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Ref: ECm1/C/LN1&3/M/44-2024



Singi Properties (Pty) Ltd
P O Box 35009
Newton Park
Port Elizabeth
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Attention: Dr C.R. Maringa

E-mail: Masingita@gmail.com

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS AS AMENDED: PROPOSED NEW RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERF 2006, PARSONSVLEI, PORT ELIZABETH WITHIN THE NELSON MANDELA BAY MUNICIPALITY

1. With reference to the above-mentioned application (Reference number **EC08/C/LN1&3/M/44-2024**), please be advised that the Department has decided to grant authorisation as set out in the attached Environmental Authorisation. The Authorisation Notice and reasons for the decision are attached herewith.
2. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of this letter, of the Department's decision in respect of your application.
3. The written notification referred to above must -
 - 3.1. Specify the date on which the Environmental Authorisation was issued;
 - 3.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 as amended in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
 - 3.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
4. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 2 and 3 of the decision.
5. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as

juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 2 and 3 of the decision.

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

6. An Appeal Submission must be made on a form obtainable from the Departmental Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.
7. The Appellant must also serve a copy of the appeal to the regional office that processed the application.

The address to which the **originals** of such appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO , 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administrator: Mr S. Gqalangile	Siyabonga.Gqalangile@dedea.gov.za
Administrative assistant: Ms P. Gxala	Phumeza.Gxala@dedea.gov.za

8. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.



DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
SARAH BAARTMAN/NMB REGION

DATE: 08 April 2025

Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial: ECm1/C/LN1&3/M/44-2024 NEAS: ECP/EIA/0001633/2024
LAST AMENDED	Not applicable
HOLDER OF AUTHORISATION	Singi Properties (Pty) Ltd represented by Dr C.R. Maringa
LOCATION OF ACTIVITY	Erf 2006, Parsonsvei off Burchell Road, Port Elizabeth within the Nelson Mandela Bay Municipality.

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

“Audit” - as used in the context of this Environmental Authorisation refers to an audit of compliance with conditions contained in this Environmental Authorisation and the requirements/stipulations of a Construction and/or Operational Environmental Management Programme and not to an Environmental Audit undertaken in terms of an accredited environmental management system by a certified environmental management systems auditor.

“Commencement” – Any physical activity on site that can be viewed as associated with as development on Erf 2006 inclusive of any site preparation and infrastructure as described in Section 2 of this Environmental Authorisation.

“EAP” – refers to the appointed Environmental Assessment Practitioner represented by Ms Lea Jacobs of Engineering Advice and Services.

“ECO” – Environmental Control Officer.

“EIA regulations” – These are the 2014 Environmental Impact Assessment Regulations as amended and published in Government Notice R326 of 07 April 2017 in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 as amended.

“EMPr” – refers to the Environmental Management Programme titled “Final Environmental Management Programme Proposed development of Erf 2006, Parsonsvei, Gqeberha, Eastern Cape” dated November 2024 as attached to the FBAR as Appendix F.

“FBAR” - Final Basic Assessment Report titled “Final Basic Assessment Report Proposed Development of Erf 2006, Gqeberha, Eastern Cape” as prepared by the EAP and dated November 2024.

“The Department” – The Department of Economic Development, Environmental Affairs and Tourism, Eastern Cape Province.

1. Decision

The Department is satisfied, based on information available to it, and subject to compliance with the conditions of this Environmental Authorisation that the applicant should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Section 4 of this Environmental Authorisation.

2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998, and the Environmental Impact Assessment Regulations, 2014 as amended the Department hereby authorises **Singi Properties (Pty) Ltd represented by Dr C.R Maringa** to be the legal or natural person who has applied for this authorisation, with the following contact details:

Name	Singi Properties (Pty) Ltd		
Address	P O Box 35009, Newton Park, 6045, Port Elizabeth		
Contact Person	Dr C.R. Maringa	Tel	041 451 2022
Cell	0825572098	E-mail	Masingita16@gmail.com

To undertake the following activities (hereafter referred to as “the activity”), in terms of the scheduled activities listed in the table below:

