before commencement of the expansion activities.
 - 4.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 4.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 2, 3 and 12.
5. The holder is 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.
6. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
7. The Environmental Management Plan ("EMP") submitted to this Department on 30 November 2015 is hereby approved and must be implemented.

Should amendments to the EMP be required before an audit is required in terms of this environmental authorisation the applicant must:

- notify the competent authority of its intention to amend the EMP at least 60 days prior to the submission of the application for amendment to the EMP;
- obtain comment from potential I&AP's, including the competent authority, by using any of the methods provided for in the NEMA for a period of at least 30 days; and
- submit the amended EMP to the competent authority for approval within 60 days of inviting comments on the proposed amendments.

The EMP must be included in all contract documentation for all phases of implementation.

8. A copy of the environmental authorisation and EMP must be kept at the site where the listed activities will be undertaken. Access to the site

referred to in section C above must be granted and, the environmental authorisation and EMP must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The environmental authorisation and EMP must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

9. The applicant must submit an application for amendment of the environmental authorisation to the competent authority where **any detail with respect to the environmental authorisation must be amended, added, substituted, corrected, removed or updated**, save that such application for amendment shall not include the personal details of the holder of the environmental authorisation. In such instances, where applicable, the validity period of this environmental authorisation will be automatically extended ("the period of administrative extension") from the day before this environmental authorisation would otherwise have lapsed, until the amendment application for the extension of the validity period is decided. The listed activity/ies, including site preparation, may not commence during the period of administrative extension.
 - 9.1. Where an amendment relates to the change of ownership or transfer of rights and obligations, the applicant must:
 - 9.1.1. submit an amendment application to the competent authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including (a) confirmation that the environmental authorisation is still in force (i.e. that the validity period has not yet expired or the activity/ies was/were lawfully commenced with); (b) the contact details of the person who will be the new holder; (c) the reasons for the transfer; and (d) an originally signed letter from the proposed new holder acknowledging the rights and obligations contained in the environmental authorisation and indicating that he/she has the ability to implement the mitigation and management measures and to comply with the stipulated conditions.
 - 9.1.2. The competent authority will issue an amendment to the new holder either by way of a new environmental authorisation/s or an addendum to the existing environmental authorisation/s if the transfer is found to be appropriate.
 - 9.2. Any changes to, or deviations from the scope of the description set out in Section B above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such approval or not, the competent authority may request such information as it deems necessary 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.

10. Non-compliance with a condition of this environmental authorisation or EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
11. Notwithstanding this environmental authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activities.
12. The holder must appoint a suitably experienced environmental control officer, or site agent where appropriate to ensure compliance with the EMP and the conditions contained herein.
13. 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 landfill licensed in terms of the applicable legislation.
14. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
15. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
16. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.
17. Signage which lists the legislation that provides protection to the White Milkwood trees (*Sideroxylon interme*) must be placed on the site.
18. A buffer area of 200m must be maintained between the nearest house of the development and the Gansbaai Waste Water Treatment Works ("WWTW") for the protection of the White Milkwood trees (*Sideroxylon interme*) as well as to provide a buffer area between the development and the Gansbaai WWTW (in line with the recommendations of the Air Quality Impact Assessment and Buffer Zone Determination prepared by D. Dracoulides dated April 2015 and the Botanical Assessment prepared by Bergwind Botanical Surveys and Tours dated October 2015).

5. No residential occupation must be allowed on the site until all services (potable water supply, effluent management, solid waste management, stormwater management and electricity) have been connected to the current service infrastructure and are operational.
6. The holder must undertake an environmental audit (once after installation of civil services has been completed and once after the construction of buildings has been completed) and submit it to the Competent Authority. The final Environmental Audit Report must be submitted to the Competent Authority (six months after residential occupation).

F. APPEALS

Appeals must comply with the provisions contained in Chapter 7 of the EIA Regulations, 2010.

1. An appellant must –
 - 1.1. submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
 - 1.1.1 If the appellant is an applicant, the appellant must provide each person and organ of state which was a registered I&AP in relation to the applicant's application, within 10 days of having submitted the notice with the Minister, with—
 - (a) a copy of the notice lodged with the Minister; and
 - (b) a notice indicating that the appeal submission will be made available on the day of lodging it with the Minister and where and for what period the appeal submission will be available for inspection by such person or organ of state.
 - 1.1.2 If the appellant is a person other than an applicant, the appellant must provide the applicant, within 10 days of having lodged the notice with the Minister, with—
 - (a) a copy of the notice lodged with the Minister; and
 - (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
 - 1.2. submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in Regulation 60(1), for the submission of the notice of intention to appeal;
 - 1.3. that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister; and
 - 1.4. if a respondent introduces any new information not dealt with in the appeal submission of the appellant, the appellant is entitled

to submit an answering statement to such new information to the Minister within 30 days of receipt of the responding statement.

