

**BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT  
OF RESIDENTIAL AND RECREATIONAL FACILITIES ON ERVEN 242  
AND 212, BISHOPSCOURT FOR THE PROTEA VILLAGE COMMUNAL  
PROPERTY ASSOCIATION LAND CLAIM**

# OPEN HOUSE

**MANOR HOUSE, FERNWOOD PARLIAMENTARY SPORTS GROUNDS**  
(27 RHODES AVENUE, NEWLANDS)

**21 NOVEMBER 2018**

**ANY TIME BETWEEN 16H00 AND 20H00**

**PLEASE JOIN US!**

# WELCOME TO THE OPEN HOUSE

PROTEA VILLAGE BASIC ASSESSMENT | OPEN HOUSE: 21 NOVEMBER 2018  
ENVIRONMENTAL ASSESSMENT PRACTITIONER

**THE PROPOSED DEVELOPMENT OF RESIDENTIAL AND  
RECREATIONAL FACILITIES ON ERVEN 242 AND 212,  
BISHOPSCOURT FOR THE PROTEA VILLAGE COMMUNAL  
PROPERTY ASSOCIATION LAND CLAIM**

## **ENVIRONMENTAL IMPACT ASSESSMENT PROCESS**

DEA&DP Pre-App Ref: 16/3/3/6/7/1/A6/7/2223/17

HWC Case No.: 17120718WD1208E

DWS Ref: WU8044 and WU9798

**Please ensure that you register, ask questions, and  
comment. Your input is valuable to us.**

**THANK YOU FOR TAKING THE TIME TO ATTEND  
(16H00 – 20H00)**

# 02. PURPOSE OF THE OPEN HOUSE

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- **The purpose of the Open House is to support the public participation requirements in terms of the environmental legislative process.**
- **It facilitates an opportunity for Interested and Affected Parties (I&APs) to:**
  - ✓ **Register on the database of I&APs.**
  - ✓ **Engage with the project team.**
  - ✓ **Make comments in relation to the information presented.**

# 03. PROJECT HISTORY

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- A Claim for restitution of land rights has been awarded by the Land Claims Commission in terms of the Restitution of Land Rights Act, 1994.
- The Claim was lodged on behalf of **86 former residents**, who resided in the original Protea Village Area and were **forcibly removed** during the 1960s, in terms of the Group Areas Act, 1950.
- The City of Cape Town and the State, in an agreement reached in **September 2006**, have **agreed to release the properties** to the Protea Village CPA.
- The Community **lost over 4-years** due to legal action from some of the neighbours.
- An area of approximately **28.4 hectares (ha) of land was claimed** relating to the property that was lost by the Protea Village Community when forced removals took place.
- **Not all of the disposed land can be restored** to the Claimants.
- The total area which can be restored is approximately 8.13 hectares, which is **28.6%** of the area of land that was disposed.
- Of this approximately **4.16 ha** will be retained **for public**, recreational usage with **2.62 ha being used for the 86 stands for the Protea Village community**. Ultimately, the Protea Village Community are returning to significantly less land.

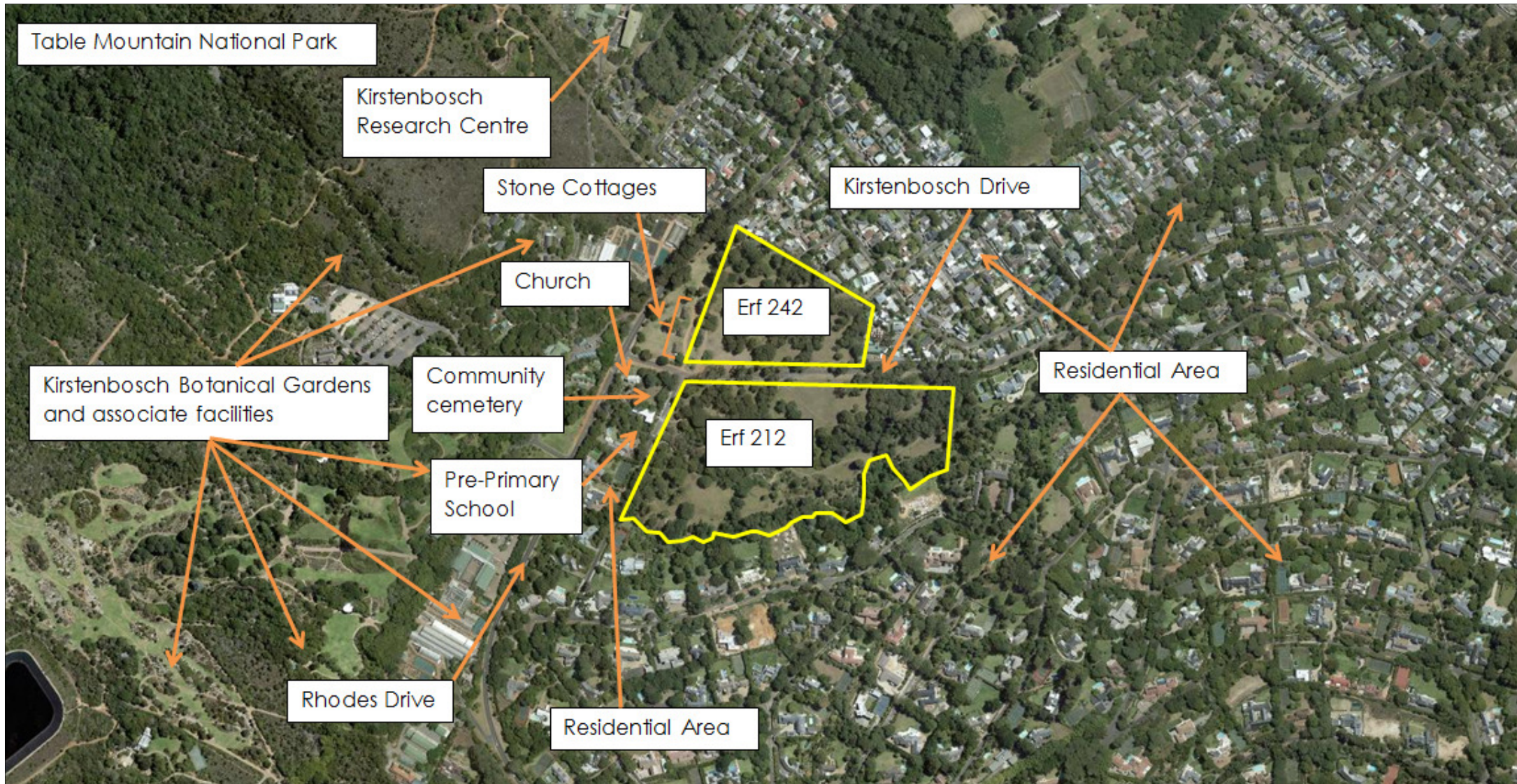
# 04. PROTEA VILLAGE COMMUNITY TODAY

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- **86 families over 4 generations** living in Cape Town and Internationally.
- Like any community, they are **diverse** in their skills, education and wealth.
- When their homes were forcibly taken from them the Community was separated. They were **denied proximity** to where they **worked** and to good **schools** for their children.
- They were **denied the capital growth** of their properties over the last 50 years.
- The Community has declared a common goal. They want:
  - ❖ to see the **sustainable and responsible restoration** of their Community, their property, their homes, their wealth and their legacy.
  - ❖ to live in **peace and harmony** with their neighbours and surrounding communities.
  - ❖ to enable their children, grand-children and great-grand-children to access the best **educational opportunities**.

# 05. PROJECT LOCATION

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# 06. PROJECT DESCRIPTION

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- Development on the site with a view to resettlement of the Protea Village community.
- Proposed development on the site includes the following components:
  - ❖ **Green Public Open Space Area (Erf 212);**
  - ❖ **Residential Area for the Protea Village community (Erf 242); and**
  - ❖ **Leasehold and Freehold Residential Opportunities (Erf 212).**
- It is the intention of the 86 families of the Protea Village community to resettle on Erf 242.
- Development of residential opportunities on Erf 212 will create the financial resources necessary for:
  - ❖ Installation of services to the 86 stands proposed for the Protea Village community; and
  - ❖ Construction of 86 houses proposed for the families of the Protea Village community.

# 07. ENVIRONMENTAL STATUTORY REQUIREMENTS (a)

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Listed Activities in terms of applicable environmental legislation **may not commence unless Environmental Authorisation is granted** by the competent authority. The legislation and associated activities relative to the proposed development are tabled below.

Applicable Legislation	Applicable Section	Details of Listed Activity	Aspect of Proposal Related to the Listed Activity
National Environmental Management Act (No. 107 of 1998) (NEMA) and EIA Regulations 2014, as amended in April 2017	Activity Number 19 of Listing Notice 1 (GN No. R. 327)	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 10 cubic metres from a watercourse...	There are wetlands on the site which would require infilling, partial infilling and/or reshaping in order to develop in those areas.
	Activity Number 12 (i) (i) of Listing Notice 3 (GN No. R. 327)	The clearance of an area of 300 square metres or more of indigenous vegetation... <b>(i) Western Cape</b> (i) Within any critically endangered ecosystem or endangered ecosystem listed in terms of section 52 of NEMBA...	There is some indigenous vegetation present on the site, largely within the wetlands and river corridors. The vegetation would need to be cleared where wetlands (or portions thereof) are located within proposed developable areas. There is also an area of approximately 15m <sup>2</sup> of indigenous trees which would need to be cleared.
National Water Act (No. 36 of 1998) (NWA)	Section 21 (c)	impeding or diverting the flow of water in a watercourse;	Some wetlands would need to be filled in, while others may require partial infilling and/ or reshaping. Stormwater outlets which daylight into the Liesbeek River are also proposed. The watercourses affected include wetlands and the Liesbeek River.
	Section 21 (i)	altering the bed, banks, course or characteristics of a watercourse;	
National Heritage Resources Act (No. 25 of 1999) (NHRA)	Section 38 (1) (a)	the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;	The boundary walls/ fences would trigger this activity.
	Section 38 (1) (c)	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	The size of the erven trigger this listed activity, as well as the fact that the character of the site would change from existing conditions.



# 08. ENVIRONMENTAL STATUTORY REQUIREMENTS (b)

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A **Basic Assessment process** is required in order to provide the relevant authorities, namely the Department of Environmental Affairs and Development Planning (DEA&DP), with information about the potential (positive and negative) environmental impacts of the proposed development.

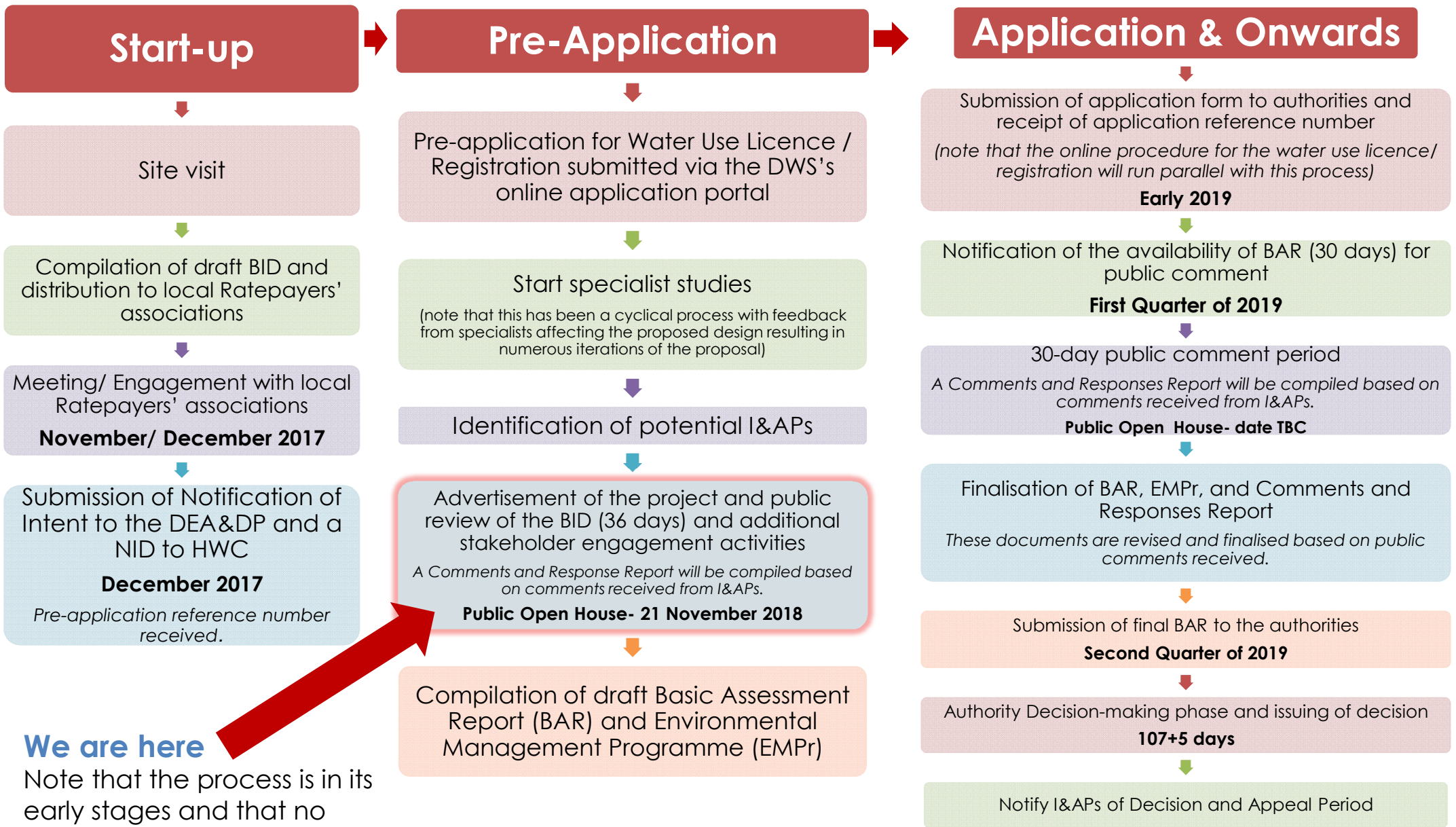
Given that provisions of the **NWA and NHRA also apply to the proposed development**, the Basic Assessment process would also serve to facilitate the necessary processes and elicit the required comment from the associated State Departments. The **Department of Water and Sanitation** (DWS) is the authority for the NWA, while **Heritage Western Cape** (HWC) is the relevant authority in terms of the NHRA.

DWS would issue any necessary Water Use Licence and/or General Authorisation, while HWC will provide their comments and requirements for the proposal from a heritage perspective.

The **public participation process** conducted during the Basic Assessment process also complies with any such requirements of the NWA and NHRA, therefore comments on these aspects of the application are also encouraged.

# 09. THE BASIC ASSESSMENT PROCESS

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## We are here

Note that the process is in its early stages and that no application has been submitted as yet