



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

SPATIAL PLANNING AND ENVIRONMENT DIRECTORATE  
ENVIRONMENTAL MANAGEMENT DEPARTMENT

**Morné Theron**

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14 August 2023

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**Attention: Mr Peter Harmse**

Email: [info@ecos-consulting.co.za](mailto:info@ecos-consulting.co.za)

Tel: 068 163 6729

Dear Sir

**PORTION 16 OF CAPE FARM 20, LOCATED OFF THE R304, ATLANTIS: PROPOSED SHOPPING CENTRE –  
BACKGROUND INFORMATION DOCUMENT  
(DEA&DP REFERENCE: TO BE CONFIRMED)**

The Background Information Document (BID), dated July 2023, submitted under your e-mail, dated 12 July 2023, pertaining to the abovementioned project, refers.

Be advised that the Environmental Management Department (EMD) is the duly mandated City of Cape Town department that provides co-ordinated City comment on NEMA EIA applications on behalf of the City. As such kindly register the City's EMD district branch as an interested and affected party.

All NEMA EIA related documents pertaining to the Portion 16 of Cape Farm 20 (hereafter '*the subject property*') must be submitted to the EMD district branch (For Attention: Ms Sonja Warnich-Stemmet; e-mail: [Sonja.warnich-stemmet@capetown.gov.za](mailto:Sonja.warnich-stemmet@capetown.gov.za)).

The following comment is provided from the relevant City of Cape Town Departments based on the information provided in the BID:

**1. Spatial Planning and Environment Directorate: Metropolitan Spatial Planning and Growth Management & Urban Planning and Design Department**

Introduction

- 1.1 While the Background Information Document (BID) serves as notification that a Basic Assessment will be undertaken, the Metropolitan Spatial Planning & Growth Management (MSP&GM) branch is in a position to provide comment at the early stage of this process on the proposal in context of the City's 2023 approved spatial development frameworks. The spatial development frameworks in question are the Municipal Spatial Development Framework (MSDF) and the Blaauwberg District Plan.
- 1.2 Before providing a high level assessment of the proposal in terms of the aforementioned spatial frameworks, it is important to note that previous comment/communication has been provided in the possible development of the subject property. It has been

commented/communicated that the subject property is located within the Discouraged Growth Area (DGA) and further identified as 'Areas of Agricultural Significance' (Refer to the attached Appendix A: Previous comment from MSP and DSP Klein Dassenberg 20210217 in this regard).

- 1.3 These principles remain as part of the 2023 approved spatial frameworks.





**Locality and development proposal of ±7974m<sup>2</sup> comprising of line shops, parking, and associated infrastructure.**

Urban Development and Coastal Edge Report for the 2019 – 2022 Review Period

- 1.4 In June 2022, as part of the consultation processes of the MSDf and DSDf, a position was proposed on the review of the Urban Development Edge (UDE) including the Coastal Edge (CE). During this process, the City's spatial planning technical team had engaged with applicants (i.e. residents, landowners and their consultants) requesting for their properties to be within the UDE. Subsequent to engaging with the applicants on their responses/suggestions received, the outcome of discussions held with the Western Cape Government Department of Agriculture, who are the owners of the 'Areas of Agricultural Significance' spatial layer, remained resolute on their position in respect of protection of the agricultural landscape.

Every land parcel identified as 'Areas of Agricultural Significance' has been incorporated in Map 5c and 5d of the MSDf as well as in each of the 8 DSDf maps – Referencing Blaauwberg District Plan in this case. The below extract from the UDE/CE Report articulates the position taken with regards to the area where suggestions have been received to include within the UDE.

