



**APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR EIA LISTED
ACTIVITIES**

**THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT
REGULATIONS.**

NOVEMBER 2019

(For official use only)	
Notice of Intent Reference Number:	
EIA Reference Number:	
NEAS Reference Number:	
Exemption Reference Number:	
Date received by Department:	
Date received by Directorate:	
Date received by Case officer:	

GENERAL PROJECT DESCRIPTION

(This must include an overview of the project including the Farm name/Portion/Erf number)

**THE PROPOSED CLOSURE OF THE EVERITE ASBESTOS SITE, ERF 18354,
BRACKENFELL**

IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THIS APPLICATION FORM.

1. Purpose

The purpose of this form is to provide a format for the submission of an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended).

2. General

- 2.1. The EIA Regulations is defined in terms of Chapter 5 of NEMA, hereinafter referred to as the "NEMA EIA Regulations".
- 2.2. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The tables may be expanded where necessary.
- 2.3. Note that an incomplete Application Form may result in this Department not acknowledging such Application Form. Where the application for environmental authorisation is refused, a new application must be submitted along with proof of payment.
- 2.4. Unless protected by law, all information contained in, and attached to this application, will become public information on receipt by the Department. Upon request, the Applicant/EAP must provide any interested and affected party with the information contained in or submitted with the Application Form.

3. Administrative requirements

- 3.1. This Application Form must always be used for applications that must be subjected to Basic Assessment or Scoping & Environmental Impact Reporting Process in terms of the NEMA EIA Regulations where this Department is the Competent Authority.
- 3.2. An **application fee may be applicable**. Where an application fee must be paid, the application fee must be paid prior to the submission of this Application Form and proof thereof must be submitted together with this Application Form as Appendix D.
- 3.3. This Application Form must be **duly dated and originally signed** by the Applicant and EAP (if applicable) and must be submitted to the Department at the details provided below.

4. Circulars, Guidelines and Tools

- 4.1. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations and guidelines must be taken into account when completing this Application Form.
- 4.2. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Report. The Screening Report must be attached to this Application Form as Appendix E.

5. Other Legislative requirements

- 5.1. Should a water use licence application be required in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"), the "One Environmental System" is applicable, specifically in terms of the synchronisation of the consideration of the application in terms of the NEMA and the NWA. Refer to this Department's Circular EADP 0028/2014: One Environmental Management System.
- 5.2. Where Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is triggered, the Standard Operating Procedure between Heritage Western Cape and this Department **must** be followed.
- 5.3. **Where a Waste Management Licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) "(the Waste Act)" is required, and this Department is also the competent authority in terms of the Waste Management Licence Application, the Application Form for an Integrated Environmental Authorisation must be completed (when available) and not this application form. Forms are available on the departmental website at the following address <https://www.westerncape.gov.za/eadp/about-us/meet-chief-directorates/environmental-quality/waste-management>**

6. Lapsing of the Application

- 6.1. An application for Environmental Authorisation lapses if the Applicant fails to meet any of the timeframes prescribed in terms of the NEMA EIA Regulations. As such, it is recommended that:
 - a) the Applicant/EAP approach the Department prior to submission of the Application Form for guidance on the process to be followed – in this regard it must be noted that the Department has developed a **Notice of Intent** form to be submitted to the Department to allow for informed guidance by the Department;
 - b) if the intention is to apply for exemption in terms of the National Exemption Regulations, 2014, Application for Exemption (Form No. AE10/2018) must be submitted **and the application finalised** prior to the submission of this Application Form.
- 6.2. This Application Form is current as of **November 2019**. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the form have been released by the Department. Visit the Department's website at <http://westerncape.gov.za/eadp> to check for the most updated version of this Application Form.

DEPARTMENTAL DETAILS

CAPE TOWN OFFICE: REGION 1 and REGION 2 (City of Cape Town, West Coast District, Cape Winelands District & Overberg District)	GEORGE OFFICE: REGION 3 (Central Karoo District & Garden Route District)
<p>The Application Form must be sent to the following details:</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 1) Private Bag X 9086 Cape Town, 8000</p> <p>Registry Office 1st Floor Utilitas Building 1 Dorp Street, Cape Town</p> <p>Queries should be directed to the Directorate: Development Management (Region 1 and 2) at: Tel: (021) 483-5829 Fax (021) 483-4372</p>	<p>The Application Form must be sent to the following details:</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530</p> <p>Registry Office 4th Floor, York Park Building 93 York Street George</p> <p>Queries should be directed to the Directorate: Development Management (Region 3) at: Tel: (044) 805-8600 Fax (044) 805 8650</p>

ATTACHMENTS

Note: The Appendices must be attached to the Application form as per the list below. Please use a ✓ (tick) or a x (cross) to indicate whether the Appendix is attached.

APPENDIX		✓ (Tick) or x (cross)
Appendix A	Specific fee reference number	✓
Appendix B:	Landowner consent	Not Applicable as Applicant is landowner
Appendix C:	Proof of the fact that it is a community project and/or funded by a government department	Not Applicable as Applicant is landowner
Appendix D:	Proof of payment of the application fee	✓
Appendix E:	Screening Tool Report & Site Sensitivity Verification Report	✓
Appendix F:	Notice of Intent to Development from Heritage Western Cape & HWC Response	✓
Appendix G:	Proof of application to the Department of Water and Sanitation - Confirmation that no application required attached	✓
Appendix H:	Exemption Notice(s)	N/A
Appendix I:	Proof of zoning of the properties to be developed	✓
Appendix J:	Existing Approvals	✓
Appendix K:	Project Plan	✓
Appendix L:	Locality Map	✓
Appendix M:	Capping Strategy	✓
Appendix N:	Specialist Reports a. Geotechnical Report b. Botanical Impact Assessment	✓
Appendix O:	Service Capacity Letters	✓
Appendix P:	Site Development Plan	✓

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SECTION A: FEES

1.1 If the relevant application fee was already confirmed with the Department and a Specific Fee Reference Number obtained following the submission of a **Notice of Intent** to the Department, then all that is still required is:

- for the Specific Fee Reference Number to be provided:

W-BA-EIA-i8

- to confirm the fee paid:
and

R 2 000

- for the proof of payment to be attached to this Application Form.

1.2 If the relevant application fee was not confirmed with the Department and a Specific Fee reference Number has not yet been obtained:

- Complete the request for a Specific Fee Reference Number and fax it to the relevant Directorate. The Specific Fee Reference Number Form is attached as Appendix A.
- An Applicant/EAP must pay a fee for the processing of EIA applications as set out in the Fee Regulations published in terms of sections 24(5) and 44(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998). A fee of **R2 000** is applicable to an application which must be subjected to Basic Assessment and a fee of **R10 000** is applicable to an application which must be subjected to Scoping and Environmental Impact Reporting.
- Where an integrated process for environmental authorisation is required, an Application Form for an Integrated Environmental Authorisation must be completed.
- **An Applicant is excluded from having to pay the application fee if:**
 - The application is for a community based project funded by a government grant; or
 - The Applicant is an Organ of State.
- Where an Applicant is **not required** to pay a fee, the Applicant must inform the Department in writing by attaching proof thereof and a motivation to this Application Form.

Department of Environmental Affairs and Development Planning banking details:

Bank: Nedbank
Branch Code: 145209
Account Number: 145 204 5003
Type of Account: Current Account
Status: Tax exempted

- **NB: Your Specific Fee Reference Number MUST be used as a deposit reference when making a payment.**
- Where a fee is applicable, once a Specific Fee Reference Number has been obtained from the Department, it must be inserted into the Application Form and proof of payment attached when the Application Form is submitted to the Department. An application may not be submitted without the specific fee reference number and proof of payment. The Department will respond to a request for a Specific Fee Reference Number in writing.

- If there is uncertainty as to the application process that must be followed, the Department should be approached for guidance prior to the request for the Specific Fee Reference Number.
- In the event that any **refunding of fees paid is required**, the "BAS Entity Maintenance" form must be completed, which can be obtained from the Department. The Department may be contacted regarding any refund queries in this regard.
- Please refer to the national guideline *Guidance Document on the Fee Regulations* (April 2014), obtainable from <http://www.environment.gov.za/legislation/guidelines> for more information.

	the land: Name of contact person for person in control of the land:	Mr. Pieter Smith	
	Postal address:	The Picton, 134 King Edward Road	
	Telephone:	Parow	Postal code: 7500
	E-mail:	(083) 700 4294	Cell: 083 700 4294
		pieter@hanocron.co.za	Fax: N/A
5.	Duplicate this section where there is more than one Municipal Jurisdiction Municipality in whose area of jurisdiction the proposed activity will fall: Contact person: Postal address: Telephone: E-mail:	City of Cape Town: Northern Planning District	
		Mr. Morné Theron	
		Milnerton Municipal Offices, 87 Pienaar Road	
		Milnerton	Postal code: 7441
		N/A	Cell: 084 222 1410
		Morne.Theron@capetown.gov.za	Fax: N/A

SECTION C: NATIONAL SECTOR CLASSIFICATION LIST

Indicate one main sector the proposed development falls under by ticking the relevant block in the sector list below. (Note: this will be the same sector indicated in the DEA Screening tool report)

Infrastructure/Transport Services/Roads – Public	Services/Waste – Management – Services/Disposal Facilities – General	
Infrastructure/Transport Services/Roads – Private	Services/Waste – Management – Services/Treatment Facilities – Hazardous	
Infrastructure/Transport Services/Rail-Public	Services/Waste – Management – Services/Treatment Facilities – General	
Infrastructure/Transport Services/Rail – Private	Services/Waste – Management – Services/Storage Facilities – General	
Infrastructure/Transport – Services/Airport/Runways/Landing Strip/Helipad – Commercial	Services/Waste – Management – Services/Storage Facilities – Hazardous	
Infrastructure/Transport – Services/Airport/Runways/Landing Strip/Helipad – Private	Services/Waste – Management – Services/Storage Facilities – Nuclear	
Infrastructure/Transport – Services/Airport/Runways/Landing Strip/Helipad – Public Services	Services/Burial and cemeteries – Cemeteries	
Infrastructure/Transport Services – Ports	Services/Burial and cemeteries – Cremators	
Infrastructure/Transport Services – Inland waterways	Services/Water services/Storage – Dams	
Infrastructure/Transport Services – Marina	Services/Water services/Storage – Reservoirs	
Infrastructure/Transport Services – Canal	Services/Water services – Desalination	
Infrastructure/Localised infrastructure – Infrastructure in the sea/Estuary/Littoral – active zone/Development setback/100m inland/ or coastal public property	Services/Water services – Treatment and Waste Water	
Infrastructure/Localised infrastructure – Zip lines and Foefie slides	Services – Hospitality	
Infrastructure/Localised infrastructure – Cableway and Funiculars	Mining – Prospecting rights	
Infrastructure/Localised infrastructure – Billboards	Mining – Mining permit	
Infrastructure/Localised infrastructure – Depot for dangerous goods	Mining – Mining right	
Infrastructure/Localised infrastructure – Filling station or Tanks for Dangerous goods	Mining/Exploration right – Gas or Oil marine	
Utilities Infrastructure/Pipelines – Fresh/Storm water urban	Mining/Exploration right – Gas or Oil terrestrial	
Utilities Infrastructure/Pipelines – Fresh/Storm water rural	Mining/Production right – Gas or Oil marine	
Utilities Infrastructure/Pipelines – Waste Water	Mining/Production right – Gas or Oil terrestrial	
Utilities Infrastructure/Pipelines – Dangerous goods urban	Mining underground gasification of coal – Oil	
Utilities Infrastructure/Pipelines – Dangerous goods rural	Mining Beneficiation – Hydrocarbon	
Utilities Infrastructure/Telecommunications/Radio Broadcasting – Tower	Mining Beneficiation – Mineral	
Utilities Infrastructure/Telecommunications/Radio Broadcasting – Mast	Agriculture/Forestry/Fisheries – Crop production	
Utilities Infrastructure/Telecommunications/Radio Broadcasting – Receivers	Agriculture/Forestry/Fisheries – Animal production	
Utilities Infrastructure – Marine cables	Agriculture/Forestry/Fisheries – Afforestation	

Utilities Infrastructure/Electricity/Generation/Non-Renewable/Hydrocarbon – Petroleum		Agriculture/Forestry/Fisheries – Aquaculture	
Utilities Infrastructure/Electricity/Generation/Non-Renewable/Hydrocarbon – Coal		Agriculture/Forestry/Fisheries – Agro-processing	
Utilities Infrastructure/Electricity/Generation/Non-Renewable – Nuclear		Transformation of land – Indigenous vegetation	
Utilities Infrastructure/Electricity/Generation/Renewable – Hydro		Transformation of land – From open space or Conservation	
Utilities Infrastructure/Electricity/Generation/Renewable/Solar – PV		Transformation of land – From Agriculture or Afforestation	
Utilities Infrastructure/Electricity/Generation/Renewable/Solar – CSP		Transformation of land – From mining or heavy industrial areas	
Utilities Infrastructure/Electricity/Generation/Renewable – Wind		Any activities close to or within a watercourse	
Utilities Infrastructure/Electricity/Generation/Renewable – Biomass/Biofuels		Any activity in an estuary, on the seashore, in the littoral active zone, or in the sea	
Utilities Infrastructure/Electricity/Generation/Renewable – Wave		Activity requiring a permit or license in terms of National or Provincial legislation governing the release or generation of emissions – emissions	
Utilities Infrastructure/Electricity/Distribution and Transmission – Powerline		Activity requiring permit or license – Marine effluent/freshwater effluent	
Utilities Infrastructure/Electricity/Distribution and Transmission – substation		Activity requiring permit or license – Freshwater effluent	
Services/Waste Management Services/Disposal Facilities – Hazardous – noting that the application is to decommission such a facility	X	Release genetically modified organisms	
Services/Waste Management Services/Disposal Facilities – Nuclear			

SECTION D: PROJECT DESCRIPTION

1.	Is this an Application for a Services/Waste Management Services/Disposal Facilities – Hazardous	Basic Assessment Process	X	Scoping Environmental Impact Report	
2.	Is this a strategic infrastructure project (“SIP”) as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014)?				NO
3.	Is the proposed development (please tick):	New	X	Expansion	
4.	Is the proposed site(s) a brownfield or greenfield site? Please explain.	<p>The site is a brownfields site which was previously used by a factory which produced asbestos wastes in the form of sludges, broken sheeting and reject pipes which would be disposed of at the site created for this purpose alongside the factory. There are however no existing structures or buildings on the site. The site is highly infested with alien invasive species, predominantly <i>Acacia saligna</i> (Port Jackson) and <i>Pennisetum clandestinum</i> (Kikuyu grass). The application is to permanently cap and redevelop the site.</p>			
5.	For Linear activities or developments				
5.1.	Provide the Farm(s)/Farm Portion(s)/Erf number(s) for all routes:				
	Not applicable. Not a linear activity.				
5.2.	Development footprint of the proposed development for each alternative.				m ²
	Not applicable. Not a linear activity.				
5.3.	Provide a description of the proposed development (e.g. for roads the length, width and width of the road reserve in the case of pipelines indicate the length and diameter) for all alternatives.				
	Not applicable. Not a linear activity.				
5.4.	Indicate how access to the proposed routes will be obtained for all alternatives.				
	Not applicable. Not a linear activity.				
5.5.	SG Digit codes of the Farms/Farm Portions/Erf numbers for all alternatives	Not applicable. Not a linear activity.			
5.6.	Starting point co-ordinates for all alternatives				
	Latitude (S)	Not applicable. Not a linear activity.			
	Longitude (E)				
	Middle point co-ordinates for all alternatives				

Latitude (S)	Not applicable. Not a linear activity.
Longitude (E)	
End point co-ordinates for all alternatives	
Latitude (S)	Not applicable. Not a linear activity.
Longitude (E)	

Note: For Linear activities or developments longer than 500m, a map indicating the co-ordinates for every 100m along the route must be attached to this Application Form as an Appendix.