Detailed description of activity		
The proposed development will consist of 155 residential units aimed at the middle-income residential market. The area of the site is approximately 3.107 Ha. Private open space areas of 0.32 Ha will be provided. Access to the subject site is proposed from Burchell Road. The table below shows the different types of residential units that are proposed for the development.		
Unit	Area	Type
22 x 3 bedroom townhouses	142m ²	Double storey
22 x 3 bedroom townhouses	114m ²	Single storey
32 x 2 bedroom townhouses	103m ²	Single storey
24 x 2 bedroom townhouses	54m ²	2-storey blocks
47 x 2 bedroom apartments	50m ²	2-storey blocks
8 x 1 bedroom apartments	35m ²	2-storey blocks
<p>The proposed development will entail the following activities on site:</p> <ul style="list-style-type: none"> • Clearing of vegetation from the proposed site for the development; • Levelling and landscaping the site for roads, units, and on-site parking; • The construction of a boundary fence/wall spanning the property boundary; 		

- Construction of internal roads to provide access to buildings and on-site parking;
- Construction of walkways and related pathways;
- Construction of residential units, gatehouse, and related infrastructure;
- Installation of stormwater infrastructure;
- Installation of sewer reticulation;
- Connections to existing municipal services;
- Construction activity related to access to the site from Burchell Road; and
- Landscaping of the site to provide private open space between the buildings.

Engineering services**Roads**

Access to the proposed residential development on Erf 2006 Parsonsvei will be off the existing public road Burchell Road near the northeastern boundary of the site. The structural design of the main internal roads will have to be done in accordance with the TRH4 Specifications: Structural design of inter-urban and rural road pavements. The structural layer works of the main internal roads have been preliminary designed to accommodate the repetitive axle loads associated with post-development light vehicles and occasional heavier commercial vehicles.

The development should have at least two lanes in and two lanes out for a development of this magnitude to effectively regulate access/ exit of visitors as well as residents conveniently subject to security requirements. The main internal entrance road should have a minimum width of 6.0m wide. The internal ring road will vary between 6.0m and 4.5m wide. The roads will also act as shallow overland stormwater channels.

Considering the flat to mild topography of the site from south-west to north-east, the roads will have to be designed to fall within the allowed minimum and maximum gradients (self-cleansing flow and maximum stormwater flow velocities) to the catch pit inlets, but also with overall fall towards the proposed stormwater ponds on and/or near the Private Open Spaces at the north-eastern part of the site.

Storm water system

Where practically possible, the controlled storm water outflow from Erf 2006, Parsonsvei will be limited to a maximum of the discharge resulting from a 1 in 5-year recurrence interval pre-development rainstorm. To accomplish the stormwater management objectives, the following major and minor stormwater control mechanisms will have to be introduced:

- Design and construct the piped stormwater system including the roads and parking on Erf 2006, Parsonsvei to intercept and also act as stormwater channels and overland flow routes, sloping north and northeast to the stormwater attenuation ponds. The outflow from the respective ponds will be directed northeast towards the existing stormwater channel.
- The attenuation stormwater ponds A and B on Erf 2006, Parsonsvei has been preliminary designed to retain post-development major design storm inflows up to 1 in 100-year recurrence interval with a 1 in 5-year pre-development discharge. In accordance with our calculations, the effective storage capacity of the proposed ponding system should be 0.342MI and 0.664MI respectively.

- The embankments to the ponding facilities should preferably be constructed at a gradient of 1 vertical to 3 horizontal (maximum 1 vertical to 2 horizontal).
- The surface areas of the ponds must be effectively grassed and maintained.
- Erosion protection measures must be implemented at inlet-, outlet- and overflow structures including overland flow routes. This can be done by the effective design and construction of semi-rigid Gabion/Reno mattress/geo-textile structures and establishment of effective ground cover.
- To limit the possibility of mosquito problems in the major pond areas, construct 600mm wide concrete "V" channels combined with grassing to act as low-flow channels from each inlet- to the outlet structure of the ponds.
- The surface run-off from minor post-development rainstorms (up to a maximum 1 in 5-year recurrence interval) has been preliminary designed to be conveyed and intercepted by the piped stormwater system.
- The stormwater pipes should mainly consist of Class 50D concrete pipes SABS 677 (Class 100D under roads) with respective diameters from 300mm up to 450mm depending on the available gradients of the road reserves as calculated during the detailed design stage, hard rock conditions and general topography of the stormwater routes. All pipes are to be laid to SANS 1200 LE standards.
- All final formation levels of the proposed development shall be shaped to fall towards the roads and stormwater system. The floor level of all buildings shall be a minimum of 255mm above the adjacent final formation level.