District B – Blaauwberg District			
Area (Name)	Arguments, Comments and Responses	MSDF Map 5d (2018)	MSDF Map 5d (2022)
<b>Denne-Dreef Farm 20 – Portions 67, 18 and 24 (Atlantis)</b>  No Map reference as no proactive UDE adjustment recommended  Enquiries/ Requests from Land Owners, Consultants or other Entities as Proactive Adjustment is not recommended by the MSDF & DSD Technical Team	<b>Comment:</b> The owners of the turquoise marked land parcels requested for it to be included into the UDE of Atlantis so that economic development can be made possible to the area of Atlantis and surrounds.  <b>Response:</b> This area falls within the Areas of Agricultural Significance. The Western Cape Department of Agriculture (WCDoA) is in agreement that this should remain agriculture. Mixed use vacant land was included in the UDE to the south of Wilsand, in the 2012 DSD and was reconfirmed in the 2020 MSDF and DSD.		

While the subject property may not have been engaged with explicitly in the UDE/CE report as shown above, this portion has been previously commented as part of the 2009 Atlantis Village proposal. At the time also proposed as a retail centre.

### Municipal Spatial Development Framework, 2023

- 1.5 Based on the spatial characteristics impacting the subject property, the proposal outlined in the BID which is urban in nature (retail) is currently not consistent with the 2023 approved MSDF. Portion 16 of Farm 20 is located within a Spatial Transformation Area (STA) termed the Discouraged Growth Area (DGA) and portion 16 is further identified as 'Areas of Agricultural Significance'.
- 1.6 Table 4.3 of the MSDF provides the spatial rationale, principles, informants and guidelines with regards to development in each of the STAs. Furthermore, Table 5.1 (*Policy guidelines*) and Table 5.4 (*Development directives*), respectively provides environmental considerations, risk and social factors that are likely to impact on the development potential of sites, and may trigger additional legislative processes which should be carefully considered as part of the EIA process. It should also be noted that any reasoning provided that makes reference to soils with low agricultural potential or the viability thereof is not sufficient reason to consider allocating urban development rights within *Areas of Agricultural Significance*. Therefore, it is recommended that any agricultural specialist reports that is undertaken be presented to the Western Cape Department of Agriculture (WCDoA).
- 1.7 The location of Portion 16 of Farm 20 together with its proposal triggers 3 of the 7 MSDF's key maps, namely Map 5C: *Areas of Agricultural Significance*, Map 5D: *Consolidated Spatial Plan* and Map 5F: *Heritage Conservation Areas and Cultural Landscapes* as shown on the attached Annexure A.

### Blaauwberg District Plan, 2023

- 1.8 In terms of the more detailed scale of planning flowing from the MSDF, portion 16 of Farm 20 is located within the Klein Dassenberg Area as illustrated in the 2023 approved Blaauwberg District Plan (BDP). The relevant sub-district guidelines are applicable to Portion 16 of Farm 20:
  - 1.8.1 Protect and enhance the rural character:
    - Protect scenic resources and aesthetic character (rural and agricultural) of the area through rural landscape management.
    - The R304 scenic route and historic blue gum tree lane should be protected.

1.8.2 Promote and encourage maintenance of the economic value of agricultural land to ensure sustainable and continued agricultural production and utilisation of land parcels:

- Protect agricultural potential of land through maintaining minimum farm sizes in line with provincial guidelines and retaining agriculture as the primary zoning and land use.
- In terms of the Municipal Planning By-law 2015, no new subdivision or any remainder that is zoned and intended to remain zoned agriculture will be less than 20 ha if no overlay zone exists.

Spatial Planning Conclusion

1.9 As an early comment into this process, in addition to previous comments already provided (refer to Appendix A), the following should be noted as the EIA progresses:

- 1.9.1 The proposed land use (Retail) is currently inconsistent with both the 2023 approved MSDF and relevant DSDF.
- 1.9.2 Any agricultural study which is planned to be undertaken as an informant to the EIA process should be communicated and discussed further with the Western Cape Department of Agriculture (WCDoA) who are owners of the *Areas of Agricultural Areas* spatial layer.

**2. Spatial Planning and Environment Directorate: Development Management Department**

- 2.1 The subject site is zoned Agricultural. Be advised that a shopping centre is not a permitted land use within the Agricultural zone. In the event of the land owner pursuing this proposed retail development a rezoning application in terms of the Municipal Planning By-law will be required.
- 2.2 In light of the abovementioned input from the Metropolitan Spatial Planning and Growth Management Department a deviation from the Municipal Spatial Development Framework may be warranted.

