



**Basic Assessment Report in terms of the NEMA Environmental Impact Assessment Regulations, 2010**

**AUGUST 2010**

**Kindly note that:**

1. This **Basic Assessment Report** is the standard report required by DEA&DP in terms of the EIA Regulations, 2010 and must be completed for all Basic Assessment applications.
2. This report must be used in all instances for Basic Assessment applications for an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as amended, and the Environmental Impact Assessment Regulations, 2010, and/or a waste management licence in terms of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM: WA), and/or an atmospheric emission licence in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA).
3. This report is current as of 2 August 2010. It is the responsibility of the Applicant / EAP to ascertain whether subsequent versions of the report have been published or produced by the competent authority.
4. The required information must be typed within the spaces provided in the report. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. It is in the form of a table that will expand as each space is filled with typing.
5. Incomplete reports will be rejected. A rejected report may be amended and resubmitted.
6. The use of "not applicable" in the report must be done with circumspection. Where it is used in respect of material information that is required by the Department for assessing the application, this may result in the rejection of the report as provided for in the regulations.
7. **While the different sections of the report only provide space for provision of information related to one alternative, if more than one feasible and reasonable alternative is considered, the relevant section must be copied and completed for each alternative.**
8. Unless protected by law all information contained in, and attached to this report, will become public information on receipt by the competent authority. If information is not submitted with this report due to such information being protected by law, the applicant and/or EAP must declare such non-disclosure and provide the reasons for the belief that the information is protected.
9. This report must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department. No faxed or e-mailed reports will be accepted. **Please note that for waste management licence applications, this report must be submitted for the attention of the Department's Waste Management Directorate (tel: 021-483-2756 and fax: 021-483-4425) at the same postal address as the Cape Town Office Region A.**
10. Unless indicated otherwise, two electronic copies (CD/DVD) and three hard copies of this report must be submitted to the Department.

**DEPARTMENTAL DETAILS**

<b>CAPE TOWN OFFICE REGION A (Cape Winelands, City of Cape Town: Tygerberg and Oostenberg Administrations)</b>	<b>CAPE TOWN OFFICE REGION B (West Coast, Overberg, City of Cape Town: Helderberg, South Peninsula, Cape Town and Blaauwberg Administrations)</b>	<b>GEORGE OFFICE (Eden and Central Karoo)</b>
Department of Environmental Affairs and Development Planning Attention: Directorate: Integrated Environmental Management (Region A2) Private Bag X 9086 Cape Town, 8000  Registry Office 1 <sup>st</sup> Floor Utilitas Building 1 Dorp Street, Cape Town  Queries should be directed to the Directorate: Integrated Environmental Management (Region A2) at: Tel: (021) 483-4793 Fax: (021) 483-3633	Department of Environmental Affairs and Development Planning Attention: Directorate: Integrated Environmental Management (Region B) Private Bag X 9086 Cape Town, 8000  Registry Office 1 <sup>st</sup> Floor Utilitas Building 1 Dorp Street, Cape Town  Queries should be directed to the Directorate: Integrated Environmental Management (Region B) at: Tel: (021) 483-4094 Fax: (021) 483-4372	Department of Environmental Affairs and Development Planning Attention: Directorate: Integrated Environmental Management (Region A1) Private Bag X 6509 George, 6530  Registry Office 4 <sup>th</sup> Floor, York Park Building 93 York Street George  Queries should be directed to the Directorate: Integrated Environmental Management (Region A1) at: Tel: (044) 805 8600 Fax: (044) 874-2423

View the Department's website at <http://www.capegateway.gov.za/eadp> for the latest version of this document.

**DEPARTMENTAL REFERENCE NUMBER(S)**

File reference number (Basic Assessment):	E12/2/4/1-A2/23-3075/11
File reference number (Waste):	
File reference number (Other):	

**PROJECT TITLE**

**PROPOSED DEVELOPMENT OF A DOUBLE DWELLING AT ERF 532, BANTRY BAY, SITUATED AT NO. 276, OCEAN VIEW DRIVE.**

**DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)**

Environmental Assessment Practitioner (EAP):	Andre van der Spuy Environmental Consultants cc		
Contact person:	Ross Cameron/ Andre van der Spuy		
Postal address:	No. 42 Afrikander Road, Simon's Town		
Telephone:	(021 786 2919	Postal code:	7975
		Cell:	082 295 6072
E-mail:	avdspuy@iafrica.com; ross@cybersmart.co.za	Fax:	086 546 7986
EAP Qualifications	BSc (Hons) Environmental and Geographical Science; MSc (Conservation Biology)		
EAP Registrations/Associations	Member IAIAAsa.		

**Details of the EAP's expertise to carry out Basic Assessment procedures**

Mr. Andre van der Spuy: Principal Member: Andre van der Spuy Environmental Consultants cc

## 1. Tertiary Qualifications

- BSc Zoology and Environmental & Geographical Science
- BSc (Hons) Environmental & Geographical Science
- MSc Conservation Biology (All acquired at University of Cape Town)

## 2. Experience and Expertise

André van der Spuy has 14 years professional experience as an environmental consultant, of which:

- Two years was concluded as an employee of Planning Partners, where André occupied the position of an Environmental Scientist and Consultant.
- Twelve years of ownership of an environmental consultancy has been achieved to date. The consultancy is registered as *André van der Spuy Environmental Consultants cc*.
- Extensive experience in drafting of Environmental Management Programmes and Environmental Impact Assessment and Basic Assessment Reports (viz. construction and operational phase environmental management programmes, scoping reports, basic assessment reports, environmental impact reports etc.).

## 3. Company registration/ affiliation

André van der Spuy Environmental Consultants cc is a registered member of the *International Association of Impact Assessors South Africa (IAIAAsa)*.

Also refer to the company prospectus enclosed within this submission, in which the projects with which André van der Spuy Environmental Consultants cc has been involved are listed.

**EXECUTIVE SUMMARY OF THE CONTENT OF THE BASIC ASSESSMENT REPORT:**

*This report provides an extensive assessment of the potential biophysical, socio-economic, planning and other such impacts*

associated with the proposed development of a new double dwelling and associated infrastructure at Erf 532, Bantry Bay and in so doing, provides substantive measures by which such impacts could be mitigated to the degree that they would be reduced to a low/medium and/ or acceptable significance. The proposed double dwelling to be erected on the steeply-sloping site situated on the westerly flanks of Lion's Head, has adopted a design moulded from the outcome of the present simultaneous planning process, in which comments received during the public participation process have been taken cognisance of, resulting in a substantially revised design. The structure being proposed within this application is considered to be appropriate within the context of the Bantry Bay suburb and the immediate locale, and the design appears to mitigate several potential impacts which otherwise would have been of considerably higher significance. The mitigation measures take account of the specific physical characteristics of the site and its surroundings, in as much as the structure descends below the level of Ocean View Drive and is recessed into the steeply-sloping site to reduce its overall height and the perceived bulk of the building. The proposal also provides for locally indigenous planting of the garden following the construction process, which could be perceived as a positive mitigation measure when one considers the current total invasion of the property by alien invasive vegetation.

After having conducted a thorough environmental impact assessment by way of the legislated Basic Assessment process, undertaken in terms of the provisions of NEMA and the EIA Regulations, 2010 and in tandem with an equally thorough and extensive design and planning process, it is reasonably concluded that the impacts of the proposal itself are such that they are considered to be of acceptable significance within the ambit of the nature of the site and its surroundings. The impacts associated with the activity can be mitigated to the extent that the authorisation of the proposed activity would not result in immediate/ site-specific or cumulative impacts of a highly-significant and/ or highly negative nature. Based upon the overall assessment process carried out thus far, it is extrapolated that the impacts associated with the activity should not preclude the issue of an authorisation.

## SECTION A: ACTIVITY INFORMATION

### 1. PROJECT DESCRIPTION

(a) Is the project a new development?	YES	
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(b) Provide a detailed description of the development project and associated infrastructure.

The owner of Erf 532, Bantry Bay, a property situated at No. 276, Ocean View Drive (refer to Appendix A for Aerial Photograph depicting the property locality), proposes to erect a double dwelling (refer to Appendix B for Site Plans dated 06 December 2010 and for renderings of the intended end-result of the building)) on the currently vacant and undeveloped property. The proposal comprises the erection of the double dwelling on the erf, which is zoned for Single Residential Use Zone but has never been developed and is located near the upper end of Ocean View Drive, Bantry Bay, some 100 meters from the termination of Ocean View Drive at its most southerly and uppermost point. The property forms a steeply-sloping incline (refer to Appendix D for Site Photographs dated June 2010), abutting a developed property to the north (Erf 779) and rising from the neighbouring developed property to the west (Erf 509; adjacent to De Wet Road below), adjoining Ocean View Drive above, and which forms an interface with the upper-most portion of the site. The site takes a roughly triangular shape, enjoying a relatively wide eastern boundary abutting Ocean View Drive, but narrowing to a sharp wedge at its lowermost/ western common boundary, at which a neighbouring dwelling exists, being buffered by large granite boulders and an existing severe infestation of alien invasive vegetation.

The property is dominated by steep slopes and various scattered massive granite boulders and associated granitic shale typical of the westerly slopes of Lion's Head, and is grown primarily by highly invasive and undesirable kikuyu grass (*Pennisetum clandestinum*) and *Eucalyptus* spp., the latter of which is also alien invasive and of no foreseeable conservation value. Smaller copses of Port Jackson (*Acacia saligna*) and Rooikrans (*Acacia cyclops*) infest certain areas of the site, albeit that the larger shrubs have recently been felled and the majority of wattles are at stump height. The majority of invasive

vegetation has been felled in the relatively recent past, with the remains of the felled material being scattered as dried brush stockpiles on the property slopes, while the majority of the property's embankment is stabilized by the dense growth of kikuyu (refer to Appendix C for photographs). The context of the immediate and surrounding environment is rather varied in the sense that the property itself is abutted on its north and west boundaries by developed sites improved by double dwellings, to its east by Ocean View Drive, above and beyond which lie several stands also improved by double dwellings. The property (Erf 548) immediately opposite and above Erf 532 to the east is similarly vacant and continues the steep incline from Ocean View Drive to the east flank of Lion's Head. There exist two private properties to the south (Erven 533 and 534) which are both vacant, the most immediate (Erf 533) being largely invaded by a dense strip of Eucalyptus and which incorporates a sharp gully feature which could be loosely described as a 'watercourse', defined in this instance as a 'natural depression in which water flows regularly or intermittently'.

The general context of the immediate area is therefore that of a steep, highly-disturbed and entirely transformed mountain-side having been partially developed by way of large dwellings serviced by and situated both above and below Ocean View Drive and interspersed by vacant properties assigned primarily for similar future residential development.

The double dwelling being proposed for construction on the 859m<sup>2</sup> property represents a three storey building over five levels, comprising:

<b>Total area of erf: 859 m<sup>2</sup></b>	
<b>Total floor area: 909 m<sup>2</sup> (double dwelling)</b>	
Unit 1:	462 m <sup>2</sup>
Unit 2:	447 m <sup>2</sup>
<u>Parking:</u> 8 parking spaces, four (4) within garages at street level and other off-street parking spaces are proposed on the driveway between the erf boundary and the road. A lease agreement is being finalised with Council to secure additional land that will release further land for access and landscaping purposes. This to be detailed within the Basic Assessment process.	
<u>Coverage:</u>	47.1%
<u>Built Upon Area:</u>	63.7%
<u>Design:</u>	Contemporary
<u>Height:</u>	162.45 meters above sea level. This represents a single level (3m) above the current back of footway level.
<u>Departures:</u>	0 in total
<u>Restrictive Title Deed Conditions:</u> 3 to be amended (relating to double dwelling and built upon area)	
<u>Access:</u> Via gradual driveway/ramp to garage at street level	

The activities expected to be required during the course of construction of the proposed double dwelling include:

- Site preparations, earthworks and excavation to new site levels to accommodate the recesses of the buildings into the mountainside;
- Removal by phased clearance of alien invasive vegetation and protection of areas beyond the site boundaries, such as in particular the mountain gully to the south and the dense stand of Eucalyptus trees also to the south, within the neighbouring Erven 533 and 534.
- The construction of the buildings and associated developed areas, such as a double garage, driveway, parking bays, planters, terracing, swimming pools and etc.
- Hard and soft landscaping and replanting where feasible of affected areas using indigenous vegetation.

The property lies within 32 meters of a mountain gully situated on the neighbouring undeveloped erf (Erf 533) and the gully is

considered by the Department to represent a 'watercourse'. Accordingly, in order for the Applicant to comply with the requirements of the NEMA EIA Regulations 2010, promulgated in terms of the National Environmental Management Act, 1998 (NEMA: Act 107 of 1998), as amended, a requisite Basic Assessment application process must be undertaken given that the proposed project triggers activities listed under GN No. R 544 of Government Gazette 33306 of 18 June 2010, promulgated in terms of NEMA. The Basic Assessment process is intended to incorporate a comprehensive assessment of biophysical and socio-economic impacts which may be associated with the proposal.

It should be noted that the above proposal is an entirely new one after a previous proposal for a double dwelling of larger bulk and differing design was proposed during the earlier planning-related application stage. The previous proposal was subject to comments as part of the public consultation process in respect of the planning application, and comments and objections received during that separate process were seriously considered and taken on board by the planners and Applicant. The process resulted in the present proposal presented within this Application Form, which addresses the majority of the objections received during the planning stage, in order to minimise the impact the proposed development might have on adjoining properties and the surrounding area and to address the concerns/questions raised by the surrounding neighbours. An entirely distinct public participation process will also be carried out in respect of the Basic Assessment application and all comments received will be considered and responded to (refer to Section C below).

