

22 November 2017

Organisation: Department of Environmental Affairs and Development Planning (DEA&DP)

Directorate: Development Management – Region 1

Attention: [AYESHA HAMDULAY](#)

Commenting Period: 22 November 2017 – 15 January 2018

GNEC Code: [20327](#)

Dear Interested and Affected Party

INFORMING START OF 30 DAY PUBLIC PARTICIPATION PERIOD:

PROPOSED CONSOLIDATION, SUBDIVISION AND ESTABLISHMENT OF THE DURBANVILLE GARDENS – ASSISTED LIVING RESIDENTIAL DEVELOPMENT ON ERVEN 56(RE), 4144, 4145, 15763 & 10853 IN DURBANVILLE, WESTERN CAPE PROVINCE.

Project Description:

Guillaume Nel Environmental Consultants (GNEC) has been appointed by DEVCO Group of Companies to facilitate the Environmental Impact Assessment (EIA) process for the proposed consolidation, subdivision and establishment of the Durbanville Gardens – Assisted Living Residential Development on Erven 56(RE), 4144, 4145, 15763 & 10853 in Durbanville.

LOCATION:

Erven 56(RE), 4144, 4145, 15736 and 10853 (33, 37, 39, 41 & 42 Vissershok Road) are situated alongside Vissershok Road in Durbanville, within the Northern Suburbs of Cape Town in the Western Cape and falls under the jurisdiction of the **City of Cape Town: Kraaifontein Administration**.

The site of the combined properties is **2.54 hectares** and falls within the existing **Urban Edge**. It currently consists of five residential properties and borders existing residential properties to the north and the south, Vissershok Road to the west, and a tributary of the Mosselbank River to the east, which eventually feeds into the Uitkamp Wetland.

The development proposal is to consolidate and rezone the concerned properties [Erven 56(RE), 4144, 4145, 15736 and 10853] to allow for the construction and establishment of the proposed DURBANVILLE GARDENS – ASSISTED LIVING RESIDENTIAL DEVELOPMENT.

SITE TYPOGRAPHY & CLIMATE:

The proposed site area slopes gradually from West to East in the direction of the existing Mosselbank tributary. The average slope ranges from 4.79% to 9.11% across the entirety of the property towards the Mosselbank tributary. The property (Erven 56(RE), 4144, 4145, 15736 & 10853) is currently densely covered with exotic landscaped gardens.

The average annual rainfall for the area is approximately 475 mm per annum, and occurs mainly within the Winter months of June through to August. Average monthly temperatures vary between 16 degrees centigrade in Winter to 27 degrees centigrade in the Summer months.

PROJECT PROPOSAL:

The proposed DURBANVILLE GARDENS – ASSISTED LIVING RESIDENTIAL DEVELOPMENT will cover a total extent of 25 389 m² (2.54 Hectares) and will consist of the following:

- Sectional Title Apartments – Total **330 Units**
- Total parking – **374 Parking Bays (249 basement)**
- Other parking – **44 Parking Bays**
- Semi – Detached Separate Title (140 m²) – **Total 12 units (1.5 parking bays per unit)**
- Clubhouse – **450m² (7 parking bays)**
- Frail Care Facility – **1020m² (50 beds, 37 parking bays)**

The proposed DURBANVILLE GARDENS – ASSISTED LIVING RESIDENTIAL DEVELOPMENT will consist of underground and above-ground parking bays, semi-detached cottages, clubhouse with associated bowling green, frail care facility, internal private access roads, sectional title apartment units, swimming pool, stormwater detention ponds and two entry/exit points.

Access to the proposed DURBANVILLE GARDENS – ASSISTED LIVING RESIDENTIAL DEVELOPMENT will be gained via the neighbouring residential development situated directly to the north. A basement-level parking exit will open onto Vissershok Road and will additionally also serve as an emergency entrance point. The proposed 330 Sectional Title Apartments will be arranged into five (5) apartment blocks that will be situated in the centre of the proposed development. The proposed six apartment blocks, that will entail the following:

Block A

- Three (3) floors
- 30 Sectional Title Apartments
- 21 Basement Parking Bays
- 9 Open parking bays

Block B

- Three (3) floors
- 57 Sectional Title Apartments
- 45 Basement Parking Bays
- 12 Open parking bays

Block C

- Three (3) floors
- 63 Sectional Title Apartments
- 53 Basement Parking Bays
- 10 Open parking bays

Block D

- Three (3) floors
- 44 Sectional Title Apartments
- 48 Basement Parking Bays

Block E

- Four (4) floors
- 80 Sectional Title Apartments
- 50 Basement Parking Bays
- 30 Open parking bays

Block F

- Four (4) floors
- 56 Sectional Title Apartments
- 36 Basement Parking Bays
- 20 Open Parking Bays

One hundred and twenty four (124) above-ground parking bays will form the eastern edge of the proposed development.

Additionally, a [Greywater Treatment Plant](#) will be incorporated on the eastern edge of the proposed development. This plant will be utilised to irrigate the associated Landscaped Gardens and forms part of the [water conservation strategy](#) of the development proposal.