6.	Other developments	
6.1.	Property size(s) of all proposed cadastrals:	109 250.9m ²
6.2.	Developed footprint of the existing facility and associated infrastructure (if applicable):	There are no existing structures on site 0 m ²
6.3.	Development footprint of the proposed development and associated infrastructure size(s) for all alternatives:	109 250.9m ²

Provide a detailed description of the proposed development and its associated infrastructure (This must include details of e.g. buildings, structures, infrastructure, storage facilities, sewage/effluent treatment and holding facilities) for all alternatives.

The Everite Factory in Brackenfell was established in 1945 and closed in October 2000. During its operation, the factory produced asbestos wastes in the form of sludges, broken sheeting and reject pipes which would be disposed of at a site created for this purpose alongside the factory. The total site covered an area of about 70 ha, while the asbestos waste site covers an area of some 9 ha. The site included various activities including the factory itself, the wastewater dam, the AC Pipes area, the moulded goods yard and the asbestos waste disposal site (Parsons & Associates, 2015).

Discharged product and other waste generated by the factory were disposed in the waste disposal site directly east of the factory. The site was classified as a GCB+ facility and was issued with a permit by DWAF on 12 August 1992. Since closure of the factory in 2000, the site was used to dispose of waste generated during the factory clean-up process 2. In 2001 the asbestos waste site was reshaped, capped, and had vegetation established on it and is currently not used (refer to **Figure 1**).



Figure 1: Recent aerial image of Everite site, showing the position of the wastewater dam and asbestos waste site (the asbestos waste site is the subject of this application)

The disposal area was the upper platform area in **Figure 2** below. Upon commencement of the decommissioning process in 2000, parts of the factory that had been contaminated with asbestos were deposited in the existing disposal area as well as in a lower section of the site. The findings of a geotechnical assessment indicate that asbestos wastes are up to a maximum of ~8 m thick on the lower platform and ~6.5 m thick on the upper platform which, combined, cover about 10.29 Ha. This area is now referred to as the "Asbestos Waste Consolidation Site" (or "Asbestos Consolidation Area in **Figure 2**). It can be assumed for

calculation purposes, and being conservative, the volume of asbestos waste on site is approximately 145,000 m³ and the mass is about 250,000 tons. Subsequent to the consolidation of asbestos waste in the area in question, the site was capped with soil and secured with formalized drainage channels. However, official closure of the site with a closure permit from the regulatory authorities was never completed. Over the years that followed, the covering has been undermined through mole activity and asbestos wastes are being pushed to the surface.

A geotechnical assessment in 2011 confirmed that there is an existing capping layer of silty sand and builders' rubble ranging from 0.2 m to 1.5 m below surface over the asbestos waste areas. In the lower platform, this layer is underlain by a further capping layer comprising clayey sand with ferruginised gravel, extending to depths in the range of 0.4 m to 1.0 m below existing ground level.



Figure 2. The Old Everite Factory area (~mid 1990's) Source: MEGA Geotechnical Assessment, 2011

A Basic Assessment process and Waste Management License (WML) application was also carried out at the time, with a final report being submitted to the then Department of Environmental Affairs (DEA) and the Department of Environmental Affairs and Development Planning (DEA&DP) in 2014. The Application lapsed as feedback from the Department of Water and Sanitation on the final design was outstanding. The 2010 to 2014 investigations and assessments revealed a number of land use possibilities in terms of the proposed redevelopment and culminated in an authority feedback workshop to gauge the initial sentiment regarding the proposed redevelopment. In principle, future development of the site was agreed to by all authority representatives at the workshop. However, in order to ensure that any future development of the site is environmentally acceptable, it was agreed that the land should be 'capped' to prevent mole activity from exposing the buried asbestos waste.

Project Description

Duro Brick Company (Pty) Ltd ("Duro Brick") owns the land and they intend to decommission the site (Erf 18354, Brackenfell) in the form of permanent capping, with further development of a light industrial park thereon. The intention is to make use of the existing contours/ slope of the site and to keep any excavations to a minimum. A critical part of the capping/ closure of the site to ensure that the asbestos is firmly in place is the proposed development as some of the roadways and foundations would form part of the capping layers and would be constructed on top of the capping. The proposed capping design has been crafted in the context of the proposed end-use of the site.

This closure of the site requires a WML in terms of the existing WML for the facility, which must be issued in terms of the National Environmental Management: Waste Act (No. 59 of 2008). The WML must be issued by the National Department of Environment, Forestry and Fisheries (DFFE), in consultation with their colleagues at the National Department of Water and Sanitation (DWS).

It is intended that Duro Brick would develop and manage the site. Individual units would not be sold but be managed through long term leases.

Proposed Activity (Alternative 2- Preferred Alternative)

The preferred alternative (i.e. Alternative 2) proposed entails the capping of the full extent of the site, except for the retention pond and associated buffer area, as well as redevelopment on the site (which would provide a further capping layer). The proposal has three key elements:

- Total capping proposed of up to approximately 95,000 m²;
- Redevelopment, with some occurring on top of the capping layer, of up to approximately 50,096 m²; and
- Retention pond and associated buffer area of approximately 14,250.9 m².

Note that the proposed development footprint can be divided into an area for roads and parking of approximately 18,091 m² and building footprints of approximately 32,005 m². The intention is to have as limited excavation on the site as possible, in order to limit disturbance to the asbestos.

There are different capping strategies proposed for different areas of the site as they relate to the proposed industrial development. In sections where there would be no infrastructure (i.e. roads and buildings), like the green/landscaped areas, the capping layer would be more robust, while areas which would house development would have a thinner capping layer, with the layer works for the roads and foundations and platforms for the buildings providing an additional capping layer on top of the engineered capping layer or replacing certain of the capping layers. Furthermore, in efforts to reduce the disturbance of asbestos on site as much as possible, the proposed capping and development would require minimal excavation, with compaction and importing of fill to realise the levels required. The method of compaction would also be undertaken using the best practice for minimising the risk of spread of asbestos during these works. The proposed capping strategy is outlined below and included in **Appendix M**.

Compaction for In-Situ Conditions

The in-situ terrain would be compacted before any fill and/or capping layers are placed and said terrain would be compacted to 95 % MOD AASHTO (Walters, 2020).

Proposed Capping

The capping layerworks to be undertaken in depend on the total fill required to achieve the final earthworks levels required for the proposed development (i.e. different components thereof, such as roads or building platforms, would need different levels) (Walters, 2020). Therefore, there is a different capping strategy proposed for each of the following areas:

- Green/ Landscaped Areas (i.e. the areas surrounding the proposed development structures, to be landscaped);
- Roads;
- Building Platforms;
- Services; and
- The Stormwater Pond.

The approach for each of these is described below.

Green Areas

Existing vegetation would be cleared from these areas and the proposed capping layerworks would be constructed directly onto the compacted in-situ material (Walters, 2020). The capping layer is depicted in **Figure 3** and would comprise the following:

- A cement stabilized layer to a thickness of 300 mm;
- A graded crushed stone layer to a thickness of 150 mm and cover this layer with another woven geotextile; and
- Loosely place a 200 mm layer of topsoil that will promote vegetation in the green areas.

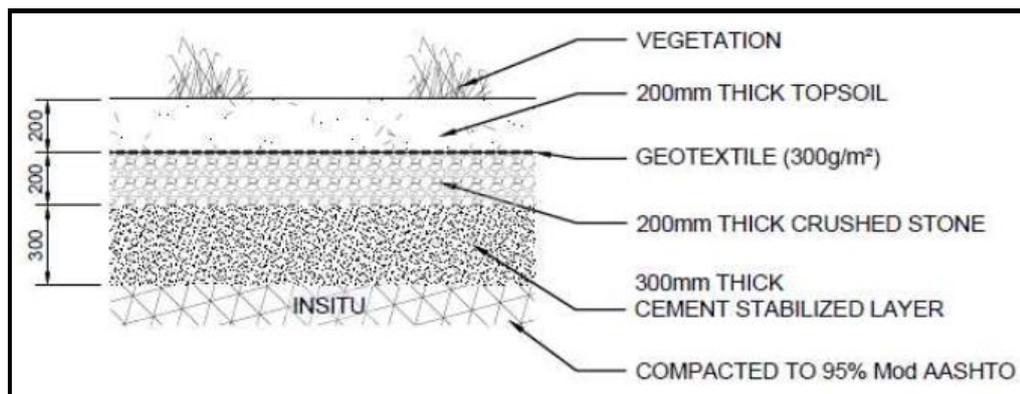


Figure 3. Proposed Capping layerworks for the Green Areas (source: Walters, 2020)

Due to the presence and thickness of this existing capping material as described above, J&W finds that an additional capping layer (barrier) of 500 mm is sufficient. Furthermore, one of the recommendations from the geotechnical assessment stated, "Due to the likely compressible nature of the materials present on site, it is recommended that the platform levels remain more or less the same i.e., fills greater than 500 mm must not be constructed."

There would be instances where services would need to be installed across green areas. Refer to "Services" below for a description thereof. Furthermore, given the mole activity, which is prevalent on site, a rodent barrier would be installed along

the entire perimeter of the site (Walters, 2020). This would entail the excavation of 1m deep trench that would be lined with a HDPE geomembrane and backfilled with a cement stabilised material (Walters, 2020). The geomembrane would continue across the top of the trench and be placed 100 mm up against the property boundary (Walters, 2020). The typical cross section of the proposed rodent barrier is indicated in **Figure 4**.

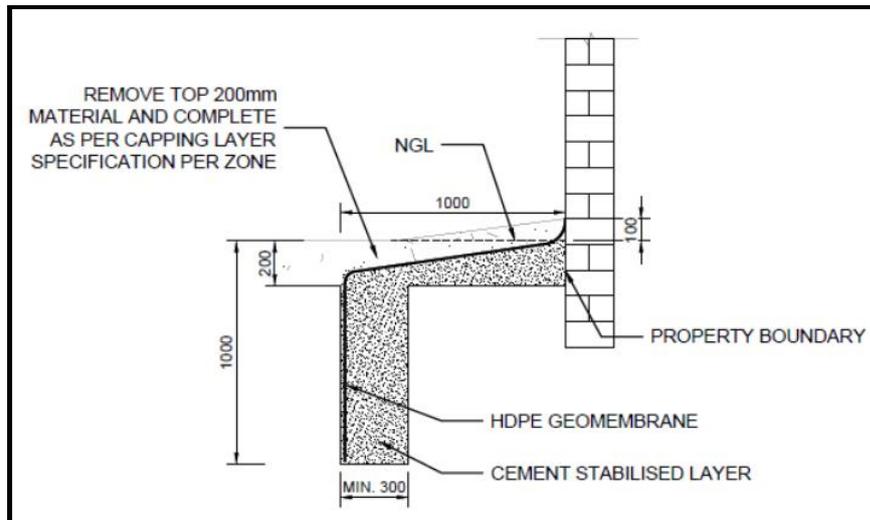


Figure 4. Typical cross-section of proposed rodent barrier (source: Walters, 2020)
Roads

Walters (2020) explains that the roads can be classified into two categories, based on the proposed layerworks, namely main access roads (asphalt finish) and internal parking areas (brick paved finish). Typical road sections are shown in **Figure 5** and **Figure 6**.

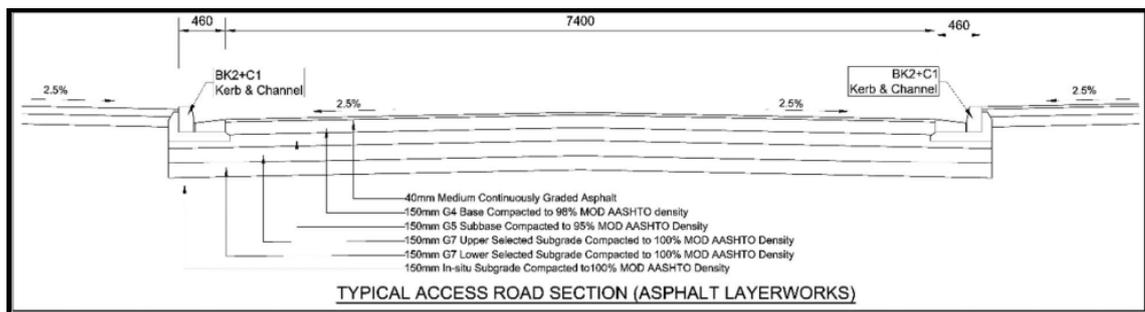


Figure 5. Proposed Road Layerworks: Asphalt- 640 mm total thickness (source: Walters, 2020)

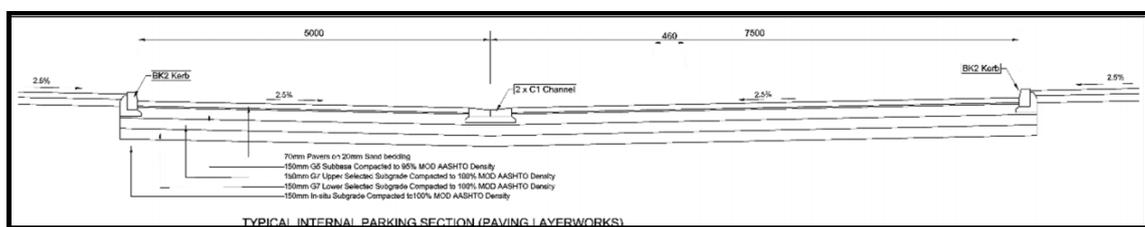


Figure 6. Proposed Road Layerworks: Brick Paving- 540 mm total thickness (source: Walters, 2020)

The proposed road layerworks with the asphalt finish include the following layers:

- 40 mm Premix
- 150 mm G4
- 150 mm G5
- 150 mm Upper Selected
- 150 mm Lower Selected

Under the asphalt roads, the proposed capping as described above would be replaced by the abovementioned road layerworks (Walters, 2020). Where the total fill required to achieve final level is less than the proposed road layerworks thickness,

excavation would be required into the in-situ material (Walters, 2020). This is illustrated in **Figure 7**, where the final level is approximately 70 mm below the existing level (Walters, 2020). This scenario would only be limited to a 135 m² area (Walters 2020) as the intention is to limit excavation into the asbestos as much as possible.