(c) List all the activities assessed during the Basic Assessment process:

Government Notice R544 Activity No(s):	Describe the relevant <b>Basic Assessment Activity(ies)</b> in writing as per <b>Listing Notice 1</b> (GN No. R544)	Describe the portion of the development as per the project description that relates to the applicable listed activity
<b>11 (x) and (xi)</b>	<p>"The construction of:</p> <p>(x) buildings exceeding 50 square meters in size; or</p> <p>(xi) infrastructure or structures covering 50 square meters or more;</p> <p>where such construction occurs within a watercourse or within 32 meters of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line."</p>	<p>The activity will incorporate a building and associated infrastructure exceeding 50 square meters and which is situated within 32 meters of a mountain gully which has been identified as a 'watercourse', which is defined in the Regulations as:</p> <p>(a) a river or spring;</p> <p>(b) <u>a natural depression in which water flows regularly or intermittently;</u></p> <p>(c) a wetland, lake or dam into which, or from which, water flows; and</p> <p>(d) any collection of water which the Minister may, by notice in the Gazette, declare to be a watercourse, and a reference to a watercourse includes, where relevant, its bed and banks."</p> <p>Accordingly, the stated Listed Activity 11 (x) and (xi) is applicable and would be triggered by the proposed activity on account of the fact that the activities would occur within 32 meters of the edge of a watercourse (refer to Appendix D for photographs), which in this case is represented by <u>a (partially) natural depression in which water flows regularly or intermittently</u>. Furthermore, as no development setback line has been established for this property or adjacent area, it is concluded</p>

		that no development setback line applies and such exclusion therefore falls away.
Government Notice R546 Activity No(s):	Describe the relevant <b>Basic Assessment Activity(ies)</b> in writing as per <b>Listing Notice 3</b> (GN No. R546)	Describe the portion of the development as per the project description that relates to the applicable listed activity
<b>16 (d) (iii) and (iv)</b>	<p>“The construction of:</p> <p>(iii) buildings with a footprint exceeding 10 square meters in size, or</p> <p>(iv) infrastructure covering 10 square meters or more</p> <p>where such construction occurs within a watercourse or within 32 meters of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.”</p>	<p>The activity will incorporate the construction of a building and associated infrastructure exceeding 10 square meters and which is situated within 32 meters of a mountain gully which has been identified as a ‘watercourse’, which is defined in the Regulations as:</p> <p>(a) a river or spring;</p> <p>(b) <u>a natural depression in which water flows regularly or intermittently;</u></p> <p>(c) a wetland, lake or dam into which, or from which, water flows; and</p> <p>(d) any collection of water which the Minister may, by notice in the Gazette, declare to be a watercourse, and a reference to a watercourse includes, where relevant, its bed and banks.”</p> <p>Accordingly, the stated Listed Activity 16 (d) (iii) and (iv) is applicable and would be triggered by the proposed activity on account of the fact that the activities would occur within 32 meters of the edge of the watercourse (refer to Appendix D for photographs), which in this case is represented by <u>a (partially) natural depression in which water flows regularly or intermittently.</u> Furthermore, as no development setback line has been established for this property or adjacent area, it is concluded that no development setback line applies and such exclusion therefore falls away.</p>
Government Notice R545 Activity No(s):	Describe the relevant <b>Scoping and EIA Activity(ies)</b> in writing as per <b>Listing Notice 2</b> (GN No. R545)	Describe the portion of the development as per the project description that relates to the applicable listed activity
	Not applicable.	
<p><b>Please note:</b> Only those activities for which the applicant applies will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are included in the application. Failure to do so may invalidate the application.</p>		

**If the application is also for activities as per Listing Notice 2 and permission was granted to subject the application to Basic Assessment, also indicate the applicable Listing Notice 2 activities:**

**Not applicable.**

GN No. R. 545 Activity No(s):	If permission was granted in terms of Regulation 20, describe the relevant <b>Scoping and EIA Activity(ies)</b> in writing as per <b>Listing Notice 2</b> (GN No. R. 545)	Describe the portion of the development as per the project description that relates to the applicable listed activity.

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**Waste management activities** in terms of the NEM: WA (Government Gazette No. 32368):

**Not applicable.**

GN No. 718 - Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity in writing.

**Please note:** If any waste management activities are applicable, the **Listed Waste Management Activities Additional Information Annexure** must be completed and attached to this Basic Assessment Report as **Appendix I**.

If the application is also for waste management activities as per Category B and permission was granted to subject the application to Basic Assessment, also indicate the applicable Category B activities:

**Not applicable.**

GN No. 718 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity in writing.

**Atmospheric emission activities** in terms of the NEM: AQA (Government Gazette No. 33064):

**Not applicable.**

GN No. 248 Activity No(s):	Describe the relevant atmospheric emission activity in writing.

(d) Please provide details of all components of the proposed project and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).

Buildings	YES	NO
Provide brief description:		
<i>The activity proposed represents the erection of a double dwelling on the property, and which is proposed to comprise a three storey building over five levels, incorporating two distinct units (double dwelling) covering a combined floor area of 909m<sup>2</sup>, and having associated developed areas such as a garage, driveway, eight parking bays, planters, terracing, landscaping and two swimming pools.</i>		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		
<i>Not applicable.</i>		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
<i>Not applicable.</i>		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)	YES	NO
Provide brief description		
<i>Not applicable.</i>		
Storage and treatment facilities for solid waste and effluent generated by the project	Yes	No
Provide brief description		

Not applicable.

Other activities (e.g. water abstraction activities, crop planting activities)	Yes	No
Provide brief description		
Not applicable.		

## 2. PHYSICAL SIZE OF THE ACTIVITY

(a) Indicate the size of the property (cadastral unit) on which the activity is to be undertaken.	<b>Size of the property:</b>
	859m <sup>2</sup>

(b) Indicate the size of the facility (development area) on which the activity is to be undertaken.	<b>Size of the facility:</b>
	<b>Total floor area: 909 m<sup>2</sup> (Double Dwelling)</b>
	Unit 1: 462 m <sup>2</sup> Unit 2: 447 m <sup>2</sup>

(c) Indicate the physical size (footprint) of the activity together with its associated infrastructure:	<b>Size of the activity:</b>
	Footprint/ total area covered by proposed double dwelling, garden and associated infrastructure: <u>447m<sup>2</sup></u>
(d) Indicate the physical size (footprint) of the activity:	<b>Total built-upon area: 527m<sup>2</sup>,</b> Of which the Double Dwelling is 447m <sup>2</sup> and the Garage is 80m <sup>2</sup>
(e) Indicate the physical size (footprint) of the associated infrastructure:	

and, for linear activities:

(f) Indicate the length of the activity:	<b>Length of the activity:</b>
	m

## 3. SITE ACCESS

(a) Is there an existing access road?	YES	
(b) If no, what is the distance over which a new access road will be built?		m

(c) Describe the type of access road planned:

The property is immediately accessible via a public roadway (Ocean View Drive) which provides direct access, with no other access road being required. The proposed garage to be constructed at road level would allow for direct access onto the property from Ocean View Drive.

**Please Note:** indicate the position of the proposed access road on the site plan.

## 4. DESCRIPTION OF THE PROPERTY ON WHICH THE ACTIVITY IS TO BE UNDERTAKEN AND THE LOCATION OF THE ACTIVITY ON THE PROPERTY

(a) Provide a description of the property on which the activity is to be undertaken and the location of the activity on the property.

The property is situated near the upper end of Ocean View Drive, Bantry Bay, some 100 meters from the termination of Ocean View Drive at its most southerly and uppermost point, and has never been developed. The vacant erf forms a steeply-sloping incline (refer to Appendix D for Site Photographs dated June 2010), abutting a developed property to the north (Erf 779) and rising from the neighbouring developed property to the west (Erf 509; adjacent to De Wet Road below), adjoining Ocean View Drive above, and which forms an interface with the upper-most portion of the site. The site takes a roughly triangular shape,

enjoying a relatively wide eastern boundary abutting Ocean View Drive, but narrowing to a sharp wedge at its lowermost/western common boundary, at which a neighbouring dwelling exists, being buffered by large granite boulders and an existing severe infestation of alien invasive vegetation.

The undeveloped stand is dominated by steep slopes and various scattered massive granite boulders and associated granitic shale typical of the westerly slopes of Lion's Head, and is grown primarily by highly invasive and undesirable kikuyu grass (*Pennisetum clandestinum*) and *Eucalyptus* spp., the latter of which is also alien invasive and of no foreseeable conservation value. Smaller copses of Port Jackson (*Acacia saligna*) and Rooikrans (*Acacia cyclops*) infest certain areas of the site, albeit that the larger shrubs have recently been felled and the majority of wattles are at stump height.

The general context of the site and immediate area is therefore that of a steep, highly-disturbed and entirely transformed mountain-side having been partially developed by way of large dwellings serviced by and situated both above and below Ocean View Drive and interspersed by vacant properties assigned primarily for similar future residential development. It is proposed to construct the double dwelling across the central portion of the erf, providing for immediate access via driveway at street level, and accommodating a landscaped garden at the site frontage (western precinct).

(b) Please provide a location map (see below) as **Appendix A** to this report which shows the location of the property and the location of the activity on the property; as well as a site map (see below) as **Appendix B** to this report; and if applicable all alternative properties and locations.

Locality map:	<p>The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction (during November to April and during May to October); and</li> <li>• GPS co-ordinates (Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection).</li> </ul>
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Site Plan:	<p>Detailed site plan(s) must be prepared for each alternative site or alternative activity. The site plan must contain or conform to the following:</p> <ul style="list-style-type: none"> <li>• The detailed site plan must be at a scale preferably at a scale of 1:500 or at an appropriate scale. The scale must be indicated on the plan.</li> <li>• The property boundaries and numbers of all the properties within 50m of the site must be indicated on the site plan.</li> <li>• The current land use (not zoning) as well as the land use zoning of each of the adjoining properties must be indicated on the site plan.</li> <li>• The position of each element of the application as well as any other structures on the site must be indicated on the site plan.</li> <li>• Services, including electricity supply cables (indicate above or underground), water supply pipelines, boreholes, sewage pipelines, storm water infrastructure and access roads that will form part of the development must be indicated on the site plan.</li> <li>• Servitudes indicating the purpose of the servitude must be indicated on the site plan.</li> <li>• Sensitive environmental elements within 100m of the site must be included on the site plan, including (but not limited to): <ul style="list-style-type: none"> <li>○ Rivers.</li> <li>○ Flood lines (i.e. 1:10, 1:50, year and 32 meter set back line from the banks of a river/stream).</li> <li>○ Ridges.</li> <li>○ Cultural and historical features.</li> <li>○ Areas with indigenous vegetation (even if it is degraded or infested with alien species).</li> </ul> </li> <li>• Whenever the slope of the site exceeds 1:10, then a contour map of the site must be submitted.</li> </ul>
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(c) For a linear activity, please also provide a description of the route.

Not applicable.

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Indicate the position of the activity using the latitude and longitude of the centre point of the site. The co-ordinates must be in degrees, minutes and seconds. The minutes should be given to at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection.	<b>Latitude (S):</b>			<b>Longitude (E):</b>		
	33.98659°	24'	16"	18.545438°	37'	51"

(d) or:

*Not applicable.*

For linear activities:	<b>Latitude (S):</b>			<b>Longitude (E):</b>		
• Starting point of the activity	°	'	"	°	'	"
• Middle point of the activity	°	'	"	°	'	"
• End point of the activity	°	'	"	°	'	"

**Please Note:** For linear activities that are longer than 500m, please provide an addendum with co-ordinates taken every 100 meters along the route.

## 5. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site) with a description of each photograph. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide a recent aerial photograph. Photographs must be attached as **Appendix C** to this report. It should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Please note that the above requirements must be duplicated for all alternative sites.

**Refer to Appendix C. As the site is the same for the proposal and its alternatives, 1 set of photographs suffices as a graphic presentation of the site and surrounding area.**

# SECTION B: DESCRIPTION OF RECEIVING ENVIRONMENT

## Site/Area Description

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section B and indicate the area which is covered by each copy No. on the Site Plan.

### 1. GRADIENT OF THE SITE

Indicate the general gradient of the sites (highlight the appropriate box).

Flat	Flatter than 1:10	1:10 – 1:4	Steeper than 1:4
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### 2. LOCATION IN LANDSCAPE

(a) Indicate the landform(s) that best describes the site (highlight the appropriate box(es)).

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front
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(b) Please provide a description of the location in the landscape.

The property is located immediately below Ocean View Drive, towards that roadway's most southerly/ uppermost point, shortly prior to its terminus as a cul-de-sac. The site is dominated by steep slopes and various massive granite boulders and associated granitic shale typical of the westerly slopes of Lion's Head. The context of the immediate and surrounding environment is rather varied in the sense that the property itself is abutted on its north and west boundaries by developed sites improved by double dwellings, to its east by Ocean View Drive, above and beyond which lie several stands also improved by double dwellings. The property (Erf 548) immediately opposite and above the site (Erf 532) to the east is similarly vacant and continues the steep incline from Ocean View Drive to the east flank of Lion's Head. There exist two properties to the south (Erven 533 and 534) which are both vacant, the most immediate (Erf 533) being largely invaded by alien invasive vegetation and which incorporates a sharp gully feature which could be loosely described as a 'watercourse', defined in this instance as a 'natural depression in which water flows regularly or intermittently'. The site can be construed as typifying the steep topography and relatively loose screed slopes of Lion's Head, enjoying extensive views towards the Atlantic Ocean and Sea Point/ Green Point coastal areas.

### 3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

(a) Is the site(s) located on or near any of the following (highlight the appropriate boxes)?

Shallow water table (less than 1.5m deep)	YES	NO	*UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO	UNSURE
Soils with high clay content	YES	NO	UNSURE
Any other unstable soil or geological feature	YES	NO	UNSURE
An area sensitive to erosion	YES	NO	UNSURE
An area adjacent to or above an aquifer.	YES	NO	UNSURE
An area within 100m of the source of surface water	YES	NO	*UNSURE

(b) If any of the answers to the above are "YES" or "unsure", specialist input may be requested by the Department. (Information in respect of the above will often be available at the planning sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

As above, the site is situated on the westerly slopes of Lion's Head and comprises geological conditions typical for the location in which the site is situated. The soil stratum is dominated by loose screed at its upper layer, resulting from the decomposition of massive granite boulders over millennia, leaving behind small particulate and easily-loosened gravel which forms a screed which can become unstable. The stratum is however not considered to be easily erodible if correctly worked within by way of correct geological engineering measures taken during site preparations, and the retention of as much soil-binding vegetation as possible. The 'watercourse' itself is not situated on the site but instead runs infrequently down the adjacent property, but has caused relative minor gouging of the upper substrates and is a well stabilised and intensively-vegetated feature. While the site is steep and does comprise easily-loosened soils, it is not expected that significantly problematic ground conditions will be experienced, but should concerns arise during site preparations and excavations, the ECO appointed to monitor the works must immediately be notified and works which may pose a threat to ground stability and/ or to areas below the property should be halted until a geotechnical engineer has assessed the situation and mitigation measures have been implemented. Please also refer to Section 4.9 of the EMP, attached herewith under Appendix H and to section F: 9a) of this report ('Recommendations').

(c) Please indicate the type of geological formation underlying the site.

Granite	Shale	Sandstone	Quartzite	Dolomite	Dolorite	Other (describe)
Please provide a description.						

The geological formation of the site and surrounding area is typical of the westerly facing slopes of Lion's Head, in which massive granite boulder outcrops dominate the landscape and indeed are scattered about the site itself, and as such, the ground conditions comprise primarily large granite boulders interspersed with granitic shale which has broken down and disintegrated over millennia .It is therefore invariable that granite boulders will be encountered during excavations and earthworks, and these will require breaking down by way of drilling in order to accommodate the built-upon area. The excavation operation will require significant engineering input to ensure ground stability and to manage the drilling and clearance of boulders and it may be required that lateral support measures be implemented as the earthworks and excavations progress to ensure stability of cut slopes. Detailed geotechnical and structural engineering investigations and subsequent engineering interventions will arise during the detailed site investigations conducted shortly prior to works commencing. It will be incumbent on the ECO and consulting engineers to ensure that mitigation measures put into place by the engineers are adequately implemented by the contractor.

#### 4. SURFACE WATER

(a) Indicate the surface water present on and or adjacent to the site and alternative sites (highlight the appropriate boxes)?

Perennial River	YES	NO	UNSURE
Non-Perennial River	YES	NO	UNSURE
Permanent Wetland	YES	NO	UNSURE
Seasonal Wetland	YES	NO	UNSURE
Artificial Wetland	YES	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO	UNSURE

(b) Please provide a description.