Biodiversity:

The proposed DURBANVILLE GARDENS – ASSISTED LIVING RESIDENTIAL DEVELOPMENT will entail a total developed area of 25 389 m² / 2.54 Hectare. According to the relevant SANBI (VegMap 2009) Biodiversity Layer, the concerned properties would historically have been covered with Cape Flats Sand Fynbos.

The properties have been utilised for residential purposes for numerous years, and subsequently transformed from this historical natural vegetation state. Currently the properties primarily consist of a mixture of exotic landscaped gardens intermixed with formalized residential structures. The concerned properties contain absolutely minimal indigenous vegetation.

The north-eastern corner of one of the concerned properties, Erf 56(RE), is **mapped as part of a degraded critical biodiversity area (CBA2: Aquatic) according to the Western Cape Biodiversity Spatial Plan 2017: Critical Biodiversity Areas (Degraded) resource layer (Source: CapeNature).**

Aquatic Ecosystem:

A Freshwater Impact Assessment was compiled by BioConsulting with the primary purpose to inform this EIA process on the existence of wetland conditions on or adjacent to the concerned properties earmarked for the proposed Durbanville Gardens Assisted Living Residential Development. The Specialist Report concluded that certain sections of the concerned properties are indeed wetland areas. The Present Ecological State (PES) and Ecological Importance and Sensitivity (EIS) assessments were calculated by the Specialist, with the following findings:

The valley-bottom wetland has already been severely impacted on by flow-related changes as the result of it being part of the regional stormwater system of the area. The PES result for the valley-bottom wetland is category D, which equates to largely modified with a loss or change in natural habitat and biota and a reduction in basic ecosystem functioning is assumed to have occurred. The EIS was calculated for the importance of the connection to the Uitkamp Wetland Nature Reserve and the result points to a High importance and sensitivity.

The main reasons for the habitat criteria being rated to be of high importance and sensitivity were that relatively high EIS scores were given for the sensitivity of the habitats within the wetland to flow changes the sensitivity of the habitats within the Uitkamp Wetland to water quality changes, the importance of the wetlands as ecological corridors for fauna and flora, and the location of the wetlands within an area which has been categorised as an aquatic and terrestrial CBA.

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The instream and riparian habitat of the wetland is considered largely modified primarily due to the flow and channel alterations of the river. Despite these modifications the wetland is still considered to be of extremely high ecological importance and sensitivity. This is largely due to the wetland being the head waters of the Uitkamp Wetland Nature Reserve and the valley-bottom wetland provides regionally significant aquatic habitat throughout the year; and fulfils a number of functional roles within the catchment (e.g. collection and transport of storm water runoff, and flood alleviation; water and food provision during the wet season, contributing to biodiversity maintenance); and the wetland acts as a corridor for the movement of fauna and/or flora within an aquatic and terrestrial CBA; and the wetlands are likely to support fauna that are characteristic of the region and provides important habitat to indigenous flora and fauna; and the wetland is degraded relative to their presumed natural state (largely as a result of development) but have high potential for rehabilitation.

The impacts associated with the proposed development footprint, in its current form, are moderate and can be mitigated to reduce the impact to low-moderate. Without the proposed mitigation the development may reduce the amount of water seepage to the valley-bottom wetland that feeds the Uitkamp wetland. This may lead to irreparable loss of habitat downstream of the development. The release of the stormwater, without mitigation, into the valley-bottom wetland may also hold a great pollution risk for the Uitkamp wetland.

Provided that the proposed mitigation measures are employed and included as a condition of approval, and that the installations are completed during the dry-season, then the development in the wetland and the release of the stormwater should not cause excessive environmental degradation. It is, therefore, the professional opinion of the specialist that there are no constraints from a freshwater ecological perspective that preclude against the proposed development.

SOCIO-ECONOMIC:

Social impact refers to economic changes, i.e. what impact would the proposed development have on the existing community as well as what associated economic improvement would occur.

In this regard it is clear that the subject site has been earmarked for higher density development in forward planning documents already, thus any such use should have no negative social impact. Additional community facilities such as the frail care centre would provide more social amenity options and add to the variety in the area, thus having a positive social impact.

From an economic side, substantial employment opportunities are added while more residential options are offered to the market (thus contributing to the freedom of choice principle), thus having a positive economic impact.

NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The following sections of the National Heritage Resources Act (Act 25 of 1999) have been triggered by the proposed Durbanville Gardens – Assisted Living Residential Development on Erven 56(RE), 4144, 4145, 15763 & 10853.

Section 38(1) (a): Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length.

Section 38(1) (d): Rezoning of a site exceeding 10 000m² in extent.

Section 38(1)(c): Any development that will change the character of a site –

(i) exceeding 5000m² in extent

(ii) involving three or more existing erven or subdivisions thereof

Subsequently a Notification of Intent to Develop (NID) has been submitted to Heritage Western Cape (HWC) for assessment. Formal response from Heritage Western Cape (HWC) was received on 21 June 2017, stating the following:

You are hereby notified that, since there is no reason to believe that the proposed Assisted Living Residential Development on Erven Remainder 56, 4144 & 4145, 39, 41 & 43 Vissershok Road, Durbanville will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

Extract from response to Notification of Intent to Develop: Final (HWC dated 21 June 2017)

NEED AND DESIRABILITY:

FORWARD PLANNING LEGISLATION

The Northern District Plan (2012) depicts this area for densification in particular along Vissershok Road (see report, page 143). They also note the sensitive riverine corridor to the east of the road.

