



**REFERENCE NUMBER:** 16/3/3/1/A2/19/3040/21  
**NEAS REFERENCE NUMBER:** WCP/EIA/0000962/2021  
**ENQUIRIES:** Ms. N. Wookey  
**DATE OF ISSUE:** 4 April 2022

The Municipal Manager  
City of Cape Town  
Transport and Urban Development Authority  
14th Floor Civic Centre  
Hertzog Boulevard  
**CAPE TOWN**  
8001

**For Attention: Mr. N. Slingers**

Tel: (021) 400 4735

Email: [neil.slingers@capetown.gov.za](mailto:neil.slingers@capetown.gov.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED INTEGRATED RAPID TRANSPORT PHASE 2A TRUNK ROUTE: PORTION E1, ALONG 3.5KM OF GOVAN MBEKI ROAD FROM THE HEINZ/OTTERY ROAD INTERSECTION TO APPROXIMATELY 130M EAST OF LINK ROAD, MANENBERG AND GUGULETHU.**

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 summarised hereunder.

Yours faithfully

**MS MARE-LIEZ OOSTHUIZEN**  
**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copies to: (1) Mr. A. Greenwood (City of Cape Town: ERM)  
(2) Ms. A. van Wyk (City of Cape Town: ERM)  
(3) Ms. C. Müller (Chand Environmental Consultants)  
  
(4) Mr. J. Hoal (Gibb (Pty) Ltd)

Email: [Andrew.Greenwood@capetown.gov.za](mailto:Andrew.Greenwood@capetown.gov.za)  
Email: [Azanne.vanWyk@capetown.gov.za](mailto:Azanne.vanWyk@capetown.gov.za)  
Email: [Claudette@chand.co.za](mailto:Claudette@chand.co.za)  
Email: [Sadia@chand.co.za](mailto:Sadia@chand.co.za)  
Email: [jhoal@gibb.co.za](mailto:jhoal@gibb.co.za)

---

## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED INTEGRATED RAPID TRANSPORT PHASE 2A TRUNK ROUTE: PORTION E1, ALONG 3.5KM OF GOVAN MBEKI ROAD FROM THE HEINZ/OTTERY ROAD INTERSECTION TO APPROXIMATELY 130M EAST OF LINK ROAD, MANENBERG AND GUGULETHU.**

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

### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Layout Alternative 3 (i.e. The Preferred Alternative), described in the Basic Assessment Report ("BAR"), dated November 2021.

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

The Municipal Manager  
c/o Mr Neil Slingsers  
City of Cape Town  
Transport and Urban Development Authority  
14th Floor Civic Centre  
Hertzog Boulevard  
**CAPE TOWN**  
8001

Tel: (021) 400 4735  
Email: [neil.slingsers@capetown.gov.za](mailto:neil.slingsers@capetown.gov.za)

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

## B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Activity / Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 19 Activity Description:</p> <p><i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i></p> <p><i>(a) will occur behind a development setback;</i></p> <p><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p><i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i></p> <p><i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p><i>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</i></p>	<p>The proposed development will entail the infilling or depositing of more than 10m<sup>3</sup> into, or the dredging, excavation, removal or moving of soil of more than 10m<sup>3</sup> from a watercourse (i.e. the Lotus Canal) and a wetland (located adjacent to the Edith Stephens Nature Reserve).</p>
<p>Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 12 Activity Description:</p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p><u><i>i. Western Cape</i></u></p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p>	<p>The proposed development will require the clearance of an area of 300 square meters or more of indigenous vegetation (i.e. Cape Flats Dune Strandveld and Cape Flats Sand Fynbos), which is classified as critically endangered and will occur on land zoned as open space.</p>

<p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>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;</p> <p>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</p> <p>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.</p> <p>Activity Number: 18 Activity Description:</p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><u>i. Western Cape</u></p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. All areas outside urban areas:</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>The proposed development will entail the widening of the existing road (i.e. Govan Mbeki) by more than 4 meters (i.e. up to 17m) on areas zoned for use as public open space.</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The abovementioned is 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 proposed development:

The authorised development entails the widening of Govan Mbeki Road from the Heinz/Ottery Road intersection to approximately 130m east of Link Road located between Manenberg and Gugulethu for the establishment of the IRT System (namely, Phase 2A Trunk Route: Portion E1). The widening of Govan Mbeki Road will take place along approximately 3.5km of the road and will comprise of the following:

- Dedicated bus lanes;
- Civil works and provision for the future development of bus stations
- A road shoulder;
- Landscaping and service infrastructure (installation of streetlights etc.);
- Sidewalks for pedestrians and cyclist use referred to as Non-Motorised Transport ("NMT -lanes"); and
- Associated infrastructure.
- Elevated road link at Govan Mbeki/Duinefontein Road intersection

Approximately 750m<sup>2</sup> of a wetland located along the fringe (and outside) of the Edith Stevens Nature Reserve will be infilled to accommodate the proposed development. In addition, portions of the proposed route are areas zoned and/or used for public open space. However, less than 1000m<sup>2</sup> of the public open space areas will be transformed. Although highly degraded, more than 300m<sup>2</sup> of Critically Endangered indigenous vegetation will be cleared as a result of the proposed development.

The existing Govan Mbeki Road is routed across the Lotus Canal. The proposed NMT-lanes will encroach into the Lotus Canal by between 3m and 6m at specific points along the route. Existing culverts located opposite the Edith Stephens Nature Reserve will be retained to support the development of the NMT-lanes.

Since a risk of flooding may occur at low points along the Lotus Canal and Govan Mbeki Road, a flood protection / retaining wall (approximately 250mm in width and a maximum height of approximately 2m) will be developed at low points along the southern embankment of the Lotus Canal. The flood protection / retaining wall will be incorporated into the existing channel profile of the Lotus Canal for the prevention of overtopping from the Lotus Canal onto Govan Mbeki Road. The proposed retaining wall is proposed along the section between Duinefontein Road and Vygekraal Road.

Two existing pedestrian bridges located across the Lotus Canal will be demolished and reconstructed in new positions along the canal, each with a supporting single central pier. The existing bridges will remain in use while the new bridges are constructed, whereafter they will be demolished.

A minor stormwater drainage system for the Govan Mbeki Road will be developed and will comprise of a system with a series of underground pipelines to convey stormwater runoff from the adjacent road into existing stormwater lines, or to catch pits and then to 375 mm diameter outlet pipes, which would discharge into the Lotus Canal.

