



EIA REFERENCE NUMBER: 16/3/1/1/A4/74/1070/14
ENQUIRIES: Mr. M. Lamour
DATE OF ISSUE: 28 AUG 2017

The Board of Directors
Dreamworld Management Company (Pty) Ltd.
P.O. Box 682
SOMERSET MALL
7173

For attention: Mr. N. Dekker

Tel: (021) 843 2400
Fax: (021) 843 2410

Dear Sir

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2010: THE PROPOSED DEVELOPMENT OF A FUEL SERVICE STATION, CONVENIENCE STORE, DINER AND ASSOCIATED INFRASTRUCTURE AT THE CAPE TOWN FILM STUDIOS ON THE REMAINDER OF ERF 41969, BLUE DOWNS (FORMERLY THE REMAINDER OF PORTION 13 OF FARM NO. 653, FAURE).

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

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2010, ("NEMA EIA Regulations, 2010") and the NEMA EIA Regulations, 2014 as amended on 07 April 2017, the competent authority herewith **grants environmental authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred alternative described in the Basic Assessment Report ("BAR") dated June 2017.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Board of Directors
Dreamworld Management Company (Pty) Ltd.
c/o Mr. N. Dekker
P.O. Box 682
SOMERSET MALL
7173

Tel: (021) 843 2400
Fax: (021) 843 2410

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

B. LIST OF ACTIVITIES AUTHORISED

Listing Notice 1 of the NEMA EIA Regulations, 2010:

Activity Number: 11
Activity Description:

"The construction of:

- (i) canals;*
- (ii) channels;*
- (iii) bridges;*
- (iv) dams;*
- (v) weirs;*
- (vi) bulk storm water outlet structures;*
- (vii) marinas;*
- (viii) jetties exceeding 50 square metres in size;*
- (ix) slipways exceeding 50 square metres in size;*
- (x) buildings exceeding 50 square metres in size; or*
- (xi) infrastructure or structures covering 50 square metres or more*

where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line".

Activity Number 13
Activity Description:

"The construction of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres;"

Listing Notice 3 of the NEMA EIA Regulations, 2010:

Activity Number: 12

Activity Description:

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

- (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;*
- (b) Within critical biodiversity areas identified in bioregional plans;*
- (c) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas.*

On 04 December 2014, the Minister of Environmental Affairs promulgated regulations in terms of Chapter 5 of the NEMA, viz, the EIA Regulations 2014 (Government Notice No. R. 982, R. 983, R. 984 and R. 985 in Government Gazette No. 38282 of 04 December 2014). Please note that these regulations came into effect on 08 December 2014. On 07 April 2017, the Minister of Environmental Affairs made amendments to the EIA Regulations, 2014 Published under Government Notice No. 982 in Gazette No. 3822 of December 2014, in terms of sections 24(2) and 44 of the NEMA. Please note the amended Regulations came into effect on 07 April 2017.

The activities listed below are the similarly listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):

Activity Number 12:

Activity Description:

The development of—

- (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or*
- (ii) infrastructure or structures with a physical footprint of 100 square metres or more;*

where such development occurs—

- (a) within a watercourse;*
- (b) in front of a development setback; or*
- (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —*

excluding—

- (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;*
- (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;*
- (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;*
- (dd) where such development occurs within an urban area;*

- (ee) where such development occurs within existing roads, road reserves or railway line reserves; or
- (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.

Activity Number: 14

Activity Description:

"The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres".

Activity Number: 27

Activity Description:

The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—

- (i) *the undertaking of a linear activity; or*
- (ii) *maintenance purposes undertaken in accordance with a maintenance management plan.*

Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):

Activity Number: 12

Activity Description:

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

i. Western Cape

- i. *Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;*
- ii. *Within critical biodiversity areas identified in bioregional plans;*
- iii. *Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;*
- iv. *On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or*
- v. *On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.*

The abovementioned is hereinafter referred to as "the listed activities".

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The proposed development entails the development of a filling station, a convenience store, a diner and associated infrastructure on the Remainder of Erf 41969, Blue Downs. This will include the installation of four 30 m³ underground fuel storage tanks. Additional fuel storage tanks may be installed at a later stage, however the total fuel storage capacity will not exceed 500 m³.

The proposed development will occur within 32m of a watercourse and will entail the clearance of indigenous vegetation.

A 30 m landscape area will be used as an interactive public open space and will serve as a buffer between the development and the Kleinvlei Canal.

