



REFERENCE NUMBER: 16/3/3/1/A3/57/2031/23
NEAS REFERENCE NUMBER: WCP/EIA/0001317/2023
DATE OF ISSUE: **08 MARCH 2024**

The Director
Rhinos Asset Holdings (Pty) Ltd.
290 Anthony Street
NEULANDS
0049

For Attention: Mr. D. Nellmapius

Tel: (021) 204 7942
Email: derek@rhinosacademy.com

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE HIGH-PERFORMANCE SPORT CENTRE, SPORTS ACADEMY AND ASSOCIATED INFRASTRUCTURE ON PORTION 28 (A PORTION OF PORTION 15) AND PORTION 63 (A PORTION OF PORTION 25) OF FARM GUSTROUW NO. 918, STRAND.

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

Yours faithfully

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

Copies to: (1) Ms. A. van Wyk (City of Cape Town: ERM)
(2) Ms. H. Groenewald (Guillaume Nel Environmental Consultants)
(3) Ms. C. Becker (Guillaume Nel Environmental Consultants)

Email: Azanne.vanwyk@capetown.gov.za
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REFERENCE NUMBER: 16/3/3/1/A3/57/2031/23

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 HIGH-PERFORMANCE SPORT CENTRE, SPORTS ACADEMY AND ASSOCIATED INFRASTRUCTURE ON PORTION 28 (A PORTION OF PORTION 15) AND PORTION 63 (A PORTION OF PORTION 25) OF FARM GUSTROUW NO. 918, STRAND.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR") received on 02 November 2023.

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

Rhinos Asset Holdings (Pty) Ltd.
% Mr. D. Nellmapius
290 Anthony Street
NEWLANDS
0049

Tel: (021) 204 7942
Email: derek@rhinosacademy.com

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
Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended): Activity Number: 9 Activity Description: <i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i> (i) <i>with an internal diameter of 0,36 metres or more; or</i> (ii) <i>with a peak throughput of 120 litres per second or more;</i> <i>excluding where—</i> (a) <i>such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i> (b) <i>where such development will occur within an urban area.</i>	The proposed development includes the development of either a 200mm diameter or 500mm diameter water supply pipeline for the bulk transportation of water from either the proposed regional water main in Sir Lowry's Pass Road or the existing water main approximately 1100 meters west of the proposed site, respectively. The proposed pipeline route is located outside an urban area. Additionally, the proposed development will result in the development of a 900mm diameter stormwater pipeline approximately 1200 meters in length for the bulk transportation of stormwater from the proposed site to the proposed regional stormwater attenuation pond.
Activity Number: 28 Activity Description: <i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i> (i) <i>will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i> (ii) <i>will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i> <i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i>	The proposed development is proposed on land currently used for equestrian purposes, outside an urban area on a site greater than 1 hectares in extent.
Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended): Activity Number: 4 Activity Description: <i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i> <u><i>i. Western Cape</i></u> i. <i>Areas zoned for use as public open space or equivalent zoning;</i> ii. <i>Areas outside urban areas;</i> (aa) <i>Areas containing indigenous vegetation;</i>	The proposed development will result in the development of internal roads ranging between 4 – 7 meters in width on areas containing indigenous vegetation outside an urban area.

Listed Activity	Activity / Project Description
(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.	
Activity Number: 6 Activity Description: The development of resorts, lodges, hotels, tourism or hospitality facilities that sleeps 15 people or more. <u>i. Western Cape</u> i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas; (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - excluding the conversion of existing buildings where the development footprint will not be increased.	The proposed development will result in the development of accommodation facilities that may sleep 15 or more people in approximately 2.5km from a World Heritage Site (i.e. Cape Floral Region Protected Areas proclaimed 30 January 2009).

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 development of a high-performance sports centre and associated infrastructure on Portion 28 (a portion of Portion 15) and Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand. The proposed development will include the following components:

- A high-performance centre and associated infrastructure
 - A high-performance centre;
 -
 - A sport medical centre (located adjacent to the high-performance centre);
 - A clubhouse (located along the eastern boundary of Field A);

- Athlete accommodation (The accommodation will comprise of prefabricated living units/pods in two locations on the site. Each cluster will comprise of eight living pods (each double-storey in height) designed around a central courtyard. A cluster of four accommodation facilities will be located along the northern boundary of the proposed site and a cluster of three accommodation facilities located along the eastern boundary of the site. Each pod is designed to accommodate approximately 5 people, therefore approximately accommodating 280 persons at maximum capacity);
- Training Fields (Field A will be located adjacent to the high-performance centre between Fields B and C. Field B is proposed to be located northeast of Field A. Field C is proposed to be located southwest of Field A. Floodlights approximately 15m in height is proposed around training Fields A, B and C.);
- Two smaller grass training fields, a skills development workshop and associated administrative buildings and a parking area will be developed on Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand. A portion of the parking area will be covered parking and will contain solar photovoltaic panels for the generation of electricity; and
- A 5m high pre-cast stepped barrier wall approximately 213 meters in length will be located along the eastern boundary of Portion 28 (a portion of Portion 15) of the Farm Gustrouw No. 918 for noise and visual breaks to mitigate against impacts on sensitive receptors located at Monkey Town. The development of the noise / visual break wall will be developed prior to the commencement of bulk earth works associated with the development of Field C and in accordance with the construction methodology (dated 18 October 2023).

- Services

- Wastewater Treatment

Existing capacity constraints at the Macassar Wastewater Treatment Works necessitate upgrades to be completed prior to the servicing of the proposed development. As an interim measure, an on-site package sewerage treatment package plant with a capacity of approximately 120kl/day will be developed adjacent to the parking area, equipped with an emergency overflow into the existing municipal system located in Mondeor Road. The emergency pipeline connection to the existing sewer line in Mondeor Road will require the development of a 160mm diameter pipeline.

The treated effluent will be discharged into an irrigation pond with a storage capacity of approximately 178m³ located on the southwest corner of the site from where treated effluent will be utilised for the irrigation of landscaped areas throughout the proposed development. The irrigation pond will comprise storage capacity of 48 hours. In the instance of excess treated effluent beyond irrigation and storage capacity, the treated effluent will undergo further polishing via a reedbed system prior to discharge into the regional stormwater attenuation facility to be developed, when required.

- Stormwater

An on-site stormwater attenuation facility is proposed on the southwestern corner of the site in which site run-off will drain into via a piped stormwater network. The stormwater attenuation pond is proposed with a storage capacity of 2 145.0m³ with overflow connections into the proposed regional stormwater network. A connection into the local stormwater network will be made via two 600mm diameter pipelines proposed to be installed from the on-site stormwater attenuation facility and be routed within the road reserve of Mondeor / Dinsley Walk Roads and will link to the proposed 900mm diameter bulk stormwater pipeline main line feeding into the regional stormwater attenuation pond to be developed. The bulk stormwater pipeline will be approximately 1200m in length.

A dry regional stormwater attenuation pond with depth of approximately 1.5m and a storage capacity of approximately 4 000m³ will be developed on Portion 206 of Farm Gustrouw No. 918, Strand.

- Water supply

Potable water will be supplied by the local authority. However, two pipeline routes have been identified and the preferred route connection will be determined during the construction phase. A 200mm water main is proposed to be installed adjacent to Sir Lowry's Pass Road where the proposed development will connect into via a 160mm pipeline approximately 600m in length. The proposed pipeline route will be located from Sir Lowry's Pass Road in a southerly direction within an existing gravel road up to Mondeor Road reserve along the proposed site boundary. The alternative bulk water pipeline route is along Mondeor Road, the N2 national road up to Onverwacht Road via a 160mm diameter pipeline. Connection into the existing 500mm water main located approximately 1 100meters from the proposed site in Onverwacht Road. The full water demand of the proposed development has been calculated as 98 488l/day with a peak water demand at 393 952l/day.