The total development footprint will be approximately 177 131.67 m<sup>2</sup> in extent.

### C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place along Govan Mbeki Road from the intersection with Heinz/Ottery Road to approximately 130m east of Link Road, Manenberg and Gugulethu.

The 21-digit Surveyor General codes for the properties to be impacted are:

Erf 113568	C016000700113568000RE
Erf 24	C016004500000024000RE
Erf 39	C016004500000039000RE
Erf 39	C016004500000039000RE
Erf 40	C016004500000040000RE
Erf 41	C016004500000041000RE
Erf 410	C01600450000041000000
Erf 427	C01600450000042700000
Erf 433	C01600450000043300000
Erf 464	C01600450000046400000
Erf 469	C01600450000046900000
Erf 471	C01600450000047100000

Erf 474	C01600450000047400000
Erf 518	C01600450000051800000
Erf 11786	C01600640001178600000
Erf 11785	C01600640001178500000
Erf 12878	C016006400012878000RE
Erf 662	C01600450000066200000
Erf 604	C016000000000604000RE
Erf 3366	C016004500003366000RE
Erf 16699	C01600450001669900000
Erf 16701	C01600450001670100000
Erf 16710	C01600450001671000000
Erf 16715	C01600450001671500000
Erf 16715	C01600450001671500000
Erf 16716	C01600450001671600000
Erf 16681	C01600450001668100000
Erf 16682	C01600450001668200000
Erf 16683	C01600450001668300000
Erf 16683	C01600450001668300000
Erf 661	C01600450000066100000
Erf 15509	C01600220001550900000
Erf 15508	C01600220001550800000
Erf 15507	C01600220001550700000
Erf 15506	C01600220001550500000
Erf 15505	C01600220001550500000
Erf 15504	C01600220001550400000
Erf 15503	C01600220001550300000
Erf 15502	C01600220001550200000
Erf 15501	C01600220001550100000
Erf 15500	C01600220001550000000
Erf 15499	C01600220001549900000
Erf 15498	C01600220001549800000
Erf 15497	C01600220001549700000
Erf 15496	C01600220001549600000
Erf 15495	C01600220001549500000
Erf 15494	C01600220001549400000
Erf 15493	C01600220001549300000
Erf 15492	C01600220001549200000
Erf 15491	C01600220001549100000
Erf 15490	C01600220001549000000
Erf 15489	C01600220001548900000
Erf 15488	C01600220001548800000
Erf 15487	C01600220001548700000
Erf 15479	C01600220001547900000
Erf 15486	C01600220001548600000
Erf 15485	C01600220001548500000
Erf 15484	C01600220001548400000
Erf 15483	C01600220001548300000
Erf 15482	C01600220001548200000
Erf 15481	C01600220001548100000
Erf 15478	C01600220001547800000
Erf 15441	C01600220001544100000
Erf 15467	C01600220001546700000
Erf 15480	C01600220001548000000
Erf 15440	C01600220001544000000
Erf 15477	C01600220001547700000
Erf 15460	C01600220001546000000
Erf 15466	C01600220001546600000

Erf 15464	C01600220001546400000
Erf 15442	C01600220001544200000
Erf 15463	C01600220001546300000
Erf 15469	C01600220001546900000
Erf 15468	C01600220001546800000
Erf 15462	C01600220001546200000
Erf 15461	C01600220001546100000
Erf 15439	C01600220001543900000
Erf 15459	C01600220001545900000
Erf 15476	C01600220001547600000
Erf 15443	C01600220001544300000
Erf 15470	C01600220001547000000
Erf 15438	C01600220001543800000
Erf 15444	C01600220001544400000
Erf 15458	C01600220001545800000
Erf 15475	C01600220001547500000
Erf 15471	C01600220001547100000
Erf 15447	C01600220001544700000
Erf 15437	C01600220001543700000
Erf 15457	C01600220001545700000
Erf 15445	C01600220001544500000
Erf 15472	C01600220001547200000
Erf 15474	C01600220001547400000
Erf 15436	C01600220001543600000
Erf 15448	C01600220001544800000
Erf 15449	C01600220001544900000
Erf 15450	C01600220001545000000
Erf 15451	C01600220001545100000
Erf 15452	C01600220001545200000
Erf 15453	C01600220001545300000
Erf 15454	C01600220001545400000
15456 Erf	C01600220001545600000
Erf 15446	C01600220001544600000
Erf 15435	C01600220001543500000
Erf 15473	C01600220001547300000
Erf 15455	C01600220001545500000
Erf 15434	C01600220001543400000
Erf 15428	C01600220001542800000
Erf 15427	C01600220001542700000
Erf 15426	C01600220001542600000
Erf 15429	C01600220001542900000
Erf 15384	C01600220001538400000
Erf 15410	C01600220001541000000
Erf 15406	C01600220001540600000
Erf 15409	C01600220001540900000
Erf 15425	C01600220001542500000
Erf 15408	C01600220001540800000
Erf 15382	C01600220001538200000
Erf 15385	C01600220001538500000
Erf 15381	C01600220001538100000
Erf 15407	C01600220001540700000
Erf 15411	C01600220001541100000
Erf 15380	C01600220001538000000
Erf 15430	C01600220001543000000
Erf 15379	C01600220001537900000
Erf 15378	C01600220001537800000
Erf 15383	C01600220001538300000

