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ENQUIRIES: Ms. M. Schippers
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The Proponent
11 Flamingo Road
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Attention: Mr. R. Scarpellini

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Dear Sir

COMMENT ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED MIXED USE DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 1 OF FARM WELGEMOED NO. 1065, ATLANTIS.

The pre-application draft BAR dated 02 May 2018 and received by this Department on 03 May 2018 and this Directorate's acknowledgement thereof dated 08 May 2018, refer.

1. The Notice of Intent submitted on 07 June 2017 indicated the intention to submit an application for a Shopping Centre only. However, the pre-application BAR indicates that the proposed development will now entail a commercial and industrial development with Public Open Space areas. Please ensure that the correct project description is provided when submitting the application form.
2. The first application for development on Portion 1 of the abovementioned farm was received by this Department on 03 September 2009 and lapsed on 29 November 2010. A second application for 16 commercial erven, 9 erven for agri-business and Public Open Space areas on Portion 1 of the abovementioned farm was received by this Department on 21 October 2010 and lapsed on 18 May 2016. This Department highlighted the following planning considerations with the second application and these must also be considered as part of the new proposal:
 - 2.1. Many of the Spatial Planning Guideline Policies applicable to the subject property indicates that it should ideally be retained for rural/agricultural orientated purposes.
 - 2.2. The property is located inside the demarcated urban edge as per the Cape Town Spatial Development Framework that has been approved in terms of Section 4(6) of the Land Use Planning Ordinance (LUPO), 15 of 1985. However, the proposed development is considered to be located outside an urban area in terms of the NEMA EIA Regulations, 2014 (as amended).
 - 2.3. The forward planning policies relevant to the area and the statutory Cape Town Spatial Development Framework suggest that some form of development may be permitted on the proposed site.

- 2.4. The proposed development of agri-business may have merit as it is a form of urban development on the urban fringe and within the edge and that relates to the surrounding farms and small holdings.
 - 2.5. It must be noted that significant commercial activities outside the Atlantis node and Central Business District may not necessarily be sustainable within the larger scale.
 - 2.6. This implies that commercial development may not necessarily be deemed desirable. Further investigation will thus be necessary at the land use planning consideration stage to determine the need and desirability from a commercial point of view.
3. Applicable listed activities
 - 3.1. According to the information contained in the draft BAR, an "artificial" wetland occurs on the site.
 - 3.2. Should this be the case Activities 12 and 19 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended) will not be applicable to the proposed development, since the wetland is "artificial".
4. Activity Description
 - 4.1. It is noted that the proposed development will include the development of roads and pipelines. However, the length and width of the roads and the length and diameter of the pipelines have not been included in the draft BAR.
 - 4.2. The activity description (on page 9) of the draft BAR indicates that the proposed development will include 27 industrial sites, however, further down in the description it specifies 21 industrial sites.
 - 4.3. The activity description must be updated to include the details of the roads, pipelines and the correct number of industrial sites. The activity description must also include details of the corridors for associated infrastructure relating to water, electricity and sewerage. The BAR must include the beginning, middle and end point co-ordinates of any linear infrastructure.
5. Impacts identification and assessment of impacts
 - 5.1. Not all the impacts associated with the proposed development have been identified and assessed in the draft BAR. The proposed development will be located adjacent to a residential area. However, the potential dust and noise impacts have not been identified and assessed in the draft BAR. Further, the proposed development will include a commercial and industrial component. However, the potential traffic impacts associated with the proposed development have not been identified and assessed in the draft BAR. If this does not require additional investigation an explanation must be provided in the BAR to be submitted to the competent authority.
 - 5.2. It is noted that the impact relating to the loss of vegetation (classified as a critical endangered ecosystem) has been identified as being of medium positive significance after mitigation. Please note that although mitigation measures will be implemented to minimise the impacts on vegetation, the rating cannot be positive as the proposed development will still result in the loss of indigenous vegetation. This significance rating must be clarified in the BAR to be submitted to the competent authority.
 - 5.3. In addition, the medium positive significance rating has not been defined in the methodology to determine the significance ratings of the potential impacts associated with the proposed development. Please note that all the impacts associated with the proposed development must be assessed in terms of the methodology as included on pages 53 and 54 of the draft BAR.

6. List of Interested and Affected Parties (I&AP's)

- 6.1. It is noted that only one adjacent landowner has been identified. However, there is no indication as to which farm the landowner is linked to.
- 6.2. This cannot be correct as various farms, small holdings and a residential area are located adjacent to the proposed site.
- 6.3. Please ensure that all I&P's that will be affected by the proposed development are identified and notified of the proposed development.
- 6.4. The public participation will be regarded as flawed should you fail to identify and notify I&P's that may be affected by the proposed development.

7. Heritage Western Cape ("HWC") comment

- 7.1. It is noted that HWC's comment (dated 10 July 2017) refers to the proposed development as a shopping centre and not the currently proposed commercial and industrial development.
- 7.2. An updated comment from HWC must be obtained to clarify whether their comment will remain applicable to the proposed commercial and industrial development.

8. Confirmation of services

- 8.1. In light of the water crisis currently being experienced in the City of Cape Town, you are required to obtain confirmation from the City of Cape Town that they have sufficient, spare, unallocated water available to provide the proposed development with water.
- 8.2. You must also obtain confirmation from the City of Cape Town that they have sufficient, spare, unallocated capacity to provide the necessary services with respect to sewage treatment, solid waste removal and electricity.

9. General

In the Section on Need and Desirability, point 2c incorrectly indicates that the proposed development will be located outside the City of Cape Town's urban edge. This must be corrected as the development is located inside City of Cape Town's urban edge. You are reminded that the proposed development is considered to be located outside an urban area in terms of the NEMA EIA Regulations, 2014 (as amended).



HEAD OF DEPARTMENT

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