- Electricity supply

Electricity has been confirmed and will be provided by Eskom via the Waterkloof 1 network with a total capacity of 700kVA.

Two access points will be established off Mondeor Road and an emergency exit will be located along Dinsley Walk Road on the western boundary of the site. Internal roads wider than 4m in width will be developed. Further road upgrades will be undertaken in accordance with the Traffic Impact Assessment (compiled by UDS and dated 03 April 2023).

The total development footprint proposed is approximately 8ha in extent.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on Portion 28 (a portion of Portion 15) and Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand.

The 21-digit Surveyor General codes are:

Portion 28 (a portion of Portion 15) of Farm Gustrouw No. 918, Strand	C06700000000091800028
Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand	C06700000000091800063
Portion 206 of Farm Gustrouw No. 918, Strand	C06700000000091800206

The co-ordinates associated with the proposed development are:

	Latitude	Longitude
Middle point of the proposed development	34° 07' 04.46" South	18° 52' 56.29" East
Regional Stormwater attenuation facility	34° 07' 02.67" South	18° 52' 37.75" East

Refer to **Annexure 1**: Locality Plan and **Annexure 2**: Site Development Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants (Pty) Ltd.
% Ms. H. Groenewald / Ms. C Becker
P.O. Box 2632
PAARL
7620

Tel: (021) 870 1874
Email: hdp@gnec.co.za / carina@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Alternative described in Section B above and in the BAR dated 01 November 2023 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period, which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for –

- (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities for the construction phase, must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee, or any person rendering a service to the holder.
 4. Any changes to, or deviations from the scope of the 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 the development activity.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 10, and 21.1.

Notification and administration of appeal

6. The holder must in writing, within **fourteen (14)** calendar days of the date of this decision–
 - 6.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the outcome of the application;
 - 6.1.2. the reasons for the decision as included in Annexure 5;
 - 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 G below;
 - 6.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 6.4. Provide the registered I&APs with:
 - 6.4.1. The name of the holder (entity) of this Environmental Authorisation;
 - 6.4.2. The name of the responsible person for this Environmental Authorisation;
 - 6.4.3. The postal address of the holder;
 - 6.4.4. The telephonic and facsimile 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 Environmental Management Programme ("EMPr") (compiled by Guillaume Nel Environmental Consultants and dated 01 November 2023) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all relevant contract documentation for the applicable 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.
11. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activities during the development activities thereafter it must be kept at the office of the holder and must be made available to any authorised person on request.

12. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 13.1. The holder must undertake an environmental audit within three (3) months of the commencement of development activities and submit an Environmental Audit Report to the Competent Authority within one (1) month after the completion of the environmental audit.
 - 13.2. A second Environmental Audit Report must be submitted to the Competent Authority within one (1) year of commencement of development activities and submit an Environmental Audit Report to the Competent Authority within one (1) month after the completion of the environmental audit.
 - 13.3. Environmental Audit Reports must be submitted to the Competent Authority every two years for the duration of the development phase and submit the Environmental Audit Reports to the Competent Authority within one (1) month after the completion of the environmental audit.
 - 13.4. A final Environmental Audit Report must be submitted to the Competent Authority within three (3) months of commencement of the operational phase and submit an Environmental Audit Report to the Competent Authority within one (1) month after the completion of the environmental audit.
 - 13.5. The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to any I&APs upon request.

Specific Conditions

14. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate.
15. 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. 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.

16. The recommendations of the supplementary Heritage Impact Assessment (compiled by Cindy Postlethwayt and dated September 2023) and as supported by Heritage Western Cape (dated 25 October 2023) must be implemented during the construction phase.
17. Surface, storm, or groundwater must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
18. The following groundwater mitigation measures must be implemented:
 - 18.1. The recommendations of the Groundwater Impact Assessment (compiled by GEOSS (South Africa) (Pty) Ltd and dated 30 September 2022) (as included and supported in the Freshwater Ecological Verification (compiled by FEN Consulting and dated June 2020 and updated July 2023)) and as included in the EMPr must be implemented during all phases of the proposed development. This must include, *inter alia*, the following:
 - 18.1.1. Groundwater monitoring boreholes must be installed during the development phase.
 - 18.1.2. The location, number of boreholes and frequency of monitoring must be determined by a suitably qualified person prior to the installation of boreholes.
 - 18.2. The recommendations of the Addendum to the Groundwater Impact Assessment (compiled by GEOSS (South Africa) (Pty) Ltd and dated 17 July 2023) must be implemented during the development phase. This includes, *inter alia*, the installation of an additional monitoring well/borehole, which must be placed downgradient of Portion 63 (a portion of Portion 25) and in the south western corner of the property.
19. The recommended mitigation measures provided by the Visual Impact Assessment (compiled by Filia Visual and dated June 2021 (revision 1)) and the Visual Impact Assessment Supplementary Report (compiled by Filia Visual and dated 25 September 2023) and as included in the EMPr must be implemented during all phases of the proposed development.
20. Noise monitoring must be conducted by a suitably qualified person during the construction and operational phases of the development in accordance with the recommendations of the Noise Impact Assessment (compiled by Safetech and dated 10 July 2023).
21. The recommended mitigation measures provided by the Primatological Assessment (compiled by African Primate Initiative for Ecology and Speciation – Dr C. Andrews) and as included in the EMPr, must be implemented during all phases of the proposed development. This must include, *inter alia*, the following:
 - 21.1. The appointment of a suitably qualified person prior to the commencement of development activities to record and monitor the behaviour and physiology of the chimpanzees at least one week prior to the commencement of development activities and during the development phase (where applicable).
 - 21.2. The implementation of the construction methodology (compiled by Swart and Associates Architects dated 18 October 2023) must be adhered to.
22. 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 stabilisation, etc.) must be implemented instead.
23. 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 those activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the 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
8th Floor Utilitas Building
1 Dorp Street
CAPE TOWN
8001

By e-mail: 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 or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/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. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