Erf 15377	C01600220001537700000
Erf 15376	C01600220001537600000
Erf 15375	C01600220001537500000
Erf 15374	C01600220001537400000
Erf 15373	C01600220001537300000
Erf 15405	C01600220001540500000
Erf 15372	C01600220001537200000
Erf 15424	C01600220001542400000
Erf 15371	C01600220001537100000
Erf 15386	C01600220001538600000
Erf 15370	C01600220001537000000
Erf 15369	C01600220001536900000
Erf 15368	C01600220001536800000
Erf 15367	C01600220001536700000
Erf 15431	C01600220001543100000
Erf 15366	C01600220001536600000
Erf 15365	C01600220001536500000
Erf 15412	C01600220001541200000
Erf 15364	C01600220001536400000
Erf 15394	C01600220001539400000
Erf 15387	C01600220001538700000
Erf 15423	C01600220001542300000
Erf 15432	C01600220001543200000
Erf 15413	C01600220001541300000
Erf 15393	C01600220001539300000
Erf 15420	C01600220001542000000
Erf 15403	C01600220001540300000
Erf 15388	C01600220001538800000
Erf 15402	C01600220001540200000
Erf 15433	C01600220001543300000
Erf 15399	C01600220001539900000
Erf 15422	C01600220001542200000
Erf 15398	C01600220001539800000
Erf 15392	C01600220001539200000
Erf 15414	C01600220001541400000
Erf 15357	C01600220001535700000
Erf 15415	C01600220001541500000
Erf 15358	C01600220001535800000
Erf 15416	C01600220001541600000
Erf 15417	C01600220001541700000
Erf 15419	C01600220001541900000
Erf 15389	C01600220001538900000
Erf 15391	C01600220001539100000
Erf 15404	C01600220001540400000
Erf 15401	C01600220001540100000
Erf 15400	C01600220001540000000
Erf 15397	C01600220001539700000
Erf 15356	C01600220001535600000
Erf 15359	C01600220001535900000
Erf 15360	C01600220001536000000
Erf 15362	C01600220001536200000
Erf 15421	C01600220001542100000
Erf 15363	C01600220001536300000
Erf 15418	C01600220001541800000
Erf 15390	C01600220001539000000
Erf 15396	C01600220001539600000
Erf 15395	C01600220001539500000

Erf 15355	C01600220001535500000
Erf 15354	C01600220001535400000
Erf 15361	C01600220001536100000

The co-ordinates for the proposed route are:

Starting point	33° 59' 59.53" South	18° 32' 20.72" East
Middle point	34° 0' 7.12" South	18° 33' 27.03" East
End point	34° 0' 6.57" South	18° 34' 36.53" East

Refer to **Annexure 1**: Locality Plan, **Annexure 2**: Linear Activity Map and **Annexure 3**: Site Development Plan.

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

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

Chand Environmental Consultants  
 % Ms. Claudette Muller  
 P. O. Box 238  
**PLUMSTEAD**  
 7801

Tel: (021) 762 3050  
 Email: [Claudette@chand.co.za](mailto:Claudette@chand.co.za)  
[Sadia@chand.co.za](mailto:Sadia@chand.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 Layout Alternative 3 (i.e. the Preferred Alternative) described in Section B above and in the BAR dated November 2021 on the route as described in Section C above.
2. The holder must commence with, and conclude, the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- a) A period of ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
  - b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity during which period the authorised listed activity must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
  4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not,

the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written notice to the Competent Authority

5. A minimum of **seven (7)** calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activity.
  - 5.1. The notice must make clear reference to the route details and EIA Reference number given above.
  - 5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 10, 15 and 16.

### Notification and administration of appeal

6. The holder must in writing, within **fourteen (14)** calendar days of the date of this decision–
  - 6.1. Notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1. the outcome of the application;
    - 6.1.2. the reasons for the decision as included in Section H;
    - 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 F below;
  - 6.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
  - 6.4. Provide the registered I&APs with:
    - 6.4.1. The name of the holder (entity) of this amended Environmental Authorisation;
    - 6.4.2. The name of the responsible person for this amended Environmental Authorisation;
    - 6.4.3. The postal address of the holder;
    - 6.4.4. The telephonic and fax details of the holder;
    - 6.4.5. The e-mail address, if any, of the holder; and
    - 6.4.6. The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
7. The listed activities, including site preparation, must not commence within twenty (20) calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

### Management of activity

8. The Final Environmental Management Programme ("EMPr") (compiled by Chand Environmental Consultants and dated November 2021) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.

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

### **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any land clearing or development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
  - 10.1. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site office of the authorised activity during the development activities thereafter it must be kept at the office of the holder, and must be made available to any authorised person on request.
  - 10.2. Access to the route referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

11. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
  - 11.1. The holder must undertake an environmental audit within three (3) months of the commencement of the listed activities and submit an Environmental Audit Report to the Competent Authority one (1) month after the completion of undertaking the environmental audit.
  - 11.2. Thereafter, the holder must undertake an environmental audit every two (2) years during the construction period and submit the Environmental Audit Reports to the Competent Authority one (1) month after the completion of undertaking each of the environmental audits.
  - 11.3. A final Environmental Audit Report must be submitted to the Competent Authority one (1) month after the completion of the development/construction activities.
  - 11.4. The holder must, within seven (7) days of the submission of the reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to any I&APs upon request.

### **Specific Conditions**

12. Should any heritage resources be discovered during the execution of the activities above, all works must be stopped immediately and the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape must be notified without delay. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil bones and fossil shells); coins; indigenous and/ or colonial ceramics; any articles of value or antiquity; 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.

13. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated building rubble generated on the premises can be used as back-filling material along the route. No refuse or rubble generated on the premises may, however, be placed, dumped or deposited in watercourse areas.
14. Surface, storm or ground water must not be polluted due to any actions along the route. The applicable requirements with respect to relevant legislation pertaining to water must be met.
15. A search and rescue operation must be undertaken by a suitably qualified person prior to commencement of clearance activities, specifically to identify any Species of Conservation Concern, particularly *Isoetes capensis*. All translocation activities for identified species (if required) must be done in consultation with CapeNature. The results of the search and rescue must be reported on in the Environmental Audit Report to be submitted to the Competent Authority in terms of Condition 11.1 above.
16. The “no-go areas” identified by the botanical specialist must be demarcated prior to any clearance activities and must remain visible throughout the development phase.
17. The recommendations of the Botanical Assessment (compiled by NCC Environmental Services (Pty) Ltd and dated 5 May 2021), as included in the EMPr, must be implemented.
18. The recommendations of the Freshwater Impact Assessment (compiled by BlueScience and dated July 2021), as included in the EMPr, must be implemented.
19. A copy of the approved Stormwater Management Plan must be provided to this Department for record-keeping purposes within six months of the approval of the Stormwater Management Plan by the relevant authority.
20. Dust suppression measures must be used to mitigate dust during the construction phase. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and / or straw stabilization, etc.) must be investigated and implemented instead.
21. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

## **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. An application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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

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

Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the NEMA EIA Regulations, 2014 (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 20 (twenty) 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 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal form/s must be submitted by means of one of the following methods:

By post:           Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
**CAPE TOWN**  
8000