2. A person, organ of state or applicant who submits a responding or answering statement in terms of Regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.

3. All notice of intention to appeal and appeal forms must be submitted in hard copy by means of one of the following methods:

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 Jaap de Villiers (Tel: 021-483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

PLEASE NOTE: NO appeal, responding and answering statement may be lodged by e-mail.

4. A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. HENRI FORTUIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

DATE OF DECISION: 29-2-16

Cc: (1) C. Cilliers (Withers Environmental Consultants)
(2) A. Oosthuizen (DEA&DP; DDF)
(3) R. Kuchar (Overstrand Municipality)

Fax: (021) 883 2952

E-mail: Andre.Oosthuizen@westerncape.gov.za

Fax: (028) 313 2093

FOR OFFICIAL USE ONLY:	
EIA REFERENCE NUMBER:	16/3/1/1/E2/10/2092/13
NEAS EIA REFERENCE NUMBER:	WCP/EIA/0001481/2013

ANNEXURE 1: REASONS FOR THE DECISION

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

- a) The information contained in the application form dated 30 September 2013 and the EMP submitted with the final BAR on 30 November 2015;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation and on Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of NEMA;
- e) The comments received from I&AP's and the responses provided thereon, as included in the final BAR, as received by this Department on 30 November 2015; and
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

This application was submitted in terms of the NEMA EIA Regulations, 2010, and was pending at the time of the promulgation of the EIA Regulations, 2014. In accordance with Regulation 53(3) of Government Notice No. R. 982, activities similarly listed in terms of the NEMA EIA Regulations 2014 may be authorised as if applied for.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation

The PPP undertaken for this Basic Assessment application included the following:

- An advertisement was placed in the local newspaper, the *Gansbaai Courant* on 5 December 2013;
- Background Information Documents were sent to all Interested and Affected Parties on 9 December 2013;
- A site notice was placed;
- The draft BAR was made available for a 40 day commenting period from from 10 December 2013 to 18 February 2014; and
- The final BAR was made available for a 30 day commenting period from 21 October 2015 until 20 November 2015.

Authority Consultation

The following authorities had no objection to the development:

- Department of Agriculture;
- Department of Transport and Public Works;
- Department of Health;
- Department of Environmental Affairs and Development Planning: Waste Management;
- Department of Forestry and Fisheries;
- CapeNature;
- Heritage Western Cape;
- Overstrand Municipality; and
- Breede-Gouritz Catchment Management Agency.

All the concerns raised by I&AP's were responded to and adequately addressed during the PPP. Specific management and mitigation measures have been considered in this environmental authorisation and in the EMP to adequately address the concerns raised.

The Department concurs with the Environmental Assessment Practitioner's responses to the issues raised during the PPP and has included appropriate conditions in this environmental authorisation.

2. Alternatives

Layout Alternative 1 (Herewith authorised)

This alternative has a total development footprint of approximately 16.60ha and comprises the following:

- Approximately 539 erven for formal houses;
- Two business precincts;
- Three erven for community facilities;
- Upgrade and provision of basic services (potable water supply, effluent management, solid waste management, stormwater management and electricity) for an existing informal residential development of approximately 100 erven located to the south-west of the site known as Beverly Hills, forming part of an UISP;
- 15 public open spaces; and
- Internal roads

Please refer to Annexure 2: Site Plan

This alternative was preferred for the following reasons:

- It provides for the conservation and protection of the White Milkwood trees (*Sideroxylon interme*) present on the site which is a Protected Tree Species under the National Forest Act (Act 84 of 1998), under Listing Notice 877 (22 November 2013). Furthermore, Western Cape Milkwood Forest, thickets of which are found on the site, is classified as an endangered vegetation ecosystem in Government Gazette No. 1002 of 9 December 2011, promulgated in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA").
- It addresses forward planning goals for the greater Gansbaai area and municipal planning documents (The Overstrand Spatial Development Framework, 2006 and the Overstrand Growth Management Strategy, 2010).

- It promotes integration of the Blompark residential area towards Gansbaai, and is within walking distance of the Gansbaai Central Business District ("CBD") where economic opportunities are present.
- It addresses the comments received by CapeNature by protecting the White Milkwood trees on the site.
- It includes an appropriate buffer area between the development and the Gansbaai WWTW as recommended in the Air Quality Impact Assessment dated April 2015 prepared by D. Dracoulides.