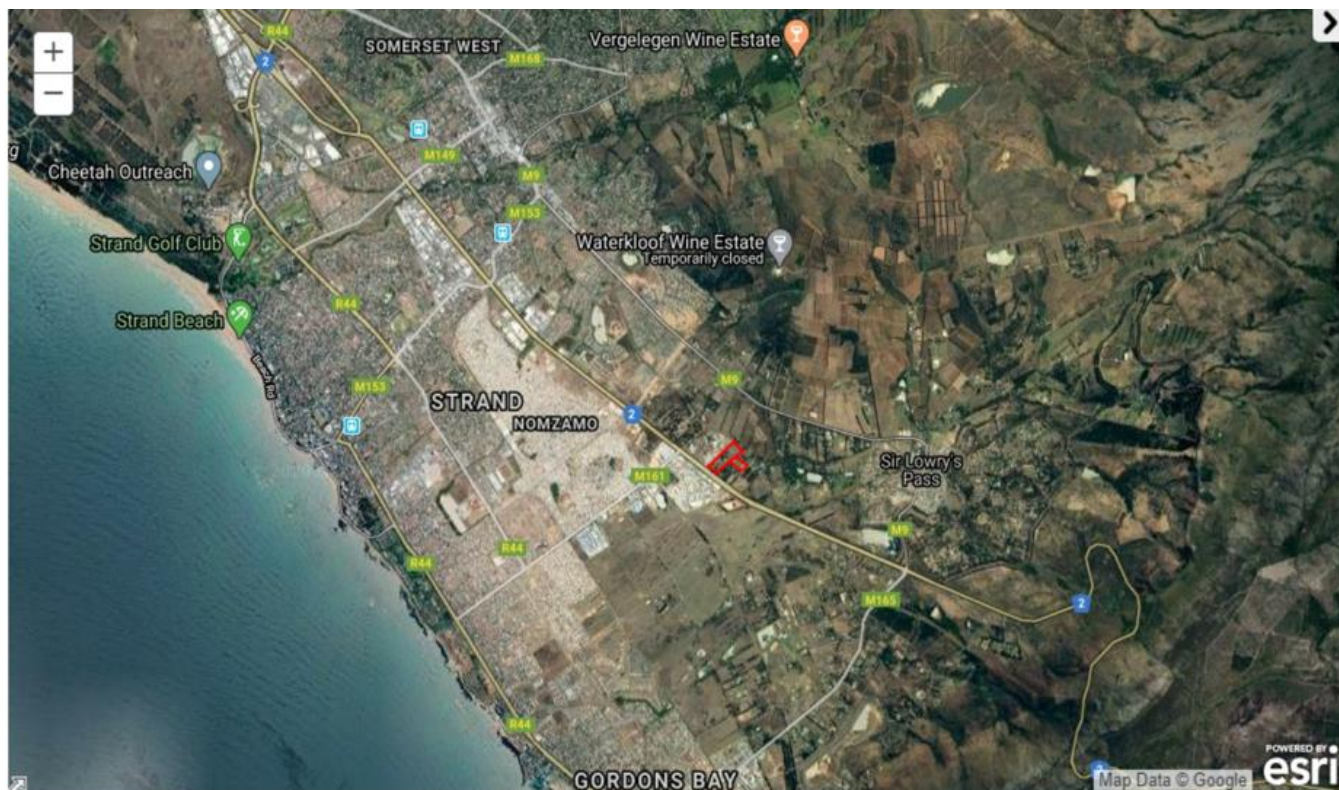
DATE OF DECISION: 08 MARCH 2024

Copies to: (1) Ms. A. van Wyk (City of Cape Town: ERM)
(2) Ms. H. Groenewald (Guillaume Nel Environmental Consultants)
(3) Ms. C. Becker (Guillaume Nel Environmental Consultants)

Email: Azanne.vanwyk@capetown.gov.za
Email: Hdp@gnec.co.za
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ANNEXURE 1: LOCALITY PLAN

The proposed site (i.e. Portion 28 (a portion of Portion 15) and Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand) demarcated in red on the locality map.



Locality Map of Portion 28 & Portion 63 of Farm No. 918,
Somerset West, Western Cape.

Source: Cape Farm Mapper

Guillaume Nel

environmental consultants

Tel: (021) 870 1874

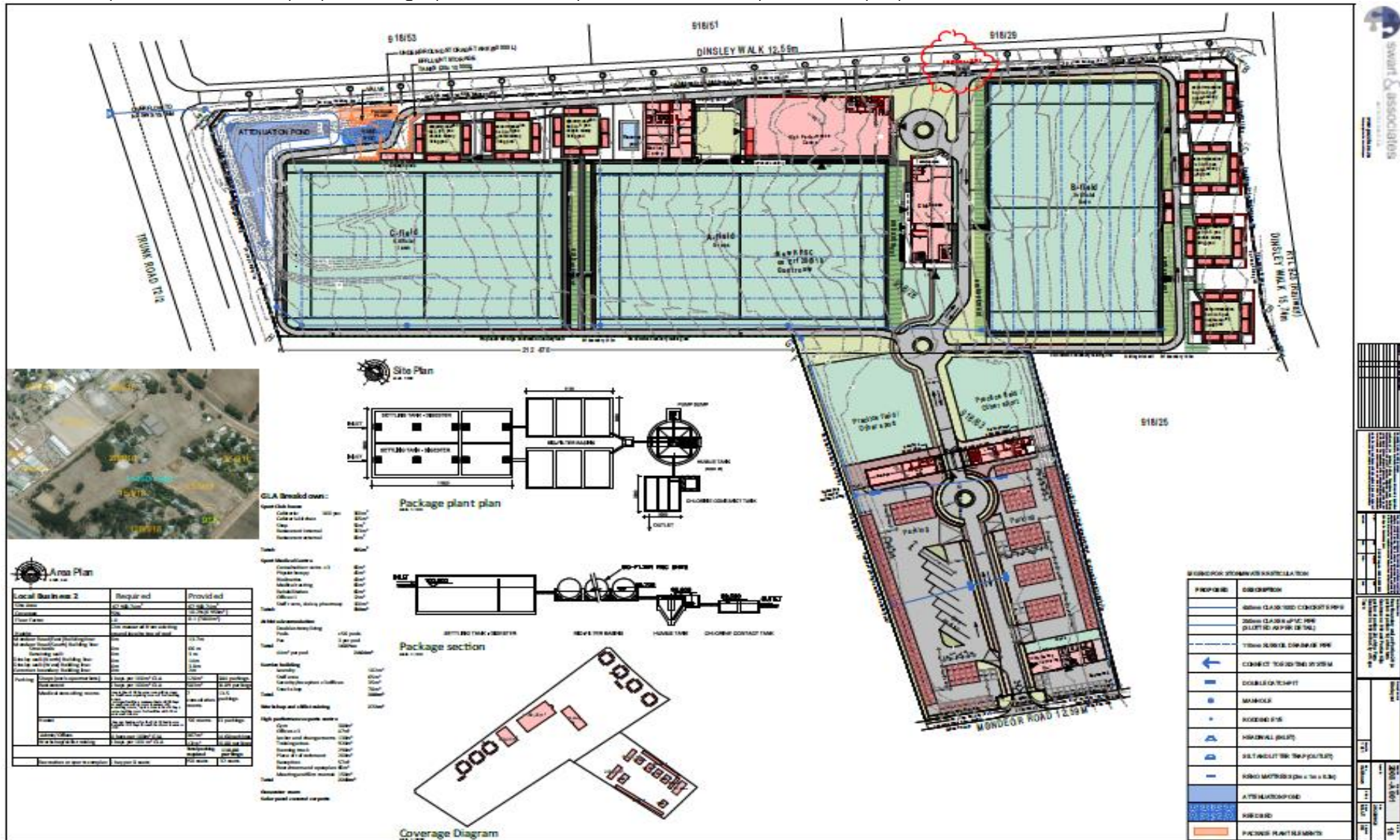
Fax: 086 6933 802

Cell: 072 1571 321



ANNEXURE 2: SITE DEVELOPMENT PLAN

Site Development Plan of the proposed high-performance sport centre development the proposed site.



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 04 August 2023 and the BAR and the EMPr received by the Competent Authority on 01 November 2023;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions;
- 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 received on 01 November 2023;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) A site visit was conducted by officials of this Directorate on 18 October 2023.

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 included:

- Identification of and engagement with I&APs;
- Fixing notices at the boundary of the proposed site where the listed activities are to be undertaken on 27 May 2021 and 2023;
- The placing of a newspaper advertisement in the *'Distrikspos'* on 27 May 2021 and 09 August 2023;
- Compiling an executive summary and Background Information Documents accessible to the registered I & APs;
- A 'knock-and-drop' exercise was undertaken on the 27 May 2021;
- Giving written notice to the occupiers of land adjacent to the site where the listed activities are to be undertaken and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 07 June 2023;
- Making the draft BAR available to I&APs for public review from 27 May 2021 to 28 June 2021 (first round);
- Making the draft BAR available to I&APs for public review from 04 July 2022 to 04 August 2022 (second round);
- Making the draft BAR available to I&APs for public review from 10 March 2023 to 14 April 2023 (third round);
- Making the draft BAR available to I&APs for public review from 04 August 2023 to 08 September 2023 (fourth round);
- Placing all draft reports on the Environmental Assessment Practitioner's ("EAP") website for comment.