By facsimile: (021) 483 4174; or

By hand:           Attention: Mr M. Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building  
1 Dorp Street  
**CAPE TOWN**  
8001

By e-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto: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 Addendum to the 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

---

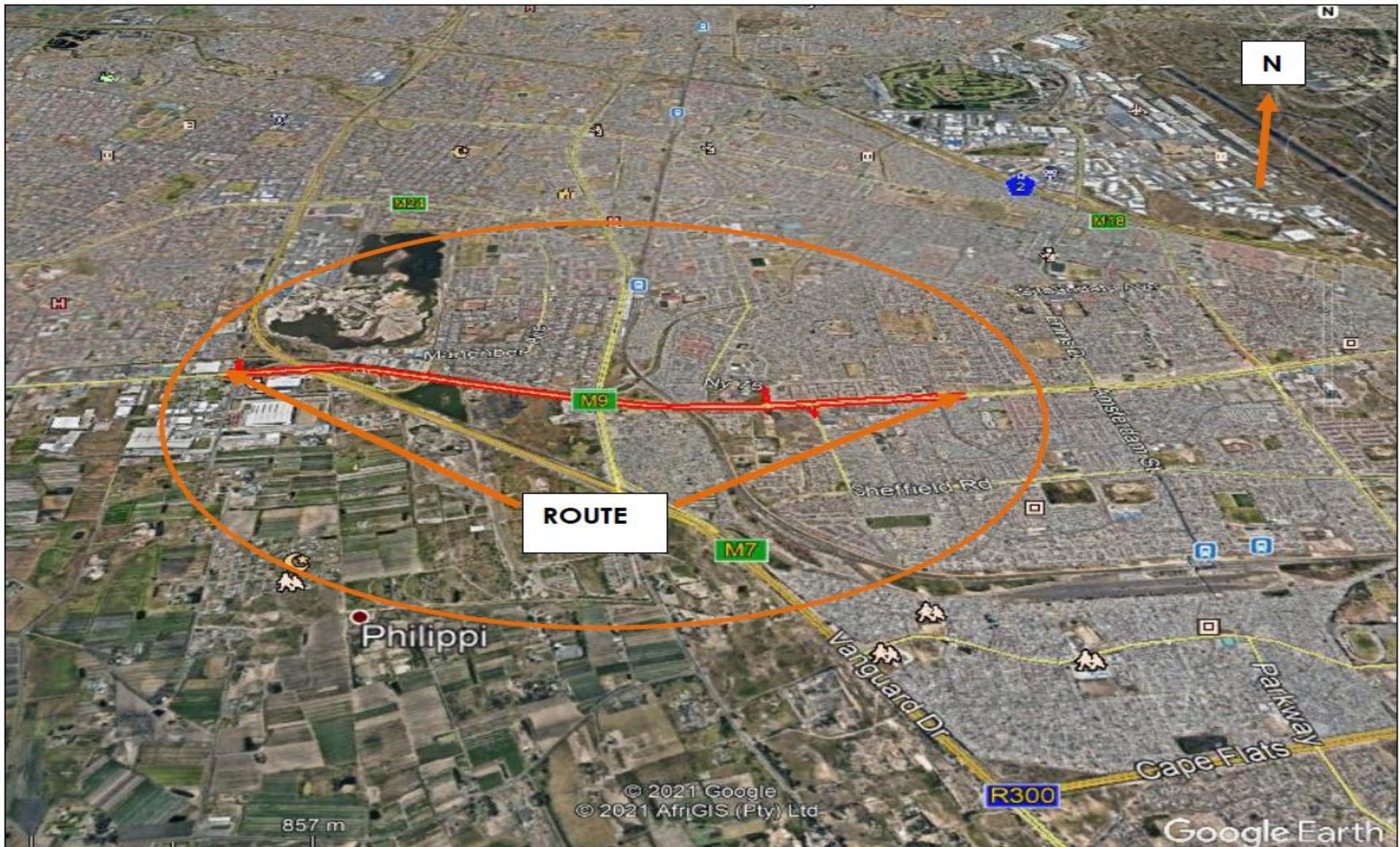
**MS. MARE-LIEZ OOSTHUIZEN**  
**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DATE OF DECISION: 4 APRIL 2022**

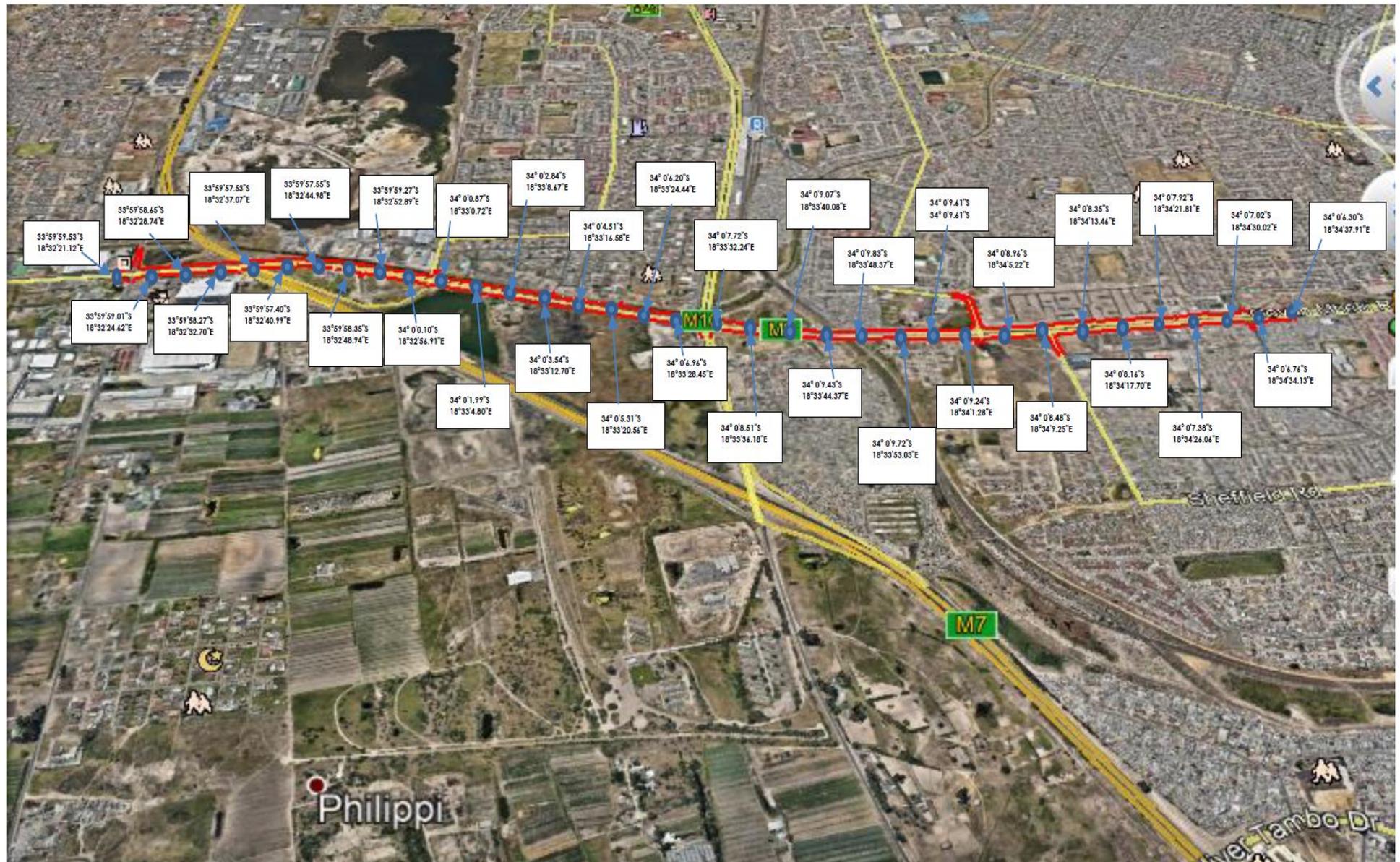
Copies to: (1) Mr. A. Greenwood (City of Cape Town: ERM)  
(2) Ms. A. van Wyk (City of Cape Town: ERM)  
(3) Ms. C. Müller (Chand Environmental Consultants)  
(4) Mr. J. Hoal (Gibb (Pty) Ltd)