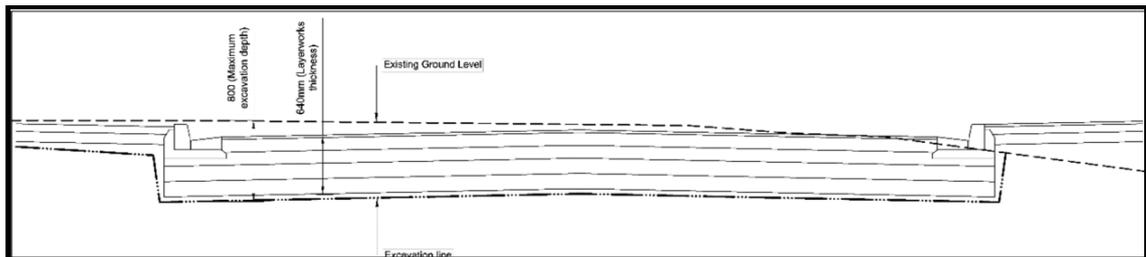


Figure 7. Excavation for road layerworks at depth (source: Walters, 2020)

The proposed road layerworks with the brick paving finish include the following layers:

- 70 mm Paver on 20 mm sand bedding
- 150 mm G5
- 150 mm Upper Selected
- 150 mm Lower Selected

Where the brick paving final earthworks, levels are close to the existing ground and excavation is required, the 200 mm thick crushed stone layer of the abovementioned proposed capping layerworks would be placed underneath the bricking paving layerworks are constructed (Walters, 2020).

Building Platforms

Walters (2020) indicates that the proposed building platform areas can be categorised into the following three capping scenarios:

- A. Final at, or just below the existing level (maximum excavation into the asbestos would be required here- refer to **Figure 8**);
- B. Final level between 0 mm and 700 mm above existing level (intermediate excavation into the asbestos would be required here- refer to **Figure 8**); and
- C. Final level more than 700 mm above existing level (no excavation into the asbestos would be required here).

Each scenario would entail varying degrees of excavation into the existing ground, from 700 mm excavation to no excavation into the existing ground (Walters, 2020). Excavation of 700 mm into the existing ground would require capping with no additional fill (scenario A above, refer to **Figure 9**) while the scenario with no excavation would not require capping layerworks and only bulk earthworks (scenario C above) (Walters, 2020). These bulk earthworks would comprise of competent material constructed in 200 mm thick layer and compacted to 95% MOD AASHTO (refer to **Figure 8**) (Walters, 2020).

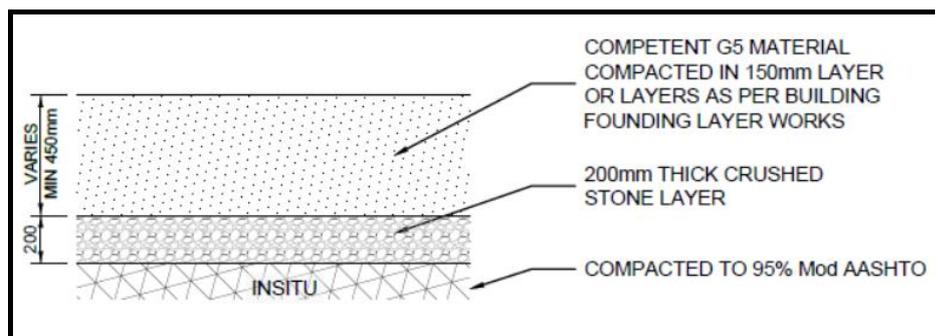


Figure 8. Excavation for road layerworks at depth (source: Walters, 2020)

The area where maximum excavation is required for building platforms would be limited to 25 m². Hence, **Figure 8** is applicable for scenarios A and B described above and depicted in **Figure 9** and **Figure 10** respectively.

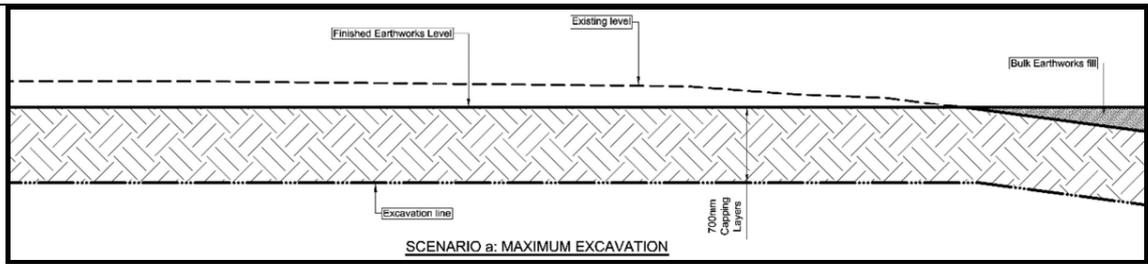


Figure 9. Maximum excavation scenario (source: Walters, 2020)

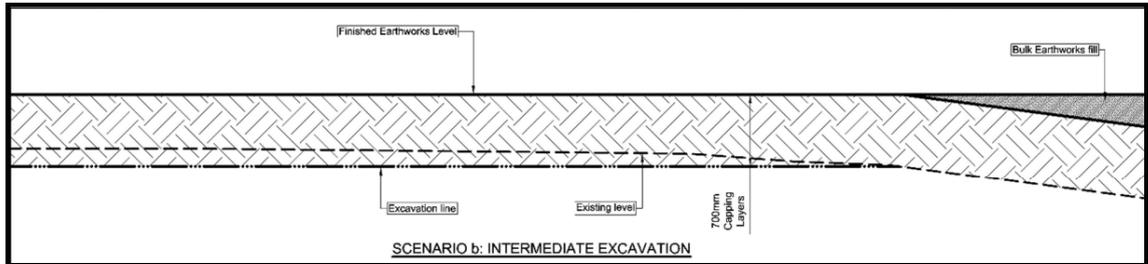


Figure 10. Intermediate excavation scenario (source: Walters, 2020)

Services

The proposed services would largely be located within the proposed earthworks and/or capping layers as described above (Walters, 2020). They would generally be to a maximum depth of 1 m (Walters, 2020).

The services would be located within roads or parking areas, or traverse across areas where no bulk earthworks would need to occur (Walters, 2020). It is in areas such as those where no bulk earthworks would be necessary (i.e. the green/landscaped areas) that the proposed services would be deeper than the proposed capping layers and so excavation into the existing ground and asbestos would be required (Walters, 2020).

However, there are instances where this would not be possible and so Walters (2020) provides three scenarios relevant to the proposed services, namely:

- A. Deeper than the proposed capping layer, in areas of no bulk earthworks/roadworks (refer to **Figure 11**);
- B. Within the existing ground under roads/parking (refer to **Figure 12**); or
- C. Within the bulk earthworks fill, under roads/parking (refer to **Figure 13**).

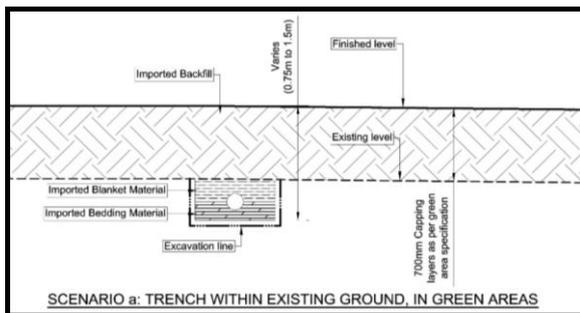


Figure 11 Scenario A: Services- Trench within existing ground (Green Areas) (source: Walters, 2020)

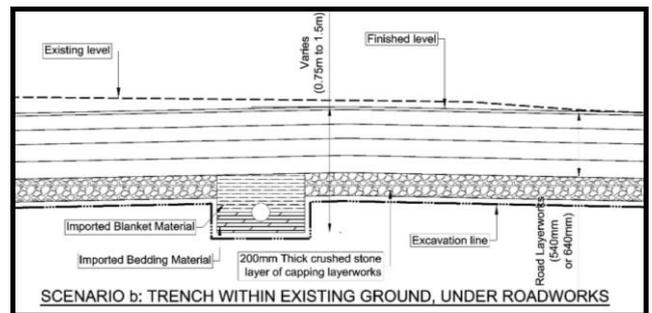


Figure 12 Scenario B: Services- Trench within existing ground (Under road works) (source: Walters, 2020)

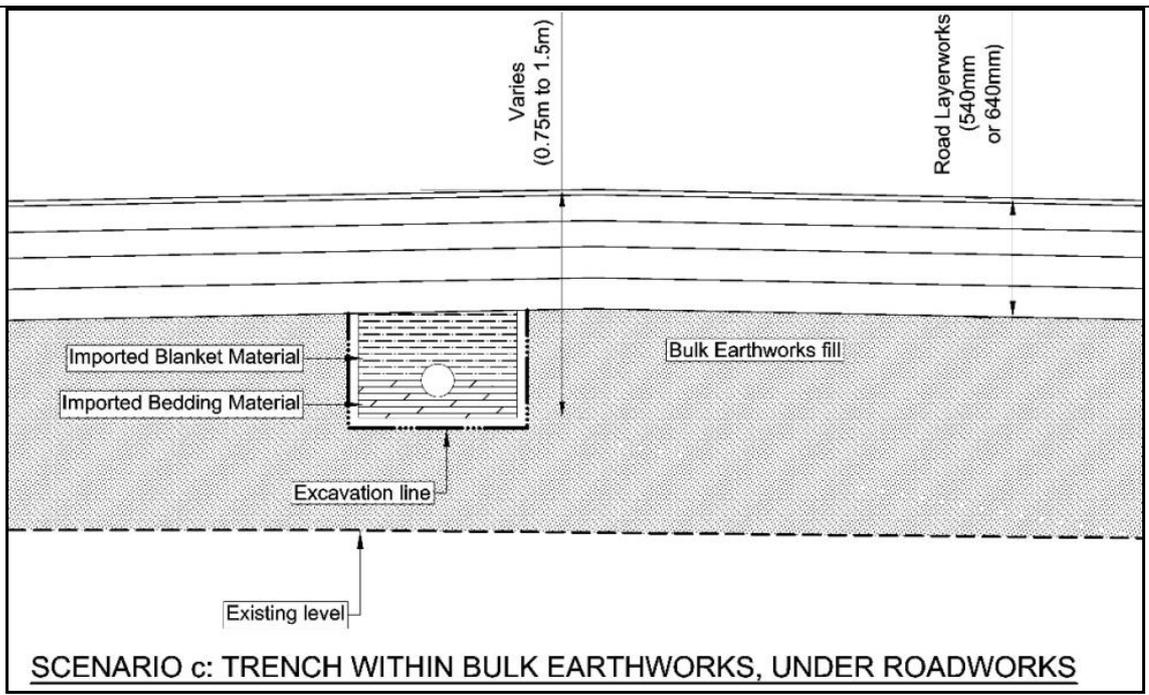


Figure 13 SCENARIO C: SERVICES- TRENCH WITHIN Bulk Earthworks (under roadworks) (SOURCE: WALTERS, 2020)

The proposed development has existing water, sewer, and stormwater connections to the property. Internal reticulation would need to be installed for the development and there would be a stormwater pond in the north-west corner of the site (refer to **Figure 14**). The City of Cape Town has confirmed available services capacity for refuse, electricity, potable water, and sewer and this will be included in the Draft BAR. Note that none of the proposed services trigger Listed Activities in terms of the EIA Regulations, 2014 (as amended) because the site is located in an urban area, which is an exclusion for these activities.

Trenches for services would also not be excavated into the asbestos as much as possible, but rather into the new, imported fill and road layerworks, to limit disturbance of asbestos on site. However, there would be certain instances where excavation into the ground would be necessary.

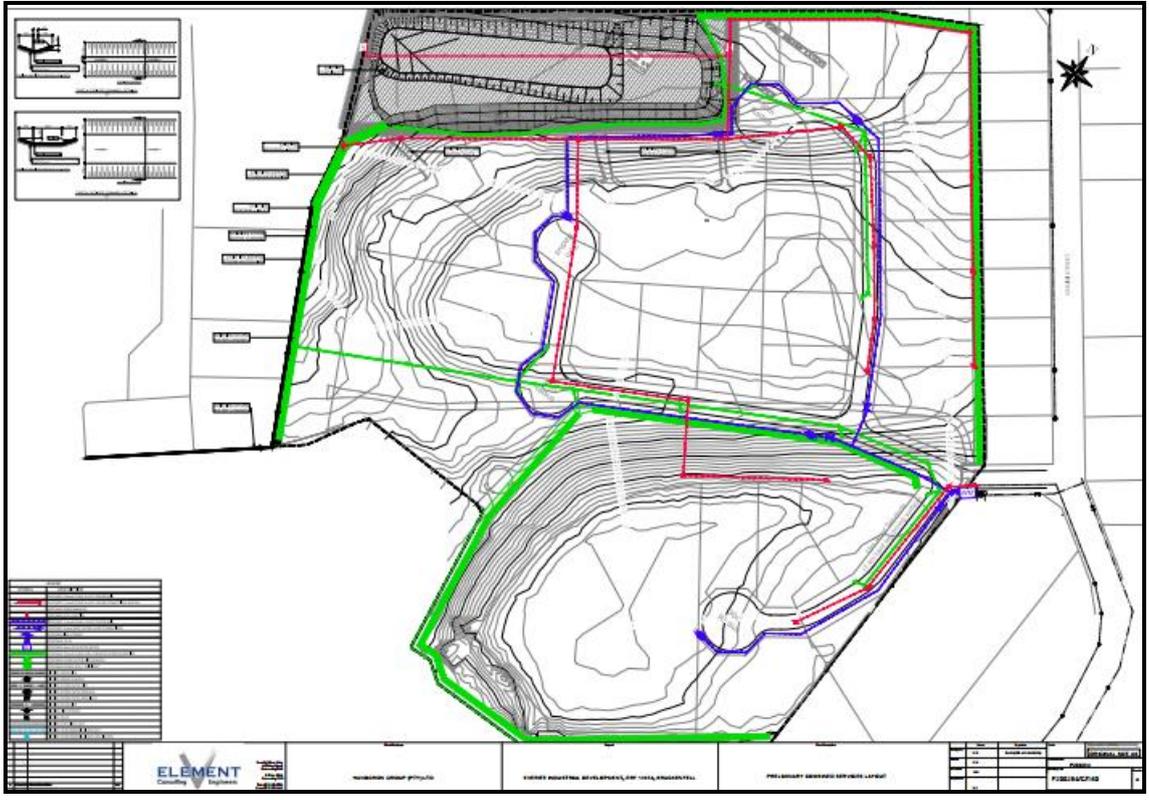


Figure 14: Proposed Services, Combined (Source: Element Consulting Engineers, 2020)

Stormwater Pond

The existing stormwater pond would need to be extended in length and widened (Walters, 2020), and this would require excavation into the existing pond embankment. The pond would include a drainage layer of 500 mm thick, clean drainage sand (Walters, 2020). Armorflex grass blocks would line the bottom and side slopes of the pond (Walters, 2020). The drainage layer would contain a series of 100 mm diameter subsoil drains. There would also be planting in the pond.