Water supply

The supply reservoir for the proposed development will be the Chelsea Reservoir with a top water level (TWL) of 234m above mean sea level (MSL). There is an existing NMBM 400mm diameter uPVC water main in Burchell Road near the northeastern corner of Erf 2006 Parsonsvei. Under normal circumstances, the provision of water to the proposed development on Erf 2006, Parsonsvei will be off the mentioned 400mm diameter NMBM reticulation main in Burchell Road for a high-density residential project subject to the conditions as dictated by NMBM

Sewage

The effluent of the proposed residential development consisting of 155 units on Erf 2006 Parsonsvei, will be treated at the Fishwater Flats Treatment Works (FWFTW). The preliminary total design Average Dry Weather Flow (ADWF) of the proposed Residential development under discussion has been calculated to be 68.60kl per day. The capacity of the existing Fishwater Flats Treatment Works is 132MI per day. The FWFTW is currently treating less than 109MI per day. Under the current conditions it should be possible for the existing Fishwater Flats Treatment Works to handle the additional post-development effluent of 0.070ML per day (68.60kl/day) generated by the proposed residential development

Listed Activities in terms of the amended NEMA EIA Regulations 2014 as contained in the amended application form:

GNR. 327 Listing Notice 1 Activity 24

The development of a road—

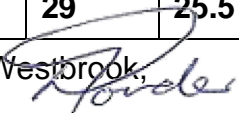
(i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM

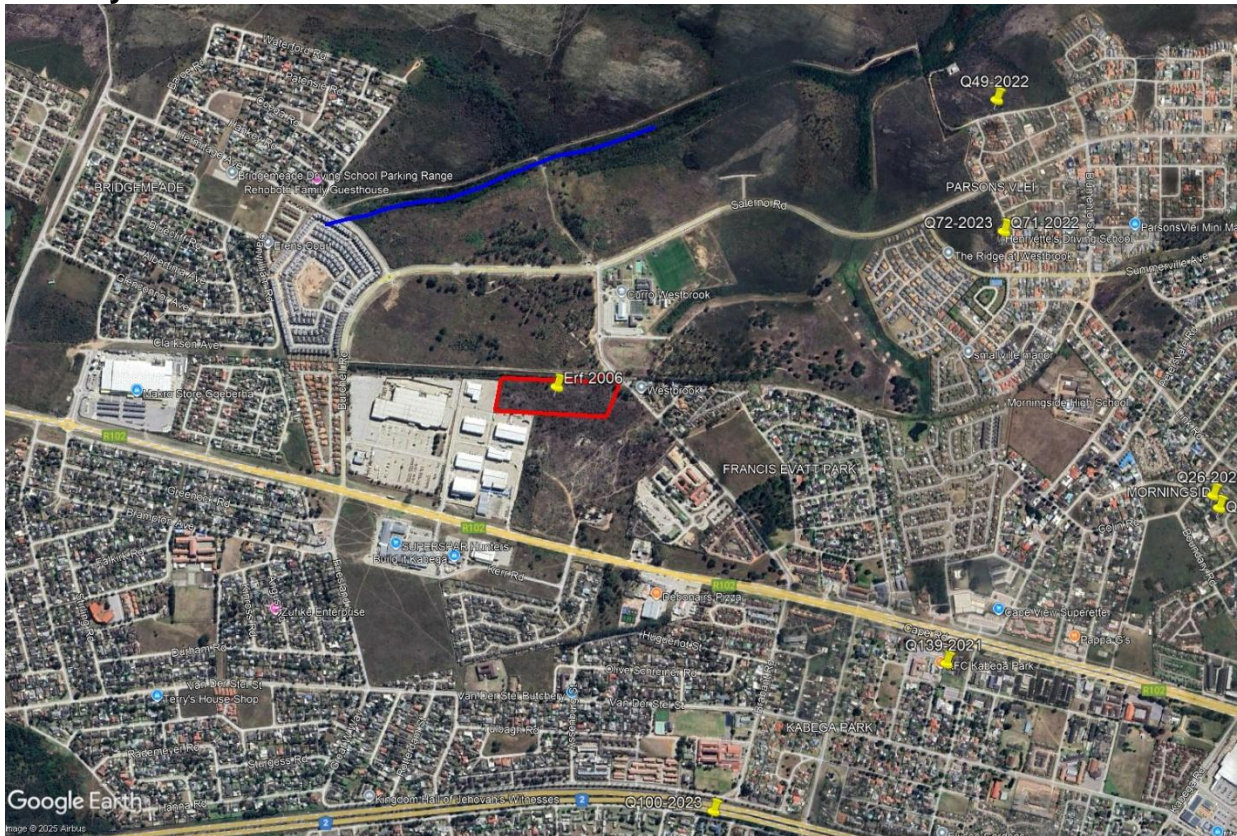
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

	Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres.
GNR. 327 Listing Notice 1: Activity 27:	The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation.
GNR. 324 Listing Notice 3: Activity 12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. a. Eastern 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.