Email: [Andrew.Greenwood@capetown.gov.za](mailto:Andrew.Greenwood@capetown.gov.za)  
Email: [Azanne.vanWyk@capetown.gov.za](mailto:Azanne.vanWyk@capetown.gov.za)  
Email: [Claudette@chand.co.za](mailto:Claudette@chand.co.za)  
Email: [Sadia@chand.co.za](mailto:Sadia@chand.co.za)  
Email: [jhoal@gibb.co.za](mailto:jhoal@gibb.co.za)

# ANNEXURE 1: LOCALITY PLAN



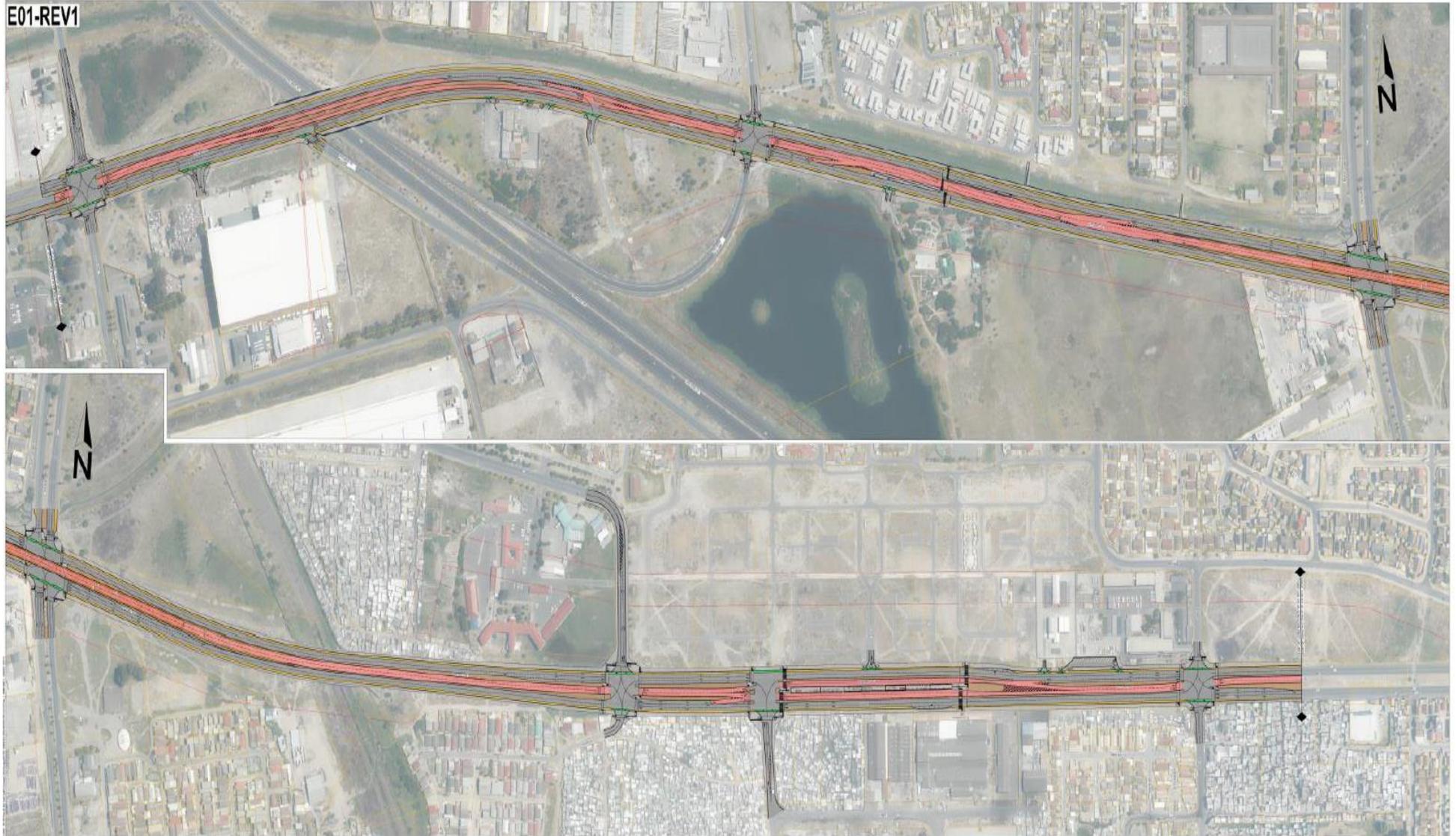
## ANNEXURE 2: MAP WITH GPS CO-ORDINATES FOR LINEAR ACTIVITIES



### ANNEXURE 3: SITE DEVELOPMENT PLAN

Site plan of the proposed development.