A vegetated buffer (i.e. a green area) would be provided around the pond and would be capped as per the "Green Areas" described above. The total extent of capping proposed would be 95,000 m².

Access

There is currently access to the site. The existing access road would be used, and the site is only accessible via that single point/gate (which is currently locked and accessed controlled). The site is accessed from Virgo Close, off Gemini Road in Brackenfell Industria. Access to the site is also restricted to personnel who are registered asbestos contractors or those who have been appropriately trained and passed the asbestos medicals required to access the site.

Proposed Road Upgrades

An additional right-turn lane is proposed at the Okavango Road/Old Paarl Road intersection, to be provided westbound along Old Paarl Road. The northern approach would be widened to provide a new northbound acceleration lane along Okavango Road for the eastbound left-turn slip. A 2 m wide sidewalk would also be provided along Old Paarl Road. It is also recommended that a sidewalk be provided along the southern side of Leo Close and sidewalks should also be provided along the major internal roads. Refer to **Figure 15** below.



Figure 15: Proposed Upgrades at Okavango Road/Old Paarl Road Intersection (Source: Krogshoopers & Arangie, 2021)

Proposed End Use

The proposed development would be a secure industrial estate comprising a combination of larger portions ranging from around 6095 m² to 10800 m² and smaller portions averaging 1500 m² with an internal road (refer to **Figure 16**) network, some green areas and a stormwater detention pond (refer to **Figure 16**). Refer to **Figure 17** and **Figure 18** for images of larger and smaller units respectively as well as the SDP in **Appendix P**. The proposed industrial park would be fenced around the perimeter, and have a single entrance and exit gate, which would be controlled by security personnel.

It is intended that when portions are sold, there would be a title deed condition (as well as an estate rule) which does not permit any future excavations be allowed. The proposed capping would not, therefore, be a final layer but rather the proposed roads, paved areas and factory floors (typically comprising concrete and cement slabs) would be developed on top of it with a view to adding further capping layers and that this would also physically limit and deter future excavations (refer to **Figure 19**).



Figure 16. Proposed Development Plan (SOURCE: CHAMELEON ARCHITECTS, 2020)



Figure 17. Artist Render of Small Units (source: P. Smith, 02/09/2020)



Figure 18. Artist Render of Larger Unities (Source: P. Smith, 02/09/2020)

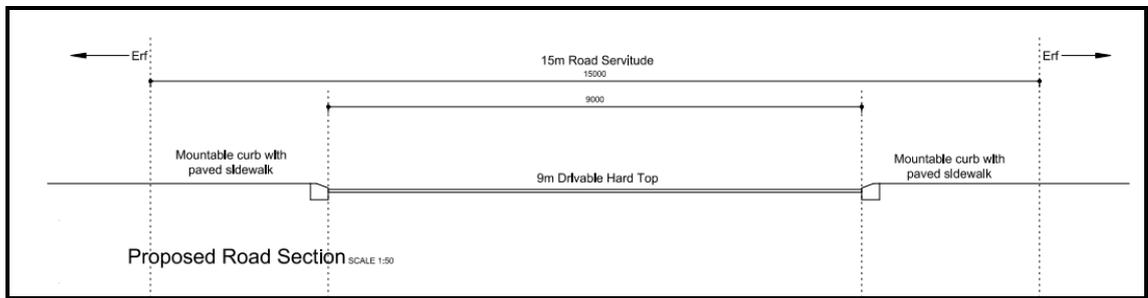


Figure 19. Proposed Road Cross-section (source: Chameleon Architects, 2020) Servicing

6.5.	Indicate how access to the proposed developments will be obtained for all alternatives. There is currently access to the site. The existing access road would be used, and the site is only accessible via that single point/gate (which is currently locked and accessed controlled). The site is accessed from Virgo Close, off Gemini Road in Brackenfell Industria. Access to the site is also restricted to personnel who are registered asbestos contractors or those who have been appropriately trained and passed the asbestos medicals required to access the site.																					
6.6.	SG Digit code(s) of the proposed site(s) for all alternatives:	C	0	6	7	0	0	0	4	0	0	0	1	8	3	5	4	0	0	0	0	0
6.7.	Coordinates of the proposed site(s) for all alternatives:																					
	Latitude (S)	33°					52'					29.30"										
	Longitude (E)	18°					42'					4.57"										

SECTION E: LISTED ACTIVITIES APPLIED FOR

All activities listed in terms of the NEMA EIA Regulations that are triggered by the proposed development must be provided below.

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 1	Describe the portion of the proposed development to which the applicable listed activity relates.
31	The closure of existing facilities, structures or infrastructure for— i) any development and related operation activity or activities listed in this Notice,	The closure and permanent capping of a facility for a waste management activity. The land was previously used to dispose of asbestos and still contains hazardous waste. Triggering this Listed

	Listing Notice 2 of 2014 or Listing Notice 3 of 2014; (ii) any expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014; (iv) any phased activity or activities for development and related operation activity or expansion or related operation activities listed in this Notice or Listing Notice 3 of 2014; or (v) any activity regardless the time the activity was commenced with, where such activity: fi,4 is similarly listed to an activity in (i) or (ii) above; and fiin4 is still in operation or development is still in progress; excluding where— (aa) activity 22 of this notice applies; or (bb) the decommissioning is covered by part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies.	Activity requires a Basic Assessment process.
Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3	Describe the portion of the proposed development to which the applicable listed activity relates.
Not applicable		
Activity No(s):	Provide the relevant Scoping and EIR Activity(ies) as set out in Listing Notice 2	Describe the portion of the proposed development to which the applicable listed activity relates.
Not applicable		
Note:		
<ul style="list-style-type: none"> Only those activities listed above shall be considered for authorisation. The onus is on the Applicant to ensure that all applicable listed activities are included in the application. Environmental Authorisation must be obtained prior to commencement with each applicable listed activity. If a specific listed activity is not included in an Environmental Authorisation, a new application for Environmental Authorisation will have to be submitted. The Minister responsible for mineral resources is the Competent Authority to deal with all applications where the listed or specified activity is directly related to- <ul style="list-style-type: none"> (a) prospecting or exploration of a mineral or petroleum resource; or (b) extraction and primary processing of a mineral or petroleum resource. 		

Note that, while **Listed Activity 19 of Listing Notice 1** of the EIA Regulations, 2014 (as amended) was contemplated, and it is proposed that this activity is **not triggered**, because a stormwater pond is not a watercourse and is a man-made structure. This has been confirmed by the DWS in their comment on the previous Basic Assessment process. There are no watercourses on the site.

Furthermore, with respect to the proposed upgrade of the Okavango Road/Old Paarl Road intersection, **Listed Activity 56 of Listing Notice 1** related to road widening were considered by the EAP but is **not triggered** given the urban context which is an exclusion of this activity.

With regards to **Listed Activity 4 & 18 of Listing Notice 3**, road widening would mostly remain within an existing road reserve (apart from a section on Okavango Road which will encroach into a property appropriately zoned for Transport use) and there would be no widening into Public Open Space. There are also not environmentally sensitive areas or areas zoned for conservation use along the road where widening would take place. As such these activities are **not triggered**. Given the above, the proposed upgrading of this intersection is not further contemplated in this application.

Listed Activity 12 of Listing Notice 3 for the clearance of approximately 1,800 m² of Critically Endangered Cape Flats Sand Fynbos (CFSF) was contemplated and understood to be triggered based on a botanical survey completed in 2012. However, following a re-survey of the site in May 2022, a botanist confirmed that there is no longer CFSF remaining on site thus this activity is **not triggered**.

It should further be noted that DFFE has confirmed that a **Part 8 of the NEM:WA** does not apply to the proposed capping and redevelopment (pers comms, M. Govender, DFFE, 24/08/2020). DEA&DP Pollution and Chemicals Management will be asked to comment on the Draft BAR to confirm this.

SECTION F: SPECIALIST INPUT

Note:

Please note that the submission of a report generated from the National Web Based Environmental Screening Tool in terms of Section 24(5)(h) of the NEMA and Regulation 16(1)(b)(v) of the NEMA EIA Regulations, 2014 (as amended), is compulsory

when submitting an application for environmental authorisation in terms of Regulation 19 and 21 of the NEMA EIA Regulations, 2014 (as amended).

The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Tool Report. The Screening Tool Report must be attached to this NOI Form as Appendix D.

1.	Will you be conducting the specialist input as recommended in the screening tool report?	YES	NO
If no, indicate which specialist investigations will not be conducted and provide an explanation why.			
<p>It should be noted that "The Protocols" were only enacted after the completion of the specialist studies used to inform this Basic Assessment. Nevertheless, a STR and Site Sensitivity Verification exercise was undertaken in preparation for this environmental application (refer to Appendix E).</p> <p>The following studies will not be undertaken:</p> <p>Agricultural Impact Assessment - The screening tool denoted the site as medium sensitivity. In general, land with medium sensitivity is not recommended for agriculture and, specifically for this site, the land is not arable at all because it is contaminated with asbestos and excavation and planting of crops therein would result in significant disturbance to the asbestos, which is highly undesirable. Therefore, no further consideration of the site's potential for agriculture is required.</p> <p>Landscape/ Visual Assessment - A Heritage Practitioner conducted a screening assessment on the site and proposed development and completed a Notification of Intent to Develop (NID) in terms of Section 38(1) & (8) of the National Heritage Resources Act (NHRA). Among other aspects, the NID contemplates landscapes and natural features of cultural significance, and it has been confirmed that there are no such sensitivities on the site. In response to the NID, HWC confirmed same. Therefore, no further consideration in this regard is required. Refer to Appendix F for the NID and for the response from HWC.</p> <p>Archaeological and Cultural Heritage Impact Assessment - A Heritage Practitioner conducted a screening assessment on the site and proposed development and completed a Notification of Intent to Develop (NID) in terms of Section 38(1) & (8) of the National Heritage Resources Act (NHRA). Among other aspects, the NID contemplates archaeological and cultural heritage features of cultural significance, and it has been confirmed that there are no such sensitivities on the site. In response to the NID, HWC confirmed same. Therefore, no further consideration in this regard is required. Refer to Appendix F for the NID and for the response from HWC.</p> <p>Palaeontology Impact Assessment - A Heritage Practitioner conducted a screening assessment on the site and proposed development and completed a Notification of Intent to Develop (NID) in terms of Section 38(1) & (8) of the National Heritage Resources Act (NHRA). Among other aspects, the NID contemplates palaeontological features and it has been confirmed that there are no such sensitivities on the site. In response to the NID, HWC confirmed same. Therefore, no further consideration in this regard is required. Refer to Appendix F for the NID and for the response from HWC.</p> <p>Noise Impact Assessment - The screening tool has not assigned a sensitivity rating to noise. Noise impacts have been contemplated in this Basic Assessment Report and measures have been included in the EMPr to mitigate noise impacts during construction. However, the site is not considered to be a noise-sensitive environment given that it is located in an industrial area and surrounded by industrial use (the area is also zoned for industrial use). Therefore, no further considerations in this regard are applicable.</p> <p>Climate Impact Assessment - No climate assessment has been done, however various flood events as per the City of Cape Town SUDS policy have been accommodated in the Stormwater Management Plan.</p> <p>Socio-Economic Assessment - have been considered and addressed in the Basic Assessment Report through inclusion of the following:</p> <ul style="list-style-type: none"> • Socio-economic profile of the community around the site; and • Detailing the financial contribution of the project to the economy as well as to previously disadvantaged individuals. <p>Seismicity Assessment - No seismicity assessment specifically has been; however, the geotechnical report (refer to Appendix N (a)) has made recommendations pertaining to appropriate foundations which would withstand earthquakes as well as other factors.</p> <p>Animal Species Assessment - A list of potential species which could be found on site will be included in BAR This is further addressed in the EMPr which provides measures to protect any fauna found on site and the retention of the stormwater pond area and provision of green buffer areas would also serve to provide some faunal habitat.</p>			
2.	List the specialist investigations to be conducted as part of the EIA process and provide the name(s) of the specialist(s).		
<p>Botanical Impact Assessment – Mr. Ross C. Turner Freshwater Impact Assessment – Ms. Toni Belcher Hydrology Assessment – Parsons and Associates Geotechnical Assessment – Morris Environmental and Groundwater Associates Groundwater Impact Assessment - Parsons and Associates</p>			

Traffic Impact Assessment – Innovative Transport Solutions	
Asbestos Assessment – Occupational Hygiene Monitoring Services	
3.	Explain whether any protocols are applicable to your proposed development, if so provide a list of the applicable protocols.
Not applicable as the studies were commissioned before the protocols were enacted.	

SECTION G: OTHER LEGISLATION/APPROVALS

1. Exemption in terms of the NEMA and EIA Regulations

Note: An application for Exemption (Form No. AE10/2018) from provisions of NEMA or the EIA Regulations must be submitted on a separate Exemption Application Form and finalised of prior to the submission of this Application Form.

1.1	Please provide a description of the provisions of the NEMA or the NEMA or the EIA Regulations for which an exemption notices were issued (attached Exemption Notice as Appendix H):
Not applicable	

2. Legislation

2.1.	Does the proposed development require a Coastal Waters Discharge Permit in terms of the National Environmental Management: Integrated Coastal Management Act (NEM: ICMA)?	YES	NO
If yes, explain:			
Not applicable			
2.2.	Does the proposed development require the reclamation of land in terms of ICMA	YES	NO
If yes, please explain			
Not applicable			
2.3.	Does the proposed development require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)?	YES	NO
If yes, explain:			
Not applicable.			
Please note confirmation from the Department of Water and Sanitation indicating that the stormwater retention pond is not considered a "watercourse" in terms of the National Water Act (No. 36 of 1998) was provided in the previous Basic Assessment process (refer to Appendix G).			
2.4.	Does the proposed development require an application for an Atmospheric Emission License in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?	YES	NO
If yes, explain:			
Not applicable.			
Please note no emissions are anticipated as part of this development proposal, given the nature of the light industrial activities anticipated. However, should future users of the site conduct activities that produce emissions, it will be the responsibility of these users to obtain the necessary statutory approvals. This will be enforced through the EMPr.			
2.5.	Is the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004 ("NEMBA")) applicable to your proposed development?	YES	NO
If yes, explain:			
The NEMBA was considered in the determination of the botanical sensitivity of the site, but no specific permits will be required in terms of the Act.			
2.6.	Is the National Environmental Management Protected Areas Act, 2003 (Act No. 57 of 2003 ("NEMPAA")) applicable to your proposed development?	YES	NO
If yes, explain:			
Not applicable.			
2.7.	Does the proposed development require a permit in terms of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)?	YES	NO
If yes, explain:			
Not applicable.			