Layout Alternative 2

This alternative has a total development footprint of approximately 17.74ha and comprises the following:

- Approximately 528 erven for formal houses;
- one business precinct;
- Two erven for community facilities;
- 1 school;
- In situ upgrading/provision of the of basic services (potable water supply, effluent management, solid waste management, stormwater management and electricity) for the existing informal residential area located to the south-west of Blompark known as Beverly Hills, forming part of an UISP;
- 6 public open spaces; and
- Internal roads.

This alternative was not preferred for the following reasons:

- It does not address the planning goals for the greater Gansbaai area, promotes urban sprawl and is not consistent with the spatial integration objectives of the Gansbaai Municipality.
- Indirect costs such as municipal costs to service the site are higher than the preferred alternative, given the longer distance of connecting to municipal services.

No-go Option:

This alternative represents the current *status quo*, no formal housing development on a vacant property owned by the Overstrand municipality. This alternative was not preferred since it will not address the identified need for additional low-cost housing in the Gansbaai area, nor the current lack of infrastructure in the informal, unserviced settlement on the site.

1. Impact Assessment and Mitigation measures

1.1 Activity need and desirability

There is currently a need for additional low-cost housing in the Gansbaai area and the development will address this need. The development is located within the urban edge of Gansbaai and is in line with current municipal planning documents (the Overstrand Spatial Development Framework, 2006 and the Overstrand Growth Management Strategy, 2010) and will be able to readily connect with existing service infrastructure in the area.

1.2 Biophysical Impacts

The site is located immediately adjacent to an existing residential area, close to a Waste Water Treatment Works and incorporates a small existing unserviced informal settlement. No surface water occurs on or adjacent to the site.

The site mostly comprises Overberg Dune Strandveld vegetation which is classified as Least Threatened according to the 2011 National Spatial Biodiversity Assessment. Within the Strandveld habitat there are patches of Western Cape Milkwood Forest which is classified as an ordinary rare vegetation ecosystem. In Government Gazette (Sideroxylon inerme) is a Protected Tree Species under the National Forest Act (Act 84 of 1998), under Listing Notice 877 (22 November 2013). Protected Tree Species may not be cut, damaged or destroyed without a license from the Department of Agriculture, Fisheries and Forestry. White Milkwood trees are protected according to the Overberg District Municipality Tree Management Policy (28 September 2012). From an ecological perspective, the importance of protecting White Milkwood trees is that they are keystone species within the Western Cape Milkwood Forest, which is a climax vegetation type within dune systems which would take decades to recover from a major disturbance, and therefore protection of this species also promotes conservation at an ecosystem level".

The preferred alternative, hereby authorised, as contained in the Final Basic Assessment Report ("BAR") has been amended from the previous preferred layout that was presented in the Draft BAR to address the comments from CapeNature. It makes provision for a natural buffer area, open space areas and provides a biodiversity corridor linking from the coast inland to ensure that the White Milkwood trees are protected. CapeNature is in support of the revision of the preferred alternative.

The protection and maintenance of the White Milkwood trees was also addressed in the EMP and conditions 17 and 18 of this Environmental Authorisation.

1.3 Stormwater management

Stormwater management will be implemented according to the approved stormwater Master Plan for Gansbaai.

1.4 Health issues

The development is located in close proximity to the Gansbaai Waste Water Treatment Works ("WWTW"). An appropriate buffer area between the site and the Gansbaai WWTW was included in the preferred Alternative to ensure that the health of the new residents would not be impacted upon by the Gansbaai WWTW, as recommended in the Air Quality Assessment and Buffer Zone Determination Study. This buffer area was accepted by the Department of Health.

1.5 Heritage/Archeological Impacts

Heritage Western Cape requested in their letter dated 9 November 2015 that monitoring of vegetation clearing and bulk earthworks must be carried out during the construction phase and must form part of the EMP. Monitoring must be undertaken by an archaeologist, who must visit the site once all the vegetation has been cleared and removed and inspect the site once a week during excavations. This was addressed in the EMP which is accepted as part of this Environmental Authorisation.

The development will result in both negative and positive impacts.

Negative Impacts:

The development is located in close proximity to the Gansbaai WWTW with potential associated health impacts. Furthermore, the development will result in the clearance of indigenous vegetation. These impacts were however mitigated satisfactorily in the preferred layout alternative, the EMP and Conditions of this Environmental Authorisation.

Positive impacts:

The development will provide:

- Additional low-cost housing in the Gansbaai area;
- Services (potable water supply, effluent management, solid waste management, stormwater management and electricity) to the currently unserviced informal settlement of approximately 100 erven on the site;
- Protection of the White Milkwood trees present on the site; and
- Access to the Gansbaai CBD, where economic opportunities are present.