The sharp gully feature situated on the adjacent property has been the subject of intensive scrutiny and the Departmental officials conducted an investigation of the feature and concluded (refer to Appendix E for letter dated 22 September 2010) that it could be loosely described as a 'watercourse', defined in terms of the regulations (Gn. No. R. 546 of 18 June 2010) as a 'natural depression in which water flows regularly or intermittently'. Whereas the feature could not strictly be defined as a 'non-perennial river', this description is the closest to that of a 'watercourse'. It is emphasised that the feature flows extraordinarily intermittently and only at times of flood and/ or very heavy rains and indeed that the feature will not be impacted in any way by the development as it lies on the adjacent property and is not fed in any way by ground or surface water from the site itself.

#### 5. BIODIVERSITY

**Please note:** The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the proposed activity/ies. To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bajis.sanbi.org> or [BGIShelp@sanbi.org](mailto:BGIShelp@sanbi.org). Information is also available on compact disc (cd) from the Biodiversity-GIS Unit, Ph (021) 799 8698. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as **Appendix D** to this report.

(a) Highlight the applicable biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category).

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	NNR: the site is entirely altered from its natural state, in as much as it is heavily infested with alien invasive vegetation, contains no indigenous vegetation of any significance and is typical of an altered stand in the location in which it is situated. While the site has never been developed, it cannot be deemed to be a functional habitat for

				indigenous fauna or flora given its dislocated state and the impacts which surrounding development has incurred on it.

(b) Highlight and describe the habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	%	
Degraded (includes areas heavily invaded by alien plants)	95%	While the site has never been developed, it is entirely altered from its natural state, in as much as it is heavily infested with alien invasive vegetation, contains no indigenous vegetation of any significance and is typical of an altered stand in the location in which it is situated, being almost entirely degraded and covered by at least 95% alien invasive vegetation.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	%	

(c) Complete the table to indicate:  
 (i) the type of vegetation, including its ecosystem status, present on the site; and  
 (ii) whether an aquatic ecosystem is present on site.

Terrestrial Ecosystems				Aquatic Ecosystems				
Ecosystem threat status as per the National Environmental Management: Biodiversity Act (Act No. 10 of 2004)	Critical	Wetland (including rivers, depressions, channelled and unchannelled wetlands, flats, seeps pans, and artificial wetlands)	Estuary	Coastline				
	Endangered							
	Vulnerable							
	Least Threatened							
		YES	NO	UNSURE	YES	NO	YES	NO

(d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

As above, the 'watercourse' (which could be deemed a 'depression' in terms of above') within the adjacent property flows extraordinarily intermittently and only at times of flood and/ or very heavy rains but serves little or purpose as an aquatic or terrestrial habitat. Given the dislocation and isolation within a densely-developed and entirely urbanised environment surrounded by developed properties and roadways, the site cannot be deemed to be a functional terrestrial or aquatic ecosystem.

## 6. LAND USE OF THE SITE

**Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the proposed activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial

Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical center	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archeological site
Other land uses (describe):				

(a) Please provide a description.

The site is presently vacant but is transformed from its natural state as a result of adjacent development activities and the consequent infestation by dense stands of alien invasive vegetation and disturbance to natural soil strata by way of occasional trampling of the site when in use as a thoroughfare by the public when travelling on foot between Ocean View Drive above and De Wet Road below. The site would potentially be transformed to medium density residential use should the application be approved and the proposed double dwelling be constructed. The site lies on the westerly slopes of Lion's Head and is therefore characterised by a steep gradient and mountainous topography.

## 7. LAND USE CHARACTER OF SURROUNDING AREA

(a) Highlight the current land uses and/or prominent features that occur within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site.

**Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the proposed activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site

Other land uses (describe):	<p>1. <i>Single Dwelling Residential Zone Use: The property itself is zoned for such use, with building coverage being limited to 50% of the area of the site for properties larger than 750m<sup>2</sup>, and allowing for a single dwelling house to be erected to a height of three storeys. Several neighbouring erven are however improved by double dwellings (approved by way of Departures from the Single Dwelling Residential Zoning for properties in the area, in order to allow for double dwellings to be erected) and the Bantry Bay suburb typifies medium and in some cases high density residential development incorporating single, double and multiple-storey dwellings and apartment buildings. The area of Ocean View in which the property is situated is, despite its zoning scheme (refer to Zoning Map attached under Appendix A., dominated by double dwellings, although there are a number of erven towards the uppermost section of Ocean View Drive which remain vacant and have never been developed. As with these erven, the subject property is vacant but is proposed to be improved by way of a double dwelling, for which Departures will be required on account of the Single Dwelling Residential Zone Use of the property.</i></p> <p>2. <i>Public Open Space/ Untransformed Area: No Public Open Space exists near the property but a large strip of Public Open Space extends from the terminus of Ocean View Drive, approximately 100 meters South of Erf 532, to the upper portion of Kloof Road, while Public Open Space also extends above the dwellings situated above Ocean View Drive, comprising the upper flanks of Lion's Head (refer to Zoning Map attached under Appendix A).</i></p>
	<p>3. <i>Nature Conservation Area/ Untransformed Area: The Public Open Space above the dwellings situated above Ocean View Drive abuts onto Table Mountain National Park and forms of the larger Table Mountain National Park conservation area, being above the Urban Edge and allocated for nature conservation purposes.</i></p>

(b) Please provide a description, including the distance and direction to the nearest residential area and industrial area.

*As above. The property falls within an established urban area and is therefore immediately ensconced within a suburban context which has been completely transformed by historic and more recent development. As such, there is little remaining natural biota or habitat in the area and those stands which remain vacant (such as Erf 532) provide no functional habitat as they are dislocated amongst large residential buildings and roads and have been invaded over an extended period by alien vegetation.*

## 8. SOCIO-ECONOMIC ASPECTS

Describe the existing social and economic characteristics of the community in order to provide baseline information.

As has been alluded to above, the property is located within the coastal township of Bantry Bay, a suburb enjoying extremely high real estate value on account of its highly-desirable and sought-after location overlooking the Atlantic coastline from its elevated position on the westerly slopes of Lion's Head, affording it largely uninterrupted views of the sea and a highly desirable north-facing aspect. The suburb is primarily residential, with a mix of single and double dwellings and larger multi-storey apartment units, the latter of which generally dominate the sea/ land interface (which exist some way below the property). The township is also characterised by various interspersed hospitality units, mainly hotels and bed-and-breakfast establishments/ guest houses, located primarily on the northern (seaward) side of Victoria Road (the area's major access road and a declared Scenic Route in terms of the provisions of Section 93 of the Zoning Scheme), which takes advantage of the coastline and is a highly sought-after tourist destination. For these reasons, a large number of ageing residences and vacant properties in the area have been improved in recent years by way of the construction of new dwellings or apartment units. It is noteworthy that the owner of Erf 532 seeks to utilise the huge value, amenity and potential of the property to construct the new dwelling on it, by way of what is construed to be an architecturally appropriate structure. It is contended that the proposal conforms with similar proposals and projects within Bantry Bay and surrounds, in as much as these incorporate double dwellings constructed on mountainside side plots which are largely infested with alien invasive vegetation and have little or no conservation worthy in their present condition.

It is noteworthy that the draft Table Bay Spatial Development Framework (August 2009) states of the aims of the development of the Table Bay District, within which Bantry Bay falls:

**"It is to be a district in which locals and visitors can enjoy the remarkable natural and coastal environment and scenic beauty while having the opportunity to benefit from continued economic growth and extensive social and cultural amenities. It is a district where people can work, live and relax in a world-renowned setting where intense mixed land uses and natural areas complement each other. Its broad range of employment and recreation opportunities are accessible by means of efficient public transport linkages, while a focus is maintained on the provision of well-located affordable residential opportunities. The district is characterised by quality open spaces and pedestrian linkages that tie its diverse precincts together to create a liveable and vibrant area."**

It is contended that the proposed new dwelling and associated garden and landscaping conforms to this spatial development framework by seeking to improve the property and which may result in overall have benefits to the immediately surrounding area and community through raising the immediate property values and improving the aesthetics of the property through appropriate architecture and significant landscaping interventions.

## 9. HISTORICAL AND CULTURAL ASPECTS

- (a) Please be advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your proposed development, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows: "38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-
- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
  - (b) the construction of a bridge or similar structure exceeding 50m in length;
  - l any development or other activity which will change the character of a site-
    - (i) exceeding 5 000 m<sup>2</sup> in extent; or
    - (ii) involving three or more existing erven or subdivisions thereof; or
    - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
    - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
  - (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or
  - (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,
- must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."
- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed

and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—

- (a) places, buildings, structures and equipment of cultural significance;
- (b) places to which oral traditions are attached or which are associated with living heritage;  
I historical settlements and townscapes;
- (d) landscapes and natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and palaeontological sites;
- (g) graves and burial grounds, including—
  - (i) ancestral graves;
  - (ii) royal graves and graves of traditional leaders;
  - (iii) graves of victims of conflict;
  - (iv) graves of individuals designated by the Minister by notice in the Gazette;
  - (v) historical graves and cemeteries; and
- (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including—
  - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
  - (ii) objects to which oral traditions are attached or which are associated with living heritage;
  - (iii) ethnographic art and objects;
  - (iv) military objects;
  - (v) objects of decorative or fine art;
  - (vi) objects of scientific or technological interest; and
  - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO	
		UNCERTAIN		
If YES, explain:	-			
Will the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO	
		UNCERTAIN		
If YES, explain:	-			
Will any building or structure older than 60 years be affected in any way?		YES	NO	UNCERTAIN
If YES, explain:	<p><i>The property is vacant and has never been developed and there is therefore no structure of any kind on it. Furthermore, the property does not fall within an area of declared heritage or cultural significance in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). Accordingly, no legislation promulgated under the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is triggered by the proposed development of the site and no permits or approvals are required from Heritage Western Cape (being the relevant competent heritage resources authority authorised to oversee implementation of the heritage legislation within the ambit of the Western Cape). Hence, no heritage impact assessment is required, nor is a Notice of Intent to Develop required to be submitted as no heritage resources will be affected by the proposed activity, nor will the heritage legislation promulgated under the NHRA be triggered. The above notwithstanding, Heritage Western Cape is considered a State Department and stakeholder/ commenting authority which may have interest in the proposal and formal comment from Heritage Western Cape will be requested within the ambit of the Basic Assessment process.</i></p>			

**Please Note:** If uncertain, the Department may request that specialist input be provided.

## 10. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

(a) Please list all legislation, policies and/or guidelines that have been considered in the preparation of this Basic Assessment Report.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment / relevant consideration (e.g. rezoning or consent use, building plan approval)	DATE (if already obtained):
<p>The National Environmental Management Act, 1998 (Act 107 of 1998), as amended and Government Notice R544 of 18 June 2010, in terms of the Environmental Impact Assessment Regulations, 2010, promulgated under the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.</p>	<p>The Department of Environmental Affairs &amp; Development Planning (DEA&amp;DP)</p>	<p>Environmental Authorisation</p>	<p>This application</p>
<p>The Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).</p> <p>A contiguous planning-related application is being made in order to amend the restrictive Title Deed conditions to permit a double dwelling (for a site zoned for single dwelling residential use), to relax the building line restrictions and to relax the building coverage.</p> <p><u>Accordingly, Title Deed Conditions are required to be amended</u> in order to permit two dwellings/ a double dwelling to be built on the subject property. These title deed conditions currently restrict the property to one residential unit only.</p> <p><u>Consent</u> for a Double Dwelling: Council is to consider and recommend if it deems appropriate to do so to the Director of Integrated Environmental Management, Department of Environmental Affairs &amp; Development Planning, the <u>amendment of title conditions</u>, to be assessed by the Provincial Government's Department of Environmental Affairs and Development Planning. Three title deed conditions (Section 5.3) need to be amended in order to erect the Double Dwelling covering more than 1/3 of the property and the</p>	<p>City of Cape Town: Strategy and Planning: Building and Development Management</p>	<p>Relevant consideration: Amendment of Title Deed Conditions and Consent for a Double Dwelling (in terms of the Cape Town Zoning Scheme Regulations)</p>	<p>The outcome of the planning-related applications for amendment of certain of the Title Deeds and Consent in terms of the Zoning Scheme Regulations are dependent upon the outcome of the Basic Assessment application as an approval of the planning applications may only be granted in the event that an Environmental Authorisation authorising the proposed new dwelling is granted.</p>

<p>"basement" garage structure to be erected hard up Ocean View Drive below street level and not visible from the street.</p>			
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POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
<p>The activity is intended to comply with the provisions of the Zoning Scheme and with the Title Deed Restrictions for the property in as much as Consent and amendments will need to be granted where the activity deviates from the provisions of the Zoning Scheme.</p>	<p>City of Cape Town</p>

(b) Please describe how the legislation, policies and/or guidelines were taken into account in the preparation of this Basic Assessment Report.

LEGISLATION / POLICY / GUIDELINE	DESCRIBE HOW THE LEGISLATION / POLICY / GUIDELINE WERE TAKEN INTO ACCOUNT (e.g. describe the extent to which it was adhered to, or deviated from, etc).
<ul style="list-style-type: none"> <li>• Provincial Spatial Development Framework (PSDF) ;</li> <li>• Integrated Development Plan of the Local Municipality;</li> <li>• Spatial Development Framework of the Local Municipality;</li> <li>• Approved Structure Plan of the Municipality</li> </ul>	<p>It is contended that the planning and development frameworks, policies and guidelines developed and utilised by the City of Cape Town (local municipality) as listed in the left-hand column will be substantially complied with by way of development of the property to the approval of the local authority in terms of its various forward planning documents and frameworks. In order to comply with the planning policies and to adhere where practicably possible to the zoning of the property, Consent for a double dwelling is required in terms of the Cape Town Zoning Scheme Regulations, while amendments to the current restrictive Title Deed Conditions are also being applied for to allow for inter alia the erection of a double dwelling (as opposed to the current permissible single dwelling) on the property.</p>
<p>Urban edge / Edge of Built environment for the area (Bantry Bay suburb).</p>	<p>The property lies within the Urban Edge (refer to Appendix A in which the Urban Edge is delineated by way of a red line) and is developable within the context of the urban/ built environment.</p>

**Please note:** Copies of any permit(s) or licences received from any other organ of state must be attached this report as **Appendix E**.

## SECTION C: PUBLIC PARTICIPATION

The public participation process must fulfil the requirements outlined in NEMA, the EIA Regulations, and if applicable the NEM: WA and/or the NEM: AQA. This Department's *Guideline on Public Participation* (August 2010) and *Guideline on Exemption Applications* (August 2010), both of which are available on the Department's website (<http://www.capecgateway.gov.za/eadp>), must also be taken into account.