E01-REV1



### ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated and received by the Competent Authority on 24 August 2021, the BAR dated November 2021 and received by the Competent Authority on 24 November 2021, the EMPr submitted together with the BAR received by the Competent Authority on 24 November 2021 and the additional information received by the Competent Authority on 11 March 2022;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from interested and affected parties and the responses to these, included in the BAR dated November 2021;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visits were conducted, the Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

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

#### 1. Public Participation

The public participation process was undertaken in accordance with an approved Public Participation Plan (approved on 21 January 2021) and entailed the following:

- Identification of and engagement with I&APs;
- Pre-application meetings with relevant state departments and various Focus Group Meetings with various state departments and key stakeholder groups were undertaken in 2018 and 2019;
- Fixing six (6) notice boards at the start, middle and end points along the proposed route where the listed activities are to be undertaken on 26 August 2021;
- The placement of posters at a bridge along Vanguard Drive, the South African Police Station, Philippi, the Lansdowne Testing Station, the Lansdowne clinic, local spaza shops, a bus stop on Govan Mbeki to Gugulethu and Wynberg, Nyanga Junction Mall and at various other local businesses;
- The use of pamphlets for further community notifications provided on 26 August 2021;
- The placing of a newspaper advertisement in the 'Cape Times' on 26 August 2021, the 'City Vision' on 26 August 2021 and the 'Peoples Post' on 31 August 2021;
- Making the draft BAR available to I&APs for public review from 27 August 2021 to 01 October 2021;
- Giving written notice to the owners and occupiers of land adjacent to the route where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 26 August 2021;
- A "knock-and-drop" exercise of a notification letter to businesses and formal institutions adjacent to the road on 26 August 2021; and
- Availability of the draft BAR on the Environmental Assessment Practitioner's website for public review.

Concerns with regards to the importance, sensitivity and protection of the Edith Stephens Nature Reserve were raised by Cape Nature and the City of Cape Town in their comment dated 04 October 2021 and 30 September 2021, respectively. The importance of appropriate stormwater design and management to adequately divert surface runoff from the proposed development away from the Edith

Stephens Nature Reserve was also highlighted. Matters relating to whether the need for biodiversity and wetland offsets were discussed and clarified with the provision of specialist confirmation from a botanical perspective and freshwater perspective. The botanical specialist has deemed the nature of the proposed route to be degraded and transformed with little ecological significance. However, Layout Alternative 3 (i.e. the Preferred Alternative) has been selected to ensure a reduced impact with less encroachment on the remnant environmental sensitivities along the proposed route in consideration of the wetland areas and watercourse adjacent to the proposed route, both on its southern and northern boundary, respectively. Due consideration of environmentally sensitive areas has been included in the design, where the development footprint is tapered in sensitive areas to reduce encroachment impacts / edge effects on the sensitive areas. Some heritage concerns from the local authority, i.e., City of Cape Town, with respect to the loss of trees have been satisfied by the proposed replanting of trees as part of the landscape plan.

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

## 2. Alternatives

Three layout alternatives and the “no-go” alternative were assessed as follows:

### Layout Alternative 1

Layout Alternative 1 was the initial alternative and entailed the expansion of Govan Mbeki Road to accommodate the establishment of the Integrated Rapid Transport (“IRT”) system along Govan Mbeki Road from the Heinz/Ottery Road intersection to approximately 130m east of Link Road, Manenberg and Gugulethu. The proposed expansion of Govan Mbeki Road would have been approximately 15m wide on either side of the existing road for a length of approximately 3.5km.

Although Layout Alternative 1 was preferred from an engineering / technical perspective for road geometry purposes, Layout Alternative 1 was not deemed favourable from an environmental perspective since the optimum development footprint would lead to significant and unacceptable impacts on ecologically sensitive areas such as the Edith Stephens Nature Reserve and wetlands located along the route. Layout Alternative 1 was therefore not deemed as the preferred alternative.

### Layout Alternative 2

Layout Alternative 2 entailed the same proposed development as described in Layout Alternative 1, except for the fact that Layout Alternative 2 was based on a narrower design. Although the narrower design resulted in a smaller development footprint and took cognisance of the botanical and freshwater constraints along the route of the development, it was not deemed the preferred alternative from an engineering perspective. The optimal road design required for the proposed IRT system was not incorporated into Layout Alternative 1.

### Layout Alternative 3 (The Preferred Alternative - herewith authorised)

Layout Alternative 3 (i.e., the Preferred Alternative) entails the widening of Govan Mbeki Road from the Heinz/Ottery Road intersection to approximately 130m east of Link Road located between Manenberg and Gugulethu for establishment of the IRT System (namely, Phase 2A Trunk Route: Portion E1).

The widening of Govan Mbeki Road will be approximately 3.5km in length and will comprise of the following:

- Dedicated bus lanes;

- Civil works and provision for the future development of bus stations
- A road shoulder;
- Landscaping and service infrastructure (installation of streetlights etc.);
- Sidewalks for pedestrians and cyclist use referred to as Non-Motorised Transport ("NMT -lanes"); and
- Associated infrastructure.
- Elevated road link at Govan Mbeki/Duinefontein Road intersection

Approximately 750m<sup>2</sup> of a wetland located along the fringe (and outside) of the Edith Stevens Nature Reserve will be infilled to accommodate the proposed development. Portions of the proposed route are areas zoned and/or used for public open space. However, less than 1000m<sup>2</sup> of the public open space areas will be transformed. Although highly degraded, more than 300m<sup>2</sup> of Critically Endangered indigenous vegetation will be cleared as a result of the proposed development.

The existing Govan Mbeki Road is routed across the Lotus Canal. The proposed NMT-lanes will encroach into the Lotus Canal by between 3m and 6m at specific points along the route. Existing culverts located opposite the Edith Stephens Nature Reserve will be retained to support the development of the NMT-lanes.