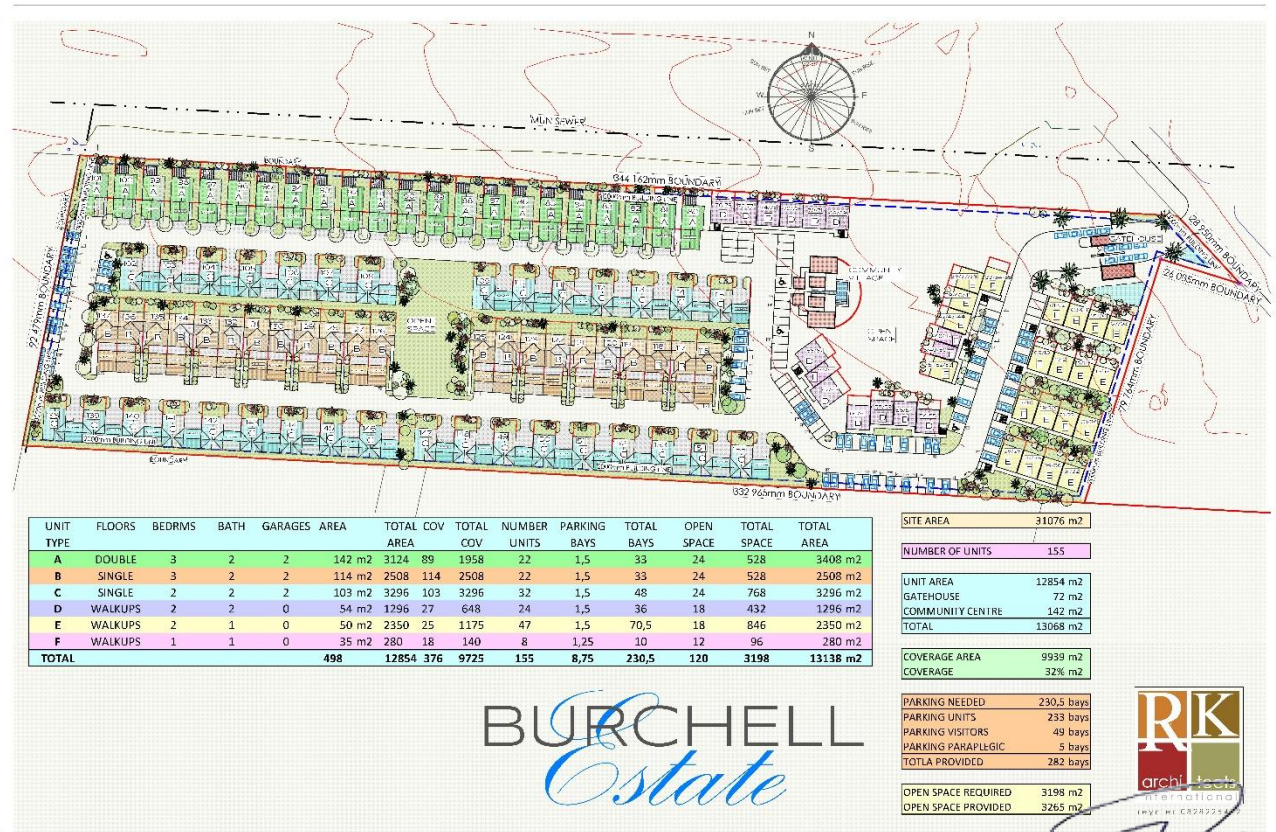
At the locality defined in the Table below, and hereafter referred to as “the property”:

District	Sarah Baartmaan					
Municipal Area	Nelson Mandela Bay Municipality					
Farm Name	N/A					
Farm Number and Portion	N/A					
Erf Number and Township Extension or Suburb	Erf 2006, Parsonsvei					
Co-ordinates of the corners of Erf 2006	Latitude (S) (DD,MM,SS)			Longitude (E) (DD,MM,SS)		
	33	56	7.08	25	29	12.56
	33	56	4.13	25	29	13.24
	33	56	4.58	25	29	23.92
	33	56	3.77	25	29	24.03
	33	56	3.84	25	29	25.67
	33	56	5.38	25	29	27.39
	33	56	5.13	25	29	26.42
	33	56	7.61	25	29	25.5
Physical address	Erf 2006, west of Burchill Drive and Westbrook, Parsonsvei, Port Elizabeth. 					