Concerns with respect to the potential noise and visual impacts, potential impacts on the neighbouring primates and other animals, bulk service capacity for the proposed development, emergency preparedness regarding the sewer system, groundwater resource conservation in respect of treated effluent irrigation and proximity to protected areas were highlighted by the relevant commenting authorities. The relevant mitigation measures to address the concerns highlighted have been included in the EMPr.

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

2. Alternatives

No site, activity or technology alternatives were assessed as part of the environmental impact assessment process, since the proposed development of a high-performance sports centre is proposed on a site that is owned by the EA holder and the activity has been specifically identified as a need in the surrounding area.

The EA holder's initial proposal entailed the development of a high-performance sports centre, two training fields (1 with a stadium seating up to 3000 spectators), a hotel with 70 rooms, a restaurant shop and conference facilities and a youth centre (as a school and hostel) able to accommodate approximately 100 students, 96 learners in 48 rooms. As part of the alternative layout, floodlights of 15m in height were proposed to be mounted on the front façade of the main pavilion / stadium at 12m in height. Excavations were proposed approximately 6m and 5m below ground level for the development of the respective training fields, associated stormwater facilities and subsurface parking areas. An onsite package wastewater treatment plant, irrigation pond, stormwater retention facility and associated infrastructure was proposed. The operational alternative included the primary use of the proposed development for training and matched events with large crowds with the inclusion of a 3000-seat stadium.

However, based on concerns raised by interested and affected parties, the proposed development was significantly reduced and revised. The Preferred Alternative and the "no-go" alternative were therefore assessed as follows:

The Preferred Alternative (herewith authorised)

The preferred alternative entails the development of a high-performance sports centre and associated infrastructure on Portion 28 (a portion of Portion 15) and Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand. The proposed development will include the following components:

- The high-performance centre and associated infrastructure
 - A high-performance centre;
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 - A sport medical centre (located adjacent to the high-performance centre);
 - A clubhouse (located along the eastern boundary of Field A);
 - Athlete accommodation (The accommodation will comprise of prefabricated living units/pods in two locations on the site. Each cluster will comprise of eight living pods (each double-storey in height) designed around a central courtyard. A cluster of four accommodation facilities will be located along the northern boundary of the proposed site and a cluster of three accommodation facilities located along the eastern boundary of the site. Each pod is designed to accommodate approximately 5 people, therefore approximately accommodating 280 persons at maximum capacity);
 - Training Fields (Field A will be located adjacent to the high-performance centre between Fields B and C. Field B is proposed to be located northeast of Field A. Field C is proposed to be located southwest of Field A. Floodlights approximately 15m in height is proposed around training Fields A, B and C.);

- Two smaller grass training fields, a skills development workshop and associated administrative buildings and a parking area will be developed on Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand. A portion of the parking area will be covered parking and will contain solar photovoltaic panels for the generation of electricity.
- A 5m high pre-cast stepped barrier wall approximately 213 meters in length will be located along the eastern boundary of Portion 28 (a portion of Portion 15) of the Farm Gustrouw No. 918 for noise and visual breaks to mitigate against impacts on sensitive receptors located at Monkey Town. The development of the noise / visual break wall will be developed prior to the commencement of bulk earth works associated with the development of Field C and in accordance with the construction methodology (dated 18 October 2023).

- Services

- Wastewater Treatment

Existing capacity constraints at the Macassar Wastewater Treatment Works necessitate upgrades to be completed prior to the servicing of the proposed development. As an interim measure, an on-site package sewerage treatment package plant with a capacity of approximately 120kl/day will be developed adjacent to the parking area, equipped with an emergency overflow into the existing municipal system located in Mondeor Road. The emergency pipeline connection to the existing sewer line in Mondeor Road will require the development of a 160mm diameter pipeline.

The treated effluent will be discharged into an irrigation pond with a storage capacity of approximately 178m³ located on the southwest corner of the site from where treated effluent will be utilised for the irrigation of landscaped areas throughout the proposed development. The irrigation pond will comprise storage capacity of 48 hours. In the instance of excess treated effluent beyond irrigation and storage capacity, the treated effluent will undergo further polishing via a reedbed system prior to discharge into the regional stormwater attenuation facility to be developed, when required.

- Stormwater

An on-site stormwater attenuation facility is proposed on the southwestern corner of the site in which site run-off will drain into via a piped stormwater network. The stormwater attenuation pond is proposed with a storage capacity of 2 145.0m³ with overflow connections into the proposed regional stormwater network. A connection into the local stormwater network will be made via two 600mm diameter pipelines proposed to be installed from the on-site stormwater attenuation facility and be routed within the road reserve of Mondeor / Dinsley Walk Roads and will link to the proposed 900mm diameter bulk stormwater pipeline main line feeding into the regional stormwater attenuation pond to be developed. The bulk stormwater pipeline will be approximately 1200m in length.

A dry regional stormwater attenuation pond with depth of approximately 1.5m and a storage capacity of approximately 4 000m³ will be developed on Portion 206 of Farm Gustrouw No. 918, Strand.

- Water supply

Potable water will be supplied by the local authority. However, two pipeline routes have been identified and the preferred route connection will be determined during the construction phase. A 200mm water main is proposed to be installed adjacent to Sir Lowry's Pass Road where the proposed development will connect into via a 160mm pipeline approximately 600m in length. The proposed pipeline route will be located from Sir Lowry's Pass Road in a southerly direction within an existing gravel road up to Mondeor Road reserve along the proposed site boundary. The alternative bulk water pipeline route is along Mondeor Road, the N2 national road up to Onverwacht Road via a 160mm diameter pipeline.

Connection into the existing 500mm water main located approximately 1 100meters from the proposed site in Onverwacht Road. The full water demand of the proposed development has been calculated as 98 488l/day with a peak water demand at 393 952l/day.

- Electricity supply

Electricity has been confirmed and will be provided by Eskom via the Waterkloof 1 network with a total capacity of 700kVA.

Two access points will be established off Mondeor Road and an emergency exit will be located along Dinsley Walk Road on the western boundary of the site. Internal roads wider than 4m in width will be developed. Further road upgrades will be undertaken in accordance with the Traffic Impact Assessment (compiled by UDS and dated 03 April 2023).

The total development footprint proposed is approximately 8ha in extent.

The Preferred Alternative took cognisance of the fact the proposed site is currently owned by the EA holder, is located within the Incremental Growth and Consolidation Areas of the City of Cape Town and is regarded a brownfield site. The proposed layout is in response to the transitional landscape between urban and rural aesthetics and the preferred operational alternative is aligned with mixed-use activities within the surrounding environment. In addition, the preferred layout responds to adjacent sensitive receptors located within Monkey Town where the off-site fabrication of walls and buildings, prefabricated housing units and reduction of noise emanating from machinery will be implemented. Further contribution to a reduced impact is the proposed operational hours, where training on fields will not be prolonged beyond 20:00 in the evening. The proposed development will contribute to the socio-economic aspect of the region and province. This is based on the principle of establishing an International Rugby Institute to interface education with sport with enriching outcomes for the development of the youth and local community. The preferred alternative has been significantly reduced in scope and responds to concerns raised in terms of the potential noise, visual and primate impacts. Therefore, the level of environmental impact is reduced by aspects such as the reduction in traffic, water consumption, electricity consumption, an increase in renewable energy use, less invasive earthworks since the sinking of buildings are no longer required and a reduced construction phase since no piling is required. The preferred alternative is desirable since it has been guided by the environmental impact assessment process and contains all mitigation measures recommended by the relevant specialists to conclude at the best practical environmental option within the transitional landscape. Further, the preferred alternative was deemed acceptable from a botanical, visual, noise and heritage perspective.