The stormwater system on the site will be designed to allow flow into the Kleinvlei canal. Solid waste removal services and potable water will be supplied by the local authority while electricity will be supplied by Eskom. Approximately 3m³ of sewage will be treated per day on the site as an interim measure until such time that the local authority has sufficient and spare unallocated capacity to treat the sewage. Once the local authority's Zandvliet Waste Water Treatment Works has sufficient and spare unallocated capacity for the treatment of sewage, the facility will link to existing infrastructure.

Access to the site will be gained via the existing Baden Powell/ Film City Boulevard intersection. An internal road and roundabout will be developed off the Film City Boulevard.

The total development footprint will be approximately 10 000 m² in extent.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on the Remainder of Erf 41969, Blue Downs.

The SG 21-digit code is: C06700240004196900000

Co-ordinates: 34° 01' 52.78" South
18° 43' 38.40" East

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Chand Environmental Consultants
c/o Ms. M. Penwarden
P.O. Box 238
PLUMSTEAD
7801

Tel: (021) 762 3050
Fax: (021) 762 3240

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority, unless the holder has

lodged a valid application for the amendment of the validity period of this environmental authorisation, before the expiry of this environmental authorisation.

2. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days of the date of issue of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation is suspended until such time as the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.
3. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2)–
 - 3.1 Notify all registered interested and affected parties of –
 - 3.1.1 the outcome of the application;
 - 3.1.2 the reasons for the decision as included in Annexure 1;
 - 3.1.3 the date of the decision; and
 - 3.1.4 the date of issue of the decision;
 - 3.2 Draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the NEMA EIA Regulations, 2010 detailed in section F below;
 - 3.3 Draw the attention of all registered interested and affected parties to the manner in which they may access the decision;
 - 3.4 Provide the registered interested and affected Parties with -
 - 3.4.1 the name of the holder (entity) of this environmental authorisation;
 - 3.4.2 the name of the responsible person for this environmental authorisation;
 - 3.4.3 the postal address of the holder;
 - 3.4.4 the telephonic and fax details of the holder; and
 - 3.4.5 the e-mail address if any.
 - 3.5 Publish a notice in the newspapers contemplated in Regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that –
 - 3.5.1 informs all interested and affected parties of the decision;
 - 3.5.2 informs all interested and affected parties where the decision can be accessed; and
 - 3.5.3 informs all interested and affected parties that an appeal may be lodged against the decision in terms of Chapter 7 of the NEMA EIA Regulations, 2010;
4. A minimum of seven (7) calendar days notice, in writing, must be given to the competent authority before commencement of construction activities.
 - 4.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 4.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 2, 3, 8.1, 12 and 19.1.

5. The holder is responsible for ensuring compliance with the conditions by any person acting on his behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
6. Any changes to, or deviations from the scope of the description set out 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 such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.
7. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is hereby approved on condition that the following amendments are made to the EMPr and must be implemented:
 - 8.1. The site must be demarcated prior to the commencement of the proposed development.
 - 8.2. An application for amendment to the EMPr must be submitted to the competent authority if any amendments other than those mentioned above, are to be made to the EMP and this may only be implemented once the amended EMPr has been authorised by the competent authority.
 - 8.3. The EMPr must be included in all contract documentation for all phases of implementation.
9. A copy of the environmental authorisation and the EMPr must be kept at the site where the listed activities will be undertaken during the development phase whereafter, it must be kept at the office of the applicant. Access to the site referred to in Section C above must be granted and the environmental authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The environmental authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.
10. The applicant must submit an application for amendment in terms of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended) of the environmental authorisation to the competent authority where any detail or scope with respect to the environmental authorisation must be amended, added, substituted, corrected, removed or updated.
11. Non-compliance with a condition of this environmental authorisation or EMPr may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
12. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") for the development phase of implementation before the commencement of any activities to ensure compliance with the EMPr and the conditions contained herein.
13. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must

be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.

14. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

15. In accordance with the recommendations included in the Geohydrological Assessment Report (compiled by Geodrological and Spatial Solutions International (Pty) Ltd. ("GEOSS"), dated 29 June 2016), the following mitigation measures must be implemented:

- 15.1. Fuel storage tanks must be installed in accordance with relevant SANS standards;
- 15.2. Double banded underground fuel storage tanks with leak monitoring sensors must be installed;
- 15.3. Pipelines must consist of double sleeved pipes;
- 15.4. Each fuel pump must be installed with a pump sump underneath which will trap any spills should they occur. Pumps must be equipped with automatic shut-offs should a hose burst or be ripped away; and
- 15.5. A Groundwater Monitoring protocol must be developed in accordance with the recommendations included in section 8 of the Geohydrological Assessment Report dated 29 June 2016.