**Please highlight the appropriate box to indicate whether the specific requirement was undertaken or whether there was a deviation that was agreed to by the Department.**

1. Were all potential interested and affected parties notified of the application by –		
(a) fixing a notice board at a place conspicuous to the public at the boundary or on the fence of –		
(i) the site where the activity to which the application relates is to be undertaken; and	<b>YES</b>	DEVIATED

(ii) any alternative site mentioned in the application;	YES	DEVIATED	
(b) giving written notice to –			
(i) the owner or person in control of that land if the applicant is not the owner or person in control of the land;	YES		N/A
(ii) the occupiers of the site where the activity is to be undertaken and to any alternative site where the activity is to be undertaken;	YES		DEVIATED
(iii) owners and occupiers of land adjacent to the site where the activity is to be undertaken and to any alternative site where the activity is to be undertaken;	YES		DEVIATED
(iv) the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES		DEVIATED
(v) the municipality which has jurisdiction in the area;	YES		DEVIATED
(vi) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES		DEVIATED
(vii) any other party as required by the competent authority;	YES		DEVIATED
Placing an advertisement in –			
(i) one* local newspaper; and	YES	DEVIATED	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATED	N/A
(d) placing an advertisement in at least one* provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken.	YES	DEVIATED	N/A

\* **Please note:** In terms of the NEM: WA and NEM: AQA a notice must be placed in at least two newspapers circulating in the area in which the activity applied for is to be carried out.

**Note: No Deviations from the public participation requirements have been applied for.**

2. Provide a list of all the state departments that were consulted:

The following State Departments are being consulted during the 40 day comment period being held in respect of this Draft Basic Assessment Report, in terms of the NEMA and the EIA Regulations, 2010:

- City of Cape Town: Environmental and Heritage Resources Management Branch:  
Ms. Sandra Hustwick: Sandra.Hustwick@capetown.gov.za; Ms. Ronelle Clarke: Ronelle.Clarke@capetown.gov.za; Ms. Lesley Wolfensberger-Betts: Lesley.Wolfensberger-Betts@capetown.gov.za; Mr. Johan Cornelius: Johan.Cornelius@capetown.gov.za.  
Tel. 021 400 6529; Fax: 021 421 1963; Post: Second Floor Media City, Corner Hertzog Blvd and Heerengracht, Foreshore, Cape Town, 8001. P.O. Box 4529, Cape Town, 8000
  
- City of Cape Town: Strategy and Planning: Building and Development Management:  
Mr. Ben Schoeman: Ben.Schoeman@capetown.gov.za; Mr. Friedrich Durow: Friedrich.Durow@capetown.gov.za;  
Ms. Joy San-Giorgio: Joy.San\_Giorgio@capetown.gov.za; Kajabo Ngendahimana: Kajabo.Ngendahimana@capetown.gov.za  
Tel. 021 400 6566; Fax: 021 421 1963; Post: Second Floor Media City, Corner Hertzog Blvd and Heerengracht, Foreshore, Cape Town, 8001. P.O. Box 4529, Cape Town, 8000
  
- Heritage Western Cape: Heritage Resource Management Services:  
Mr. Calvin van Wijk; Ms. Belinda Mutti, Ms. Ntombekhaya Njobe, Ms. Tamara Grover  
E-mail: [hwc@pgwc.gov.za](mailto:hwc@pgwc.gov.za); Fax: 021 483 9842; Post: Protea Assurance Building, Private Bag X9067, Cape Town, 8001.

It is also intended to consult with the above State Departments upon dissemination of the Final Basic Assessment Report (at the appropriate stage in the process) prepared in terms of the NEMA EIA Regulations, 2010 by making available the Final Basic Assessment Report for comment to relevant interested and affected parties and State Departments for a 21 day period and thereafter considering and accounting for any comments which may arise from the consultation and commenting processes.

3. Please provide an overall summary of the Public Participation Process that was followed. (The detailed outcomes of this process must be included in a comments and response report to be attached to the final Basic Assessment Report (see note below) as **Appendix F**).

*This Draft Basic Assessment Report has been prepared and disseminated to interested and affected parties and the following public participation process, in terms of the EIA Regulations, 2010, as implemented on 02 August 2010 and promulgated under NEMA by way of GN No. R 544 of Government Gazette 33306 of 18 June 2010, has been actioned thus far:*

- A database of all landowners within a 100m radius of the property was obtained from the City of Cape Town: GIS Department, after which a letter was prepared (refer to Appendix F) and posted by registered mail to all persons on the database and all other identified stakeholders, commenting authorities and State Departments having interest in the application (see point below).*
- Direct notification via preferred form of communication was issued to identified stakeholders, being the relevant City of Cape Town officials (Strategy and Planning: Building Development Management; and the Environmental & Heritage Resource Management Branch), the Ward Councilor, and the Chairperson and Planning representative of the Sea Point, Fresnaye and Bantry Bay Ratepayers' Association (refer to Appendix F for notification records). In terms of Section 24 O (2) & (3) of the NEMA, as amended, and paragraph 6.6 of the NEMA EIA Guideline Information Series: Guideline on Public Participation (May 2009), the following was also actioned: "The EAP/ applicant must notify DEA&DP of the State Departments (name and contact details of the official) which have received the relevant reports and on which date such reports have been submitted to those authorities. DEA&DP will then request written comment from the relevant State Departments to be submitted within 40 days of such request having been made by the Department. Comments by the State Departments must be submitted to the Department and copied to the EAP". The EAP duly notified (find copies of notifications enclosed under Appendix F) the relevant officials at the City of Cape Town and Heritage Western Cape, who are considered to be stakeholders and/ or commenting authorities/ 'State Departments' in respect of the application, in so doing also notifying DEA&DP via a hand delivered letter. The notification to DEA&DP requested that DEA&DP in turn request comment from the State Departments (refer to Appendix E for letters of notification). A hard copy of this report was also submitted to DEA&DP for information and review.*
- A Site Notice conforming to the size, layout and content requirements (refer to Appendix F for photograph of Site Notice) of 5.4 and 5.6 of the NEMA Environmental Impact Assessment Regulations Guideline and Information Document Series: Guideline on Public Participation: September 2007 and amended in May 2009, was erected at the entrance to the property (refer to Appendix F for photographs of Site Notice erected on property boundary). A newspaper advertisement was published in the Atlantic Sun (community newspaper distributed in Bantry Bay and adjoining suburbs) on 10 March 2011 (refer to Appendix F for a graphic of the page on which the advert appeared in the Atlantic Sun).*

- The comment period specific to this Draft Basic Assessment Report is being held for a forty day period, from **17 March 2011 to 25 April 2011**, in which a hard copy of the report (together with a Draft EMP) has been made available at the Sea Point and Camps Bay Libraries and is available on request from the offices of the EAP. An electronic version of the documentation is available for download at the website of the EAP: [www.avdsec.com](http://www.avdsec.com).
- Hard copies of this Draft Basic Assessment Report (and Draft EMP) have been submitted by hand to the relevant City of Cape Town officials in their capacity as commenting authorities in respect of the application.
- Comments received during the comment period specific to this Draft Basic Assessment Report and Draft EMP will be considered and responded to within the ambit of the overall Basic Assessment application, in which comments and responses will be included within a 'Comments and Responses' Report, which will accompany the Final Basic Assessment Report.

*It is clear from the process outlined above that a comprehensive public participation process has been embarked upon in order to identify and thereafter assess potential impacts associated with the activity; and further steps in the process, together with the outcome of the process, will be included within the Final Basic Assessment Report.*

**Please note:**

Should any of the responses be "No" and no deviation or exemption from that requirement was requested and agreed to /granted by the Department, the Basic Assessment Report will be rejected.

A list of all the potential interested and affected parties, including the organs of State, notified and a list of all the register of interested and affected parties, must be submitted with the final Basic Assessment Report. The list of registered interested and affected parties must be opened, maintained and made available to any person requesting access to the register in writing.

The draft Basic Assessment Report must be submitted to the Department before it is made available to interested and affected parties, including the relevant organs of State and State departments which have jurisdiction with regard to any aspect of the activity, for a 40-day commenting period. With regard to State departments, the 40-day period commences the day after the date on which the Department as the competent/licensing authority requests such State department in writing to submit comment. The applicant/EAP is therefore required to inform this Department in writing when the draft Basic Assessment Report was made available to the relevant State departments for comment. Upon receipt of this confirmation, this Department will in accordance with Section 24O(2) and (3) of the NEMA request the relevant State departments to comment on the draft report within 40 days.

All comments of interested and affected parties on the draft Basic Assessment Report must be recorded, responded to and included in the Comments and Responses Report included as **Appendix F** to the final Basic Assessment Report. If necessary, any amendments in response to comments received must be effected in the Basic Assessment Report itself. The Comments and Responses Report must also include a description of the public participation process followed.

The final Basic Assessment Report must be made available to registered interested and affected parties for comment before submitting it to the Department for consideration. Unless otherwise indicated by the Department, a final Basic Assessment Report must be made available to the registered interested and affected parties for a 21-day commenting period. Comments on the final Basic Assessment Report does not have to be responded to, but the comments must be attached to the final Basic Assessment Report.

The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the final Basic Assessment Report as **Appendix F**.

Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the draft Basic Assessment Report and final Basic Assessment Report must be submitted as part of the public participation information to be attached to the final Basic Assessment Report as **Appendix F**.

## SECTION D: NEED AND DESIRABILITY

**Please Note:** Before completing this section, first consult this Department's *Guideline on Need and Desirability* (August 2010) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

1. Is the activity permitted in terms of the property's existing land use rights?			
	YES	<b>NO</b>	Please explain

The planning application being entered into by the consulting Town Planners on behalf of the owner of Erf 532, Bantry Bay has been made to the City of Cape Town, the latter of which is to consider and recommend (should it believe it to be appropriate to do so) to the Director: Department of Environmental Affairs & Development Planning: Integrated Environmental Management, the amendment of restrictive Title Deed conditions, to be assessed by the Provincial Government's Department of Environmental Affairs and Development Planning. Three title deed conditions need to be amended in order to erect the proposed double dwelling, and Consent is required in terms of Section 11 of the Cape Town Zoning Scheme (CTZS), described as follows:

- The current restrictive Title Deed conditions need to be amended to permit a double dwelling (for a site zoned for single dwelling residential use), to relax the building line restrictions and to relax the building coverage.
- Title Deed Conditions are required to be amended in order to permit two dwellings/ a double dwelling to be built on the subject property. These title deed conditions currently restrict the property to one residential unit only.
- Consent for a double dwelling in terms of Section 11 of the CTZS: Council is to consider and recommend to the Director of Integrated Environmental Management, Department of Environmental Affairs & Development Planning, the amendment of title conditions, to be assessed by the Provincial Government's Department of Environmental Affairs and Development Planning.

The proposal to develop the property is motivated by the consulting town planners (Willem Buhmann Associates, 2010) by way of the following pertinent points and which are also seen to be relevant and applicable to the environmental aspects of the project and property and are therefore detailed below:

- The design and intention of the project is such that it ensures that the building will blend in with the urban fabric and minimise its potential visual and 'sense of place' impacts, as well as possible impacts on privacy incurred on neighbours, as might otherwise be associated with such developments;
- The height of the building will comply with the Zoning Scheme regulations as it will not at any point exceed three floors, therefore limiting the potential impact on amenity enjoyed by neighbouring properties;
- Landscape options are retained between the proposed building and the lateral and front boundaries in order to maintain view lines and to prevent the area from becoming excessively 'built-up and all landscaping interventions will form part of a landscape plan to be submitted to the City of Cape Town as part of the conditions of approval of the planning application. These mitigation measures will also ensure that the dwelling maintains an 'individual' appearance and prevents the creation of a 'terrace-effect' when viewed from the street and will accommodate an appropriate landscaping theme, allowing for removal of existing undesirable vegetation and improvements by way of indigenous planting surrounding the double dwelling.
- Overall, the contemporary design of the double dwelling aims to complement and fit in appropriately with other modern dwellings in the area, while the single-level facade will complement the street scene.
- The materials to be used in the design and implementation of the project are of exceptional standard and the finishes aim to meet the highest standards as would be expected in an area of extremely high property values and ultra-modern contemporary residences;
- The proposed double dwelling has been recessed from the side, front and rear boundaries in order to minimise the potential impact the buildings might otherwise have on outlook. No departures are being applied for and it is contended that there will be negligible or no impact in terms of overlooking or loss of sunlight;
- The proposed double dwelling will be one floor above ground level, in turn minimising the potential impact the structures might otherwise incur in terms of loss of outlook to the dwellings located to the rear of the property. Also, the top level (Level 5) will be between 11 and 15 meters deep, being recessed into the slope, and the buildings will step forward only at the lower levels, therefore minimising the potential impact in terms of outlook to the properties located to the rear of Erf 532, Bantry Bay.

2. Will the activity be in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
<i>The proposal is substantially in line with local and provincial forward-planning policies in so far as Council and Province are generally supportive of densification proposals as it supports their policy of promoting reasonable densification, while indirectly easing the pressure on the urban edge and the surrounding agricultural land. Further to this, the principle of double dwellings is generally supported by Council should such a proposed development comply with Council policy in terms of appropriate design, adherence to parking standards, the prevention of loss of amenity to adjoining properties in terms of overlook, loss of light, and preventing a sense of enclosure or the imposition of visual/ privacy/ 'sense of place' impacts. It is intended that the design and implementation of the activity will conform to the principles of local and provincial forward-planning policies.</i>			
(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
<i>The property lies within the Urban Edge (refer to Appendix A for Aerial Photograph depicting Urban Edge delineation) and is developable within the context of the urban/ built environment, with no extension beyond the Urban Edge being applied for.</i>			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF?).	YES	NO	Please explain
<i>The proposal ties in with the Spatial Development Framework of the Local Municipality and its forward planning criteria and is seen as appropriate by the Applicant in the context of the reasonable extent and nature of the dwelling being proposed and in so far as the Spatial Development Framework of the Local Municipality is concerned. The project is compatible with the existing land-use fabric of the suburb and no impact on the surrounding areas from a land-use point of view is envisaged.</i>			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
<i>The improvement of Erf 532 by way of a double dwelling is seen as appropriate in the context of the land-use expectations for the area given the contiguous application for Consent and Amendment of Title Deed Conditions.</i>			
(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application compromise the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain
<i>No EMF has been prepared by the Department for this area, but the proposal would in no way compromise existing or planned environmental priorities and is entirely justified on account of the overall development of this area by way of large single residential and double dwellings, and the fact that the suburb has been entirely altered by development.</i>			

(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain
<i>While Consent and the amendment of Title Deed Conditions are required in terms of the Zoning Scheme Regulations in order to permit the erection of the proposed double dwelling, no amendment to the Guide Plan is required.</i>			

3. Is the land use (associated with the activity being applied for) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. is the proposed development in line with the projects and programmes identified as priorities within the credible IDP)?	YES	NO	Please explain
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*Refer to response to D. 1 above.*

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) occur here at this point in time?	YES	NO	Please explain
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*Refer to response to D. 1 and D. 2(b) above.*

5. Does the community/area need the activity and the associated land use concerned (is it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES	NO	Please explain
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*The development is not of a regional scale nor does it affect the wider community but it would have potentially positive impacts on the immediate/ local community and environment as it would serve to alleviate parking constraints and traffic visibility concerns by way of the street level garage and visitor's parking facilities, which in turn would reduce the need for parking on the public street.*