"No-Go" Alternative

The "No-Go" alternative entails maintaining the "status quo", i.e. not developing a High-performance Sports Centre on the proposed site. Since the Preferred Alternative will not result in unacceptable environmental impacts, and in consideration of the demonstration of the Section 2 NEMA principles and the 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 development is proposed on a site located outside an urban area on land currently zoned as rural. The primary portion of the site (i.e. Portion 28 (a portion of Portion 15) of the Farm Gustrouw No. 918, Strand) is currently used for equestrian purposes and Portion 63 (a portion of Portion 15) of the Farm Gustrouw No. 918, Strand is currently vacant. Since the proposed development is not aligned with the current rural zoning and associated land uses, a land use planning process for the appropriate rezoning of the site is required.

The proposed development is aligned with the core principles of the Western Cape Provincial Spatial Development Framework in that it is aligned with spatial justice principles, accessibility and spatial efficiency. The proposed site is a brownfield site in that it is an already transformed site. The sustainability, resilience, quality and liveability of the proposed development will be proven in the promotion of international investment, tourism benefits and economic growth for local market within the area given the surrounding general industrial and rural land uses. The proposed development is further motivated as being aligned to the local Integrated Development Plan with respect to the generation of employment opportunities as well as contributing to social wellbeing by offering portable skills at the proposed on-site skills development workshop and as part of the sports academy. The proposed development is aligned with the Municipal Spatial Development Framework ("MSDF") in that it is located within the identified Incremental Growth and Consolidation Area and regarded as an urban edge infilling development in the prevention of urban sprawl. The proposed development is considered consistent with the MSDF as it contributes to inclusivity and economic growth of the Helderberg community by establishing short and long-term development.

Although the proposed site is located adjacent to a sensitive receptor (i.e. Monkey Town), the proposed development is considered desirable with respect to the potential impacts associated with the proposed development. The balance between the social, economic and ecological impacts associated with the proposed development relative to the surrounding environment is favourable in that mitigation measures proposed are acceptable.

Furthermore, the objective for creating an enabling environment for professional sporting is a much-needed aspect for the upliftment of youth and local communities. The added positive impact of the proposed development is that it may be considered a socially healthy alternative to the existing social atmosphere. The proposed development provisions for the local youth and greater community with education and physical training opportunities to aspire to tread beyond the entrenched societal boundaries and enforce a positive change within their local community. The contribution to the socio-economic growth is reciprocal in the fact that the proposed development will contribute to the local economy by the provision of additional employment opportunities during both the construction and operational phases. The desirability aspect is that such facilities are not as accessible to local youth and communities and the fact that an international platform will be made available with respect to sporting education and training is considered invaluable to aspiring athletes. Based on the outcome of the environmental impact assessment process conducted, it is deduced that the demonstration of balancing both positive and negative impacts has been adequately achieved by assessment, avoidance and mitigation.

3.2. Agricultural impacts

The proposed site is currently zoned for rural- agricultural use. Although the proposed development is not in keeping with the current land use, the loss of agricultural land use is deemed to be of low impact due to the fact that the proposed development will enhance the surrounding environment. The Western Cape: Department of Agriculture indicated their support of the proposed development (in their correspondence dated 21 October 2022).

3.3. Biodiversity Impacts

In accordance with the Screening Tool Report (dated 09 June 2023), the proposed site was deemed to be a very high sensitivity area from a terrestrial biodiversity perspective and medium sensitivity area from a plant species perspective. A Botanical Impact Assessment (compiled by Capensis and dated July 2023) revealed that the proposed site was found to be largely transformed. The specialist noted that the proposed site is not mapped as part of the City of Cape Town's Biodiversity Network. Although a remnant area (approximately 100m²) of Renosterveld was observed on site, the botanical specialist confirmed that the remnant patch is highly degraded.

The botanical specialist noted the presence of a protected species on site (i.e. three individual Outeniqua Yellowwood trees) and recommended the preservation / concerted effort in retaining these trees along the boundary / fence line along Portion 63 (a portion of Portion 25) of Farm Gustrouw No. 918, Strand. The proposed site was deemed of very low sensitivity from a botanical perspective. The potential cumulative botanical impact is deemed to be negligible and the development of the proposed site is supported from a botanical perspective with no mitigation measures proposed. The findings of the Botanical Impact Assessment are accepted and supported by CapeNature as confirmed in their email correspondence dated 05 July 2021 and 04 August 2022.

In accordance with the National Protected Areas Register, the proposed site is mapped to be located within approximately 2.5km of the Cape Floral Region Protected Areas, which was proclaimed as a World Heritage Site on 30 January 2009. The potential impacts on protected areas have been assessed as part of the environmental impact assessment process were found to be of low severity. Protected natural areas are threatened by pressures of urban development with respect to depletion of resources, destruction of indigenous biodiversity by increase of alien invasive species and wildfires as a result of anthropological activities. The potential impacts are proposed to be reduced by the mitigation measures contained in the EMPr.

3.4. Geotechnical considerations

A Geotechnical Investigation Report (compiled by GEOSS (South Africa) (Pty) Ltd and dated 19 November 2021) was undertaken to determine the potential geotechnical risks that may be present on the proposed site. Thirteen (13) trial pits were excavated and thirteen (13) DCP tests were completed. The proposed site is located on a regional aquifer and is classified as a fractured aquifer. The DCP tests revealed a wide variation (between very loose and very dense) in the consistency of sand and gravel horizons that can occur. The specialist indicated that all areas of the site show soft/easy excavation and materials can be efficiently removed. The specialist took cognizance of the potential risk associated with the development of a perched water table. Recommendations with respect to the design of the drainage system have been provided. The specialist concluded that site development may proceed on condition that the recommendations be implemented. The specialists' recommendations have been incorporated into the design of the stormwater management system and has been included in the EMPr.

The specialist further recommended that Dynamic Probe Super Heavy ("DPSH") tests should be considered to establish the depth to bedrock across the site. The DPSH tests would aid in the determination of the most appropriate foundation solution(s) adopted for the proposed structures and further inform geotechnical design. A DPSH Testing Report (compiled by GEOSS (South Africa) (Pty) Ltd and dated 29 September 2022) was therefore undertaken. Twenty-one(21) DPSH tests were conducted across the proposed site. The study revealed that depth to very soft rock occurs between 2.6 and 11.3 mbgl on Portion 28 (a portion of Portion 15) of the Farm Gustrouw No. 918, Strand, which is the primary focus of the proposed development where the high-performance sports centre and training fields A, B and C are proposed. The specialist concluded that the finalisation of the pile design and foundations will be dependent on design loads and operational constraints of the proposed development.

3.5. Groundwater Impacts

A Groundwater Impact Assessment (compiled by GEOSS (South Africa) (Pty) Ltd and dated 30 September 2022 (revision 1)) was undertaken to determine the potential groundwater impacts associated with the proposed development. Since the proposed site is located on a regional aquifer classified as a fractured aquifer, the aquifer vulnerability is considered to be low/medium vulnerability to surface-based contaminants. The potential sources of contamination identified by the specialist included dewatering activities, the removal of clayey material by excavation, stormwater management, the package plant and the irrigation of sports fields using treated effluent.