3. Existing approvals

3.1.	Explain if there are any existing approval(s) linked to the property? If so, indicate which approvals were granted (attach approvals as Appendix J).
<p>In terms of existing approvals linked to the property, refer to Appendix J for the existing ECA permit from 1992. The proposed capping is the next step beyond the existing ECA permit and so would need to be licensed and environmentally authorised through a Basic Assessment process.</p> <p>The proposed industrial park would also require a subdivision and SDP approval application.</p>	
3.2.	Explain whether the above approval(s) will be in conflict with the proposed development.
<p>No conflicts are anticipated.</p>	

4. Heritage Impact Assessment

Please be advised that an application for Environmental Authorisation, must include, where applicable, the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.

Please be advised that if Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA") is applicable to your proposed development, then you are required to submit a Notice of Intent to Develop ("NID") to Heritage Western Cape and attach a copy to this form as Appendix F. If Heritage Western Cape requires a Heritage Impact Assessment, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the NEMA EIA Regulations.

Section 38 of the NHRA 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, powerline, 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;
 - (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m2 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 m2 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.

3.1 Does the proposed development constitute the undertaking of any of the categories of development set out in Section 38(1) of the National Heritage Resources Act?	YES	NO
If yes, explain:		
<p>Note that, although the proposal bears relevant to aspects of Section 38 (1) of the NHRA, Baumann (2012) as well as HWC has concluded that no further heritage assessment is required as there are no heritage resources on the site. Therefore, the necessary steps in terms of confirming applicability of the NHRA have been undertaken. Refer to Appendix F for the NID and for the HWC comment thereon.</p>		

3.2 Please provide the date on which the NID was submitted to Heritage Western Cape.	<p>May 2012</p> <p>Refer to Appendix F for the NID and for the response from HWC.</p>
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SECTION H: DESCRIPTION OF THE RECEIVING ENVIRONMENT

1. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

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
Seasonally wet soils (often close to water bodies)	YES	NO
Unstable rocky slopes or steep slopes (35-45 degrees)	YES	NO
Dispersive soils (soils that dissolve in water)	YES	NO
Soils with high clay content	YES	NO
Any other unstable soil or geological feature – refer to following section regarding capping layers	YES	NO
An area adjacent to or above an aquifer	YES	NO

2. GEOLOGY FORMATION

Indicate the type of geological formation underlying the site.

Granite	Shale	Sandstone	Quartzite	Dolomite	Dolorite	Other (describe)
<p>Explain:</p> <p>Unconsolidated sands cover much of the flat-lying area to the north and west of the site. As a result, little is known about the underlying bedrock. The published 1: 50 000 geological map indicates much of the area to be underlain by sediments belonging to the Malmesbury Group with sand thickness ranging from 3 m to almost 25 m. The geology (and hydrogeology) of the underlying hard rock aquifer system is unknown. This includes the lithology of the Malmesbury Group, the degree of weathering and the presence and position of the contact zone.</p> <p>A geological assessment conducted confirmed that there is an existing capping layer of silty sand and builders' rubble ranging from 0.2 m to 1.5 m below surface over the asbestos waste areas. In the lower platform, this layer is underlain by a further capping layer comprising clayey sand with ferruginised gravel, extending to depths in the range of 0.4 m to 1.0 m below existing ground level.</p>						

3. SURFACE WATER

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

	YES	NO	If "YES": Distance to nearest area (m)
Perennial River	YES	NO	N/A
Non-Perennial River	YES	NO	N/A
Permanent Wetland	YES	NO	N/A
Seasonal Wetland	YES	NO	N/A
Artificial Wetland	YES	NO	N/A
Pans	YES	NO	N/A
<p>If your answer is yes to any of the above, please provide a description of the state of the watercourse(s) and /or wetlands.</p> <p>There are no watercourses on or adjacent to the site. The stormwater retention pond is not considered a "watercourse" in terms of the National Water Act (No. 36 of 1998) (as confirmed by the DWS)</p>			

4. THE SEAFRONT / SEA

Is the site(s) located within any of the following areas? (highlight the appropriate boxes).

An area within 100m of the high water mark of the sea	YES	NO
An area within 100m of the high water mark of an estuary/lagoon	YES	NO
Within the Estuarine Functional Zone	YES	NO
An area within the littoral active zone	YES	NO
An area in the coastal public property	YES	NO
Major anthropogenic structures	YES	NO

An area within a Coastal Protection Zone	YES	NO
An area seaward of the coastal management line	YES	NO
An area within the high risk zone (20 years)	YES	NO
An area within the medium risk zone (50 years)	YES	NO
An area within the low risk zone (100 years)	YES	NO
An area subject to tidal influence	YES	NO
An area within 1km from the high water mark of the sea	YES	NO
An area sensitive to erosion	YES	NO
A rocky beach	YES	NO
A sandy beach	YES	NO

5. BIODIVERSITY

5.1. According to the Western Cape Biodiversity Spatial Plan, explain whether the proposed site is located within a , Critical Biodiversity Area, Ecological Support Area,- or Other Natural Area). In accordance with the Western Cape: Biodiversity Spatial Plan?

According to the Western Cape Biodiversity Spatial Plan and the CapeFarmMapper tool, the site is not located within a Critical Biodiversity Area, Ecological Support Area or Other Natural Areas (refer to **Figure 20** – noting that CBAs and ESAs layers were toggled when the map was created).

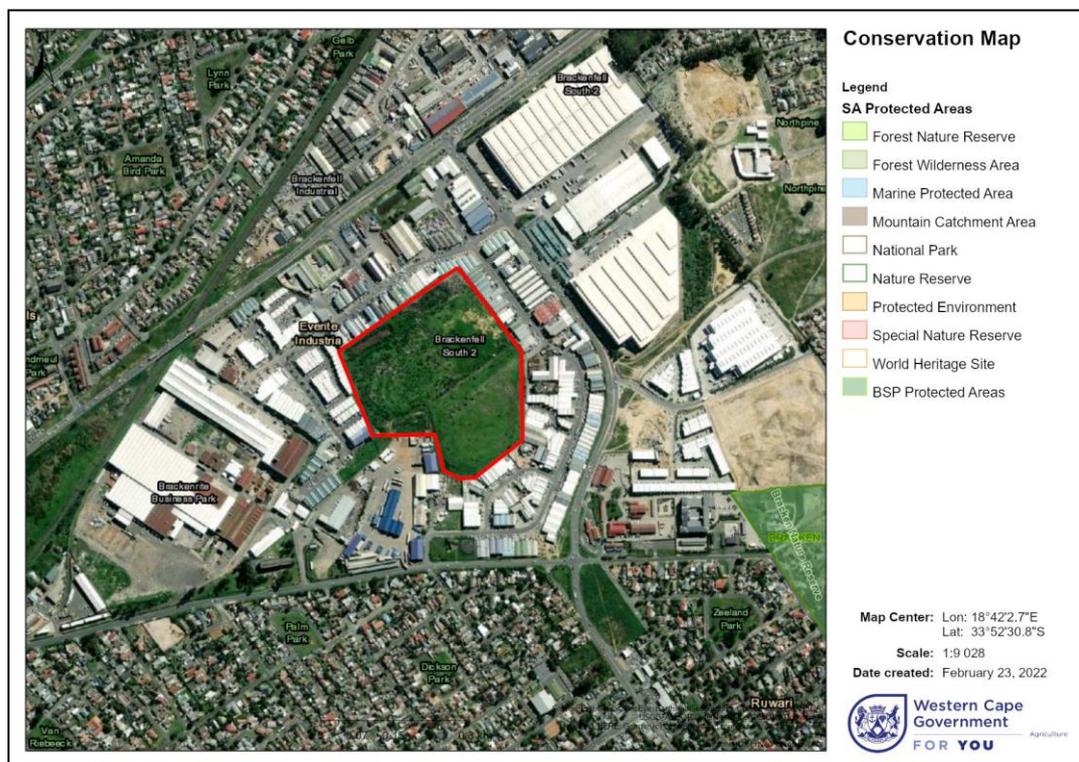


Figure 20. Conservation map of the proposed development. Site area is demarcated in red (Created using Cape Farm Mapper, 2022 – noting that CBA and ESA layers were toggled).

5.2. Explain whether the proposed site contains indigenous vegetation. If so, indicate the vegetation type and the threatened ecosystem status of the vegetation in terms of the NEM:BA list of threatened ecosystems in need of protection, (December 2011).

The site currently infested with alien vegetation and illegal dumping is ubiquitous.

The single formerly naturally occurring vegetation type on site was Cape Flats Sand Fynbos (CFSF) which is critically endangered (CR) (Turner, 2022). However, the site is not represented as a CFSF remnant (refer to pink shading in Figure 21), or as part of the City of Cape Town's (CoCT) Biodiversity Network (Light green shading) (City of Cape Town, 2017). Ecological connectivity with the few remaining indigenous vegetation remnants, such as nearby Bracken Nature Reserve, has been entirely lost due to ongoing suburban and light-industrial development in Brackenfell.



Figure 21: VEGETATION TYPES IN THE VICINITY OF THE SITE - CFSF REMNANTS (PINK) AND THE COCT'S BIODIVERSITY NETWORK REPRESENTED BY BRACKEN NATURE RESERVE (PALE GREEN) (SOURCE: TURNER, 2022)

A total of thirteen indigenous plant species have been recorded on site during 2012 and 2022 survey by Turner (2022). Twelve of these taxa are of Least Concern (LC) (SANBI, 2020). One is Near Threatened (NT) (SANBI, 2020). Turner (2022) notes that all these plants grow atop and betwixt asbestos and other waste, under dense aliens, surrounded by sheer breeze-block walls and have zero connectivity with the few remaining CFSF remnants in the Brackenfell area, or with Bracken Nature Reserve. One species of conservation concern (SCC), *Lampranthus explanatus*, Near Threatened (NT) (Klak et al., 2019; SANBI, 2020), occurs on site. This taxon has persisted over the past 10 years despite ongoing degradation of the site. Fewer than 40 plants exist in a small portion of the site (<4 00m²) (refer to Figure 22).



Figure 22: LOCATION OF LAMPRANTHUS EXPLANATUS (YELLOW POLYGON) AND MAJORITY OF EUCALYPTUS TREES (ORANGE POLYGON)

5.3.	Explain whether the proposed development will be located within a protected area? <u>The site is not located within a protected area</u>
	If so, Is the proposed development in line with the protected area management plan? <u>Not applicable.</u>

5.4.	Explain whether the proposed development will be located within an aquatic Critical Biodiversity Area and/or Ecological Support Area. <u>No, there are no significant natural watercourses on the site which are listed as CBAs or ESAs.</u>
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Biodiversity Priorities	Hectares Lost	Is the proposed development aligned with the land management objectives	Proximity to Biodiversity Priority Area
CBA1	0 ha	Yes	Not applicable
CBA2	0 ha	Yes	Not applicable
ESA1	0 ha	Yes	Not applicable
ESA2	0 ha	Yes	Not applicable
PA	0 ha	Yes	The site is ~440 m northwest of the Bracken Nature Reserve
Forest	0 ha	Yes	Not applicable
River NFEPA including 32m buffer	0 ha	Yes	Not applicable
River NFEPA including 32m buffer	0 ha	Yes	Not applicable
Strategic water source area	0 ha	Yes	Not applicable
Threatened species and Red Data listed species	Cape Flats Sand Fynbos which is Critically Endangered - 1,800 m ² <i>Including</i>	Yes, transplanting will occur to minimise impacts (of <i>Lampranthus explanatus</i>)	Not applicable

6. WASTE

6.1	Will the proposed development produce waste (including rubble) during the development 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?		m ³ TBD
<p>Construction related waste will typically include general waste (such as plastic packaging, strapping, and lunch wrappers.), rubble (like broken bricks, tiles, waste concrete) and limited quantities of hazardous waste items (e.g. paint tins, oily rags etc.). There would also be hazardous waste in the form of asbestos, of which small quantities may need to be spoiled off site.</p> <p>Given that the EMP requires the use of portable toilets, no wastewater would be discharged into the existing sewer system during construction.</p> <p>The quantity of waste produced is to be determined and will be included in the Draft BAR.</p>			
6.2.	Will the proposed development 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?		m ³ TBD
<p>General waste generated during the operational phase will comprise typical domestic waste generated by administrative and housekeeping operations as well as waste associated with convenience stores and take-away food outlets, such as paper, lunch wrappers, packaging material etc and also waste from business such as paper, packaging, etc. The hazardous waste will comprise of empty oil cans / tins, oily rags, spent fluorescent tubes, etc.</p> <p>The quantity of waste produced is to be determined and included in the Draft BAR.</p>			

7. WATER USE

7.1.	Indicate the source(s) of water for the proposed development by highlighting the appropriate box(es). Note: Provide proof of assurance of water supply (e.g. Letter of confirmation from the municipality / water user associations/license from the Department of Water and Sanitation) in the final BAR. Refer to Appendix O for Service Capacity Letters including for water supply					
	Municipal	Water-board	Groundwater	River, Stream, Dam or Lake	Other	The project will not use water
7.2.	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 ³	Not applicable	

8. POWER SUPPLY

8.1.	Describe the source of power e.g. municipality / Eskom / renewable energy source. Note: Provide proof of assurance of electricity supply (e.g. Letter of confirmation from the municipality / Eskom in the final BAR).	
Municipal. The City of Cape Town has confirmed available services capacity for refuse, electricity, potable water, and sewer (please refer to Appendix O)		
8.2.	If power supply is not available, where will power be sourced?	
Not applicable.		

SECTION I: PLANNING CONTEXT

Note: In instances where more than one zoning is applicable, attach a list or map of the properties that indicates their respective zoning as Appendix I.

1.	What is the current zoning of the property?	General Industrial 1 Refer to Zoning Map in Appendix I.	
2.	Is a rezoning application required?	YES	NO
3.	Is any other land use approval(s) (e.g. consent) required?	YES	NO
If yes, provide details:			
Not applicable			
4.	Is the property in an urban area?	YES	NO
5.	Is the activity permitted in terms of the property's existing land use rights?	YES	NO
Please explain			
While the site is zoned with the intended use, the property would need to be subdivided according to the proposed layout and an SDP would need to be approved by the City of Cape Town.			
6.	Are there any building restrictions in terms of the applicable Municipal By-laws?	YES	NO
Please explain:			
Following rezoning and subdivision, the relevant building restrictions of the zoning classification would be adhered to.			
7.	Will the activity be aligned with the following:		
7.1	The Provincial Spatial Development Framework (PSDF)	YES	NO
Please explain:			
The Western Cape Provincial Spatial Development Framework identifies development objectives and strategies for the Western Cape and outlines a number of policies and plans for achieving these. The proposed development is in line with the following objectives:			
<ul style="list-style-type: none"> i. socio-economic development in areas where this will generate the highest socio-economic returns; ii. urban restructuring through infill development to ensure that growth remains within the urban edge and through clustering different land uses such that living and working areas can be kept in reasonable proximity to each other; and iii. environmental sustainability by minimising the consumption of scarce environmental resources (e.g. land) as far as possible. 			
The proposed site falls within an existing industrial area and is surrounded by industrial development on all sides. There are a number of major mobility routes in close proximity to the site (Kruisfontein Road, Old Paarl Road, Okavango Road and the N1) in addition to a railway system with links to Bellville, the Cape Town CBD and Paarl/Wellington. As such, the proposed development would promote economic growth at an accessible location. In addition, a diverse range of neighbourhoods occur in the nearby vicinity (Northpine, Scottsdale, Protea Village, Ruwari and Protea Hoogte) which would promote the objective of integrated urban areas whereby employment can be pursued within close proximity to homes.			