6. Are the necessary services with adequate capacity currently available (at the time of application), or must additional capacity be created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the final Basic Assessment Report as <b>Appendix E.</b> )	YES	NO	Please explain
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Solid waste management	<b>City of Cape Town:</b> Properties in Bantry Bay are serviced by the City of Cape Town: Solid Waste (Collections) in its capacity as the authorised service provider in the Bantry Bay area. It will be confirmed during the Basic Assessment process (confirmation to be included in Final Basic Assessment Report) the fact that the service provider has sufficient unallocated capacity to accommodate the collection of solid waste during the operational phase of the proposed double dwelling, and the disposal thereof to a licensed landfill site.
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Effluent	<b>City of Cape Town:</b> Properties in Bantry Bay are serviced by the local municipality in as much as the municipality ensures removal of effluent/ sewage from developed properties. It will be confirmed during the Basic Assessment process (confirmation to be included in Final Basic Assessment Report) the fact that the service provider has adequate sewage/ effluent treatment and removal capacity to service the proposed double dwelling.
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Water	<b>City of Cape Town:</b> Properties in Bantry Bay are serviced by the local municipality in as much as the municipality ensures supply of potable water to developed properties. It will be confirmed during the Basic Assessment (confirmation to be included in Final Basic Assessment Report) process the fact that the service provider has adequate availability of potable water supply to service the proposed double dwelling.
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Electricity	<b>City of Cape Town:</b> The local municipality (City of Cape Town: Electricity Services) has submitted no objection to the application subject to the condition that all electrical works be carried out at the applicant's expense, to which the applicant has agreed. The service provider in turn has adequate electricity supply to service the proposed new dwelling, and the developer has permission to connect the proposed double dwelling to the municipal electricity supply.
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7. Is this development provided for in the infrastructure planning of the municipality, and if not what will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the final Basic Assessment Report as <b>Appendix E.</b> )	YES	NO	Please explain
<i>Refer to responses to D. 1 and D. 6 above.</i>			
8. Is this project part of a national programme to address an issue of national concern or importance?	YES	NO	Please explain
<i>Not applicable. The project is private.</i>			
9. Do location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the proposed land use on this site within its broader context.)	YES	NO	Please explain
<p><i>The proposal conforms substantially to the existing zoning of the property (with the proviso that Consent and the amendment of certain of the restrictive Title Deed Conditions are granted) and also to the surrounding Bantry Bay suburb and is seen as appropriate by the Applicant in the context of the reasonable extent and nature of the double dwelling being proposed. The project is compatible with the existing residential fabric, context and character of the suburb and no impact on the surrounding areas from the perspective of land-use or amenity-related impacts is envisaged. It is noteworthy that the draft Table Bay Spatial Development Framework (August 2009) states of the aims of the development of the Table Bay District, within which Bantry Bay falls:</i></p> <p><i>"It is to be a district in which locals and visitors can enjoy the remarkable natural and coastal environment and scenic beauty while having the opportunity to benefit from continued economic growth and extensive social and cultural amenities. It is a district where people can work, live and relax in a world-renowned setting where intense mixed land uses and natural areas complement each other. Its broad range of employment and recreation opportunities are accessible by means of efficient public transport linkages, while a focus is maintained on the provision of well-located affordable residential opportunities. The district is characterised by quality open spaces and pedestrian linkages that tie its diverse precincts together to create a liveable and vibrant area."</i></p>			
10. How will the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO	Please explain
<p><i>The activity will have no impact on the natural or cultural environment as it will occur on a site which has been entirely altered by adjacent development and subsequent direct and indirect consequences of development within the surrounding area. The site contains no natural or cultural/ heritage features apart from large granite boulders which scatter the stand in places but which are predominantly situated on the erf below and at the lowermost portion of the property, which will not be impacted by the location of the structure on the property. While some impact on the boulders is foreseen in order to accommodate the foundations and recess of the double dwelling, these impacts will be primarily below natural ground level as few boulders exist at or above ground level within the development footprint. In this sense, the natural environment will be impacted on a relatively small scale and the landscape provisions in place as part of the project would tend to offset any negative impacts associated with the required excavations and site preparations. It is contended further that the cultural landscape will not be deleteriously affected by the activity as the site is altered and the and surroundings entirely transformed by suburban development. The activity would be typical of the larger development and regeneration of the suburb.</i></p>			
11. How will the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc)?	YES	NO	Please explain

Visual, privacy and 'sense of place' impacts could be construed as having the potential to become cumulative in nature should a number of similar proposals for new dwellings be applied for/ implemented within the adjacent area; albeit that the area is designated for residential use similar in character to the project. This notwithstanding, the application has to date realised an extensive planning and design process, in which several design iterations have been considered, and ultimately, the proposal has made significant strides in accommodating potential concerns which might be, or are held by neighbours, stakeholders and interested and affected parties. The preferred design being proposed is considered to be optimum for the site itself and attempts to account for potential concerns and interests of those affected. By extension, the height of the dwelling has been restricted to the permissible three storeys and the design of the project is such that it ensures that the building will blend in with the urban fabric and minimise its potential visual and 'sense of place' impacts, as well as possible impacts on privacy incurred on neighbours, as might otherwise be associated with such developments. Other mitigation measures employed during the planning and design stages are listed under Section D. 1 above and include features such as extensive indigenous and area-appropriate landscaping, contemporary design features which assimilate with the surrounding developed erven and the adherence to typical architectural features enjoyed by modern structures in the Bantry Bay area, to provide for a building which improves the site and surroundings, rather than detracting from these.

Construction-phase impacts are an invariable outcome of any development project and this is particularly so in the case of construction activities within an established residential area on account of the associated impacts on neighbouring properties and residents. While such impacts are unavoidable, they can be mitigated so that the significance of the impacts on the receiving environment (socio-economic and biophysical) is reduced from a potentially high significance to a medium significance. It is noteworthy that construction is by nature temporary and all associated impacts are therefore by extension also temporary (construction predicted at 18 months). The implementation of an Environmental Management Programme (EMP) during the construction process, and associated monitoring by an independent Environmental Control Officer (ECO) is expected to facilitate for an effective system by which construction-related impacts could be significantly reduced to an acceptable level. A tabulated account of the predicted impacts on people's health and well-being and their significance is provided below:

Noise	Low
Visual	Low-Medium
Privacy	Low-Medium
'Sense of Place' / Cultural	Low-Medium
Horticultural/ landscaping	Low (POSITIVE IMPACT)
Lighting	Low-Medium
Public infrastructure and Public Open Space	Low
Cumulative impacts (operational and design/ approval phases)	Low-Medium

(12) Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA have been taken into account:

Section 23 of NEMA requires a responsible and sustainable approach to development, in which measures are taken and/ or planned for to avoid deleterious impacts on the receiving environment and to ensure that management measures are in place and/ or implemented to conserve the environment and protect the rights and interests of affected parties. As such, as part of the design features of the proposed dwelling, significant attention has been paid to a sustainable approach on a long-term basis. To this end, the following features have been incorporated within the design of the dwelling:

- Use of solar panels and solar water heaters;
- Installation of grey-water cylinders/ detention tanks to recycle used water from sinks, showers and baths for use in flushing of toilets and in irrigation of the garden.
- Insulation of pipes carrying hot water;
- Low wattage energy-saving (CFL) bulbs;
- Lights (down-lighters and dimmer-switches) that do not cause undue light pollution to the surrounding areas and use less electricity to illuminate the dwelling;
- Passive cooling and heating through suitable positions of doors and windows;
- Double-pane glass windows which significantly enhance insulation in winter and deflect the sun's rays in summer;
- Low-flow/ aerated shower heads and bathroom taps;
- Dual-flush toilet cisterns;
- Drip irrigation where feasible (to suit local plant requirements);
- Insulation of ceilings (where practicably possible);
- Provision of a significant number of parking bays on site to alleviate parking pressures on the adjacent public street;
- Use of timber harvested from sustainable plantations and approved by the Forestry Stewardship Council.

These measures are promoted to ensure a self-sustainable residence in terms of the recycling of grey-water on the premises, reducing laundry requirements for items such as linen, and vastly reducing energy consumption and waste production through recycling and use of gas-powered appliances. Use of CFL (low wattage) light bulbs and dimmer-switches, efficient plumbing installations (as listed above) and etc. will contribute significantly towards reduced energy and water use, and the planting of indigenous and area-appropriate water-wise plants will reduce irrigation requirements.

(13) Please describe how the principles of environmental management as set out in section 2 of NEMA have been taken into account:

Section 2 of NEMA states that "Environmental management must place people and their needs at the forefront of its concern and serve their physical, psychological, cultural, developmental and social interests equitably." It is contended that the activity achieves this goal as it aims to improve the property and to meet the needs of the residents and staff by making best use of the amenity of the property while accounting for potential impacts associated with improvements on the immediate and surrounding environment, including the rights and interests of parties who may be potentially or actually affected. The assessment, planning and design processes have taken substantive cognisance of the socio-economic impacts (together with the biophysical impacts) of the activity, in turn accounting for the interests of neighbours, interested and affected parties and members of the public.

## SECTION E: ALTERNATIVES

**Please Note:** Before completing this section, first consult this Department's *Guideline on Alternatives* (August 2010) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

"Alternatives", in relation to a proposed activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

- (a) the property on which, or location where, it is proposed to undertake the activity;
  - (b) the type of activity to be undertaken;
- l the design or layout of the activity;

- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

The NEMA prescribes that the procedures for the investigation, assessment and communication of the potential consequences or impacts of activities on the environment must, *inter alia*, with respect to every application for environmental authorisation –

- ensure that the general objectives of integrated environmental management laid down in NEMA and the National Environmental Management Principles set out in NEMA are taken into account; and
- include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

The general objective of integrated environmental management is, *inter alia*, to “*identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management*” set out in NEMA.

1. In the sections below, please provide a description of any indentified and considered alternatives and alternatives that were found to be feasible and reasonable.  
**Please note:** Detailed written proof the investigation of alternatives must be provided and motivation if no reasonable or feasible alternatives exist.

- (a) Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

No alternative properties/ sites exist.

- (b) Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

No activity alternatives exist.

- (c) Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

**Design/ layout/ bulk Alternative**

A proposal was mooted previous to the current proposal and was presented to the local authority and to interested and affected parties during the earlier planning-related application stage. The proposal was subsequently amended to reflect the current proposal presented within this application, in order to attempt to minimise the impact the earlier proposal may have incurred on adjoining properties and the surrounding area and to address the concerns/questions raised by the surrounding neighbours. The previous proposal is illustrated by way of plans dated 15 May 2010 (refer to Appendix B) and is now considered to be the 'development alternative' to the current proposal (plans of which are dated 06 December 2010; also refer to Appendix B).

The development alternative represents a substantively different design, bulk and layout but also proposed the erection of a double dwelling on the property. The development alternative proposed a double dwelling over five floors (but being the permissible three storeys in height), as does the current proposal itself, but comprised a building covering a larger floor area, substantially greater site coverage (such that departures from the CTZS would have been required) and built-upon area and a garage at a level below street level, in turn requiring a steep access ramp from Ocean View Drive. A tabulated summary of the differences between the original proposal/ development alternative (left-hand column) and the current proposal (right-hand column) is provided below:

<b>Original Proposal/ 'Development Alternative' (plans dated 15 May 2010)</b>	<b>Revised/ Current Proposal (plans dated 06 December 2010)</b>
<u>Total floor area:</u> 1174.2 m <sup>2</sup>	<u>Total floor area:</u> 909 m <sup>2</sup>
Unit 1: 601 m <sup>2</sup>	Unit 1: 462 m <sup>2</sup>
Unit 2: 573.2 m <sup>2</sup>	Unit 2: 447 m <sup>2</sup>
<u>Parking:</u> 5 parking spaces (all within basement garage – one level below street level)	8 parking spaces, four (4) within garages at street level and other off-street parking spaces are proposed on the driveway between the erf boundary and the road. A lease agreement is being finalised with Council to secure additional land that will release further land for access and landscaping purposes.
<u>Coverage:</u> 62.93%	47.1%
<u>Built Upon:</u> 82.93%	63.7%
<u>Design:</u> Contemporary	Contemporary
<u>Height:</u> 162.45 metres above sea level	162.45 metres above sea level. This represents a single level (3m) above the current back of footway level.
<u>Departures:</u> 6 In total	0 in total
<u>Restrictive Title Deed Conditions:</u> 4 to be amended	3 to be amended (relating to double dwelling and built upon area)
<u>Access:</u> Via steep ramp to garage 1 level below street level	Via gradual driveway/ramp to garage at street level

Drawing on the differences, it is reasonably contended that the proposal is preferred to the development alternative as the impacts on the site itself, and related cumulative impacts, would be considerably less significant in the case of the proposal when compared to the development alternative.

(d) Technology alternatives (e.g. to reduce resource demand and resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

*No technology alternatives exist.*

(e) Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

*No operational alternatives exist.*

(f) the option of not implementing the activity (the No-Go Option):

*The 'No-Go' option has been considered as part of the assessment process and it has been concluded that by maintaining the status quo (i.e. the no development/ no go option) on the property, the rights and interests of the applicant/ landowner would be unfairly and unreasonably compromised to a severe extent as the property would not realise its potential in terms of a development seen to be appropriate in the context of the site and its surroundings. Non-development of the site would prejudice the rights and interests of the owner and render the value of the property virtually nil if development rights cannot be attained.*

*From an environmental perspective, it is reiterated that the site, whilst never having been developed, cannot be considered a 'greenfields' site as the deleterious impact of surrounding development is abundant. The site is severely infested with alien invasive vegetation and represents a very low opportunity for rehabilitation as the soil strata has been significantly impacted from decades of, in particular, growth of Eucalyptus (which alters the composition of the soil and retards its ability to sustain growth of indigenous vegetation) and the invasion of kikuyu grass (*Pennisetum clandestinum*) and wattles such as Port Jackson (*Acacia saligna*) and Rooikrans (*Acacia cyclops*). The site is also entirely confined between development above and below and to its north and provides little opportunity for habitat creation. Drawing on several factors, it is reasonably concluded that the site would be improved by the development of a dwelling house with a design and bulk which aligns substantially with the Zoning Scheme Regulations. There are a number of positive aspects associated with the design of the dwelling (such as those alluded to under D (12) above) which would serve to improve the presently vacant and derelict stand (status quo) and benefit the immediate and surrounding environment. Such benefit would be impossible in the event that the 'no go' option was elected. It is concluded that the impacts of the proposal itself are such that they preclude from further reasonable consideration the 'no go' option as feasible and reasonable, as the impacts associated with the proposal itself, and their significance would be acceptable within the ambit of the nature of the site and its surroundings.*

(g) Other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

*Not applicable.*

(h) Please provide a summary of the alternatives investigated and the outcomes of such investigation:

**Please note:** If no feasible and reasonable alternatives exist, the description and proof of the investigation of alternatives, together with motivation of why no feasible or reasonable alternatives exist, must be provided.

*As discussed above. It is reasonably concluded that the impacts associated with the proposal itself, and their significance, would be acceptable within the ambit of the nature of the site and its surroundings.*

## **SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES**

**Please note:** The information in this section must be duplicated for all the feasible and reasonable alternatives (where relevant).