Due to the underlying clay layer, the potential risk of groundwater contamination is considered to be low. The specialist recommended the installation of groundwater monitoring boreholes. The specialists' recommendations have been included as a condition set in this Environmental Authorisation and included in the EMPr.

An Addendum to the Groundwater Impact Assessment (compiled by GEOSS (South Africa) (Pty) Ltd and dated 17 July 2023) was undertaken as a result of the updated site development plan for the proposed development. The specialist indicated that based on the updated site development plan, the overall potential impact of the proposed development remains the same. An additional monitoring well/borehole, which should be placed downgradient of Portion 63 (a portion of Portion 25) and in the south western corner of the property was recommended by the specialist to monitor groundwater quality. This recommendation has been included as a condition set in this Environmental Authorisation and included in the EMPr.

3.6. Freshwater Impacts

In accordance with the Screening Tool Report (dated 09 June 2023), the proposed site was deemed to be a very high sensitivity area from an aquatic biodiversity. In addition, the proposed site was mapped to contain wetlands in accordance with the City of Cape Town Map Viewer wetlands layer. A Freshwater Ecological Verification Assessment (compiled by FEN Consulting and dated June 2020 and updated July 2023) was undertaken to verify the presence of watercourses and the potential associated impacts. The freshwater specialist confirmed that although an artificial impoundment was present on Portion 28 (a portion of Portion 15) of Farm Gustrouw No. 918, Strand, the proposed site does not contain any watercourses as defined in the EIA Regulations, 2014 (as amended). The freshwater specialist therefore confirmed that the proposed site is deemed to be of low sensitivity from an aquatic biodiversity perspective. In addition, the freshwater specialist incorporated and supported the recommendations provided in the Groundwater Impact Assessment (compiled by GEOSS (South Africa) (Pty) Ltd and dated 30 September 2022) and the Addendum to the Groundwater Impact Assessment (compiled by GEOSS (South Africa) (Pty) Ltd and dated 17 July 2023) into the Freshwater Ecological Verification Assessment (dated June 2020 and updated July 2023). The recommended mitigation measures have been included as conditions set in this Environmental Authorisation and is included in the EMPr. The findings of the Freshwater Ecological Verification (dated June 2020 and updated July 2023) are accepted and supported by CapeNature as confirmed in their email correspondence dated 05 July 2021 and 04 August 2022.

Based on the proposed controlled water use activities to be undertaken as part of the proposed development, the requirements of the National Water Act, 1998 (Act No. 36 of 1998) are applicable. Proof of engagement with Department of Water and Sanitation (dated 09 March 2022 and 25 October 2023) has been provided in the BAR.

3.7. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC confirmed that there is reason to believe that the proposed development will impact on heritage resources. A Heritage Impact Assessment (compiled by Cindy Postlethwayt and dated July 2021) was therefore undertaken. The specialist found that the potential impacts on heritage resources are limited to visual impacts, which is considered to be of low to moderate negative significance. The heritage specialist confirmed that the proposed site is not regarded as conservation worthy, is not situated within a declared Heritage Protection Overlay, not delineated within the municipal spatial development framework as an area of unique agriculture and heritage and in fact is isolated within an industrial / commercial precinct. Further, the heritage specialist indicated that the proposed development is supported from a heritage perspective.

Concerns raised by interested and affected parties regarding adjacent existing developments were noted by the heritage specialist. However, the specialist indicated that the proposed development is not expected to diminish any intrinsic value of the surrounding existing buildings. The specialist further indicated that the proposed site is located within an area with no landscape or other heritage merit.

Due to the reduced proposed development, the potential heritage impacts were reassessed by the heritage specialist and is documented in the supplementary Heritage Impact Assessment (compiled by Cindy Postlethwayt and dated September 2023). The heritage specialist maintained the mitigation measures provided in the supplementary Visual Impact Assessment (compiled by Filia Visual and dated 25 September 2023) and indicated that in respect of heritage considerations, the proposed development remains aligned with the Site Development Plan, Landscape Master Plan (compiled by Viridian Consulting and dated 22 September 2023) and Tree Management Plan. The findings of the supplementary Heritage Impact Assessment (compiled by Cindy Postlethwayt and dated September 2023) have been supported and endorsed by Heritage Western Cape (in their correspondence dated 25 October 2023).

3.8. Visual Impacts and Sense of Place

A Visual Impact Assessment (compiled by Filia Visual and dated June 2021 (revision 1)) was undertaken for the applicant's initial proposed development on Portion 28 (a portion of Portion 15) of the Farm Gustrouw No. 918, Strand. The specialist noted the surrounding existing developments and the future development located within proximity to the proposed site. The receiving environment contains areas of industrial and commercial development; high, medium and low-density residential development; remnant agricultural land uses as well as protected areas, tourism destination places and scenic routes typical of areas at the outskirts of the Cape Town Metro and associated with the Cape Winelands landscape. The surrounding area is earmarked in the Helderberg District Plan for mixed-use intensification, with a focus on tourism and agricultural related activities, with new industrial development proposed south of the site. The specialist indicated that in terms of landscape character, the proposed site is situated within Landscape Character area C, an area with a mixed landscape and townscape character containing some elements of the surrounding cultural/agricultural landscape, but dominated by the rapidly developing industrial, commercial and other urban uses and activities, chief of which is the Broadlands industrial area and the major N2 commuter route itself. A viewshed analysis was undertaken by the specialist and noted, *inter alia*, the proposed site is not visible from Strand or Gordons Bay, except at elevations equal to or higher than that of the site, Schapenberg prevents any views from the Lourensford valley, existing vegetation provides significant screening within 1km of the project site, the proposed site is only visible within 100m when travelling towards Cape Town and the proposed 15m floodlights will generally not protrude through breaks in the tall vegetation. A visual analysis, which included 3D modelling, line of sight testing, viewshed analysis and simulations was undertaken. The visual analysis indicated that the zone of potential visual influence is approximately 6km, the sensitivity of the landscape character is deemed medium/low, the sensitivity of visual receptors is high, visibility and visual exposure is low, visual absorption capacity is moderate and a medium relative compatibility. The overall visual impact is anticipated to be of low to moderate significance. The specialist recommended mitigation measures to be included in the EMPr.

Due to the revised scope and layout of the proposed development, a Visual Impact Assessment Supplementary Report (compiled by Filia Visual and dated 25 September 2023) was undertaken. The purpose of the supplementary report was to determine whether the revised scope of layout of the proposed development would influence the findings of the Visual Impact Assessment (dated June 2021). The visual specialist revealed that although there is a significant increase in the number of flood lights to provide sufficient illumination on the sports fields, has significantly increased in terms of the number of sources (i.e. from 32 to 84 floodlight luminaries), the approach is to decrease the height of the poles resulting in a more acceptable compliance with the International Dark Sky Association ("IDA") Criteria for Community-Friendly Outdoor Lighting.

The strategic use of lighting type (i.e. OmniBlast), the reduction in height, placement and management of the floodlights, the retention of existing and proposed tall screening vegetation and the consideration of backlight, uplight, glare and spill illuminance are contributory in achieving a reduced visual impact on sensitive receptors. This resulting in a significantly lowered overall visual impact in relation to the initial proposal and comparative to the area of limits to adjacent properties within 45m of the fields. The proposed new lighting specifications, noise / visual barrier wall and the existing and proposed screening vegetation has contained and reduced the potential visual impact to a low to medium severity during the operational phase of the proposed development. The proposed development was found to have an overall high relative compatibility with a low to moderate overall visual impact.