**3. Spatial Planning and Environment Directorate: Environmental Management Department - Environmental and Heritage Management Branch**

- 3.1 The subject site is not selected on the City of Cape Town biodiversity network map for conservation requirements.
- 3.2 The subject property is situated between the 5 – 16km Urgent Protective Action Planning Zone (UPZ) boundary of the Koeberg Nuclear Power Station (KNPS). The Disaster Risk Management Centre (DRMC) is the custodian (on behalf of the City of Cape Town) for the execution of the Koeberg Nuclear Power Station Radiological Release Hazard Disaster Risk Management Plan (RRR). The DRMC is tasked with the responsibility of ensuring that the public safety arrangements are in place in the case of a nuclear emergency and that individual citizens are not endangered with particular emphasis on the population residing in the UPZ of the 0 – 16km area from the KNPS.
- 3.3 Procedure 7.2.38 (revision 2), dated 16/10/2015 of the City of Cape Town: Koeberg Nuclear Power Station Radiological Release Hazard Disaster Risk Management Plan (RRR) stipulates that the Traffic Evacuation Model (TEM) Testing Protocol shall be processed 'once the City's Department of Development Management received an application for land use changes or the Environmental Management Department (EMD) receives any documentation relating to the National Environmental Management Act'.

As such, the attached TEM form must be completed and attached to the draft BAR in order to test whether the increased population as a result of the proposed mining activity can be evacuated within 16 hours.

- 3.4 The BID states that a Heritage Impact Assessment (HIA) is identified as a specialist study to be undertaken during the Basic Assessment process. Section 38 of the National Heritage Resources Act, no 25 of 1999 (NHRA) is applicable and a Notification of Intent to Develop (NID) submission to Heritage Western Cape (HWC) is required in this regard.
- 3.5 The historic blue gum lane along the R304 has been identified as a grade 3B heritage resource in the cultural landscape with the following statement of significance: Remains of the old road to Mamre, originally being part of the 18<sup>th</sup> century informal road network linking the settlement of Cape Town to the outposts in the interior.

#### **4. Water & Sanitation Department: Water Demand Management Branch**

The Water Demand Management Branch provided the following comment pertaining to water and sanitation infrastructure capacity.

##### **4.1 Water Reticulation:**

There are no water reticulation or bulk water mains affected by this proposed development. There is no existing water reticulation mains servicing the proposed development.

See Figure 1 attached as Annexure B for water reticulation system.

##### **4.2 Sewer Reticulation:**

There are no sewer reticulation mains affected by this proposed development. There is no existing sewer reticulation mains servicing the proposed development.

See Figure 1 attached as Annexure B for sewer reticulation system

##### **4.3 Bulk Water:**

There is no Bulk Water infrastructure in the vicinity of the proposed project area. The City's Bulk Water Branch will need to provide feedback pertaining to the actual permission to abstract the ground water.

##### **4.4 Wastewater Treatment Works:**

The proposed development falls within catchment of Wesfleur Industrial Wastewater Treatment Works.

##### **4.5 Water Demand Management Branch's Conclusion:**

A capacity analysis must be performed as there is limited water and sewer infrastructure in the vicinity. A request may be submitted to [water.info@capetown.co.za](mailto:water.info@capetown.co.za).

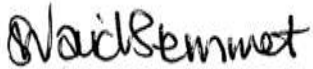
It is advisable that this capacity analysis is done prior to the draft BAR being released in order to attach the result to the draft BAR.

#### **Disclaimer**

1. **Information provided is based on the best available data**

The above comments from the City of Cape Town internal departments must be addressed in the draft Basic Assessment Report and the Comments and Response Report, and a copy provided to the City for comment.