Through rehabilitating already contaminated land, the proposed development directly minimises consumption of additional undeveloped land and is thus more sustainable (i.e. a brownfields development as opposed to a greenfields development). The scarcity of land that is suitable for industrial type activities should also be considered in this regard.

7.2	The Spatial Development Framework of the Local Municipality	YES	NO
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Please explain:

The proposed capping and industrial park are aligned with the local spatial planning. It is located in an area marked as existing industrial use (refer to Figure 23) within an urban area and within the urban edge. The site is also located beyond an aquifer and agricultural area (refer to Figure 24) and beyond any environmentally sensitive areas (refer to Figure 25, Figure 26, and Figure 27). The proposed site is bordered by industrial development on all sides and would not compromise any environmentally sensitive areas earmarked for conservation in terms of the Environmental Management Framework. The proposed development is in line with the objectives of the Cape Town SDF in that it would create employment-generating activities along the accessibility grid, contributing to the strategy of improved access to economic opportunities. Further to an increase in job opportunities and economic development, the proposed redevelopment would result in the removal of alien species and the preservation of endangered natural vegetation (provided appropriate mitigation is followed). In addition, the decommissioning of the site prior to redevelopment would ensure that risks of exposure to asbestos are considerably reduced in comparison to the current situation.

The proposed capping and redevelopment would, therefore, be in synergy with the surrounding context and not set an inappropriate precedent for future development (because there are several similar developments in the area). The long-term benefits would also outweigh the short-term adverse impacts (with implementation of mitigation measures). The proposed decommissioning would result in a healthier environment for occupiers of the site and surrounds, by reducing potential for exposure to asbestos wastes. This promotes the right of access to an environment that is not harmful to health and well-being as captured in Section 24(1)(a) of The Constitution.

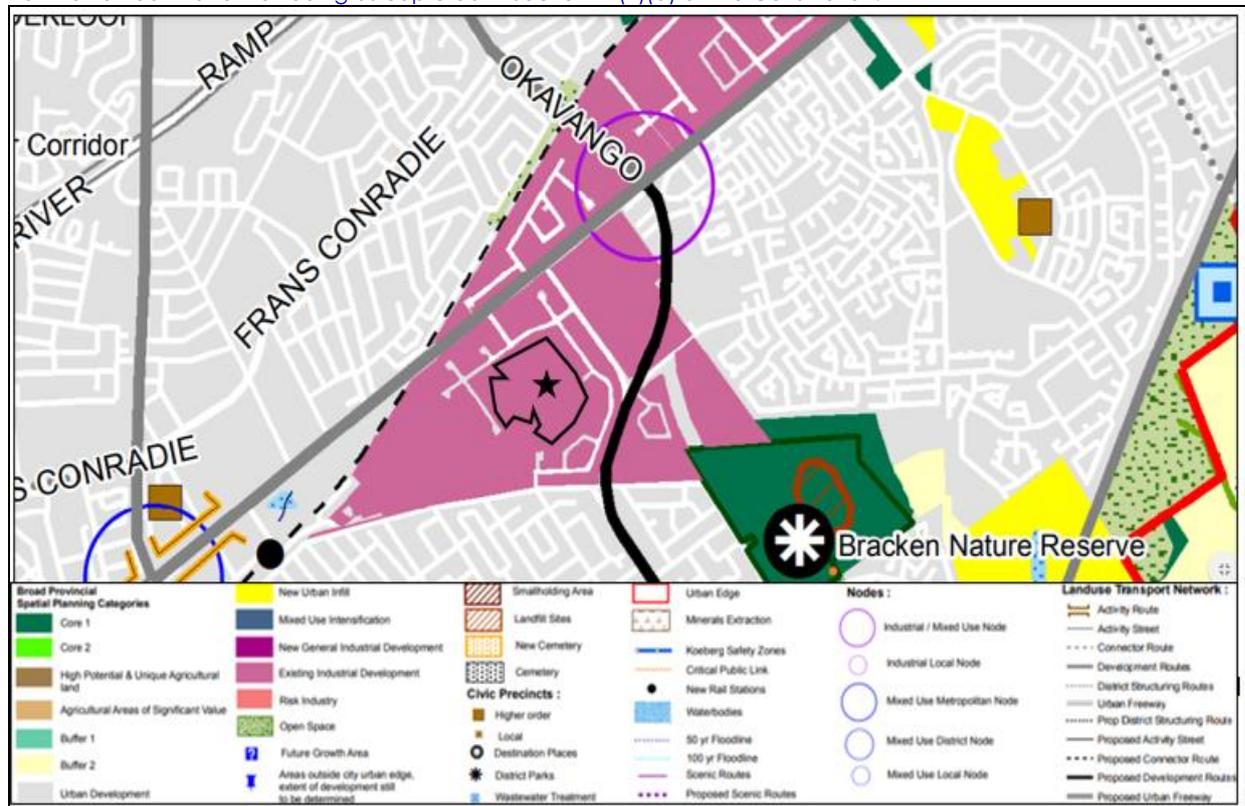


Figure 23 Extract from Spatial Development Plan, site outline in black with star

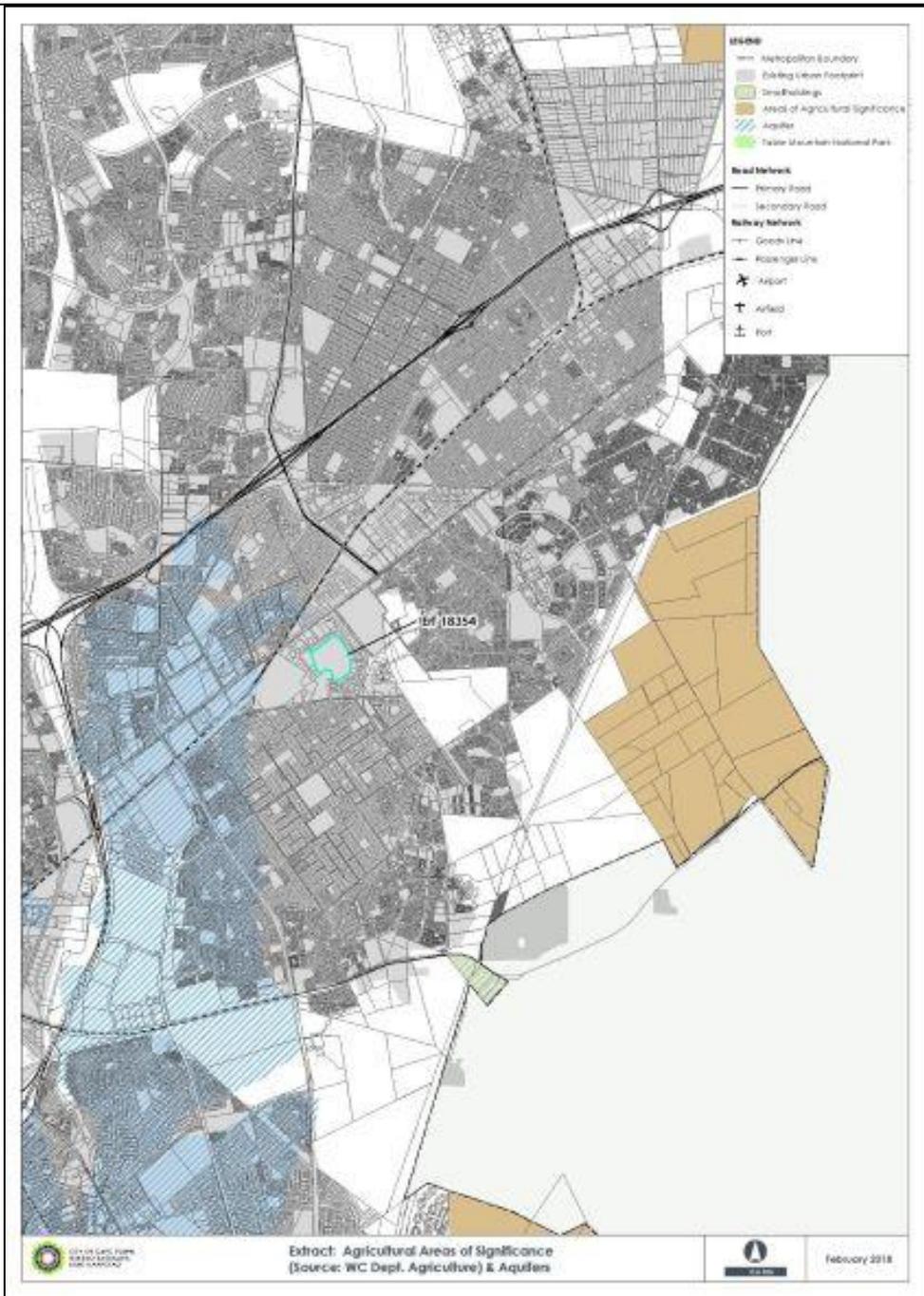


Figure 24 Areas of Agricultural Significance and Aquifers (source: MSDF, 2018)

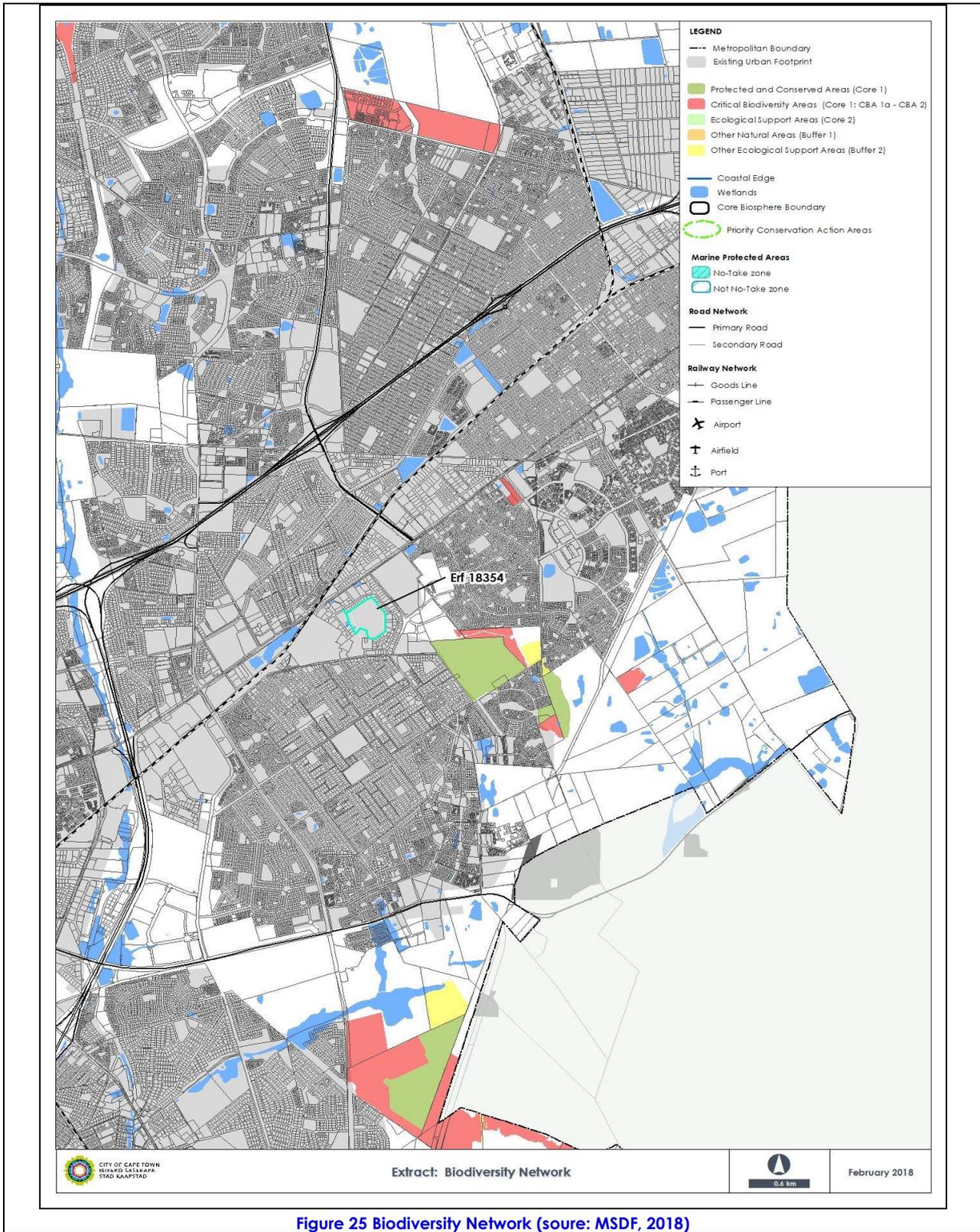


Figure 25 Biodiversity Network (source: MSDF, 2018)