Based on the visual analysis of the visual specialist, the zone of potential visual influence of the proposed development is approximately 2km, significantly reduced from 6km, and the visual exposure is lowered for all distance zones, therefore the overall classification is low. The specialist further indicate that the severity of the visual impact is anticipated to be moderate to low overall. The proposed development bulk and scale has been reduced relative to the initial proposal. In addition, the largest building proposed as part of the development (i.e. the high-performance sports centre) is comparable to the adjacent existing building across Dinsley Walk. The visual specialist further noted that the potential visual impact during the construction phase with the implementation of the proposed mitigation measures is expected to be reduced from moderate to low, keeping in mind that the construction phase is of limited duration. Further to this, it must be noted that the existing mixed landscape character and sense of place is characterised by elements of rural agricultural, cultural landscape but inclusive of industrial, commercial and other urban uses along the N2.

An external lighting report (compiled by Tusk CSS and dated 03 August 2023) provided further mitigation measures with respect to the reduction of impacts of the sports field lighting system such as cut-off angles in accordance with the minimum requirements of the IDA. The technical specialist further noted that luminaires for the parking area will be mounted under the solar photovoltaic modules and will not produce upward illumination.

Although the proposed development will be noticeable within the surrounding environment, the number of views is considered limited by the existing and proposed screening mitigation measures. Therefore, the preferred alternative proposed provide for a lower overall visibility, visual exposure remains low, and the application of visual absorption capacity is better demonstrated in the existing environment based on the 2023 preferred design layout. The recommendations of both the visual specialist and the illumination specialist have been included in the EMPr. The specialist concluded that the proposed development is supported from a visual and aesthetic perspective as it will connect within the surrounding mixed-use landscape character and sense of place. The visual specialist provided further response to concerns raised by interested and affected parties (dated 25 September 2023) with respect to the lighting requirements of the fields. The specialist concluded that the existing mitigation measures proposed are sufficient for decision-making at this stage. Further in-depth lighting requirement should be resolved during the relevant planning process to be undertaken.

3.9. Noise Impacts

A Noise Impact Assessment (compiled by Safetech and dated July 2023) was undertaken at the proposed site with key considerations related to the current noise profile, potential construction and operational phase noises, the location of sensitive receptors and environmental sensitive receptors. The noise specialist revealed that the construction noise will be of short duration and low impact and that operational noise during sporting activities will be short, sporting whistle blowing will be sporadic, but a very short duration and no public matches are proposed. The noise specialist recommended mitigation measures with respect to noise management plan for traffic related noise and sporting activities, which include the development of a noise barrier wall, the restriction of sporting activities beyond 10pm and the appointment of a primate specialist for the monitoring of animal behaviour during the commencement of the operational phase. The

proposed noise barrier wall has been incorporated into the design of the proposed development. The noise specialist assessed the proposed development to be of medium negative significance prior to mitigation and to a low negative cumulative impact with no residual impacts after the implementation of the recommended mitigation measures. The mitigation measures have been included in the EMP and is noted that the proposed development is conditionally supported by the City of Cape Town (in their correspondence dated 14 September 2023) provided that compliance with the Western Cape Noise Control Regulations PN200/2023 is maintained.

A construction methodology (compiled by Swart and Associated and dated 18 October 2023) has considered all the surrounding sensitive receptors and potential impacts of the proposed development and has revised the approach to the construction method. The revised construction methodology is in response to the raised concerns from interested and affected parties with respect to the potential noise impacts on the primates housed on the adjacent property. This has been instituted in addition to a significant downscaling of the design of the proposed development. The revised method entails the off-site construction of perimeter walls, appropriate bulk earth works within proximity to Monkey Town, the off-site prefabrication building works, landscaping to align with Cape Dutch, the main buildings to reflect traditional farm style and the residential / accommodation buildings with modern technologies. A combined approach to offer a traditional setting and modern experience.

3.10. Primatological Impacts

Based on the fact that the proposed site is located adjacent to a commercial facility, which houses primates and other animals, a Primatological Assessment (compiled by African Primate Initiative for Ecology and Speciation and dated August 2022 (amended 29 September 2022)) was undertaken for the applicant's initial proposal. The primatologists indicated that visual and noise specialists considered the psychological impacts of the proposed development on the primates, however, the primatologists indicated that even if the potential impacts are limited to mild annoyances, prolonged effects may result in serious health issues in the primates (i.e. stress-related depression and cancer). This is a pertinent aspect with respect to the expected long-term construction period (as initially proposed). The primatologists acknowledged the fact that the adjacent establishment is not a sanctuary or wildlife reserve but shelter, *inter alia*, primates that are bred in captivity (i.e. zoo-like conditions) and are exposed to various anthropological impacts within their current surrounding environment. Further, captive apes frequently develop serious psychological pathologies and become hyper-sensitive to change. The initial recommendations of the primatologists included the relocation of existing enclosure to a further point away from the boundary that will potentially be exposed to impacts associated with the proposed development and additional financial contribution to insulation of sleeping sites, soundproofing and light-proofing of certain enclosures as well as relocation costs (where applicable).

However, in light of the revised scope and site development plan of the proposed development to downscale the proposal a new Primatological Assessment (compiled by African Primate Initiative for Ecology and Speciation - Dr C. Andrews) was undertaken. The recommendations of the Noise Impact Assessment (compiled by Safetech and dated July 2023) and the Visual Impact Assessment (compiled by Filia Visual and dated June 2021 (revision 1)) were considered by the specialist. The specialist indicated that one of the main issues to consider is any potential behavioural changes that might be associated with both light and noise pollution as this could have an adverse effect on the welfare of the animals, both in seasonality (disturbance to sleep and reproduction), but also physiological (in terms of gut health). The primatologist provided recommendations with respect to monitoring of behavioural and physiological patterns of primates at specific stages of the proposed development and that thorough assessment for baseline purposes was unable to be met as limitations, *inter alia*, layout maps of existing primate enclosures were not provided. Additionally, the primatologist indicated that the proposed relocation / moving of cages / enclosures is premature and that baseline study of the primate existing behaviour, the establishment of a soundscape and introduction of construction related noise for the determination of potential primate response thereto be undertaken prior to commencement of development activities.

In light of the gaps in knowledge and concerns raised by interested and affected parties, an Addendum to the Primatological Assessment (compiled by African Primate Initiative for Ecology and Speciation Dr C. Andrews) was provided. Based on the addendum, a meeting was held on 28 September 2023 between the specialist, EAP and the owners of Monkey Town to understand the layout of the existing facility. The specialist noted that the most sensitive species are three individuals of chimpanzees, which are located in close proximity to the N2 National Road.

Baseline monitoring (as recommended) could not be undertaken due to objections received from Monkey Town. Further, the specialist noted that the Monkey Town scenario with respect to the structure / layout is unique and that existing internationally published research (based on targeted approaches such as zoo enclosures) is not aligned with the Monkey Town establishment (i.e. cages, which allow for a free-ranging model). The specialist provided confirmation that any fortification and / or modification of the cages are not considered impractical since limited research is available with respect to construction noise impacts on captive animals. It was further confirmed that the most noise-sensitive primates contained within Monkey Town are the chimpanzees and that it is unfortunate that their enclosures are located along the boundary wall adjacent to the proposed site. However, the relocation of primates would do more harm than good with respect to adaptation periods. The specialist concluded that the findings of Primatological Assessment remain and that the proposed mitigation measures with respect to the revised construction methodology (i.e. limit / reduce construction noise by off-site manufacturing of walls and buildings, prefab housing units, and minimal on-site construction with reduced machinery noise) is considered reasonable mitigation.