**1. PLEASE DESCRIBE THE MANNER IN WHICH THE DEVELOPMENT WILL IMPACT ON THE FOLLOWING ASPECTS:**

(a) Geographical and physical aspects:

*The activity will occur entirely within the boundaries of Erf 532 and is not considered to pose any likelihood of geographical impacts, while physical impacts would be limited to the footprint of the activity and would include some impacts on granite boulders within the footprint, albeit that the majority of the granitic rock formations occur either below natural ground level or below the property (along the lower property boundary). The activity is considered unlikely to have any negative impacts on the geography of the area or the nature conservation area situated higher up the flanks of Lion's Head.*

(b) Biological aspects:

Will the development have an impact on critical biodiversity areas (CBAs) or ecological support areas (CSAs)?	YES	NO
If yes, please describe:		
<i>There are no CBA's or CSA's in the vicinity of the site.</i>		
Will the development have an impact on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES	NO
If yes, please describe:		
<i>As described under 1(a).</i>		
Will the development have an impact on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?	YES	NO
If yes, please describe:		
<i>Not applicable.</i>		
Please describe the manner in which any other biological aspects will be impacted:		
<i>Not applicable. As described under 1(a), the site is distanced from the coastline and is entirely buffered by extensive development both above and below it, with the development above (including Ocean View Drive itself) providing a large buffer between the site and nature conservation area further up the flanks of Lion's Head. Any minor biological function (if any exists, which appears unlikely) provided by the mountain gully/ 'watercourse' on the adjacent property would be entirely unaffected by the activities on Erf 532.</i>		

(c) Socio-Economic aspects:

What is the expected capital value of the activity on completion?	Not divulged.	
What is the expected yearly income or contribution to the economy that will be generated by or as a result of the activity?	<i>Not divulged. The owner would contribute to rates and taxes at an amount charged for for this property.</i>	
Will the activity contribute to service infrastructure?	YES	YES
How many new employment opportunities will be created in the construction phase of the activity?	<i>Approximately 30 temporary jobs would be created.</i>	
What is the expected value of the employment opportunities during the construction phase?	R800 000	
What percentage of this will accrue to previously disadvantaged individuals?	60-70%	
How will this be ensured and monitored (please explain):		
<i>The construction process would be typical in the sense that it would conform to the requirements of the Department of Labour and the building industry in South Africa. Approximately 90% of the construction personnel on the site would comprise previously disadvantaged individuals, for which remuneration would be ensured in terms of the Labour Relations Act, 1995 (Act No. 66 of 1995). Any disputes in terms of payment and behaviour on site would be referred to the Commission for Conciliation, Mediation and Arbitration (CCMA) for arbitration/ resolution.</i>		

How many permanent new employment opportunities will be created during the operational phase of the activity?	Four (domestic worker, maintenance and security personnel and gardener)
What is the expected current value of the employment opportunities during the first 10 years?	Not known.
What percentage of this will accrue to previously disadvantaged individuals?	100%
How will this be ensured and monitored (please explain):	
<i>Employment of permanent employees upon occupation of the dwelling would conform to the requirements of the Labour Relations Act, 1995 (Act No. 66 of 1995). All employees on the property would comprise previously disadvantaged individuals, for which remuneration will be ensured by the owner in terms of individual contracts entered into between the owner and the employee, and undertaken in terms of the Labour Relations Act, 1995 (Act No. 66 of 1995). Any disputes between employer and employee would be referred to the CCMA for arbitration/ resolution.</i>	
Any other information related to the manner in which the socio-economic aspects will be impacted:	
<i>The property is located within the coastal township of Bantry Bay, a suburb enjoying extremely high real estate value on account of its highly-desirable and sought-after location overlooking the Atlantic coastline from its elevated position on the westerly slopes of Lion's Head, affording it largely uninterrupted views of the sea and a highly desirable north-facing aspect. The suburb is primarily residential, with a mix of single and double dwellings and larger multi-storey apartment units, the latter of which generally dominate the sea/ land interface (which exist some way below the property). The township is also characterised by various interspersed hospitality units, mainly hotels and bed-and-breakfast establishments/ guest houses, located primarily on the northern (seaward) side of Victoria Road (the area's major access road and a declared Scenic Route in terms of the provisions of Section 93 of the Zoning Scheme), which takes advantage of the coastline and is a highly sought-after tourist destination. For these reasons, a large number of ageing residences and vacant properties in the area have been improved in recent years by way of the construction of new dwellings or apartment units. It is noteworthy that the owner of Erf 532 seeks to utilise the huge value, amenity and potential of the property to construct the new dwelling on it, by way of what is construed to be an architecturally appropriate structure. It is contended that the proposal conforms to similar proposals and projects within Bantry Bay and surrounds, in as much as these incorporate double dwellings constructed on mountainside plots which have little or no conservation worthy in their present condition (as they are largely infested with alien invasive vegetation).</i>	
<i>It is noteworthy that the draft Table Bay Spatial Development Framework (August 2009) states of the aims of the development of the Table Bay District, within which Bantry Bay falls:</i>	
<b><i>"It is to be a district in which locals and visitors can enjoy the remarkable natural and coastal environment and scenic beauty while having the opportunity to benefit from continued economic growth and extensive social and cultural amenities. It is a district where people can work, live and relax in a world-renowned setting where intense mixed land uses and natural areas complement each other. Its broad range of employment and recreation opportunities are accessible by means of efficient public transport linkages, while a focus is maintained on the provision of well-located affordable residential opportunities. The district is characterised by quality open spaces and pedestrian linkages that tie its diverse precincts together to create a liveable and vibrant area."</i></b>	

(d) Cultural and historic aspects:

See (c) above. It is considered unlikely that the activity would incur any significant cultural or heritage impacts.

## 2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Will the activity produce waste (including rubble) during the construction phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	300m <sup>3</sup>	
<p><i>Debris and cut material will be produced during the site preparations and earthworks phases, in which excavations required to accommodate the building within a recess into the slope on the property are expected to be significant, as cutting of the site will be required to achieve the necessary levels in order to reduce the overall height of the dwelling. A degree of cut material arising from the earthworks will be used on site during the construction process as backfill but the majority will be carted away, given that several hundred cubic meters of in situ material will require excavation. The contractor will be required to cart the material away either to a private property requiring large amounts of fill or to a municipal-approved landfill facility which will accept clean fill. Plant and vehicles associated with the excavations and construction process will take direct access to the site from Ocean View Drive, also making use (for the purposes of parking) of the existing gravel lay-bye forming the undeveloped road reserve between the property and the roadway itself, in turn reducing any potential for obstructions and delays.. Once the excavation work is completed, the construction phase will commence and will include the production of by-products of the construction activities, such as waste and rubble, typical of similar construction projects. Prior to his appointment, the contractor will be made aware of the sensitivity of the site from inter alia a visual and slope stability perspective and will be required to conduct the works in a strictly-managed manner to ensure adequate waste management.</i></p> <p><i>In terms of the management of waste and debris arising during the construction phase itself, this would be disposed of into a designated waste skip located within temporary hoarding established around a site camp to be erected at the uppermost property boundary in order to manage the construction process. The skip would be of suitable capacity to cope with the expected volume of rubble and wastage arising during the construction process and would when full be emptied at a municipal-approved landfill facility. Bins would be supplied on site to augment the operation of the skip, in which construction personnel would be required to dispose of their personal waste (e.g. lunch remains and packaging etc.) and all refuse and litter arising as a by-product of the works. Once full, the bins would be emptied at the skip, or directly loaded to trucks used for transport of solid waste to the approved landfill site. The system of waste management is detailed within the Construction phase Environmental Management Programme (refer to Appendix H for EMP) and which would be required to be adequately implemented throughout the works.</i></p> <p><i>On account of the narrow nature of Ocean View Drive at its upper end (adjacent to the site) and the limited sight-lines afforded by the angle and gradient of the road, traffic management during the works will be extremely important and such is emphasised in the EMP (refer to Appendix H). To this end, the appointed contractor will be required to ensure that traffic controllers are stationed at the approaches (north-east and south-west) to warn road-users of potential hazards during deliveries to/ from site and adequate signage will be required along the Ocean View Drive informing road users of the works and of potential hazards (see also Section F 9(a) below: 'Recommendations').</i></p>		

Will the activity produce waste during its operational phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	(per week: 20m <sup>3</sup> )	
<p><i>The occupation of the double dwelling will produce an expected monthly volume of domestic refuse typical of any double dwelling. Refuse will be disposed of into a municipal 'wheelie bin' which in turn will be removed by the local municipality on a scheduled weekly basis. The Municipality (Solid Waste: Collections) has confirmed (refer to Appendix E) that it has sufficient unallocated capacity to collect refuse from the premises.</i></p>		

Where and how will the waste be treated / disposed of (describe)?
<i>Domestic refuse typical of a double dwelling will be produced once the dwelling is occupied. This would be disposed of</i>

into a municipal 'wheelie bin' and made available to municipal refuse collectors on the appropriate collection day. The Municipality (Solid Waste: Collections) has confirmed (refer to Appendix E) that it has sufficient unallocated capacity to collect refuse from the premises.

If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type per phase of the development?

Waste produced will be domestic refuse typical of type, nature and volume of a double dwelling, and much of which will be recycled by way of separation of recyclables from non-recyclables. Recyclable waste will be kept separate from non-recyclable waste, for collection by a designated contractor.

Has the municipality or relevant authority confirmed that sufficient capacity exist for treating / disposing of the waste to be generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority		
Solid waste produced during construction would be managed by the contractor in terms of the EMP. The only waste envisaged once construction is complete is that of 'usual' domestic refuse produced by the occupation of a double dwelling. The City of Cape Town: Solid Waste (Collections) has confirmed (refer to Appendix E) that it is the authorised service provider in the Bantry Bay area and has sufficient unallocated capacity to accommodate the collection of solid waste during the operational phases and the disposal thereof to a licensed landfill site.	YES	NO

Will the activity produce waste that will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO
Not applicable.		

If yes, has this facility confirmed that sufficient capacity exist for treating / disposing of the waste to be generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO
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Does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
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Facility name:	
Contact person:	
Postal address:	
	Postal code:
Telephone:	Cell:
E-mail:	Fax:

Describe the measures that will be taken to reduce, reuse or recycle waste:

It is proposed as a water conservation measure to install a grey-water cylinder/ detention tank within the service area of the building in order to recycle used water from sinks, showers and baths for use in flushing of the dwelling's toilets and in irrigating the garden. It is also intended that the Applicant adopt a pro-active approach to the recycling of recyclable solid waste produced during the operation of the dwelling by actively separating recyclables from non-recyclables and ensuring that these are deposited appropriately via a designated recycling system. Such an approach will serve to significantly decrease the volume of solid waste ending up at landfill by way of the municipal refuse collection system.

(b) Emissions into the atmosphere

Will the activity produce emissions that will be disposed of into the atmosphere?	YES	NO
If yes, does it require approval in terms of relevant legislation?	YES	NO
Describe the emissions in terms of type and concentration and how it will be treated/mitigated:		
Not applicable.		

### 3. WATER USE

Please indicate the source(s) of water for the activity by ticking the appropriate box(es)

<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Water board	<input type="checkbox"/> Groundwater	<input type="checkbox"/> River, Stream, Dam or Lake	<input type="checkbox"/> Other	<input type="checkbox"/> The activity will not use water
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If water is to be extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that will be extracted per month:	
	m <sup>3</sup>

Please provide proof of assurance of water supply (eg. Letter of confirmation from municipality / water user associations, yield of borehole)			
Does the activity require a water use permit / license from DWAF?	<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO		
If yes, please submit the necessary application to Department of Water Affairs and attach proof thereof to this application.			
Describe the measures that will be taken to reduce water demand, and measures to reuse or recycle water:			
<p><i>As above, waste-water is expected to be of a negligible volume and recycling or treatment would not be feasible. Drums or bins into which waste-water is directed would be sealed once full and transported to an approved/ registered hazardous landfill facility for appropriate disposal.</i></p> <p><i>In terms of the operation itself of the proposed new double dwelling, once completed, it is proposed as a water conservation measure to install a grey-water cylinder/ detention tank within the service area of the building in order to recycle used water from sinks, showers and baths for use in flushing of the dwelling's toilets and in irrigating the garden. The Applicant will also assess the possibility of installing a borehole on the property for use in irrigating the garden, albeit that a limited supply of water will be required as the majority of planting on site will comprise indigenous species, which are relatively drought-tolerant and require low volumes of water to survive.</i></p>			

#### 4. POWER SUPPLY

Please indicate the source of power supply eg. Municipality / Eskom / Renewable energy source

<i>Municipality. All adjacent properties on which dwellings have been erected are connected to the municipal power supply in accordance with the suburbs power supply requirements. Accordingly, existing municipal infrastructure is in place and a connection to the proposed new residence will be made during the construction phase, at the permission of the local municipality.</i>
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If power supply is not available, where will power be sourced from?
<i>Not applicable.</i>

#### 5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
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The design of the proposed new dwelling adopts energy-efficient principles, with the use of low-energy (CFL) light bulbs, dimmer-switches, a solar-powered geyser wrapped in a geyser blanket to retain heat; the use of low wattage appliances and gas-powered appliances where practical, and the adoption of effective water-saving devices, such as dual-flush toilets, tap fittings which aerate outletting water, use of a grey-water tank and possible installation of a borehole for additional irrigation requirements.

Invariably, energy/ power will be used during the construction process, as needed for earthworks and construction itself, but attention will be given to conserving energy as far as practicably possible within the ambit of a necessary construction process. A significant amount of transport of materials to and from site will be implemented by hand via a 'fetch and carry' system in which construction personnel would walk a short way between the site camp and the site. Whilst labour-intensive, such a system would reduce reliance on machinery and plant and reduce fuel consumption and diesel air emissions. Furthermore, the proposed dwelling design has adopted the following water and energy-efficient measures:

- Use of solar panels and solar water heaters;
- Use of gas-powered appliances in favour of those powered by electricity;
- Insulation of pipes carrying hot water;
- Low wattage energy-saving (CFL) bulbs, down-lighters and dimmer-switches;
- Lights (down-lighters) that do not cause undue light pollution to the surrounding areas and use less electricity to illuminate the house;
- Passive cooling and heating through suitable positions of doors and windows;
- Sufficient eaves over windows to allow for shading in summer and the influx of sunlight during winter;
- Double-pane glass windows which significantly enhance insulation in winter and deflect the sun's rays in summer;
- Low-flow/ aerated shower heads and bathroom taps;
- Dual-flush toilet cisterns;
- Drip irrigation where feasible (to suit local plant requirements);
- Insulation of ceilings (where practicably possible);
- Use of timber harvested from sustainable plantations and approved by the Forestry Stewardship Council;
- Planting of indigenous plants which are drought-tolerant and require low volumes of water to survive, in turn reducing long-term irrigation requirements.

Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

As above.