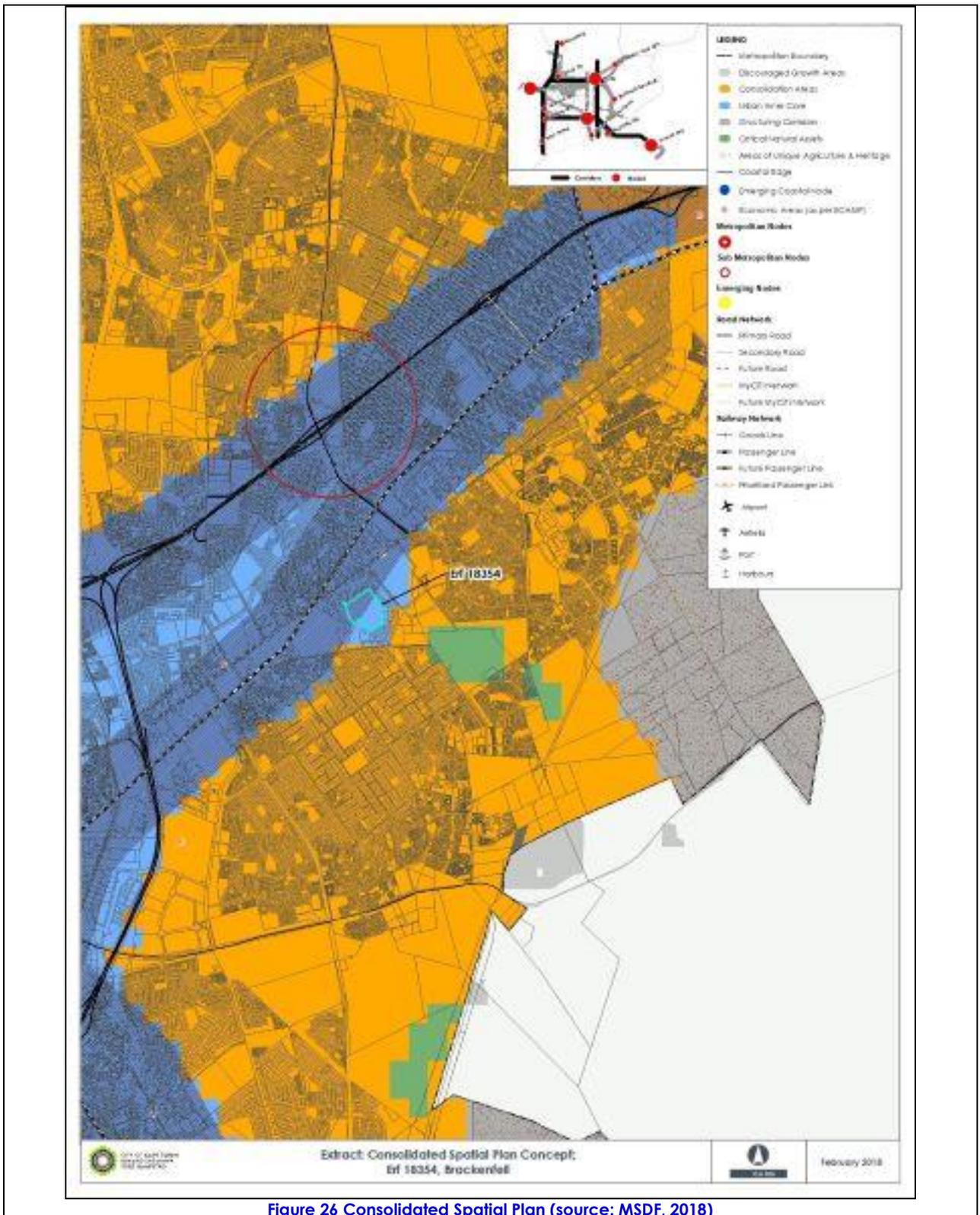


Figure 26 Consolidated Spatial Plan (source: MSDF, 2018)

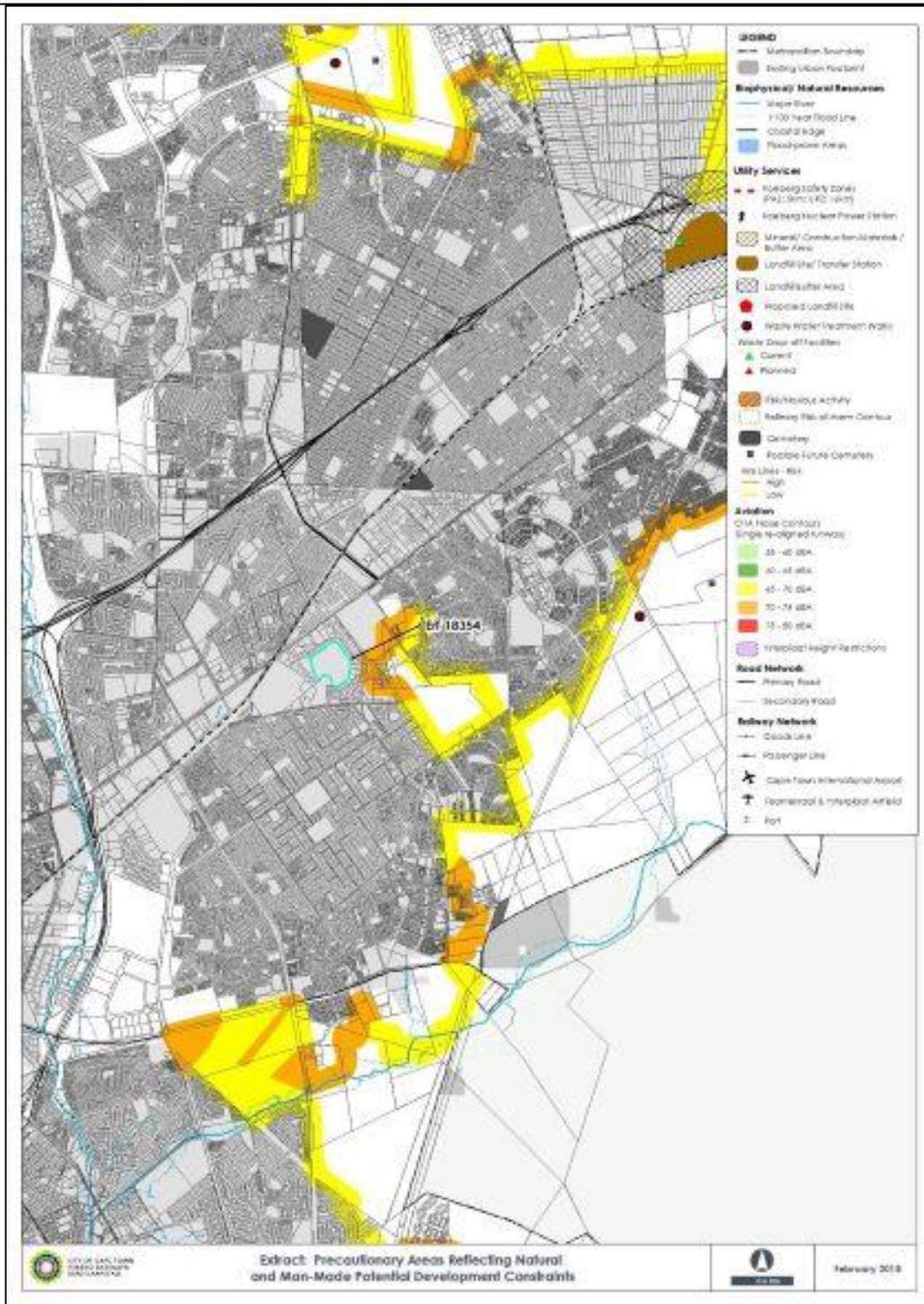


Figure 27 Precautionary Areas (source: MSDF, 2018)

Given that the proposed closure and redevelopment would be located in an industrial area and would serve to eliminate the risk of asbestos spread, it is not believed that it would have an impact on the 'sense of place' and it would not be setting a precedent given that there are a number of similar developments already in the area. The proposed decommissioning would result in a healthier environment for occupiers of the site and surrounds, by reducing potential for exposure to asbestos wastes. This promotes the right of access to an environment that is not harmful to health and well-being as captured in Section 24(1)(a) of The Constitution.

7.3	The urban edge as delineated in the Municipality's Spatial Development Framework	YES	NO
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Please explain:

The proposed site is situated within an existing industrial area, inside the urban edge.

7.4	An Environmental Management Framework (EMF)	YES	NO
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Please explain:

The site is not located in any areas earmarked for environmental conservation in the EMF, refer to the location of the site in an existing industrial area indicated in Figure 23 and is also outside of any environmentally sensitive areas as evidenced in Figure 24, Figure 25, Figure 26, and Figure 27.			
7.5	Any other Policies, Plans, Guidelines, Spatial Tools, Development Planning Frameworks and instruments applicable to the development.	YES	NO
Please explain:			
Not applicable.			
7.6	Are any Amendments of the above-mentioned required?	YES	NO
Please explain:			
Not applicable.			
8.	Will the proposed development lie within coastal public property, the coastal protection zone, or coastal access land as defined in terms of the NEM: ICMA, 2008?	YES	NO
Please explain:			
Not applicable. The site is not located on the coast.			

SECTION J: PUBLIC PARTICIPATION

1. Exclusively for linear activities: Indicate the public participation process followed.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice to all potential interested and affected parties.

The project does not constitute a linear activity

1.	In terms of Regulation 41 of the EIA Regulations, 2014 (as amended) -			
(a)	fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i)	the site where the activity to which the application relates is or is to be undertaken; and	YES	EXEMPTION	
(ii)	any alternative site;	YES	EXEMPTION	
(b)	giving written notice, in any manner provided for in section 47D of the NEMA, to -			
(i)	the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	EXEMPTION	N/A
(ii)	owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	EXEMPTION	
(iii)	the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES	EXEMPTION	
(iv)	the municipality (Local and District Municipality) which has jurisdiction in the area;	YES	EXEMPTION	
(v)	any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	EXEMPTION	
(vi)	any other party as required by the Competent Authority;	YES	EXEMPTION	N/A
(c)	placing an advertisement in -			
(i)	one local newspaper; or	YES	EXEMPTION	
(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	EXEMPTION	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 district municipality in which it is or will be undertaken.	YES	EXEMPTION	N/A
(e)	using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to - (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	EXEMPTION	N/A
If you have indicated that "EXEMPTION" applies to any of the above, then the exemption notice must be attached as Appendix H.				
2.	The NEM: AQA requires that a notice must be placed in at least two newspapers.			
	If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	

2. Other developments: Indicated the Public Participation Process followed.

If should be noted that the Draft BAR has already undergone public review under an erroneously submitted environmental application to the DFFE during which time Regulation 41 of the EIA Regulations, 2014 (as amended) were met. All comments received during this public review period will be taken into account and responded to under this application.

1.	In terms of Regulation 41 of the EIA Regulations, 2014 (as amended) -			
(a)	fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i)	the site where the activity to which the application relates is or is to be undertaken; and <i>An signboard will be placed at the site entrance.</i>	YES	EXEMPTION	
(ii)	any alternative site. <i>Note that there are no alternative sites applicable to the proposal as the site houses asbestos which needs to be capped and closed.</i>	YES	EXEMPTION	
(b)	giving written notice, in any manner provided for in section 47D of the NEMA, to –			
(i)	the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; <i>Note that this is Not Applicable because there are no legal occupiers of the site, given that the applicant is the owner of the site and would need to obtain the WML for the closure of the site before being able to occupy it.</i>	YES	EXEMPTION	N/A
(ii)	owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; <i>A knock-and-drop exercise and email notification of the availability of this report will be undertaken.</i>	YES	EXEMPTION	
(iii)	the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area; <i>Email notification of the availability of the Draft BAR will be undertaken.</i>	YES	EXEMPTION	
(iv)	the municipality (Local and District Municipality) which has jurisdiction in the area; <i>Email notification of the availability of the Draft BAR will be undertaken.</i>	YES	EXEMPTION	
(v)	any organ of state having jurisdiction in respect of any aspect of the activity; and <i>Email notification of the availability of the Draft BAR will be undertaken.</i>	YES	EXEMPTION	
(vi)	any other party as required by the Competent Authority; <i>No additional parties have been raised by the Department as yet, however any further engagement recommended by them would be taken on-board.</i>	YES	EXEMPTION	N/A
(c)	placing an advertisement in -			
(i)	one local newspaper; or <i>An Advertisements will be placed in Die Tygerburger.</i> <i>Noting that adverts were also placed in Die Burger (a regional newspaper) and Die Tygerburger (a local newspaper), one of which was in English and the others in Afrikaans at the start of the first round of public review (for the WML application and the DFFE environmental application)</i>	YES	EXEMPTION	
(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	EXEMPTION	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 district municipality in which it is or will be undertaken.	YES	EXEMPTION	N/A
(e)	using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage. <i>No further methods have been required by the Department.</i>	YES	EXEMPTION	N/A
If you have indicated that "EXEMPTION" applies to any of the above, then the exemption notice must be attached as Appendix H				
2.	The NEM: AQA requires that a notice must be placed in at least two newspapers.			
If applicable, have/will an advertisement be placed in at least two newspapers?		YES	NO	

Note: Unless exemption has been granted from a particular requirement, the requirement must be met. If an application for exemption has been refused, the requirement in question must be met.

3. Public participation undertaken prior to the submission of this Application

3.1	Where public participation in terms of Regulations 40(3) and 41 was undertaken prior to submission of this Application Form, please provide a summary of the steps followed to date.
<p>1. Consideration of comments on previous application (2013) A previous Basic Assessment (BA) process for the site and closure thereof was undertaken in 2013, but the application lapsed, hence the need to re-initiate it through a new process (i.e. this Environmental Application and Basic Assessment process). Previous public engagement was undertaken during this process. The "new" BA process has addressed comments from Interested and Affected Parties (I&APs) (which include local residents, state departments, civic interest groups, etc.) received as part of the previous process undertaken in 2013. No outright objections to the proposal were received. A summary of how these issues have been dealt with is included in the draft Basic Assessment Report (BAR). There are also text boxes throughout the draft BAR which refer to how these previous issues have been addressed.</p> <p>2. Identification of I&APs A preliminary database of Interested and Affected Parties (I&APs) has been compiled based on the previous process undertaken for the site in 2013 and additional research was undertaken through a site visit which the EAP also noted surrounding business names, as well as some research thereon online for updated contact information of local businesses as well as ward councillors and other state departments and relevant contact officials/representatives. All parties as required in Regulation 41 (2) (b) of the EIA Regulations, 2014 (as amended) are included in the preliminary I&AP database. The I&AP database will be updated as comments are received from I&APs during the BA process.</p> <p>3. Public review of Draft BAR in terms of WML and DFFE environmental application (wrongly submitted) At the time of submission of this application, the Draft BAR had undergone public review in terms of the environmental application which was erroneously submitted to the DFFE as well as for the WML to be submitted to the DFFE.</p> <p>In this regard, notification of the draft BAR was distributed to the preliminary I&AP database via email to the I&APs which have email addresses (this includes state departments) and via regular post to those who do not on 25 January 2022. No hardcopies were delivered, as the documentation was made available for download from Chand's website. Notification of the availability of the draft BAR was also done through the following:</p> <ul style="list-style-type: none"> • Distribution of a notification letter to the preliminary I&AP database (which includes parties required in terms of Regulation 41 (2) (b) of the EIA Regulations, 2014 (as amended)) via email to those who have email addresses and regular post to those who only have postal addresses; • Placement of one notice board on the site where the proposed activities are to be undertaken on the site boundary (noting that contents and size adhered to requirements of Regulations 41 (3) and (4) of the EIA Regulations, 2014 (as amended)); • Written notification via a mail-out and email to occupiers/owners adjacent to the boundary of the site (noting that the Applicant is the landowner and there are no legal occupiers of the site) • Compilation and placement of an advertisement in Die Burger (a regional newspaper) and Die Tygerburger (a local newspaper), one of which was in English and the other in Afrikaans (noting that contents would adhere to requirements of Regulation 41 (3) of the EIA Regulations, 2014 (as amended)). <p>The 30-day comment period for the draft BAR commenced on 26 January 2022 and ended 25 February 2022. A further 30-days of commenting will be allowed for under this environmental application to the DEA&DP and a notification in this regard will be distributed to the I&AP database.</p> <p>All comments received during the first 30-month period under the DFFE application will be taken into account under the new application and these activities noted as pre-application PPP. All I&AP registrations received during this time will also be added to the I&AP database.</p>	