Locality of Erf 2006



Layout of the proposed development on Erf 2006



This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

- 3.1.1. The development of the housing infrastructure as described in Section 2 of this Environmental Authorisation must commence within a period of 24 months from the date of issue of this Authorisation. If commencement of the activity does not occur within this period, this Environmental Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 3.1.2. Construction of the necessary infrastructure to be complete within 24 months of commencement and construction of top structures on each individual erf to be complete within 60 months from the date of completion of the service infrastructure.
- 3.1.3. An application for the amendment of the Environmental Authorisation to extend the validity thereof may be submitted to the Department on condition that the Environmental Authorisation is valid on the date of receipt of such amendment application. If no request for amendment is received prior to the expiry of this Environmental Authorisation, the Environmental Authorisation will be deemed to have lapsed.
- 3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
 - 3.1.4.1. An updated CEMP; and
 - 3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.5. Conditions relating to the operation of the project are valid in perpetuity.

3.2. Standard conditions and declarations

- 3.2.1. Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.
- 3.2.2. This Environmental Authorisation applies only to the activities and property described therein.
- 3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity. In this regard specific mention must be made of:
 - 3.2.3.1. The National Environmental Management: Biodiversity Act, Act 10 of

2004;

3.2.3.2. The Provincial Nature Conservation Ordinance, Ordinance 19 of 1974.

3.2.3.3. The National Heritage Resources Act, Act No. 25 of 1999;

3.2.3.4. The National Environmental Management Waste Act, Act No. 59 of 2008;

3.2.3.5. The Occupational Health and Safety Act, Act 85 of 1993; and

3.2.3.6. Municipal Building Regulations and By-Laws.

3.2.4. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.

3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.

3.2.6. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.

3.2.7. This Department reserves the right to impose additional conditions or requirements on the applicant in respect of impacts identified during the EIA process, or suspend this authorisation, in the event that such impacts exceed its significance as predicted in the EAP's FBAR and supporting documentation provided by the EAP in relation to this application

3.2.8. This authorisation applies strictly to the project description as outlined in Section 2 of this Authorisation. Should the applicant wish to amend any component or aspect of the project hereby authorized, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Environmental Authorisation or, if needed, for authorisation in terms of the applicable EIA Regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.

3.2.9. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), such transfer is to be affected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.

3.2.10. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party within 14 (fourteen) days of receiving this Environmental Authorisation.

3.2.11. This Environmental Authorisation or a certified copy thereof must be kept at the property where the activity will be undertaken. The Authorisation must be produced

to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.

- 3.2.12. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.2.13. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.2.14. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act 107 of 1998 and the regulations.
- 3.2.15. **Singi Properties (Pty) Ltd** as represented by Dr. C.R. Maringa will be held liable in the event of non-compliance by any contractor and/or subcontractor involved in this activity.

3.3. Project-specific Conditions

- 3.3.1. Fourteen days' written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation and site camp establishment. The notice must include a date on which it is anticipated that the activity will commence.
- 3.3.2. The fourteen day notice contemplated in Condition 3.3.1 may only be submitted once all pre-construction conditions have been complied with and proof of such compliance to be submitted with the fourteen day notice.
- 3.3.3. The development design to incorporate the following to reduce water demand:
 - 3.3.3.1. Water-efficient fixtures such as low-flow toilet cisterns, low flow showerheads or taps; and
 - 3.3.2.1 The provision of rainwater tanks, with piping connected to the building, with at least 5 Kℓ storage, to be provided for each building.
- 3.3.4. A detailed final layout plan of the proposed development to be provided to and approved by the Department prior to the commencement of construction. The layout plan to be based on the facility illustrations contained in Appendix C of the FBAR and must indicate the location of the individual erven as well as that of any associated infrastructure.
- 3.3.5. The EMPr attached to the Final BAR as Appendix F is hereby approved and must be implemented for the duration of the construction phase.
- 3.3.6. General environmental management principles/measures to be implemented during project implementation if not already contained in the EMPr to include amongst others:
 - 3.3.6.1. A general code of conduct for any contractor that may be carrying out any work on the relevant development site;