16. Firefighting equipment must be available on the site.

17. During tanker delivery of fuel at the facility, the tanker driver must be present at all times during product offloading. Should an incident occur emergency cut-off must immediately stop fuel delivery.

18. In accordance with the recommendations included in the Visual Impact Statement (compiled by Square One Landscape Architects cc, dated January 2016), the following mitigation measures must be implemented:

- 18.1 The signage tower must be limited to a maximum height of 10m;
- 18.2 Low level lighting must be used and lighting cast only on the areas that require illumination; and
- 18.3 Reflective surfaces must be kept to a minimum.

19. In accordance with the Botanical Impact Assessment, dated 02 June 2016 and compiled by Nick Helme Botanical Surveys the following must be implemented:
 - 19.1. Search and rescue of all bulbs, succulents and any threatened plant species on the site must be undertaken prior to any disturbance of the site. All rescued material must be translocated to the conservation area to the north of the site; and
 - 19.2. This work must be undertaken by a suitably qualified horticulturalist, in consultation with a botanist and rescuing must take place during the period of May to October and species must be replanted at the start of the rainy season.
20. The Landscape Development Plan compiled by Tarna Klitzner Landscape Architect, dated 04 May 2016, must be implemented.
21. The holder of this environmental authorisation must submit an Environmental Audit Report to this Directorate one month after completion of the development phase.
22. Employment opportunities must be afforded to local community during all phases of the proposed development as far as practically possible.

F. APPEALS

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

1. An appellant must –

- 1.1. Submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
 - 1.1.1 if the appellant is an applicant, the appellant must provide each person and organ of state which was a registered interested and affected party in relation to the applicant's application, within 10 days of having submitted the notice with the Minister, with—
 - (a) a copy of the notice lodged with the Minister; and
 - (b) a notice indicating that the appeal submission will be made available on the day of lodging it with the Minister and where and for what period the appeal submission will be available for inspection by such person or organ of state.
 - 1.1.2 if the appellant is a person other than an applicant, the appellant must provide the applicant, within 10 days of having lodged the notice with the Minister, with—
 - (a) a copy of the notice lodged with the Minister; and
 - (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
- 1.2. Submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal; and

- 1.3 That a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister; and
 - 1.4 If a respondent introduces any new information not dealt with in the appeal submission of the appellant, the appellant is entitled to submit an answering statement to such new information to the Minister within 30 days of receipt of the responding statement.
2. A person, organ of state or applicant who submits a responding or answering statement in terms of Regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.
 3. All notice of intention to appeal and appeal forms must be submitted by means of one of the following methods:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers
Room 809,
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

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

G. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to development 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: 28/08/2017

Copy to: (1) Ms. M. Penwarden
(2) Mr. A. Forbes (City of Cape Town)

Fax: (021) 762 3240
Fax: (086) 624 8526

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/1/1/A4/74/1070/14
NEAS EIA REFERENCE NUMBER: WCP/EIA/0001799/2014

ANNEXURE 1: REASONS FOR THE DECISION

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

- a) This application was submitted in terms of the NEMA EIA Regulations, 2010, and was pending at the time of the promulgation of the NEMA EIA Regulations, 2014. Some of the listed activities herein authorised may not have been listed under the previous NEMA EIA Regulations, but are now listed in terms of the NEMA EIA Regulations, 2014 (as amended). In accordance with Regulation 53(3) of GN No. R. 326, these activities may be authorised as if applied for;
- b) The information contained in the application form dated 14 March 2014 and received by the competent authority on 23 June 2014, the final BAR dated June 2017 and received by the competent authority on 09 June 2017 and the EMPr submitted together with the final BAR and the additional information received on 15 August 2017 and 23 August 2017, respectively;
- c) The listed activities applicable in terms of the NEMA EIA Regulations, 2014 (as amended), and the assessment of the activities in the BAR received by the Department on 09 June 2017;
- d) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- e) 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);
- f) The comments received from interested and affected parties and the responses provided thereon, as included in the final BAR received by the Department on 09 June 2017;
- g) The sense of balance of the negative and positive impacts and proposed mitigation measures; and
- h) The site visit conducted by an official of this Directorate, the EAP and a representative of the applicant on 18 February 2016.

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 ("PPP") included, *inter alia*, the following:

- fixing a notice board at the site where the listed activities are to be undertaken on 18 July 2014;
- giving written notice to the owners of the land and owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 18 July 2014; and
- the placing of a newspaper advertisement in the 'City Vision' and the 'Tygerburger' on 18 July 2014 and 23 July 2014, respectively.

During the PPP the following concerns were raised with respect to the following:

- Groundwater Impacts;
- Visual impacts;
- Botanical Impacts; and

- Traffic impacts.

The Department is satisfied that the PPP 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 EMP to adequately address significant concerns raised.

2. Alternatives

The applicant investigated three site alternatives and the "No-Go" alternative.

Site Alternative 1:

Two site alternatives on Portion 14 of Farm No. 653, Faure were initially considered by the applicant. Due to the high negative traffic impact associated with the sites on Portion 14 of Farm No. 653, Faure, this site was not further assessed.

Site Alternative 2 Preferred alternative herewith authorised:

This alternative entails the development of a filling station convenience store, diner and associated infrastructure on the Remainder of Erf 41969, Blue Downs. This alternative is deemed as preferred as the site is situated off Film City Boulevard and the provision of access is considered feasible.

Design/Layout alternatives

A number of design/layout alternatives were investigated and included the following:

- Access to site

Two separate entrance and exit points were initially considered, however this would have required more space, particularly given the anticipated size of some of the trucks which would utilise the proposed facility. This alternative was therefore not deemed preferred.

The preferred alternative entails the development of a single access for the proposed development.

- Height of the signage tower

The desired height of the proposed signage tower was 15m. However, after a visual impact assessment was done, it was recommended that the maximum height of the signage tower must be limited to 10m due to the high visual impact of a signage tower of 15m.

The preferred height of the signage tower will therefore be limited to a maximum height of 10m.

"No-Go" Alternative

The "no-go" alternative will result in the status quo being maintained. Since the preferred alternative will not result in unacceptable environmental impacts, the "no-go" alternative was not warranted.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

Due to the future proposed residential development on the neighbouring properties, the applicant identified an opportunity to develop a filling station as there are no filling stations in close proximity to the site. The filling station will provide a service to the existing Cape Town Film Studio, the proposed future residential area and the surrounding areas.

The proposed site has also been zoned to Mixed use 2 and is therefore in line with relevant planning legislation.

3.2 Groundwater Impacts

A Geohydrological Assessment (dated 29 June 2016) was conducted by GEOSS to assess any potential geohydrological impacts associated with the proposed development. According to the Geohydrological Assessment, the groundwater table below the proposed site is very shallow (2 m), however the aquifer yield is low, and the groundwater is not used in the area as it is of poor quality. The study concluded that the proposed development is acceptable from a geohydrological perspective, however, the groundwater is still important from an ecosystem functioning perspective and the protection of the aquifer requires high levels of protection. The specialist therefore recommended that pipelines associated with the transport of fuel be double sleeved and that the underground storage tanks be double banded. A Groundwater Monitoring Protocol will also be implemented and the results thereof will be made available to the relevant authorities upon request.

The recommended mitigation and monitoring measures have been included in the conditions of this environmental authorisation and EMPr.

3.3. Freshwater impacts

There are no watercourses on the proposed site, however the wetlands in close proximity of the site that may be impacted on by the proposed development. A Freshwater Assessment dated June 2016, was therefore conducted by Blue Science. The Freshwater Assessment concluded that the proposed development may have an impact on the water quality of the wetland area immediately to the west of the site. The primary mitigation recommended was therefore to prevent the flow of water from the site to the adjacent wetlands, during both the construction and operational phases. The specialist recommended that a sufficient buffer be established between the proposed development and the wetland areas.

The recommended mitigation measures are included in the EMPr.