SOCIO-ECONOMIC IMPACT

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COMPATIBILITY WITH SURROUNDING LAND USES

The neighbourhoods around this site e.g. Aurora and Belvedere, are virtually fully developed and comprise various residential uses. As such the proposed assisted living development would complement the existing urban fabric. The site is located in close proximity to the Uitkamp Wetland and special care in design and environmental planning will be enforced in order to minimize the potential impact on this wetland area.

IMPACT ON EXTERNAL ENGINEERING SERVICES

A full Civil Services Report was done by Aurecon. All was found to be in order with expected capacities for infrastructure available. Confirmation was received from the sewer and water departments of the City of Cape Town that the required capacities do exist within the systems accept the demands from the proposed development.

IMPACT ON SAFETY, HEALTH AND WELLBEING OF THE SURROUNDING COMMUNITY

As indicated, the urban design and architectural character of the development would complement the surrounding urban fabric.

Substantial care has gone into visual impact, in particular with regards to adjoining housing towards the Aurora side, to not affect views, etc. Sections through the design show elevations etc. to confirm the above.

TRANS ORIENTATED DEVELOPMENT (TOD)

The concept of Trans Orientated Development of Cities (TOD) has become an essential component of South African Cities' growth and development strategies. It can be seen as a particular approach to, and outcome of city building/development, focused on public transport access and mobility. The important criteria for TOD are higher density, mixed land use in close proximity to public transport.

With its appropriate higher density and careful pedestrian movement planning not only within the site boundaries, but also on walkways and linkages to the CBD, it is believed this development adheres to the interest of the TOD-document.

ENVIRONMENTAL IMPACT ASSESSMENT

Notice is given in terms of the NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998), In terms of GOVERNMENT GAZETTE NO. 38282 and read with Government Notice No. R 983 of 04 December 2014 (Activities No.19 & 27) and Government Notice No. 985 of 4 December 2014 (Activity No. 12), that a Basic Assessment Process is required as set out in the Environmental Impact Assessment Regulations made under section 24(5) of the NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (Act No. 107 of 1998)

NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT No. 107 of 1998)

GOVERNMENT NOTICE NO. R 983 OF 04 DECEMBER 2014:

ACTIVITY NO. 19

The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;

But excluding where such infilling, depositing, dredging, excavation, removal or moving –

- (a) will occur behind a development setback
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 of this Notice, in which case that activity applies.
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour.
- (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.

ACTIVITY NO. 27

The clearance of an area of 1 hectare 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.

GOVERNMENT NOTICE NO. R. 985 OF 2014:

ACTIVITY NO. 12

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

(i) In Western Cape:

- (i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEM:BA 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; or
- (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.

(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 following State Departments, Organs of State and I&APs will be consulted during the Public Participation Process (PPP) as part of this Environmental Impact Assessment (EIA) Process:

- CapeNature
- South African Heritage Resource Agency (SAHRA)
- Heritage Western Cape (HWC)
- Western Cape Government: Department of Agriculture
- Western Cape Government: Department of Transport and Public Works
- Department of Environmental Affairs and Development Planning – Pollution Management
- Department of Water and Sanitation (DWS)
- City of Cape Town – Environmental and Heritage Management Branch
- City of Cape Town: Catchment Management – Stormwater and Sustainability
- City of Cape Town – Environmental Management Department
- City of Cape Town – Subcouncil Manager – Subcouncil 7
- City of Cape Town – Ward Councillor – Ward 112
- Durbanville Community Forum

Guillaume Nel Environmental Consultants (GNEC) was appointed as an independent Environmental Consultancy by DEVCO Group of Companies to facilitate the Environmental Impact Assessment (EIA) and Public Participation Processes for the development proposal. GNEC would like to request that the Department provides provisional comment of the 1st draft Basic Assessment Report.:

GNEC

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GNEC Ref No: 20359

DEA&DP REF NO: 16/3/3/6/7/1/A5/20/2174/17

Additionally, please note, that a hardcopy of the 1st draft Basic Assessment Report will be made available at the **Durbanville Public Library** on the corner of Oxford and Koeberg Roads in Durbanville for viewing purposes.

Contact Person: **Charmaine Petersen**

Tel: 021 444 7070

Email: durbanville.library@capetown.gov.za

Additionally also note that ALL relevant documentation will also be made available to download from our Website at: <https://www.gnec.co.za>

Please refer to the “Documents of Review” tab on the left-hand side of the screen and select the folder with code **20359**. All project specific documentation will be available within this folder for download and viewing purposes.

Please endeavour to provide provisional comment to GNEC by:

Monday 15 January 2018

Yours sincerely



Dietmar de Klerk
For GNEC