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- 3.3.6.2. A clear description of the construction activities to be carried out on the site;
 - 3.3.6.3. Details regarding storage of construction material on site;
 - 3.3.6.4. A framework for all contracts associated with the construction phase of the development and the Environmental Method Statement that will be associated with such contracts.
 - 3.3.6.5. No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface;
 - 3.3.6.6. Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;
 - 3.3.6.7. Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;
 - 3.3.6.8. No servicing of vehicles and other machinery to take place on-site and no fuel or other hazardous material to be stored on-site;
 - 3.3.6.9. All excess construction material and any waste generated during construction must be removed from the site on an ongoing basis and disposed of at a registered waste disposal site;
 - 3.3.6.10. Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
 - 3.3.6.11. Clear stipulations as to who is responsible and accountable for what actions.
- 3.3.9 An Environmental Control Officer (ECO) is to be appointed for the duration of construction activities to oversee the implementation of the EMPr as well as adherence to the conditions contained within this Authorisation. Details of the appointed ECO are to be submitted to the Department together with the 14 day notice as per Condition 3.3.1.
- 3.3.10 The ECO is amongst others responsible for the following;
- 3.3.10.1 To keep a record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;
 - 3.3.10.2 Compliance/non-compliance records must be kept and shall be made available on request from the authorities.
 - 3.3.10.3 To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances and other materials) indicating how these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid the re-occurrence of such incidents;
 - 3.3.10.4 To keep copies of all reports submitted to the Department on site; and
 - 3.3.10.5 To obtain and keep a record of all documentation, permits, licenses, and authorisations relevant to the project on-site.

- 3.3.11 The construction phase is to be audited on an ongoing basis by the ECO. The findings of such audits are to be consolidated and submitted to this Department on a quarterly basis. A final post-construction and rehabilitation audit is to be conducted and submitted to this Department within three months of the completion of construction.
- 3.3.12 The holder of this Environmental Authorisation must ensure that all contracting companies tendering for any work related to the construction of the facility receive a copy of the EMPr referred to in Condition 3.3.5. Furthermore, it must be ensured that all appointed contractors have made appropriate allowance for managing the environmental aspects related to their work in accordance with the provisions of such CEMP.
- 3.3.13 The exact location of any construction camp site that may be necessary, to be approved by the ECO.
- 3.3.14 The construction site and any laydown areas must be clearly demarcated and all construction activities to be confined to the demarcated area inclusive of storage of any construction material.
- 3.3.15 Before vegetation clearing occurs, species of special concern or protected plant species that may occur within the development footprint must be identified.
- 3.3.16 In the event that any species of special concern or protected species in terms of the relevant provincial and national legislation are to be removed the necessary permits to be obtained from the Department for the removal and/or translocation of such species.
- 3.3.17 Any species identified in terms of Condition 3.3.16 as well as any other species that could be translocated are to be removed and relocated to other suitable areas elsewhere on the property in consultation with a suitably qualified botanist / ecologist.
- 3.3.18 A suitably qualified individual is to carry out a faunal "search and rescue" prior to the commencement of vegetation clearing, which fauna are to be relocated to a suitable area elsewhere.
- 3.3.19 The South African Heritage Resources Agency (SAHRA) and the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.20 All construction activities are to be restricted to normal working hours being 07:00 to 17:00 on weekdays. No construction to take place on weekends and public holidays.
- 3.3.21 All sand, gravel, stone or other building material to be used are to be obtained from a bona fide source and the building contractor is not allowed to source any such material from the surrounding environment.
- 3.3.22 Any areas disturbed as a result of construction activities to be rehabilitated a month after construction using vegetation indigenous to the area and in accordance with the requirements of the EMPr and conditions contained within this Environmental Authorisation.
- 3.3.23 Any areas disturbed as a result of construction and/or vegetation clearing activities that will not form part of the completed development *as authorised* to be rehabilitated using vegetation indigenous to the area.