Since a risk of flooding may occur at low points along the Lotus Canal and Govan Mbeki Road, a flood protection / retaining wall (approximately 250mm in width and a maximum height of approximately 2m) will be developed at low points along the southern embankment of the Lotus Canal. The flood protection / retaining wall will be incorporated into the existing channel profile of the Lotus Canal for the prevention of overtopping from the Lotus Canal onto Govan Mbeki Road. The proposed retaining wall is proposed along the section between Duinefontein Road and Vygekraal Road.

Two existing pedestrian bridges located across the Lotus Canal will be demolished and reconstructed in new positions along the canal, each with a supporting single central pier. The existing bridges will remain in use while the new bridges are constructed, whereafter they will be demolished.

A minor stormwater drainage system for the Govan Mbeki Road will be developed and will comprise of a system with a series of underground pipelines to convey stormwater runoff from the adjacent road into existing stormwater lines, or to catch pits and then to 375 mm diameter outlet pipes, which would discharge into the Lotus Canal.

The total development footprint will be approximately 177 131.67 m<sup>2</sup> in extent.

Layout Alternative 3 incorporates the details of the site-specific requirements from an engineering perspective and incorporates the recommendations of the botanical and freshwater specialists. Layout Alternative 3 further incorporates the recommendations from interested and affected parties with respect to potential encroachments on other planned developments along the proposed route. It also avoids ecologically sensitive areas such as the Edith Stephens Nature Reserve and an area which is earmarked as a buffer zone / ecological support area for a Critical Biodiversity Area. Layout Alternative 3 was therefore deemed the preferred alternative.

#### "No-Go" Alternative

The "No-Go" alternative entails the "status quo", i.e., not developing the proposed route for improved transport and public service delivery purposes. Since Layout Alternative 3 (i.e., the Preferred Alternative) will not result in unacceptable environmental impacts and in consideration of the demonstration of the application of the Section 2 NEMA principles and implementation of the mitigation hierarchy, the "No-Go" alternative was not preferred.

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

#### 3.1. Activity Need and Desirability

The proposed widening of Govan Mbeki Road forms part of the IRT System, which is a public transport system aimed at providing safe, reliable, fast and scheduled transport services. The IRT System is being implemented in phases. The proposed development forms part of the Phase 2A Trunk Route: Portion E1 implementation, which is intended to operate along the Lansdowne-Wetton Corridor. The urban nature of the proposed development is deemed to be aligned with the Provincial Spatial Development Framework, Municipal Spatial Development Framework and other planning policies applicable to the area. The potential employment factor for the local community provides a positive impact and is advantageous to the desirability of the proposed development as access to the employment market and development nodes will be readily available. The proposed development is considered a response to the increasing traffic congestion aspects within the urban metropolitan area.

### 3.2. Agricultural Impacts

According to the Screening Report (dated 17 June 2021), the proposed route is deemed to be located within a very high sensitivity area from an agricultural perspective. However, this sensitivity rating has been adjusted to a very low sensitivity rating based on the fact that the proposed route is within an urban area, is along an existing roadway and within the road reserve. The proposed development is not within an area earmarked for agricultural purposes.

### 3.3. Freshwater Impacts

A Freshwater Impact Assessment (compiled by BlueScience and dated July 2021) was undertaken to determine the potential freshwater impacts associated with the proposed development. Five wetland areas were identified along the proposed route. The wetland types were identified as permanently to seasonally inundated reed depression wetlands (i.e. wetlands 3 and 5), seasonally inundated wetlands (i.e. wetlands 1 and 2) and the Edith Stevens Nature Reserve, which contains permanently and seasonally inundated wetlands (i.e. wetland 4). The Present Ecological Status ("PES") of each wetland type were assessed by the specialist. Wetlands 1 – 3 and 5 scored a PES category E, which indicates that these wetlands are seriously modified. Wetland 4 was scored a PES category C, which indicates that the wetland is moderately modified. The Ecological Importance and Sensitivity ("EIS") of the wetland types were also assessed by the specialist. The specialist indicated that the EIS category for wetlands 3 and 5 were deemed low/marginal, wetlands 1 and 2 were deemed low and wetland 4 was deemed high.

Approximately 750m<sup>2</sup> of the wetland located adjacent to the Edith Stevens Nature Reserve (indicated as wetland 4 in the specialist report) will be lost as a result of the proposed development. The specialist indicated that the portion of the wetland proposed to be partially infilled is highly degraded and largely artificial in nature. The potential impacts associated with the loss of a portion of the wetland is of very low negative significance post mitigation.

The full development alternative (i.e. Alternative 1) will have an impact of higher significance on the loss of the wetland when compared to Alternative 3. Alternative 3 was therefore deemed the preferred option from a freshwater perspective. The specialist further recommended that should Alternative 3 be applied for, an application for a General Authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998) would be appropriate. Correspondence from the specialist (dated 15 April 2021) re-iterated that the final extent of the proposed development will not result in any significant loss of aquatic habitat and thus no wetland offset is deemed to be required.

The Department of Water and Sanitation confirmed (in their comment dated 08 February 2018) that a General Authorisation must be applied for. The Department of Water and Sanitation has further confirmed (in their correspondence dated 30 August 2021) that a General Authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998) has been applied for.

Although CapeNature indicated (in their comment dated 04 October 2021) that a wetland offset should be considered, due to the fact that wetland 4 is located within the road reserve adjacent to the Edith Stevens Nature Reserve and that the partial infilling of wetland 4 is anticipated to be

of low negative significance post mitigation, a wetland offset is not required. The mitigation measures recommended by the specialist has been included as a condition set in this Environmental Authorisation and is included in the EMPr.

### 3.4. Botanical Impacts

According to the Screening Report (dated 17 June 2021), the proposed route is deemed to be located within a very high sensitivity area from a terrestrial biodiversity perspective and a high sensitivity area from a plant species perspective. A Botanical Impact Assessment Report (compiled by NCC Environmental Services (Pty) Ltd and dated 05 May 2021) was undertaken to determine the potential botanical impacts associated with the proposed development.