Therefore, it must be mentioned that the recommendations provided in the initial primatological impact assessment (compiled by African Primate Initiative for Ecology and Speciation and dated August 2022 (amended 29 September 2022) with respect to the relocation of the sensitive primates and additional fortification and / or modification of the cages will not be undertaken as concern related to stress factors are worrisome and may prove to be a fallible scenario. The approach is to implement a revised construction methodology with suppressed noise levels and ensure that noise monitoring as well as primatological monitoring is undertaken at the most critical phases of the proposed development (i.e. construction phase and initial commencement of operational phase).

In consideration of the above aspects, although it is understood that the existing Monkey Town establishment is existing and pre-dates the expansion of urban development within the area, it must be acknowledged that Monkey Town's sensitivities be incorporated into the dynamic urban landscape of the surrounding area. The added knowledge that the Monkey Town development is a facility that accommodates and is financially sustained by urbanised activities such as the provision of conference services, a wedding venue, family-oriented activities like braai, picnic and water park amenities as well as educational tours. In cognisance of the fact that the area is located within the municipal edge set aside for Incremental Growth and Consolidation Area, the competent authority acknowledges the fact that reasonable effort has been taken to fully assess the potential impacts that the proposed development may impose on the noise-sensitive primates located at Monkey Town and that due consideration has been demonstrated in the redesign of the proposed development as well as additional opportunities presented to Monkey Town with respect to financial assistance in animals that may be affected. It is noted that the scale of the proposed development has also been significantly reduced in order to further respond to and decrease the potential environmental impact of the proposed development where concern expressed is related to an invasive and long-term construction phase. A pertinent mitigation measure regarding the appointment of a primate specialist to monitor the animals' behaviour for any adverse effects during construction near Monkey Town along with annual environmental noise monitoring is favourable as this is considered an adequate measurement of the potential impact and will provide for accurate assessment of the recommended mitigation measures set by relevant specialists and whether remediation would be required. The post monitoring and analysis in this scenario is vital to international zoological study since the effects of

construction on captive primates in “free-range” in the face of global urbanisation is an academic niche.

All remaining recommended mitigation measures provided in the Primatological Assessment (compiled by African Primate Initiative for Ecology and Speciation – Dr C. Andrews) have been included in conditions set in this Environmental Authorisation and in the EMPr.

3.11. Traffic Impacts

A Traffic Impact Assessment (compiled by UDS and dated 03 April 2023) was undertaken to determine the potential traffic impacts associated with the proposed development.

The specialist revealed that the proposed development would potentially generate 36 morning peak hour trips (24 in, 12 out) and 70 evening peak hour trips (35 in, 35 out) during normal weekdays during the operational phase. Therefore, in accommodation of the anticipated traffic generated by the proposed development, upgrades to the T2/ Broadlands Road intersection, the upgrade of the gravel section of Mondeor Road is necessary.

Recommendations with respect to upgrades of the existing traffic infrastructure within proximity to the proposed site to accommodate the proposed development has been proposed. These recommendations include upgrades to the T2 / Broadlands Road intersection, the inclusion of an additional lane along approach roads to provide for dedicated directional turning (i.e. right-turn / left-turn) and shared approach lanes. The traffic specialist has further recommended that the resurfacing of a section (±250m) of the existing gravel road up to the entrance of the proposed development located in the service Mondeor Road be considered. A total of 172 light driving vehicle parking bays and 7 bus bays are proposed as part of the development and is deemed sufficient for the expected potential parking requirement associated with the proposed development. The Western Cape Government: Department of Infrastructure has indicated no objection to the proposed development (in their correspondence dated 22 August 2022).

3.12. Services

- Wastewater Treatment

Due to capacity constraints currently experienced by the Macassar Wastewater Treatment Plant, the proposed development cannot be accommodated at this stage. Therefore, an on-site package Wastewater Treatment Plant is proposed until such time when upgrades at the Macassar Wastewater Treatment Plant is completed (i.e. estimated completion in the fourth quarter of 2027). Further, a risk assessment related to the on-site package plant has been undertaken with proposed mitigation measures with respect to preventative maintenance and operational control aspects which have been included in the EMPr. The City of Cape Town: Water and Sanitation Department confirmed (in their correspondence dated 29 April 2022) that an emergency overflow connection to the municipal sewer reticulation system in instance of failures or maintenance of the on-site package wastewater treatment plant.

The City of Cape Town: Water and Sanitation Bulk Services Department confirmed their approval of the proposed on-site Wastewater Treatment Plant and Revised Stormwater Management Plan for the proposed development (in their comment dated 20 October 2023). Potential odour impacts that may emanate from the on-site wastewater treatment plant will be mitigated by the implementation of mitigation measures contained in the risk assessment related to the on-site package plant and EMPr.

- Stormwater

A stormwater management plan (compiled by UDS and dated July 2023) revealed that the best management practice is to design a sustainable urban drainage system with objectives to improve quality of surface water runoff, control the quantity and rate of runoff and encourage natural groundwater recharge. Therefore, a stormwater attenuation pond (capacity of 2 145.40m³) is proposed in the southwestern corner of the site for treatment and water shall be piped toward the facility. The attenuation facility will have an overflow connection into the municipal system. As part of the proposed development, a masterplan item of the City of Cape Town is to be developed since the proposed development is directly affected stormwater reticulation aspects. The development of a regional stormwater attenuation facility, approximately 4 000m³ storage capacity on Portion 206 of Farm Gustrouw No. 918, Strand, will take place. The City of Cape Town: Water and Sanitation Bulk Services Department confirmed their support of the proposed development (in their comment dated 20 October 2023).

- Potable Water

A civil engineering services report (compiled by UDS and dated July 2023) which entails the estimated water demand, available water reticulation services, sewer demand and available sewer reticulation services, the stormwater system and road network was provided. The engineer indicated that the proposed development has been included in the City of Cape Town's masterplan for the area and will be serviced from a new 200mm diameter water main. However, the water main has not been constructed yet and an alternative existing 500mm diameter water main exists approximately 1 100m to the west of the site for connection of the proposed development.

The City of Cape Town: Bulk Services Department confirmed (in their correspondence dated 24 August 2020 October 2023) and that infrastructure exists to support the proposed development from a water reticulation aspect and capacity within the bulk supply system, however bulk infrastructure development is required.

- Electricity supply

An infrastructure report for electrical services (compiled by DM Consulting Engineers Cape and dated July 2023) estimated that an expected load for the proposed development is approximately 632.41 kVA. The provision of sufficient electrical capacity for the proposed development may be accommodated by the Waterkloof Farmers 1, which has been confirmed by Eskom (in their correspondence dated 21 April 2023).

- Solid waste

The City of Cape Town: Solid Waste Management Department indicated (in their correspondence dated 22 November 2021) their support of the proposed development of development and confirmed sufficient allocated capacity to accept solid waste from the proposed development.

3.13. Dust impacts

A dust management plan (compiled by Guillaume Nel Environmental Consultants and dated 01 November 2023) has been included as part of the EMP which include a daily dust management plan, mitigation measures as well as monitoring and reporting aspects.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential biodiversity impacts;
- Potential groundwater and stormwater impacts;

- Potential heritage impacts;
- Potential visual and sense of place;
- Potential noise impacts;
- Potential primatological impacts;
- Potential traffic impacts; and
- Potential dust impacts;

Positive impacts include:

- Optimum use of existing infrastructure;
- No additional pressure on existing municipal service infrastructure;
- Employment opportunities during the construction and operational phase of the development;
- Economic gain for the applicant;
- Improved achievement of targets and objectives in accordance with the IDP and MSDF.

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

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

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