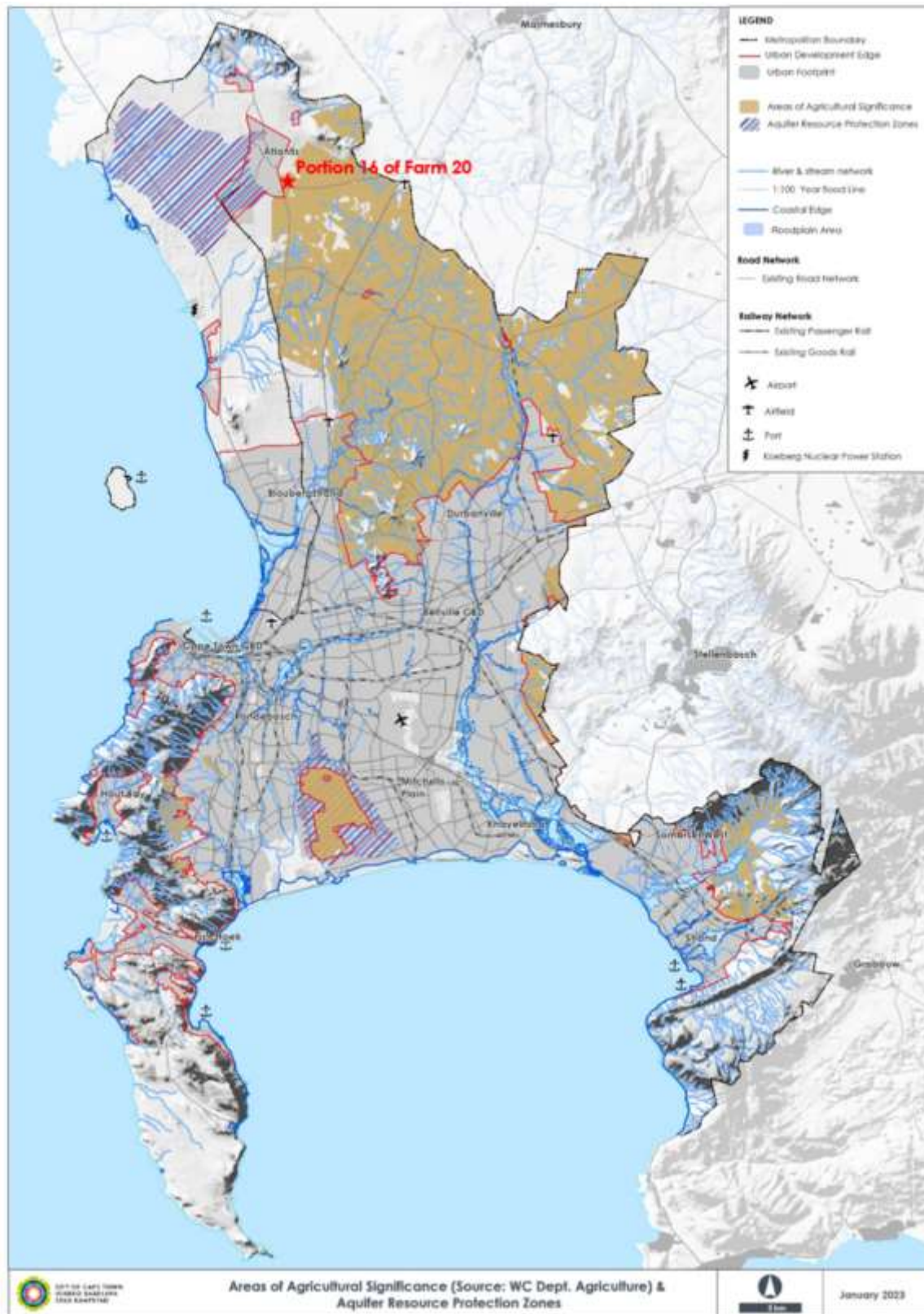
Yours sincerely



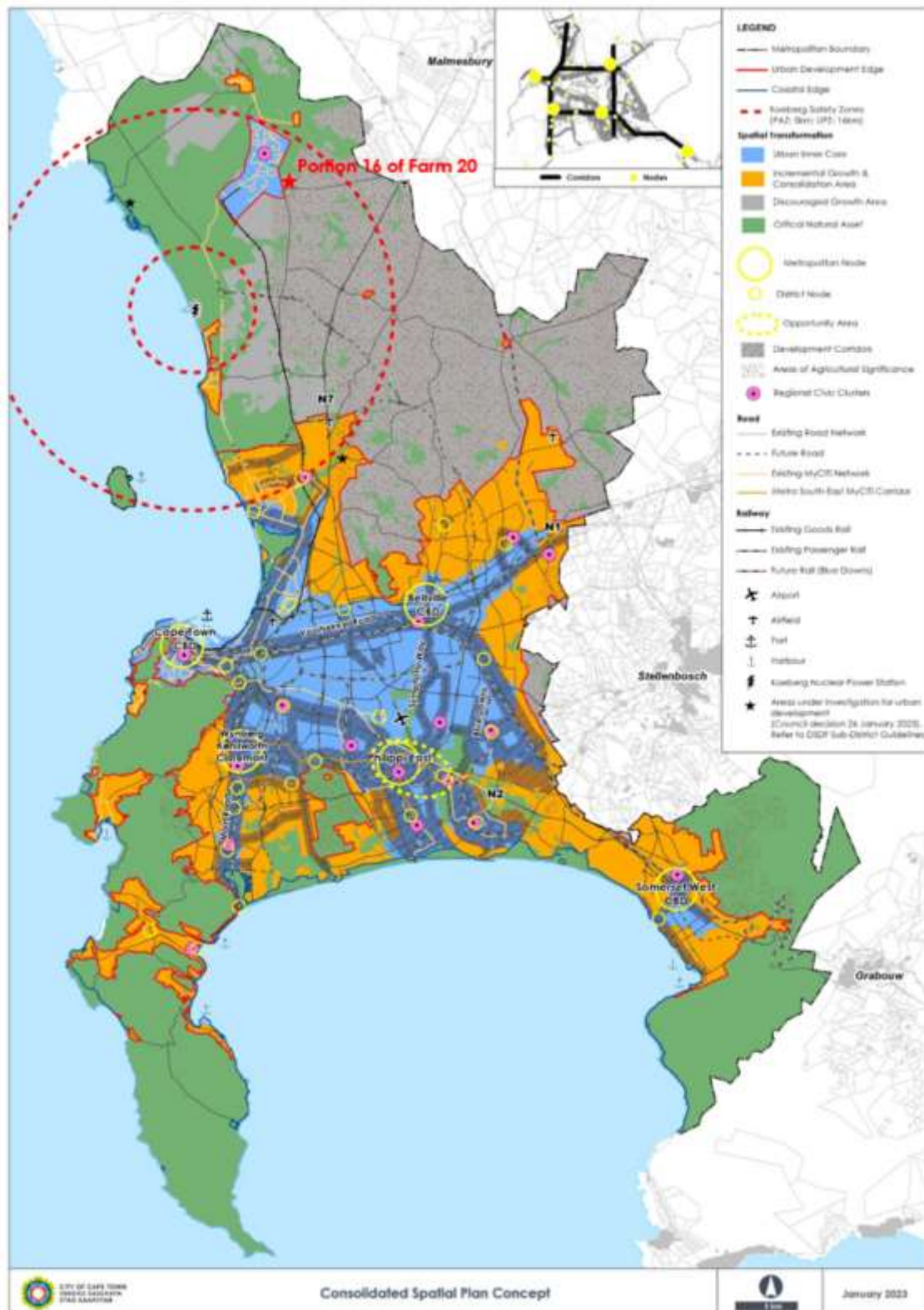
**Sonja Warnich-Stemmet**

**Head: Environmental and Heritage Management Branch-Northern Region**  
**Environmental Management Department**



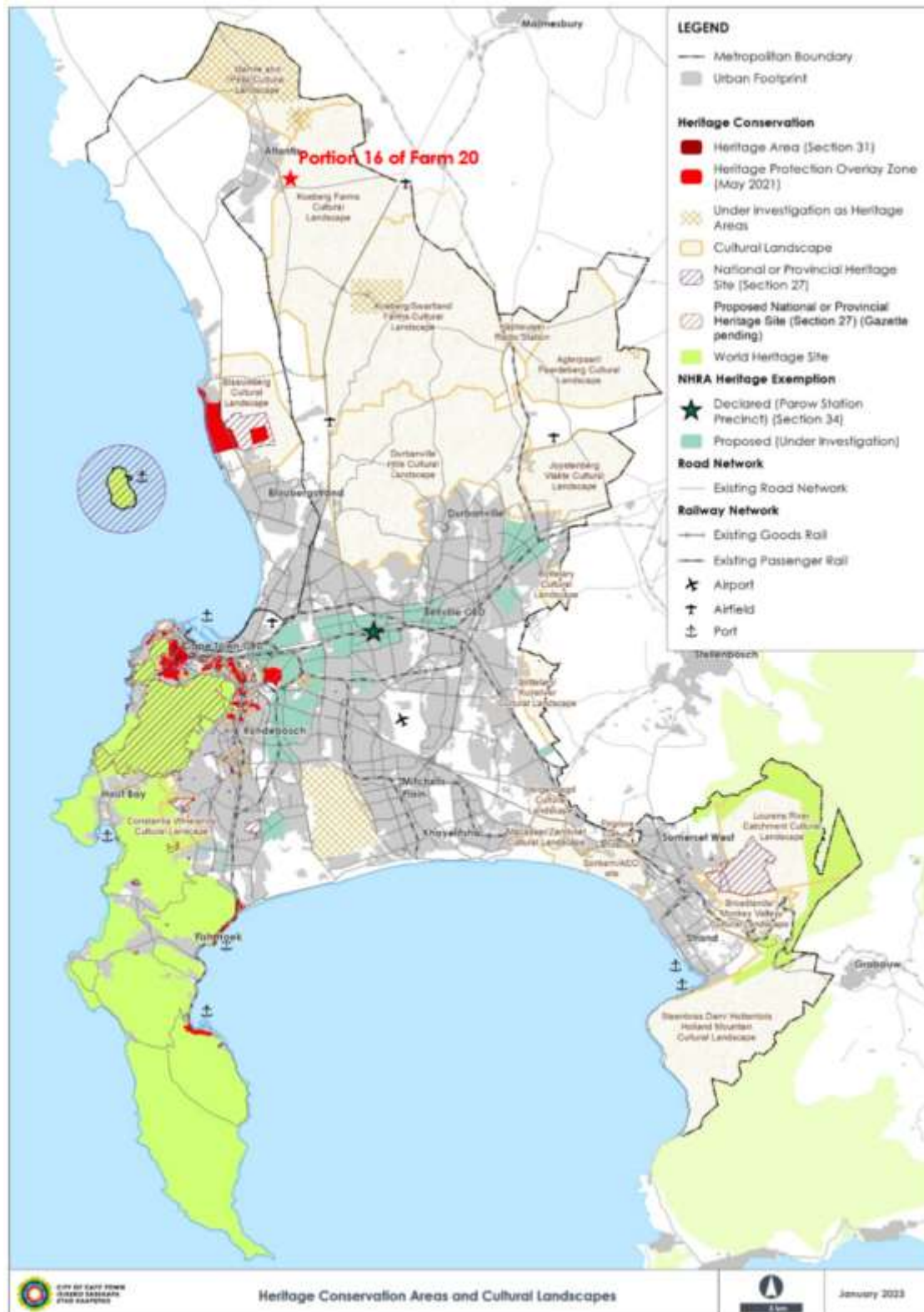