- 3.3.24 All the necessary precautions to prevent contamination of soil and water by fuel, oil, and chemical products during the lifetime of the project are to be undertaken.
- 3.3.25 No servicing of vehicles or machinery is to take place on site. All such servicing is to take place at a properly appointed workshop facility.
- 3.3.26 Adequate measures to protect against soil erosion must be implemented in all areas, including access roads and roads within the developed area.
- 3.3.27 Before decommissioning takes place, a detailed report dealing with environmental impact management during decommissioning must be drawn up and submitted to the Department for approval.
- 3.3.28 Notwithstanding the provisions of any of these conditions, all recommendations, guidelines, and standard conditions contained in the FBAR must be adhered to.

4 Reasons for Decision

4.1 Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- 4.1.1 The information contained in the following documents:
 - The application form dated 14 August 2024 as received by the Department on 19 September 2024.
 - The DBAR submitted to the Department on 2 October 2024; and
 - The FBAR submitted to the Department on 2 December 2024.
- 4.1.2 The EIA Regulations of 2014 as amended and the objectives and requirements of relevant legislation, policies, and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998 accommodated in terms of the Transitional Arrangements provided for in terms of Chapter 8 of GN R. 982 (Section 53) of the EIA Regulations of 2014.

4.2 Key factors considered in making the decision

- 4.2.1 The proposed development will result in the transformation of the entire 3.107 Ha of Erf 2006 albeit with a provision of 0.32 Ha for private open space. The development will be a gated estate.
- 4.2.2 The proposed residential development on Erf 2006 is motivated by its strategic location and potential for optimized land use on a property that is currently vacant. Erf 2006 is situated adjacent to residential areas like Westbrook and Francis Evatt park. Erf 2006 furthermore integrates with existing neighbourhoods, offering convenient access to major roads such as Burchell Road and Cape Road.

The development aligns closely with the Sustainable Development Plan (SDP) of the Nelson Mandela Bay Municipality (NMBM). The SDP aims to guide urban development sustainably, balancing economic growth with environmental stewardship and social equity. By addressing the city's housing demand through well-planned residential expansion, the development supports one of the SDP's key objectives of providing adequate and affordable housing options. Furthermore, it contributes to economic development by creating jobs during construction and fostering local business opportunities as the community grows.

- 4.2.3 The vegetation that would have historically occurred on the property is Algoa Sandstone Fynbos which is a critically endangered vegetation type. The vegetation on the site has however been extensively modified through historical land use practices, including houses and walls, cattle grazing and dumping. The Terrestrial Biodiversity Specialist Assessment did not find any of the indicator species for Algoa Sandstone Fynbos on Erf 2006 other than for a few remaining bulbs. This assessment further concluded that the current vegetative state of Erf 2006 is dominated by grass and dense stands of alien acacias. The development will therefore have a very low impact on biodiversity.
- 4.2.4 The project has been advertised and has been subjected to Public Participation as per the EIA Regulations. The Department is satisfied with the manner in which the EAP has addressed comments / issues raised by I&AP's.
- 4.2.5 From the information available, the significance of likely environmental impacts can be kept within acceptable levels through the implementation of appropriate mitigatory and management measures provided in this Environmental Authorisation and in the CEMP.
- 4.2.6 No fatal flaws were discovered during the Basic Assessment Process and from an environmental perspective there is nothing that would preclude an authorisation being issued. In addition, a number of other measures are stipulated in the conditions contained in Section 3 of this Environmental Authorisation that are intended to ensure that potential impacts associated with the development are kept within limits that are compatible with the environmental character of the site. It is further believed that this development does not present any impact that could not be successfully mitigated.
- 4.2.7 In general, the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation and authorisations required in terms of any other statutory legislation the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

5 Appeal of authorisation

- 5.1. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of this letter, of the Department's decision in respect of your application.
- 5.2. The written notification referred to in Condition 5.1 above must:
- 5.2.1. Specify the date on which the Authorisation was issued;
 - 5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and

5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.

5.3 Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as “the MEC”) in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2 of the decision.

5.4 In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 5.1 and 5.2 of the decision.

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

5.5 An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.

5.6 The Appellant must also serve a copy of the appeal to the regional office that processed the application.

5.7 The address to which the original of any appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO , 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administrator: Mr S. Gqalangile	Siyabonga.Gqalangile@dedea.gov.za
Administrative assistant: Ms P. Gxala	Phumeza.Gxala@dedea.gov.za

- 5.8 In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter



ANDRIES STRUWIG
MANAGER EQM
SARAH BAARTMAN/NMB REGION
DATE: 08 April 2025



DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
SARAH BAARTMAN/NMB REGION
DATE: 08 April 2025