Three sections along the proposed route were identified and mapped by the specialist. An area mapped as Critical Biodiversity Area was labelled 'A', the Edith Stevens Nature Reserve was labelled 'B' and other natural vegetation was labelled 'C'. The remnant indigenous vegetation located along the proposed route is mapped to be Cape Flats Sand Fynbos, Cape Flats Dune Strandveld and Cape Lowlands Freshwater Wetlands, which is classified as Critically Endangered and Endangered, respectively, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – National List of Ecosystems that are Threatened and in Need of Protection, 2011. The proposed route is not mapped to be located within the City of Cape Town's Biodiversity Network. The specialist indicated that the current ecological value of the site lies only in it providing some form of vegetation to act as a slight buffer zone to the neighbouring protected area, namely the Edith Stephens Wetland Park, situated to the south east.

The botanical specialist indicated that although the Screening Report indicates that the proposed route is located within a very high sensitivity area from a terrestrial biodiversity perspective and a high sensitivity area from a plant species perspective, the indigenous vegetation contained within the proposed development footprint of Layout Alternative 3 (referred to as Design 2) (i.e. the Preferred Alternative) is degraded and transformed in nature. Therefore, the botanical specialist deems the proposed route sensitivity as low from a botanical perspective. Sporadic indigenous vegetation was located across the proposed route. Mature trees within the sidewalk / pavement areas were also identified by the specialist.

The potential botanical impacts associated with the area identified as a Critical Biodiversity Area, Cape Lowlands Freshwater Wetlands and other natural vegetation were deemed to be of low negative significance as the indigenous vegetation to be lost is of low sensitivity and largely transformed. Mitigation measures to reduce the potential botanical impacts have been provided by the specialist and have been included in this Environmental Authorisation and in the EMPr. Layout Alternative 3 (i.e. Design 2) was deemed the preferred alternative from a botanical perspective.

The City of Cape Town indicated (in their correspondence dated 30 September 2021) that they do not object to the proposed development and Layout Alternative 3 is supported from a biodiversity perspective. CapeNature requested confirmation of whether *Isoetes capensis* will be directly impacted on by the proposed development (in their comment dated 04 October 2021.) In addition, they requested that translocation of these plants, should it be required, must be undertaken in consultation with them. CapeNature further indicated that a follow-up botanical survey should be conducted in the correct season for the adequate determination of whether Species of Conservation Concern occur on the site and whether a biodiversity offset, wetland offset or financial offset will be required in light of the potential impact of the proposed development.

The botanical specialist confirmed that the likelihood of Species of Conservation Concern occurring along the proposed route is low. It was motivated that the fact that the botanical survey was conducted out of season, does not constitute an unacceptable limitation to the botanical study, based on the condition of the proposed site. While suitable habitat conditions for the occurrence of *Isoetes capensis* occur in the vicinity of the proposed site, no such suitable areas

remain within the proposed site. However, the precautionary approach is being implemented through a search and rescue operation to be undertaken prior to site clearance activities, as well as consultation with CapeNature regarding the potential translocation of species. This has been included in the Environmental Management Programme (dated November 2021)

The botanical specialist confirmed that a biodiversity offset is not deemed necessary in this instance, based on the nature of the proposed route, which is transformed and degraded, and the extent of Layout Alternative 3 (i.e., the Preferred Alternative).

### 3.5. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC (in their comment dated 19 October 2016) stated that since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required. HWC further confirmed on 01 October 2021, that their comment dated 19 October 2016 remains applicable.

### 3.6. Stormwater considerations

A Stormwater Management Plan (compiled by Gibb and dated 09 April 2021) details the required stormwater management infrastructure for the appropriate management of stormwater runoff along the proposed route. An array of site development plans and engineering drawings that detail the proposed stormwater infrastructure, which considered concerns raised by key stakeholders, have been included. An important aspect relating to the diversion of stormwater runoff away from the Edith Stephens Nature Reserve for the protection of the wetlands has been noted and included in the design (i.e. sloping of roadway).

In addition, the Stormwater Management Plan will be subjected to approval by the relevant local authority in consideration of *inter alia*, environmental sensitivities, stormwater management policies and the relevant management infrastructure required.

### 3.7. Socio-Economic Impacts

Some informal structures have been placed within a specific area along the route of the proposed development, but within the existing road reserve. These structures may need to be moved in order for the proposed development to occur within this portion of the preferred alternative. To limit the potential social impacts associated with the proposed development, the City of Cape Town will engage with the relevant community using the relevant internal protocols in this regard.

The overall socio-economic impact of the proposed development is low positive as the proposed development will provide a safer and more reliable form of public transport to communities in the surrounding areas.

### 3.8. Visual Impacts

It is expected that an overall positive visual impact will result along the portion of Govan Mbeki road as a result of the proposed development. However, temporary negative impacts as a result of construction activities along the proposed route are proposed to be mitigated with the use of the relevant screening measures and good housekeeping. Mitigation measures with respect to concerns raised regarding the potential impacts on the Edith Stephens Nature Reserve has also been addressed as part of the recommendations on appropriate site and street lighting. Existing trees along the route will need to be transplanted and will be undertaken in accordance with a landscape plan. Several mitigation measures have been included in the EMP (dated November 2021) and are deemed appropriate for effective visual impact mitigation.

### 3.9. Traffic impacts

Potential traffic impacts are anticipated during the development phase of the proposed development. Mitigation measures to reduce the significance of the potential traffic impacts have been included in the EMPr. The proposed development has been designed to encourage to use of public transport and is therefore anticipated to alleviate traffic congestion during the operational phase. The Western Cape Government Department of Transport and Public Works indicated (in their comment dated 09 October 2021) that they have no objection to the proposed development and that further comment will be provided to the Local Authority in this regard.

### 3.10. Dust and Noise Impacts

Potential dust and noise impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr (dated November 2021), which includes those mitigation measures recommended by this Department's Directorate: Air Quality Management.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential visual impacts associated with development phase;
- Potential traffic impacts associated with development phase;
- The loss of remnant indigenous vegetation;
- The partial loss of wetland area;
- Some disturbance to the Lotus Canal;
- Potential contamination of surface water; and
- Potential dust and noise impacts during the construction phase.

Positive impacts include:

- The provision of public transport, improved accessibility and traffic conditions;
- The reduction in emissions of greenhouse gases;
- Visual improvements to the current infrastructure;
- Improved stormwater management;
- Upgrades to the City of Cape Town's transport network;
- Some employment opportunities during construction phase of the proposed development; and
- Improved public safety.

## **National Environmental Management Act Principles**

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

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

## Conclusion

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

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

-----END-----