3. National Environmental Management Act Principles

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

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

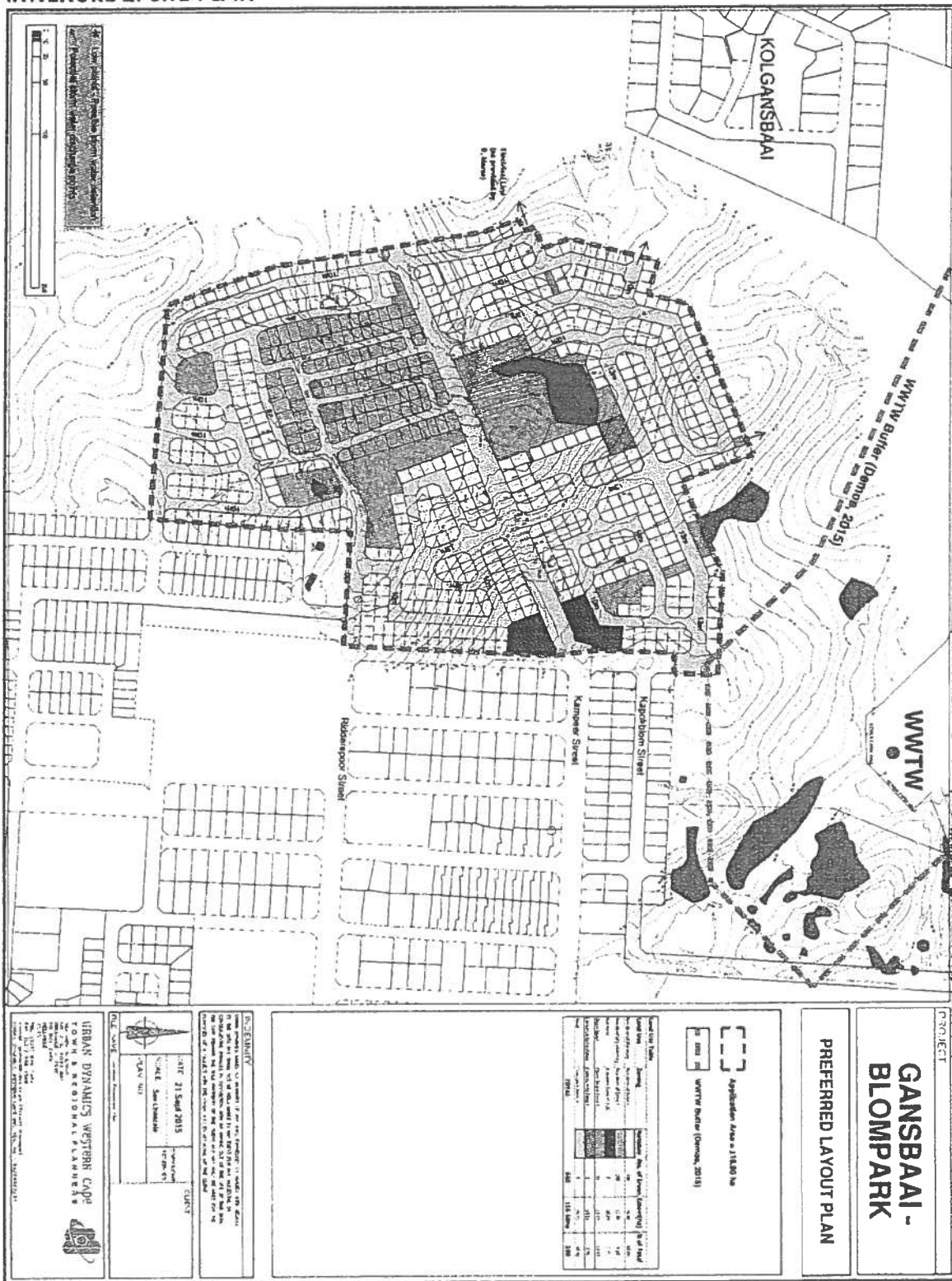
5. Conclusion

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, provided that the following is observed:

- Adherence to the NEMA principles,
- Compliance with the conditions stipulated in this environmental authorisation, and
- Compliance with the mitigation measures in the EMP.

-END-

ANNEXURE 2: SITE PLAN



PROJECT

GANSBAAI - BLOMPARK

PREFERRED LAYOUT PLAN

Application Area = 118,000 ha
 WWTW Buffer (Deming, 2015)

Category	Area (ha)	Percentage (%)
WWTW Buffer	118,000	100
Application Area	118,000	100

NOTES:
 1. This plan is a preferred layout plan and is not a final plan.
 2. The plan is subject to the approval of the relevant authorities.
 3. The plan is subject to the approval of the relevant authorities.

DATE: 21/08/2015
 CLIENT: [Name]
 PROJECT: [Name]

URBAN DYNAMICS WESTERN CAPE
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000