## 6. DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS PRIOR TO AND AFTER MITIGATION

**Please note:** While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.

- (a) **Impacts that may result from the planning, design and construction phase (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the planning, design and construction phase.**

Potential impacts on geographical and physical aspects:	Not applicable (no predicted impacts)
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation	

(Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impact on biological aspects:</b>	
Nature of impact:	<i>Clearance of vegetation (all of which is alien invasive and of no conservation value)</i>
Extent and duration of impact:	<i>Large extent (entire property), short duration</i>
Probability of occurrence:	<i>Definite</i>
Degree to which the impact can be reversed:	<i>100%</i>
Degree to which the impact may cause irreplaceable loss of resources:	<i>0%</i>
Cumulative impact prior to mitigation:	<i>Medium</i>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	<i>100%</i>
Proposed mitigation:	<i>Planting of endemic vegetation within the garden of the property once construction is complete.</i>
Cumulative impact post mitigation:	<i>Very low.</i>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on socio-economic aspects:</b>	
Nature of impact:	<p><b><u>Nature of Impact: Construction Phase:</u></b></p> <ul style="list-style-type: none"> <li>• Noise;</li> <li>• Excavations/ Site Preparations/ Drilling;</li> <li>• Waste/ rubble/ discard/ debris/ litter/ refuse;</li> <li>• Dust/ wind-borne debris;</li> <li>• Impacts on public infrastructure (e.g. roads, verges, stormwater system);</li> <li>• Security/ criminal elements/ undesirable activities;</li> <li>• Visual;</li> <li>• 'Sense of place' and nuisance factor ;</li> <li>• Cumulative impacts</li> </ul> <p><b><u>Nature of Impact: Operational Phase:</u></b></p> <ul style="list-style-type: none"> <li>• Visual,</li> <li>• 'Sense of place';</li> </ul>
Extent and duration of impact:	<p><b><u>Extent and Duration of Impact: Construction Phase:</u></b></p> <ul style="list-style-type: none"> <li>• Noise: Large extent; medium duration (approx. 12 months);</li> <li>• Excavations/ Site Preparation/ Drillings: Large extent; short duration (approx. 2-3 months);</li> <li>• Waste/ rubble/ discard/ debris/ litter/ refuse: Small to medium extent; medium duration;</li> <li>• Dust/ wind-borne debris: medium extent; medium duration;</li> <li>• Impacts on public infrastructure (e.g. roads, verges, stormwater system): small extent; short to medium duration;</li> <li>• Security/ criminal elements/ undesirable activities: small extent; short to medium duration;</li> <li>• Visual: small extent; short to medium duration;</li> </ul>

	<ul style="list-style-type: none"> <li>'Sense of place' and nuisance factor: medium extent; short to medium duration;</li> <li>Cumulative impacts: low extent; short to medium duration.</li> </ul> <p><b><u>Extent and Duration of Impact: Operational Phase:</u></b></p> <ul style="list-style-type: none"> <li>Visual: Very low extent; permanent duration.</li> <li>'Sense of place': Very low extent; permanent duration.</li> </ul>
Probability of occurrence:	<p><b><u>Probability of Impact: Construction Phase:</u></b></p> <ul style="list-style-type: none"> <li>Noise: Definite;</li> <li>Excavations/ Site Preparations/ Drilling: Definite;</li> <li>Waste/ rubble/ discard/ debris/ litter/ refuse: Definite;</li> <li>Dust/ wind-borne debris: Definite;</li> <li>Impacts on public infrastructure (e.g. roads, verges, stormwater system): medium to high probability.</li> <li>Security/ criminal elements/ undesirable activities: low probability.</li> <li>Visual: Definite;</li> <li>'Sense of place' and nuisance factor : Definite;</li> <li>Cumulative impacts: Definite.</li> </ul> <p><b><u>Nature of Impact: Operational Phase:</u></b></p> <ul style="list-style-type: none"> <li>Visual: Definite;</li> <li>'Sense of place': Definite;</li> </ul>
Degree to which the impact can be reversed:	<i>Impacts cannot be reversed but are temporary in nature and can be mitigated to a significant extent such that impacts after mitigation will be low to medium for the most part (as above).</i>
Degree to which the impact may cause irreplaceable loss of resources:	<i>No irreplaceable loss of resources will occur.</i>
Cumulative impact prior to mitigation:	<i>Low-medium</i>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<i>Construction phase prior to mitigation: Medium-High</i>
Degree to which the impact can be mitigated:	<i>Impacts can be mitigated to a substantive degree</i>
Proposed mitigation:	<i>See sections above in terms of implementation of the Construction phase EMP and resource conservation measures. See also Section H: 'Recommendations'.</i>
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<i>Construction phase post mitigation: Low-Medium</i>
<b>Potential impacts on cultural-historical aspects:</b>	<b>Not applicable (no predicted impacts)</b>
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation	

(Low, Medium, Medium-High, High, or Very-High)	
<b>Potential noise impacts:</b>	As above.
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	
<b>Potential visual impacts:</b>	As above.
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

(b) **Impacts that may result from the operational phase (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the operational phase.**

<b>Potential impacts on the geographical and physical aspects:</b>	<b>(See below under 'socio-economic')</b>
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	
<b>Potential impact biological aspects:</b>	
Nature of impact:	<b>Planting of endemic/ locally indigenous vegetation within the garden of the property and ensuring adequate maintenance.</b>
Extent and duration of impact:	<b>Limited extent (covering areas not built-upon), permanent duration.</b>
Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Not applicable</b>
Degree to which the impact may cause irreplaceable	<b>Not applicable.</b>

loss of resources:	
Cumulative impact prior to mitigation:	<b>Medium-High POSITIVE IMPACT</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Not applicable.</b>
Degree to which the impact can be mitigated:	<b>Not applicable.</b>
Proposed mitigation:	<b>Not applicable.</b>
Cumulative impact post mitigation:	<b>Not applicable.</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on the socio-economic aspects:</b>	
Nature of impact:	<b>Visual, 'Sense of place'.</b>
Extent and duration of impact:	<b>Limited extent, permanent duration.</b>
Probability of occurrence:	<b>Probable</b>
Degree to which the impact can be reversed:	<b>Medium</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Low</b>
Cumulative impact prior to mitigation:	<b>Medium-High</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	<b>High</b>
Proposed mitigation:	<b>Appropriate architectural features, contemporary building design, appropriate colours and finishes, screening landscaping, etc. (see Section D.1: "Need and Desirability").</b>
Cumulative impact post mitigation:	<b>Low-medium</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on the cultural-historical aspects:</b>	<b>Not applicable (no predicted impacts)</b>
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential noise impacts:</b>	<p>The construction process required to construct the new dwelling would result in invariable and largely unavoidable noise impacts, as would be associated with any similar type of construction process for a significant structure. Contractors working on the site will need to be made acutely aware of the adjacency of neighbouring dwellings and instructed to manage their personnel and machinery accordingly to reduce noise volumes as far as practicably possible. The contractor will accordingly be required to comply with in particular the requirements of SANS 10103, SANS 1200: Regulation 4.1 as it applies to 'built-up' areas and applicable municipal by-laws. Furthermore, the contractor will be required to restrict his hours of work to less than those stipulated in terms of the National Building Regulations by starting work somewhat later in the mornings and ending somewhat earlier in the afternoons. Noise mitigation measures and permissible work hours on site are stipulated within the EMP (refer to Appendix H) to which the contractor will be required to closely adhere. With the implementation of mitigation</p>
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	<i>measures and adherence to permissible work hours on site, it is predicted that impacts would be reduced from a medium-high significance to a medium significance. It is noteworthy that the property is abutted on its north-east boundary by an occupied residence but that no other boundaries are shared with residences; hence, there are buffer zones in respect of noise production and other construction-related impacts.</i>
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential visual impacts:</b>	<i>As above.</i>
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

## Overall cumulative impact summary: Construction Phase:

*Mitigation of cumulative impacts during the construction phase could include the use of a contractor with full-time on-site supervision, together with the use of long-term construction workers who are adequately attired, trained and equipped and have attended ongoing induction training briefings. It is contended that, while cumulative impacts could perceivably be seen as of some significance in the event that similar construction activities occur on other sites in the area, with the mitigation measures proposed for this project, the cumulative impacts could be reduced to a low-medium significance. It is probable that the adequate implementation of comprehensive EMP documents and the on-site monitoring of activities by an independent ECO serve to significantly reduce construction-related immediate and cumulative impacts. As with all construction processes, the construction phase would incur negative cumulative construction-related impacts, in the sense that, should a number of similar construction processes occur in the area, these would escalate to a potentially high significance in terms of visual impacts, impacts on privacy and 'sense of place', noise, dust, waste management, crime/ undesirable behaviour, construction traffic and the use of public areas for carrying out the construction operations. It is however important to note that construction-related impacts would be temporary in nature and hence, their cumulative impacts would be of lesser significance. It is contended that through the correct implementation of the Construction phase EMP (refer to Appendix H), adherence to applicable municipal by-laws and monitoring of the construction process by an independent ECO, construction-related*

impacts could be mitigated to an acceptable degree both within the ambit of the site itself and in a cumulative sense. It is concluded that the negative impacts of a construction process are not sufficient cause for precluding construction activities in this suburban environment, particularly on account of the existence and implementation of an EMP, monitoring of the works by an independent ECO and the temporary nature of the works. It is noteworthy that the property is abutted on its north-east boundary by an occupied residence but that no other boundaries are shared with residences; hence, there are buffer zones in respect of noise production, visual impacts, 'sense of place' and other construction-related impacts.

## Overall cumulative impact summary: Operational Phase:

Whereas cumulative impacts are invariably relevant to the application, these have received consideration within the ambit of this assessment, and will continue to do so as the assessment progresses and as public participation is embarked upon. It is contended that the proposal should be considered on a site-specific basis in terms of its appropriateness to the property and in the context of the surrounding area when considering potential cumulative impacts. Accordingly, the operational/occupational phase of the project (i.e. once the completed dwelling is inhabited) is expected to incur impacts of a low-medium significance on the receiving environment, as the dwelling once completed is designed to conform with the Zoning Scheme Regulations and Title Deed Restrictions (the latter to be relaxed) and accounts for the immediate and surrounding environment through its design and functionality, and the features associated with these. As alluded to above, visual and 'sense of place' impacts associated with the completed project are considered to be a value judgment based on one's personal opinion of the aesthetics of the building and its appropriateness within the context of the suburban environment of Bantry Bay. On account of the fact that the building is designed to be quite typical of the structures within Bantry Bay, it is expected that it will not incur unacceptable or highly significant impacts on neighbours, passers-by, traffic or service infrastructure and which would not be higher than any other building in the local area. A significant mitigation measure associated with the building is that of the provision on the property of extensive on-site parking facilities, which serves to alleviate the current parking and passing constraints experienced along Ocean View Drive (refer to Appendix A). By extension, it could be construed that a number of operational phase impacts are in fact positive in nature, in particular aspects such as the horticultural and aesthetic value of the proposed new garden, substantial off-street parking provisions and specific detailed design measures taken to allow for the building to assimilate with the immediate environment as appropriate within the context of Bantry Bay.

- (c) **Impacts that may result from the decommissioning and closure phase (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the decommissioning and closure phase.**

### **Section not applicable as the double dwelling will not be decommissioned (permanent structure).**

<b>Potential impacts on the geographical and physical aspects:</b>	
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	
<b>Potential impact biological aspects:</b>	
Nature of impact:	
Extent and duration of impact:	

Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on the socio-economic aspects:</b>	
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on the cultural-historical aspects:</b>	
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential noise impacts:</b>	
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential visual impacts:</b>	
Nature of impact:	

Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

(d) **Any other impacts:**

Potential impact:	
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

## 7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

**Please note:** Specialist inputs/studies must be attached to this report as **Appendix G**. Also take into account the Department's Guidelines on the Involvement of Specialists in EIA Processes available on the Department's website (<http://www.capegateway.gov.za/eadp>).

Specialist inputs/studies and recommendations:

*No specialist studies have been commissioned as it is considered that none are required given the small extent of the site, its substantially degraded nature and the extensive measures adopted thus far to design and re-design the dwelling to assimilate as closely as practicably possible and feasible with the site and surrounding and environment, in turn responding to concerns raised by neighbours and other interested and affected parties within comments received specific to the planning application. It is contended that the assessment is sufficient without the requirement for specialist studies as there are no issues identified to date which cannot be assessed within the ambit of the Basic Assessment process and hence, do not require specific specialist assessment. This notwithstanding, it is recommended pursuant to and during earthworks that detailed investigations of the ground conditions and sub-strata be undertaken by consulting engineers to ensure that slope stability is maintained and further to ensure that, should any groundwater sources be uncovered during excavations, these are protected and groundwater adequately managed using coffer-dams, berms and so on, as required by the engineers*

## 8. IMPACT SUMMARY

Please provide a summary of all the above impacts.

*With appropriate mitigation measures, the impacts associated with the activity, both construction phase and operational*

phase, are predicted to be such that their significance would be low-medium for the most part. It is noteworthy that mitigation measures have been applied during the design and planning stages to reduce potential and/ or perceivable impacts through extensive re-design of the building to reduce its bulk, improve its driveway access and parking facilities and provide for increased landscaping, to better assimilate with the environment . If one considers the comments received in response to the comment opportunity afforded for the planning application, and the manner in which these were responded to, it is clear that meaningful changes to the project were made, indicating genuine desire to meet the concerns through significantly revised dimensions and designs. By way of this reactive and consultative process, which will be furthered during the public participation process specific to this Basic Assessment, it is reasonably contended that the impacts associated with the activity would be of a level of significance that they should not preclude the authorisation of the application.

## 9. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES

(a) Over and above the mitigation measures described in Section 6 above, please indicate any additional management, mitigation and monitoring measures.

Should an Environmental Authorisation authorising the proposal be granted, it should be a requirement for the Applicant and the appointed contractor to implement the approved EMP adequately. Furthermore, the works and the implementation of the EMP by the contractor should be monitored by an independent Environmental Control Officer (ECO), whose roles and responsibilities should include reporting back to the City of Cape Town and DEA&DP and keeping the relevant competent authorities updated on procedures on site of an environmental nature. As is required by the EMP, the site camp and site must be thoroughly and neatly hoarded, screened and managed and must be equipped with waste disposal facilities (a skip, bins etc.), ablutions, store areas, signage, fire extinguishers, spill-absorbency/ bioremedial agents and other necessary mitigatory equipment as prescribed in the EMP. Any areas beyond the site boundaries and site camp should be classified as 'no go' and no works should occur there nor should unauthorised personnel enter such areas. All site personnel should be transported onto and off the site by vehicle and prevented from leaving site on foot. It is recommended that all fencing/ hoarding be installed to the satisfaction of the ECO, in consultation with the City if required and that it be completed prior to works (including site clearing and earthworks) commencing. All other provisions of the EMP must be adhered to during the site preparations, earthworks/ excavations, construction and restoration/ landscaping phases. All hoarding and protection measures must be in place prior to works commencing. The City of Cape Town: Environmental Resources Management Branch must be contacted to inspect the hoarding prior to works commencing.

It is recommended that works on the site be restricted to prescribed working hours in order to reduce noise and nuisance-related impacts. Except in the case of an emergency situation, the Contractor should restrict work to the following hours:

Monday to Friday:	08h00 – 17h30
Saturday:	08h30 – 14h00
Sunday:	No work
Public Holidays:	No work

If the road surface or public verges along Ocean View Drive or other public or private infrastructure deteriorates during the construction phase to a state where it is deemed a safety hazard, as a direct result of construction work associated with Erf 532, the infrastructure shall be restored to a suitable state of repair at the expense of the Applicant, to the satisfaction of the ECO, the City's Roads and Stormwater Department, as well as the Environmental and Heritage Resources Management Branch. Any other damage to private or public infrastructure/ property as a direct result of construction work associated with Erf 532 must also be made good to the satisfaction of the owner/ management of the property to which the damage was inflicted.