4. List of State departments/organs of State to be consulted

4.1	Provide a list of all the State departments/organs of State that will be/have been consulted, including the name and contact details of the relevant official.
<p>Department: Environment, Forest & Fisheries: Chemicals & Waste Management: Chief Directorate Mishelle Govender Email: migovender@environment.gov.za</p> <p>Department of Forestry, Fisheries and the Environment: Waste Management licensing Lucas Mahlangu Cell: 084 694 6115 Email: LMahlangu@dffe.gov.za</p> <p>Control Environmental Officer: Licensing Mrs. Linda Poll-Jonker Tel: (012) 399 9785 Cell: 072 126 6655 Email: lpolljonker@dffe.gov.za</p> <p>Department of Labor Bumani Maswanzanze</p>	

20 Charl Malan Street, 1st Floor, Middestad mall, Bellville, 7535
Tel: 0219412081
Email: bumani.maswanzance@labour.gov.za

Mingie Zibi
22 Parade Street, Thomas Boydell Building, Cape Town, 8000
Cell: 0826970693
Email: mingie.zibi@labour.gov.za

Department of Water & Sanitation

Nelisa Ndobeni
Email: ndobenin2@dws.gov.za

Department of Human Settlements

Head of Department
Phila Mayisela
Telephone: 021 483 2869
Email: Phila.Mayisela@westerncape.gov.za

Head of Communications
Nathan Adriaanse
Telephone: 021 483 2868
Fax: 021 483 4785
Email: Nathan.Adriaanse@westerncape.gov.za

Western Cape Department of Economic Development & Tourism

M Lakay Fourie
P.O. Box 979, Cape Town, 8000
Tel: 0214838688
Email: MLakay@pgwc.gov.za

Fayruz Dharsey
80 St George's Mall, Waldorf Building, 10th Floor, Cape Town, 8000
Tel: 021 483 5708
Fax: 0865650914
Email: fayruz.dharsey@westerncape.gov.za

Solly Fourie
Tel: 021 4834717
Email: ecohead@westerncape.gov.za

City of Cape Town Municipality: Environment and Heritage Management;

Morné Theron
Milnerton Municipal Offices
87 Pienaar Road,
Milnerton
Cell: 084 222 1410
Email: Morne.Theron@capetown.gov.za

City of Cape Town: Northern Sub Environmental Health: Head of Department

Reinhardt Avenant
Paradys Street, Brackenfell
Tel: 021980 1342
Fax: 0219801369
Cell: 084 222 1472
Email: Reinhardt.Avenant@capetown.gov.za

Department of Community Safety

Dr Gilbert Lawrence
35 Wale street, Cape Town, 8000
Tel: 0214838688
Email: Hod.Comsafe@pgwc.gov.za

Cape Nature

Alana Duffell - Canham
Cell: 082 727 2691
Email: aduffell-canham@capenature.co.za

Department of Environment, Forestry and Fisheries: Rectification

Varsha Naidoo
473 Steve Biko Road, Pretoria, 0002

Email: VNaidoo@environment.gov.za

Mr. C. Fredericks
473 Steve Biko Road, Pretoria, 0002
Email: CFredericks@environment.gov.za

DEA&DP: Pollution and Chemicals Management

Mr. Simon Botha
2nd Floor, Property Centre, 1 Dorp Street, Cape Town
Tel: 021 4830752
Email: Simon.Botha@westerncape.gov.za

DEA&DP: Waste Management

Etienne Roux
6th Floor, Property Centre, 3 Dorp Street, Cape Town, 8001
Tel: 021 483 8378
Email: Etienne.Roux@westerncape.co.za

Department of Environmental Affairs and Development Planning: Air Quality

Joy Learner
Private Bag, X9086, Cape Town, 8000
Tel: '(021) 483 2798
Email: Joy.Learner@westerncape.gov.za

Department of Environmental Affairs and Development Planning: Biodiversity

Marlene Laros
Email: Marlene.Laros@westerncape.gov.za

Department of Environmental Affairs and Development Planning: Development Planning

Pieter Van Zyl
8th Floor, Room 8-07, 1 Dorp Street, Cape Town, 8000
Tel: 021 483 4091
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DEA&DP Waste Management, Department of Environmental Affairs and Development Planning, Western Cape Government

Eddie Hanekom
5th Floor, Property Centre, 3 Dorp Street, Cape Town, 8001
Tel: 021 483 2728
Email: eddie.hanekom@westerncape.gov.za

Lance McBain – Charles
6 floor Property Centre, 3 Dorp Street, Cape Town, 8001
Tel: 021 483 2747
Fax: 021 483 4425
Cell: 073 185 9981
Email: Lance.McBain-Charles@westerncape.gov.za

Heritage Western Cape

Waseefah Dhansay
3rd Floor, Protea Assurance Building, Green Market Square, Cape Town, 8001
Tel: 021-483 9533
Email: Waseefa.Dhansay@westerncape.gov.za

Stephanie Barnardt
3rd Floor, Protea Assurance Building, Green Market Square, Cape Town, 8001
Email: Stephanie.Barnardt@westerncape.gov.za

National Department of Forestry, Fisheries and Environment (DFFE): Biodiversity and Conservation

Darryl Colenbrander
Tel: 021 487 2355
Email: Darryl.Colenbrander@capetown.gov.za

National Department of Transport and Public Works

Dru Martheze
P O Box 2603, Cape Town, 8000
Tel: 021 483 2177
Email: nmarthez@pgwc.gov.za

Department of Agriculture, Land Reform and Rural Development

Mary James

Note: In terms of section 24O(3) of NEMA and Regulation 7(2) of the NEMA EIA Regulations, the Competent Authority must consult with every State Department/Organ of State that administers a law relating to a matter affecting the environment relevant to an application for an Environmental Authorisation when such Competent Authority considers the application, and unless agreement to the contrary has been reached, the EAP will be responsible for such consultation on behalf of the Competent Authority. A State Department/Organ of State consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the EAP's request for comment, submit such comment in writing to the EAP, unless otherwise stated by the Competent Authority.

SECTION K: GENERAL REQUIREMENTS

1.1. Locality Map

A locality map must be attached to the Application Form, as Appendix L. 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 include the following:

- an accurate indication of the project site position as well as the positions of the alternative sites, if any;
- road names or numbers of all the major roads as well as the roads that provide access to the site(s)
- a north arrow;
- a legend;
- the prevailing wind direction; and
- GPS co-ordinates (Indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)

1.2. Project Plan

A project schedule must be submitted as Appendix K, and must include milestones for:

- public participation (dates for advertisements, workshops and other meetings, obtaining comment from organs of state including state departments);
- the commencement of parallel application processes required in terms of other statutes (WULA, Heritage and any other Department) and where relevant, the alignment of these application processes with the EIA process;
- the submission of the key documents (e.g. Basic Assessment Report, Scoping Reports, EIA Reports and Environmental Management Programmes).

Note: All the above dates must take into account the statutory timeframes applicable to the Applicant and EAP, as well as the timeframes applicable in terms of authority responses as prescribed in the NEMA EIA Regulations. Possible appeals may impact on project timeframes/milestones.

SECTION L: DECLARATIONS

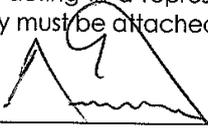
DECLARATION OF THE APPLICANT

Note: Duplicate this section where there is more than one Applicant.

I, Puete S. M. M., ID number 7907125019082 in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, and any relevant Specific Environmental Management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA;
- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I appointed the Environmental Assessment Practitioner ("EAP") (if not exempted from this requirement) which:
 - meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
 - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the NEMA EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the NEMA EIA Regulations;
- I will provide the EAP and any specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;
- I will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
 - costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
 - Legitimate costs in respect of specialist(s) reviews; and
 - the provision of security to ensure compliance with applicable management and mitigation measures;
- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority, hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which I or the EAP is responsible in terms of the NEMA EIA Regulations and any Specific Environmental Management Act.

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


Signature of the Applicant:

16/06/2022
Date:

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I [Claudette Muller](#), EAPASA Registration number pending as the appointed EAP hereby declare/affirm the correctness of the information provided or to be provided as part of this application, and that:

- in terms of the general requirement to be independent:
 - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
 - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review EAP must be submitted);
- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- I have disclosed/will disclose, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all 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 prepared or to be prepared as part of this application;
- I have ensured/will ensure that information containing all relevant facts in respect of the application was/will be distributed or was/will be made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;
- I have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded, responded to and submitted to the Competent Authority in respect of this application;
- I have ensured/will ensure the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;
- I have kept/will keep a register of all interested and affected parties that participated in the public participation process;
- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations;



14 June 2022

Signature of the EAP:

Date:

[Chand Environmental Consultants](#)

Name of company (if applicable):

APPENDIX A: REQUEST FOR A SPECIFIC FEE REFERENCE NUMBER

Please attach proof of payment of the applicable administrative fee to the Application Form.

A: Applicant's details:

Name: Duro Brick Company (Pty) Ltd ID Number: 7907125019082
 Residential Address: Unit 4 Muscadel House, Brandwacht Office Park, Trumall Street, Stellenbosch
 Postal Address: The Pylon, 134 King Edward Road, Parow
 Telephone no.: 083 700 4294 Cellular no.: 083 700 4294
 Facsimile no.: Not Applicable Email address: pleten@hanacron.co.za

Note: Please duplicate where there is more than one Applicant.

B: EAP's details:

Name: Claudette Muller
 EAPASA Registration No: EAPASA registration underway
 Company Name: Chand Environmental Consultants cc
 Postal Address: PO Box 238, Plumstead, 7801
 Telephone no.: (021) 762 3050 Cellular no.: Not Applicable
 Facsimile no.: 086 665 7430 Email address: Claudette@chand.co.za

C: Provide a brief description of the proposed project:
APPLICATION FOR A WASTE MANAGEMENT LICENSE TO DECOMMISSION THE EVERITE ASBESTOS SITE, ERF 18354, BRACKENFELL

D: Indicate the process to which the application must be subjected:

The applicable listed activities to be applied for are (list the respective activity numbers):

Basic Assessment:	Activity Number	Scoping & EIR:	Activity Number
Listing Notice 1	31	Listing Notice 2	Not Applicable
Listing Notice 3	12		

E: Application Fee:

Indicate the fee to be paid:

Application Fee	R2 000
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Note: The Department will confirm the amount to be paid. A fee of **R2 000** is applicable to an application which must be subjected to Basic Assessment and a fee of **R10 000** is applicable to an application which must be subjected to Scoping and Environmental Impact Reporting.

F: Departmental region within which the application will be administered (tick the relevant box):

CAPE TOWN OFFICE: REGION 1 and REGION 2 (City of Cape Town, West Coast, Cape Winelands District & Overberg District) Fax: (021) 483 4372	✓	0000000000 0000000000 (Central Coast District & Eden District) 0000000000	
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I, Claudette Muller (Applicant's EAP's full name), herewith request the Department to provide me with a Specific Fee Reference Number in order that I may make payment of the application fee. I am fully aware of my responsibility to ensure that the correct fee is paid and that proof of such payment must be attached to my Application Form. I further confirm that the information I have provided herein is true and correct.

Cheryl Wylie-Adams

Applicant's/EAP's signature

22 February 2022

Date

(For official use only)

Captured by: Cheryl Wylie-Adams Date received: 22 February 2022 Date captured: 22 February 2022

EIA Process (tick) Basic Assessment (R2 000) Scoping and EIR (R10 000)

Amount to be paid: R2000.00 Specific Fee Reference Number: W-BA-EIA-i8

Process and amount approved by Control EO: Taryn Dreyer

Taryn Dreyer

Digitally signed by Taryn Dreyer
Date: 2022.02.22 14:33:08
+0200

Name

Signature

THIS FORM MUST BE FAXED TO THE RELEVANT REGION REFLECTED IN THE DEPARTMENTAL DETAILS ABOVE. THE APPLICATION FEE MUST BE MADE INTO THE DEPARTMENTAL BANKING ACCOUNT USING THE SPECIFIC FEE REFERENCE NUMBER.

APPENDIX B: LANDOWNER CONSENT FORM (Not applicable where applicant is the landowner)

NOT APPLICABLE

to undertake the following activity(ies) on the land (*insert a brief description of the project and identified activity(ies) in question that will be applied for*):

Signature of land owner/person in control of the land/authorised representative

Date:

Note: If you are an authorised person, a certified copy of the resolution or power of attorney must be attached.

LIST OF APPENDICES

- Appendix A:** Specific fee reference number
- Appendix B:** Landowner consent - **Not Applicable as Applicant is landowner**
- Appendix C:** Proof of the fact that it is a community project and/or funded by a government department - **Not Applicable as Applicant is landowner**
- Appendix D:** Proof of payment of the application fee
- Appendix E:** Screening Tool Report & Site Sensitivity Verification Report
- Appendix F:** Notice of Intent to Development from Heritage Western Cape & HWC Response
- Appendix G:** Proof of application to the Department of Water and Sanitation - **Confirmation that no application required attached**
- Appendix H:** Exemption Notice(s) – **Not Applicable**
- Appendix I:** Proof of zoning of the properties to be developed
- Appendix J:** Existing Approvals
- Appendix K:** Project Plan
- Appendix L:** Locality Map
- Appendix M:** Capping Strategy
- Appendix N:** Specialist Reports
- a. Geotechnical Report
 - b. Botanical Impact Assessment
- Appendix O:** Service Capacity Letters for water use, refuse, electricity, potable water, and sewer
- Appendix P:** Site Development Plan

APPENDIX A

Specific fee reference number

APPENDIX A: REQUEST FOR A SPECIFIC FEE REFERENCE NUMBER

Please attach proof of payment of the applicable administrative fee to the Application Form.

A: Applicant's details:

Name: [Duro Brick Company \(Pty\) Ltd](#) ID Number: [7907125019082](#)
 Residential Address: [Unit 4 Muscadell House, Brandwacht Office Park, Trumali Street, Stellenbosch](#)
 Postal Address: [The Picton, 134 King Edward Road, Parow](#)
 Telephone no.: [083 700 4294](#) Cellular no.: [083 700 4294](#)
 Facsimile no.: [Not Applicable](#) Email address: pieter@hanocron.co.za

Note: Please duplicate where there is more than one Applicant:

B: EAP's details:

Name: [Claudette Muller](#)
 EAPASA Registration No: [EAPASA registration underway](#)
 Company Name: [Chand Environmental Consultants cc](#)
 Postal Address: [PO Box 238, Plumstead, 7801](#)
 Telephone no.: [\(021\) 762 3050](#) Cellular no.: [Not Applicable](#)
 Facsimile no.: [086 665 7430](#) Email address: Claudette@chand.co.za

C: Provide a brief description of the proposed project:

APPLICATION FOR A WASTE MANAGEMENT LICENSE TO DECOMMISSION THE EVERITE ASBESTOS SITE, ERF 18354, BRACKENFELL

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CAPE TOWN OFFICE: REGION 1 and REGION 2 (City of Cape Town, West Coast, Cape Winelands District & Overberg District) Fax: (021) 483 4372	✓	GEORGE OFFICE: REGION 3 (Central Karoo District & Eden District) Fax: (044) 805-8650	
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