**Map 5c: Areas of Agricultural Significance**

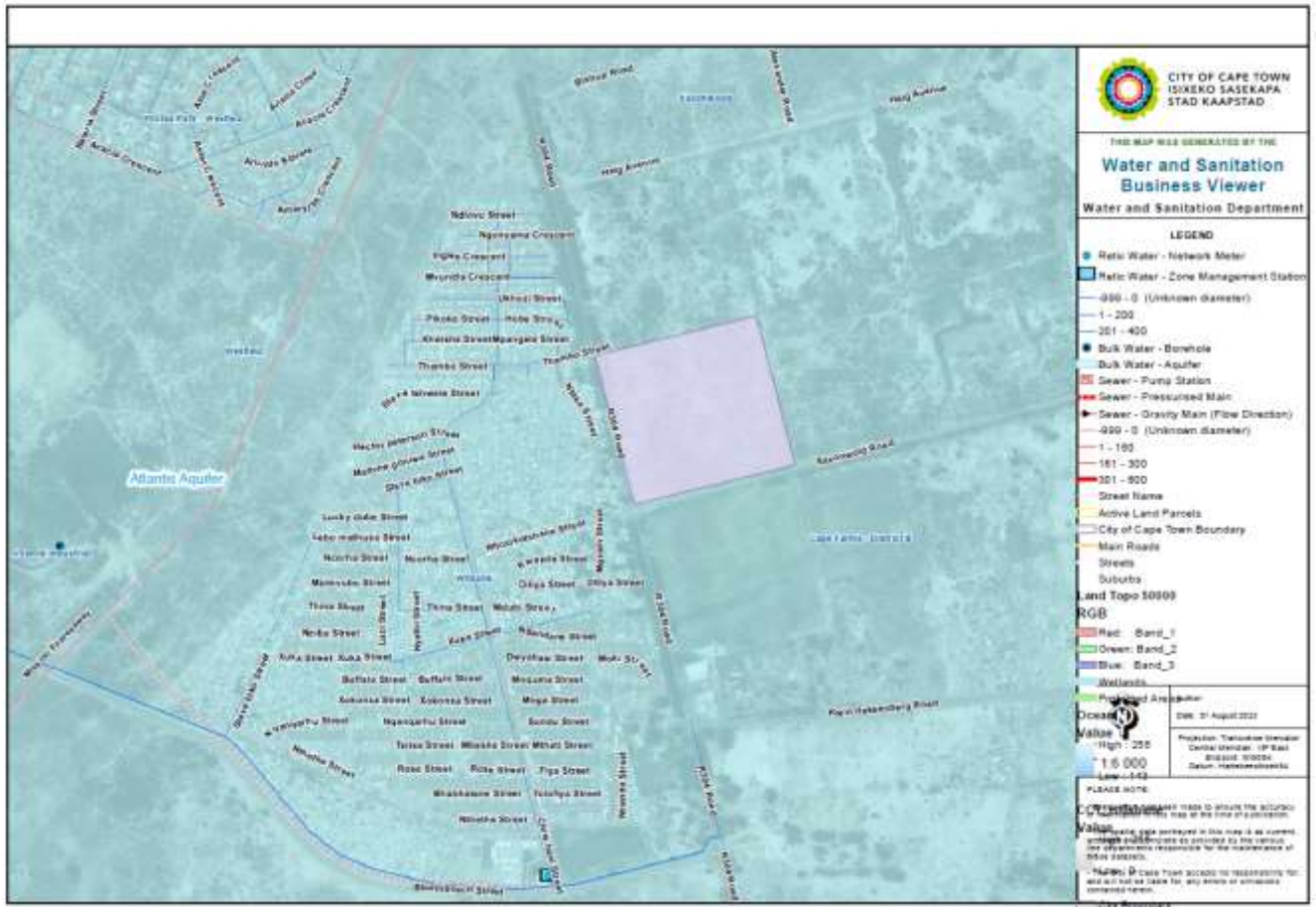


**Map 5d: Consolidated Spatial Plan**



**ANNEXURE A**

**Map 5f: Heritage Conservation Areas and Cultural Landscapes**

**ANNEXURE B****Water and Sewer reticulation system**