Vehicles and plant associated with the works and the site must be strictly managed to ensure that these do not park or slow down where they block the roadway or verges, or indeed hinder the sight-lines of passing/ approaching traffic, and unhindered thoroughfare to street edges must be maintained to allow for safe passage of vehicles and pedestrians. It may be required to use on a limited basis the gravel la-bye immediately above the property, for the short-term parking of trucks during deliveries or removals from site. To ensure that any hazards associated with construction vehicles are mitigated, traffic controllers must be stationed at the approaches (north-east and south-west) to warn road-users of potential hazards during deliveries to/ from site and adequate signage must be erected along Ocean View Drive informing road users of the works and of potential hazards. Traffic controllers must be suitably attired (reflective vests etc.), well trained and must have attended the induction course (see 4.11 of the EMP under Appendix H). All stationary vehicles, plant and machines must be underlain with drip trays lined with clean sand to catch any spillages which may arise, and no vehicles, plant or machinery may be serviced on site. Any such equipment which is seen to be leaking oil or fuel must be removed immediately from site.

There is no deemed conservation-worthy vegetation on the property, but granite boulders and interspersed vegetation along the property boundaries, any animals or birds (and/ or their burrows, dens, nests etc.) within the affected area, stormwater and possible groundwater sources, Public Open Space, pavements/ street edges, the public roadway and adjacent private property are all considered to be environmentally sensitive and requiring of specific conservation. In this sense, all vegetation identified for retention abutting the site and anywhere in the vicinity of the works must be hoarded off using 'Ready-Fencing' and afforded a strictly 'no touch' status. The hoarding is to be installed at a radius of at least 1.5m from the trunk of trees to be retained, in order to afford protection to the roots of the tree, and any roots exposed during excavations or trenching must be protected, using plinths laid across the trenches if deemed necessary by the ECO and/ or a landscape architect). The hoarding is to be installed at a radius of at least 1.5m from the trunk of any trees to be retained, and at an increased radius in the event that a tree's drip canopy extends beyond 1.5m from the radius of its trunk, in order to afford protection to the roots of the tree, and any roots exposed during excavations or trenching must be protected, using plinths laid across the trenches if deemed necessary by the ECO and/ or a landscape architect). Any roots which are exposed during the works and which cannot be avoided within the ambit of the works must be carefully and cleanly cut to reduce stress on the tree, and which roots may not hacked or otherwise unnecessarily damaged. Exposed/ cut roots must be kept irrigated and wrapped in shade-cloth and/ or hessian to afford a degree of protection. Any animals which may be disturbed/ discovered during the works may not be harmed and such incident must immediately be reported to the ECO. The animal or its den/ burrow/ nest etc. must be relocated by the ECO or a suitably trained ecologist to a conservation area.

A detailed investigation of the ground conditions and sub-strata of the site must be undertaken by consulting engineers prior to and during earthworks to ensure that slope stability is maintained and further to ensure that, should any groundwater sources be uncovered during excavations, these are to be protected and groundwater is to be adequately managed using coffer-dams, berms and so on as required by the engineers. The recommendation includes the phased clearance of the site of existing vegetation to retain as much soil-binding root systems as possible prior to total clearance of the work area, in turn reducing the volume of exposed and loose materials. The contractor must be required to implement the recommendations of the engineers towards reducing impacts associated with soil, ground and groundwater conditions and must be willing to halt any or all works at the instruction of the engineers and/ or ECO in the event that site conditions are such that the environment and/ or the health and safety of those on or adjacent to the site are at risk of negative impacts which may be associated with the site preparations. Works should only be permitted to continue once all measures required by the engineers have been adequately (to the satisfaction of the engineers) implemented.

No spot-lighting should be allowed outside and all external lights should be low output lights, angled downwards. Parking areas should not be brightly lit and the use of CFL bulbs should be employed for all external lighting.

The landscaping measures set out on the Site Plan, in terms of the planting of indigenous vegetation and a lawn of indigenous grass species (e.g. *Cynodon dactylon*/ 'kweek' grass) following construction activities, must be implemented.

The following design measures are proposed and should be incorporated within the final design and implementation of the dwelling:

- Use of solar panels and solar water heaters;
- Use of gas-powered appliances in favour of those powered by electricity;
- Insulation of pipes carrying hot water;
- Use of low wattage energy-saving (CFL) bulbs, down- lighters and dimmer-switches;

- Use of lights (down-lighters) that do not cause undue light pollution to the surrounding areas and use less electricity to illuminate the house;
- Passive cooling and heating through suitable positions of doors and windows;
- Sufficient eaves over windows to allow for shading in summer and the influx of sunlight during winter;
- Double-pane glass windows which significantly enhance insulation in winter and deflect the sun's rays in summer;
- Use of low-flow/ aerated shower heads and bathroom taps;
- Use of dual-flush toilet cisterns;
- Drip irrigation where feasible (to suit local plant requirements);
- Insulation of ceilings (where practicably possible);
- Use of timber harvested from sustainable plantations and approved by the Forestry Stewardship Council;
- Planting of fynbos which is drought-tolerant and requires minimal water to survive, in turn reducing long-term irrigation requirements.

No spot-lighting should be allowed outside and all external lights should be low output lights, angled downwards.

An environmental induction training session, to be attended by all personnel on site, must be held by the ECO prior to works commencing, with follow-up training talks held from time to time, as and when required. The Contractor must allocate his personnel (and brief time slots) to the training talks.

The site and the associated area (as affected by the works- being areas immediately abutting the site/ the property itself and those associated with the site camp) must be brought to a satisfactory condition from an environmental perspective, prior to departure of the contractor from site following the construction and landscaping/ restoration activities. Accordingly, all pollution associated with the building activities and site camp must be removed/ cleaned. Therefore, all rubble, refuse, debris, cement deposits/ residue/ dugga, effluent, wash-off, building materials, hoarding, builder's infrastructure, ablution facilities, signage, machinery and the like must be removed and the affected areas cleaned thoroughly. Any areas damaged or negatively affected by the works must be restored through planting, paving etc. Rehabilitation and site cleaning must be undertaken to the satisfaction of the ECO, the City of Cape Town and DEA&DP. Only once satisfactory rehabilitation is reached, will the ECO be permitted to sign the site off and allow for project closure.

The neighbours to the property and the Sea Point, Fresnaye and Bantry Bay Ratepayer's and Resident's Association must be informed at least one week prior to the commencement of the works, should an approval of the application be received. It is recommended that the relevant parties be informed by telephone and in writing.

(b) Describe the ability of the applicant to implement the management, mitigation and monitoring measures.

The ability of the Applicant to implement the above mitigation measures and recommendations is considered to be excellent as the Applicant has indicated a willingness to allow the design of the proposed dwelling to be adapted as a result of the outcome thus far of the Basic Assessment and planning-related processes and has shown desire to retain aspects of an environmentally-oriented nature where feasible and reasonable.

**Please note:** A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached this report as **Appendix H**.

## **SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES**

(a) Please describe adequacy of the assessment methods used.

It is contended that the assessment criteria are entirely adequate for the purpose of this assessment and accordingly have resulted in an accurate impact rating and in the provision of reasonable and feasible mitigation measures to reduce impacts to a low and/ or acceptable significance. The EAP who has conducted the assessment is considered to be, inter alia, -

- i) Independent;
- ii) Has the required expertise, including knowledge of the NEMA, the EIA Regulations and any guidelines that have relevance to the proposed activity and specialist input or study;
- iii) Has performed the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- iv) Has complied with NEMA, the EIA Regulations and all other applicable legislation; and
- v) Has disclosed to the applicant and the Department all material information in the possession of the person that reasonably has or may have the potential of influencing –
  - any decision to be taken with respect to the application by the competent authority in terms of these Regulations; or
  - the objectivity of any report, plan or document to be prepared by the person in terms of these Regulations for submission to the competent authority;

The EAP has also –

- Ensured EIA best practice and clear communication on the methodologies used, and the assumptions, uncertainties and gaps in knowledge; and
- Adhered to the National Environmental Management Principles contained in Section 2 of NEMA and the general objectives of Integrated Environmental Management contained in Section 23 of NEMA.

(b) Please describe the assessment criteria used.

*In compiling this report, the following criteria have been adhered to by the EAP:*

- i) *It has been ensured that the provisions of the NEMA and the EIA Regulations, 2010, as well as the requirements of the NHRA have been adhered to. In so doing, it has been ensured that the relevant statutory procedures have been and are being followed and that the appropriate applications for the required authorisations in terms of the aforementioned legislation are being undertaken.*
- ii) *Liaison with, and co-ordination of the activities and inputs of other consultants appointed to the project team, insofar as their inputs have had a bearing on this application. This has included ensuring the coordination of relevant procedures such as advertising and public participation with the requirements of the heritage legislation, wherever possible and applicable.*
- iii) *Provision of environmental input to the planning and design process such that sustainability principles are recognized and employed as appropriate. This input has included relevant features of the proposed site and surroundings which create both opportunities and constraints to development, as well as promoting a sustainable development model appropriate to the receiving environment, incorporating key energy, water, waste, public space, mobility and biodiversity design features.*

(c) Please describe the gaps in knowledge.

*There are no definitive gaps in knowledge for this application.*

(d) Please describe the underlying assumptions.

- *It is assumed that the information provided by the project team members, any specialists and the relevant competent authorities having inputted into the application thus far is correct and accurate.*
- *A degree of assumption is made in assessing various impacts as one can never be certain of the nature, extent, duration, probability or significance of an impact, whether it be construction-phase, operational-phase or cumulative. It is understood that the rating of the significance of an impact is subjective to some degree, based upon established criteria (such as those listed above) and the expertise, independence and experience of the assessor.*

(e) Please describe the uncertainties.

*Not applicable.*

## SECTION H: RECOMMENDATION OF THE EAP

In my view (EAP), the information contained in this application form and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	<b>YES</b>	NO
If "NO", list the aspects that should be further assessed through additional specialist input/assessment or whether this application must be subjected to a Scoping & EIR process before a decision can be made:		
If "YES", please indicate below whether in your opinion the activity should or should not be authorised:		
Activity should be authorised:	<b>YES</b>	NO
Please provide reasons for your opinion		
<p><i>After having conducted a thorough environmental impact assessment by way of the legislated Basic Assessment process, undertaken in terms of the provisions of NEMA EIA Regulations, 2010 and in tandem with an equally thorough and extensive design and planning process, it is reasonably concluded that the impacts of the proposal itself are such that they are considered to be of an overall low-medium significance within the ambit of the nature of the site and its surroundings. Furthermore, the impacts associated with the activity can be mitigated to the extent that authorisation of the proposed activity would not result in immediate/ site-specific or cumulative impacts of a highly-significant and/ or highly negative nature. The impacts associated with the activity are predicted to be acceptable within the ambit of the environment within which they would occur, and therefore should not preclude the issue of an authorisation.</i></p>		
If you are of the opinion that the activity should be authorised, then please provide any conditions, including mitigation measures that should in your view be considered for inclusion in an authorisation.		
<p><i>Refer to Section F: 9 (a).</i></p>		
Duration and Validity: Environmental authorisations are usually granted for a period of three years from the date of issue. Should a longer period be required, the applicant/EAP is requested to provide a detailed motivation on what the period of validity should be.		
<p><i>Not applicable.</i></p>		

## SECTION I: APPENDICES

The following appendices must be attached to this report:

Appendix		Tick the box if Appendix is attached
<b>Appendix A:</b>	<p><b>Locality map</b></p> <ul style="list-style-type: none"> <li>- Includes aerial photography;</li> <li>- Includes a zoning map;</li> <li>- Includes a survey plan.</li> </ul>	✓
<b>Appendix B:</b>	<p><b>Site plan(s)</b></p> <p>Appendix B(1): -Plans of proposal: dated 06 December 2010: Reference 930. Includes photomontages/</p>	✓

	renderings dated 06 December 2010.  Appendix B(2) -Plans of Development Alternative: dated 15 May 2010: Reference SK-11: Revision A	
<b>Appendix C:</b>	<b>Photographs</b>  - Dated June 2010	✓
<b>Appendix D:</b>	<b>Biodiversity overlay map</b>	
<b>Appendix E:</b>	<b>Permit(s) / license(s) from any other organ of state including service letters from the municipality</b>  - DEA&DP Acknowledgement of Application Form, dated 15 February 2011; - Letter incorporating comments & requirements of the City of Cape Town in response to original application dated 31 March 2010.	✓
<b>Appendix F:</b>	<b>Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements and any other public participation information as required in Section C above.</b>	✓
<b>Appendix G:</b>	<b>Specialist Report(s)</b>	
<b>Appendix H :</b>	<b>Environmental Management Programme</b>	✓
<b>Appendix I:</b>	<b>Additional information related to listed waste management activities (if applicable)</b>	
<b>Appendix J:</b>	<b>Any Other (if applicable) (describe)</b>	

## DECLARATIONS

### THE APPLICANT

I ....., in my personal capacity or duly authorised (please circle the applicable option) by ..... thereto hereby declare that I:

- regard the information contained in this report to be true and correct, and
- am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 ("NEMA") (Act No. 107 of 1998), the Environmental Impact Assessment Regulations ("EIA Regulations") in terms of NEMA (Government Notice No. R. 543 refers), and the relevant specific environmental management Act, and that failure to comply with these requirements may constitute an offence in terms of the environmental legislation;
- appointed the environmental assessment practitioner as indicated above, which meet all the requirements in terms of regulation 17 of GN No. R. 543, to act as the independent environmental assessment practitioner for this application;
- have provided the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the environmental legislation including but not limited to –
  - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
  - costs incurred in respect of the undertaking of any process required in terms of the regulations;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the regulations;
  - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
  - the provision of security to ensure compliance with the applicable management and mitigation measures;
- am responsible for complying with the conditions that might be attached to any decision(s) issued by the competent authority;
- have the ability to implement the applicable management, mitigation and monitoring measures;
- hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible; and
- am aware that a false declaration is an offence in terms of regulation 71 of GN No. R. 543.

**Please Note:** If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

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Signature of the applicant:

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Name of company:

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Date:

**THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)**

I ....., as the appointed independent environmental practitioner (“EAP”) hereby declare that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this report to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2010 (specifically in terms of regulation 17 of GN No. R. 543) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process;
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not; and
- am aware that a false declaration is an offence in terms of regulation 71 of GN No. R. 543.

**Note:** The terms of reference must be attached.

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Signature of the environmental assessment practitioner:

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Name of company:

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Date:

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**THE INDEPENDENT PERSON WHO COMPILED A SPECIALIST REPORT OR UNDERTOOK A SPECIALIST PROCESS**

I ....., as the appointed independent specialist hereby declare that I:

- act/ed as the independent specialist in this application;
- regard the information contained in this report as it relates to my specialist input/study to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant, EAP and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2010 (specifically in terms of regulation 17 of GN No. R. 543) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the specialist input/study was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments on the specialist input/study;
- have ensured that the comments of all interested and affected parties on the specialist input/study were considered, recorded and submitted to the competent authority in respect of the application;
- have ensured that the names of all interested and affected parties that participated in terms of the specialist input/study were recorded in the register of interested and affected parties who participated in the public participation process;
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not; and
- am aware that a false declaration is an offence in terms of regulation 71 of GN No. R. 543.

**Note:** The terms of reference must be attached.

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Signature of the specialist:

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Name of company:

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Date: