

BACKGROUND INFORMATION DOCUMENT

BASIC ASSESSMENT PROCESS FOR THE PROPOSED WYNBERG BUS DEPOT ON A PORTION OF ERF 91191, ERF 90470 & ERF 90475-RE, WYNBERG

CHAND REFERENCE NO: 03027

DEA&DP PRE-APPLICATION REFERENCE NO: 16/3/3/6/7/1/A6/96/2034/21

1. Purpose of this Document

Notice is hereby given of a Public Participation Process (PPP) in terms of the Environmental Impact Assessment (EIA) Regulations contained in section 24 (5) of the National Environmental Management Act, 1998 (Act No. 107 of 1998, as amended (NEMA) for the proposed Wynberg Bus Depot.

Application is going to be made for Environmental Authorisation under NEMA, through a Basic Assessment process, for the proposed development. The application is required because the proposed development triggers certain activities in the legislation.

This Background Information Document (BID) outlines preliminary information on the proposed Wynberg Bus Depot and describes the Basic Assessment process. The intention is to provide an opportunity for Interested and Affected Parties (I&APs) to learn about the proposed project and raise any issues or comments that they foresee at an early stage in the process.

Chand Environmental Consultants has been appointed to undertake the necessary environmental process to investigate the proposed development. This document forms part of the PPP for this proposed project describing the following:

- Information about the site and the proposed development;
- An overview of the statutory environmental process and related public participation; and
- How you can participate in the process.

Note that the legislated process is still in the early stages as the application has not yet been submitted. This process will continue for approximately 12 months. At this early stage, the team is gathering comment from I&APs and may

not necessarily have the answers to queries raised right away.

2. Description of the Site

The proposed project is located on a site in Wynberg which measures 26.7435 ha. Except for a dirt road, the site is vacant, largely undeveloped. It is bordered by the M5 highway to the east, Wetton Road to the north, the informal settlement of Bonnytoun to the west and the Wynberg Golf Village and Driving Range to the south. The study area is highly transformed, heavily infested with alien invasive species and has been subject to significant illegal dumping in the past (and apparently the present). It also comprises wetland conditions and is located nearby important Western Leopard Toad breeding sites. Refer to Figure 1 for a map showing the location of the site in the context of the area in which it exists.

The City of Cape Town is the landowner, as well as the Applicant for the Environmental Authorisation which is one of the permissions required to construct this project.

3. What is Proposed

The proposed development entails a bus depot for the Integrated Rapid Transit (IRT)/ "MyCiti" system that the City of Cape Town is rolling out throughout the metropole.

It is anticipated that the depot would provide staging facilities for 202 busses, along with the associated infrastructure required for the functionality of a facility of this nature. This would for example include:

- Refuelling area (containing underground diesel tanks);
- Wash bay, including support buildings (with automated wash bays as well as deep clean wash bays and all water used in the wash bay would be recycled);
- Parking area;
- Workshops (where vehicle maintenance and repairs would occur);
- Possible spray booth;
- Admin buildings for drivers and staff;
- Security buildings at the main entrance;
- Landscaped areas around the depot;
- Stormwater drainage and attenuation infrastructure;
- Double-fencing around perimeter; and
- Emergency exit road.

The footprint of the proposal is approximately 4.7 ha which includes a site area of approx. 4.3 ha and the proposed access road to Bonnytoun which

measures approximately 0.4 ha. Note that the proposed access road to Bonnytoun would not be included in the depot site limits, but its impacts and approval are contemplated in this application, given that their current access road would have to be moved/ re-aligned in order to accommodate this project.

The current access to the site is via Wetton Road. It is intended to retain access from Wetton Road, via a formalised left-in, left-out access point opposite the access to Kenilworth Racecourse.

The City of Cape Town has confirmed capacity for the required water consumption, electricity usage and sewage disposal for the proposed development.

4. Legislative Requirements

4.1 Environmental:

The proposed project requires environmental authorisation from the relevant competent authority in terms of section 24 (5) of the NEMA. The competent authority in this case is the Western Cape Department of Environmental Affairs and Development Planning (D: EA&DP).

Activities that may have an impact on the environment are listed in various Government Notices published under NEMA. All listed activities that pertain to the proposed project will be determined when the official application is lodged with the D: EA&DP, however at the moment, it is understood that it will, as a minimum, trigger the following listed activities:

GN R327 Listing Notice 1, Activity 14

The development of facilities or infrastructure, for the storage, or for the storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.

Activity 19

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

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

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

GN R324 Listing Notice 3, Activity 4

The development of a road wider than 4 metres with a reserve less than 13, 5 metres.

- i. Western Cape
- ii. Areas zoned for use as public open space or equivalent zoning;
- iii. Areas outside urban areas;
 - (aa) Areas containing indigenous vegetation;
 - (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;
- or
- iii. Inside urban areas:
 - (aa) Areas zoned for conservation use; or
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.

Activity 10

The development and related operation of facilities for the storage, or storage and handling of a dangerous good, where such storage occurs within containers with a combined capacity of 30 but not exceeding 80 cubic metres

- i. Western Cape
- ii. Areas zoned for use as public open space or equivalent zoning;
- iii. All areas outside urban areas; or
- iii. Inside urban areas:
 - (aa) Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;
 - (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or
 - (cc) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.

Activity 12

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

- i. Western Cape
- ii. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- iii. Within critical biodiversity areas identified in bioregional plans;
- iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;
- iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or
- v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.

Activity 15

The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial, or institutional use, where, such land was zoned open space, conservation, or had an equivalent zoning, on or after 02 August 2010.

- f Western Cape
- ii inside urban areas:
 - (cc) sensitive areas identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority

Activity 18

The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.

- i. Western Cape

- i. Areas zoned for use as public open space or equivalent zoning;
- ii. All areas outside urban areas:
 - (aa) Areas containing indigenous vegetation;
 - (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;
 or
- iii. Inside urban areas:
 - (aa) Areas zoned for conservation use; or
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority

A **Basic Assessment process** will be required to obtain the necessary environmental authorisation in terms of NEMA.

4.2 Planning:

Currently, Erf 91191 is zoned as Public Open Space (OS2) and Public Road and Public Parking (T2), Erf 90475-RE is zoned as Community 1: Utility and Public Open Space (OS2), and Erf 90470 is zoned as Community 1: Utility.

These zonings do not accommodate the intended land use; thus the following applications will be made:

- The subdivision of Erven 91191, 90470-RE and 90475-RE, Cape Town, each into two portions;
- The consolidation of a portion of each of these subdivisions to create the depot site;
- The rezoning of the consolidated property to Transport Zoning 1; and
- Approval of the proposed site development plan.

The proposed development would not be able to commence until both the Environmental Authorisation and town planning application have been approved by the relevant authorities.

4.3 Heritage

A heritage screener was undertaken to determine the sensitivity of the site in terms of the National Heritage Resources Act (Act No. 25 of 1999). It was concluded that no further investigation was needed in this regard.

4.4 National Water Act (NWA)

The proposed development would require infilling of a wetland, which constitutes a Section 21(c) and (i) trigger under the National Water Act (Act No. 36 of 1998) ("NWA"). It is thus likely that a Water Use License (WUL) would apply to the proposed development, along with the need for wetland offsets.

The freshwater Impact Assessment will include a Risk Assessment Matrix and there would also be a Freshwater Offset Report which would provide further guidance in this regard.

All details in terms of the relevance of the NWA will be confirmed with the Department Water and Sanitation (DWS) in parallel with the Basic Assessment process.

5. Basic Assessment Process

It is a statutory requirement for this process to be undertaken by independent consultants. Chand Environmental Consultants have been appointed undertake the environmental process. The Environmental Assessment Practitioner is Marielle Penwarden (Pr. EAP. 2019/1988), supported by other members of the Chand team.

The aim of the process is to identify feasible and reasonable alternatives as well as to ascertain whether there are issues, concerns, benefits and/or opportunities associated with the proposed development. Once the best alternative is established and the anticipated impacts have been identified, mitigation measures to reduce the significance of the adverse impacts are established. These mitigation measures will be included in the Conditions of Authorisation (if the application is approved) and will be binding upon the Applicant.

The desired outcome of the process is achieved by involving environmental specialists as required, based on the biophysical and social sensitivities on and around the site, as well as obtaining the inputs and comments from I&APs/ stakeholders and relevant organs of state. The findings of the environmental process will be recorded in a Basic Assessment Report (BAR). **Organs of state and registered I&APs will have an opportunity to comment on the Draft BARs (as well as the full specialist reports which will be appended thereto).**

The BAR, accompanied by an Environmental Management Programme (EMPr), the various specialist reports and a record of the public participation process will ultimately be submitted to the D: EA&DP to inform their decision on the application. Environmental Authorisation, which may be granted subject to conditions (i.e., mitigation measures suggested by specialists), will only be considered once the process has been completed. Details of the specialist input obtained and the public participation process that will be undertaken are provided below.

5.1 Specialist Input:

Independent environmental experts (as shown in the box below) have been appointed to undertake the necessary studies to inform the environmental process and outcomes thereof.

These specialists will inform and assess the proposed development (and will assess alternatives that emerge from this public engagement process, if any) in order to determine the specific environmental impacts, rate their impacts and, where appropriate, provide mitigation measures to avoid and / or minimise negative impacts and enhance positive impacts.

The detailed outcome of the environmental assessment, as well as the full specialist reports, will be recorded in the pre-application draft, post-application draft and final BARs (noting that the final BAR is the report which would be submitted to the D: EA&DP).

Legal requirements in terms of NEMA as well as environmental best-practice have been and will continue to be observed in undertaking the basic assessment process.

OTHER TECHNICAL/SPECIALIST INPUT

Aquatic Biodiversity Impact Assessment: **EnviroSwift**
 Freshwater Offset calculations: **EnviroSwift**
 Faunal Impact Assessment and Animal Species Assessment: **CES**
 Terrestrial Biodiversity Impact Assessment and Plant Species Assessment: **NCC**
 Hydrology/ Groundwater: **GEOSS**
 Heritage: **Cedar Tower Services**
 Agricultural Compliance Statement: **Johann Lanz**
 Noise Impact Assessment: **Jongens Keets & Associates**
 Contamination Investigation (to determine the nature and extent of contamination caused by the waste dumped on site): **SRK**
 Traffic Impact Assessment: **GIBB**
 Geotechnical Investigation: **SRK**
 Major Hazard Installation (MHI) Assessment: **MHR Consultants**

Other aspects of the proposal will receive due professional consideration as follows:

Civil Engineering Services: **GIBB**
 Electrical Services: **GIBB**
 Transport Engineering Services: **GIBB**
 Landscaping: **TKLA**
 Architecture/ Design: **SVA**
 Project Management: **SVA**
 Land Surveyor: **Joubert Brink Surveyors**
 Town Planning: **ARoux Town Planning**

5.2 Public Participation

When compared to the previous regulations governing Environmental Impact Assessments, the latest (2017) Regulations are less prescriptive in terms of public participation requirements. The team and Applicant have opted for a more comprehensive public participation strategy to allow greater opportunity for I&APs to comment.

The public participation plan has also been approved by the DEA&DP in line with the requirements DEA&DP's Circular dated 30 September 2020 (reference 0024/2020).

This BID constitutes additional Public participation over and above the minimum legislated requirements.

The following legislated PPP will also be undertaken:

- Identification of potential and legislated I&APs;
- Written notification via a mail-out, email and/or a knock-and-drop exercise to landowners and residents adjacent to the boundary of the site;
- Compilation and Placement of an advertisement in a local newspaper;
- Placement of a notice board on the site where the proposed activity is to be undertaken;
- A 60-day public review of the pre-application Draft BAR during which all I&APs will be provided with the opportunity to comment on the reports;
- A 35-day public review of the post-application Draft BAR during which all I&APs will be provided with the opportunity to comment on the BAR before it is submitted to the relevant authorities for decision-making; and
- Notification of the decision by the D: EA&DP on the application for Environmental Authorisation.

Refer to Figure 2 for a flow diagram depicting the Basic Assessment process.

6. How to Get Involved

Should you wish to provide comment on this BID, or wish to register another I&AP, please do so within 30 days (i.e., by **1 June 2021**).

The following contact details can be used:

Marielle Penwarden
 Chand Environmental Consultants
 PO Box 238, Plumstead, Cape Town, 7801
 Tel: (021) 762 3050
 Fax: 086 665 7430
 Email: info@chand.co.za

Kindly note that I&APs must provide their name, contact details (postal address, telephone, fax

numbers and email address) and an indication of any direct business, financial, personal, or other interest they may have in the approval or refusal of this application in order to register.

There is a comment sheet attached to this document for any initial thoughts you would like the project team/environmental team to be aware of.

Note that being specific in your comment allows for the team to attend to the query in better detail.

YOUR OPPORTUNITY TO BE INVOLVED

Your active participation will contribute to ensuring responsible development of the site, as well as responsible decision making by the authorities.

The first step in the process is for any members of the public who feel they are affected by or have an interest in the proposed project, to register as I&APs. All registered I&APs will receive communication regarding the proposed project at specific points in the process and will be notified of the availability of the BAR and specialist reports for comment. As a registered I&AP you would have a legal right in terms of NEMA to comment on the Draft BAR and any other reports related to the Basic Assessment process.

Should you wish to provide written comments on this BID, please do so by **1 June 2021**.

Note that this is a public process and your name, surname and comments submitted through this process would become part of the public record.



Figure 1 Locality Map

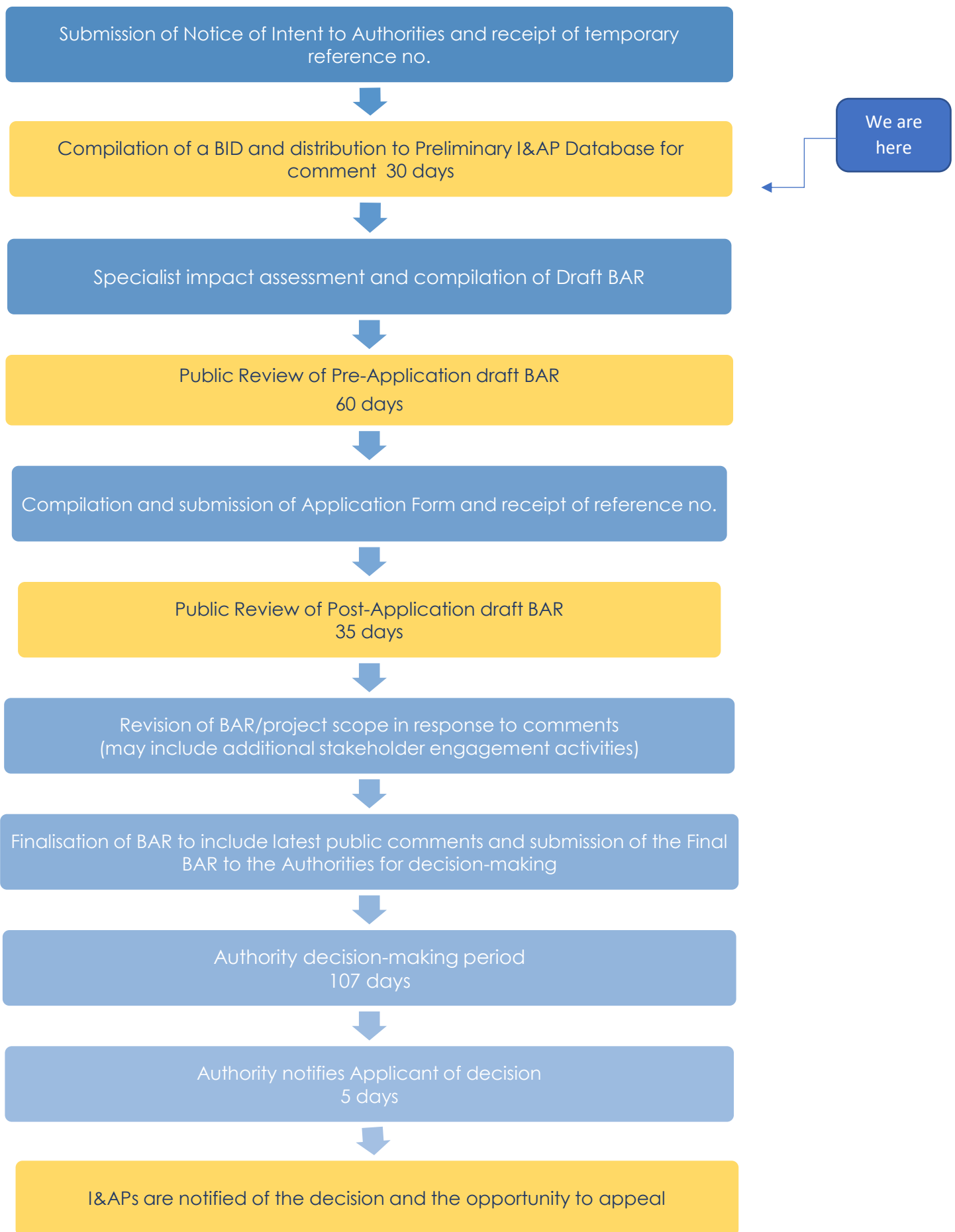


Figure 2 Basic Assessment Process, with stakeholder engagement opportunities *indicated* in yellow