3.4. Botanical Impacts

A Botanical Impact Assessment dated 23 June 2016 was conducted by Nick Helme Botanical Surveys to assess the potential botanical impacts associated with the proposed development. The specialist report indicates that the proposed site originally contained Swartland Shale Renosterveld which is listed as Critically Endangered (in terms in terms of Section 52 of the National Environmental Management: Biodiversity Act (Act No. 10 of 2004) List of Threatened Ecosystems, In Need of Protection, dated December 2011). However, the study area is currently invaded by alien vegetation, with indigenous plant diversity on-site likely to be less than 2% of what it has been originally. Two plant Species of Conservation Concern were found on the site with a low to moderate likelihood of there being others, although populations of these species are small and regionally insignificant. The study therefore concluded that the botanical conservation value of the study area is deemed low. A search and rescue of all bulbs and succulents and threatened plant species will therefore be implemented prior to the commencement of the proposed development.

CapeNature in a letter dated 18 October 2016 did not object to proposed development.

The recommended mitigation measures have therefore been included in the conditions of this environmental authorisation and EMPr.

3.5. Traffic Impacts

A Transport Impact Assessment dated April 2016, was conducted by Sturgeon Consulting to assess the traffic impacts associated with the proposed development on the surrounding network. The study found that the proposed development and associated infrastructure will have a minimum impact on the existing surrounding road network, especially on the operations of Baden Powell Drive. The traffic impacts associated with the proposed development were therefore regarded as low to neutral.

3.6. Visual Impacts

A Visual Impact Statement dated 15 January 2016, was compiled by Square One Landscape Architects cc. According to the Visual Impact Statement the proposed development is considered to have a moderate to high visual intrusion in the current landscape. However, once the surrounding area is developed (as it is intended), the proposed development will have low to moderate visual intrusion in the area. The specialist concluded that with the appropriate design of the proposed development and landscaping, the visual impact can be mitigated to an acceptable level.

The recommended mitigation measures have therefore been included in the conditions of this environmental authorisation and EMPr.

3.7. Heritage Impacts

A Notice of Intent to develop was submitted to Heritage Western Cape on 19 November 2015, to obtain comments with regard to the proposed development. Heritage Western Cape in a final comment dated 30 November 2015 stated that *"since there is no reason to be believed that the proposed development of a service station with associated amenities on Farm 653, Faure, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required"*.

3.8. Risk

A Risk Assessment, dated 13 November 2015 was conducted by MHR Consultants to determine the risk associated with the proposed development. The study confirmed that the risk associated with the installation and operation of the on-site facilities pertaining to dangerous goods is considered to be low. It also concluded that the proposed development is not regarded as a Major Hazard Installation. Mitigation measures have also been included in the conditions of this environmental authorisation and EMP in order to ensure the safe installation and operation of the proposed development.

3.9. Dust Impacts

Dust impacts are anticipated during the development phase of the proposed development. However, dust impacts are considered to be low as there are little to no receptors in close proximity of the site.

Mitigation measures have also been included in the conditions of this environmental authorisation and EMPr.

3.10 Impact Assessment and significance

- 3.10.1 The impact on groundwater resources as a result of the proposed development has been identified in the BAR as being of medium to high negative significance prior to mitigation and low negative significance post mitigation.
- 3.10.2 Freshwater impacts as a result of the proposed development have been identified in the BAR as being of medium negative significance prior to mitigation and low negative significance post mitigation.
- 3.10.3 Botanical impacts as a result of the proposed development have been identified in the BAR as being of medium negative significance prior to mitigation and low negative significance post mitigation.
- 3.10.4 Traffic impacts have been identified in the BAR as being of medium negative significance prior to mitigation and low negative significance post mitigation.
- 3.10.5 Potential visual impacts as a result of the proposed development have been identified in the BAR as being of high negative significance prior to mitigation and low negative significance post mitigation.
- 3.10.6 Dust impacts as a result of the proposed development have been identified in the BAR as being of low negative significance prior to mitigation and very low negative significance post mitigation.
- 3.10.7 The risk associated with the proposed development has been identified in the BAR as being of low negative significance prior to mitigation and very low negative significance post mitigation.
- 3.10.8 There are no heritage impacts anticipated as part of the proposed development.

National Environmental Management Act Principles

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

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

The development will result in both negative and positive impacts.

Negative impacts include:

- Potential groundwater impacts;
- Potential freshwater impacts; and
- Potential visual impacts.

The Department is satisfied that all the negative impacts of significance specified above will be addressed by the conditions contained in the EA and the mitigation measures contained in the EMP.

Positive impacts Include:

- Optimal use of available land in accordance with the relevant planning policies;
- Employment opportunities during the construction and operational phases; and
- Economic opportunities for the applicant and the local economy.

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.

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