



DOUG JEFFERY ENVIRONMENTAL CONSULTANTS (PTY) LTD

High Acres Farm, Simondium Road, Klapmuts

PO Box 44

Klapmuts, 7625

www.dougjeff.co.za

Tel: 021 875 5272

Fax: 086 660 2635

Cell: 083 269 0496

Email: doug@dougjeff.co.za

THE PROPOSED AD HOC DEVELOPMENT SETBACK LINE ON ERF 25,
SMITSWINKEL BAY, CAPE TOWN

CHECKLIST FOR THE DEFINITION/ADOPTION OF AN AD HOC DEVELOPMENT SETBACK LINE

In terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended, and the Environmental Impact Assessment Regulations, 2014 (as amended)



14 August 2020

Prepared for:
Smitswinkelbaai (Pty) Ltd

Prepared by:
Doug Jeffery Environmental Consultants (Pty) Ltd.

DJEC Ref: 2020/18



**Western Cape
Government**

Environmental Affairs and
Development Planning

FORM NO. S10/2019

CHECKLIST FOR THE DEFINITION/ADOPTION OF AN AD HOC DEVELOPMENT SETBACK LINE

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

NOVEMBER 2019

(For official use only)	
Setback Line 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).

PROPOSED AD HOC DEVELOPMENT SETBACK LINE ON
ERF 25, SMITSWINKEL BAY, CAPE TOWN

IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THIS CHECKLIST

1. Purpose

The purpose of this checklist is to provide baseline information for the determination of an *ad hoc* development setback line.

2. General

2.1 The Environmental Impact Assessment Regulations ("EIA") is defined in Chapter 5 of the National Environmental Management Act ("NEMA"), hereinafter referred to as the "NEMA EIA Regulations".

2.2 The required information must be typed within the spaces provided in the checklist. 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 Unless protected by law, all information contained in, and attached to this checklist, will become public information. Upon request, the proponent must provide any interested and affected party with the information contained in or submitted with this checklist.

2.4 No faxed or e-mailed checklists will be accepted.

2.5 The quality, correctness and detail of information submitted by you is extremely important and it remains your responsibility to interrogate the specifics of your proposed development in order to report on the potential listed activities in this checklist.

2.6 This checklist is a guide to the information that must be submitted. Any additional information, pictorial evidence or explanations prompted by the checklist must be submitted along with this checklist in order to ensure that the Competent Authority does not need to request additional information from you. Incomplete checklists will result in a request for additional information.

2.7 It is an offence in terms of Section 24F of the NEMA to provide incorrect or misleading information to the Competent Authority.

2.8 Any proposed development must always be designed in a water wise and conscious manner. Climate change considerations must always be taken into account with respect to any development proposal.

2.9 Section 28(1) of the NEMA must always be taken into account which deals with the Duty of Care and the remediation of environmental damage.

2.10 This checklist is current as of November 2019. It is the responsibility of the Proponent / Environmental Assessment Practitioner ("EAP") to ascertain whether subsequent versions of this checklist have been released by the Competent Authority.

2.11 This checklist must be duly dated and originally signed by the Proponent and/or EAP (if applicable) and must be submitted to the Department at the details provided below.

3. Administrative requirements

This checklist must be used to request the Competent Authority to define/adopt an *ad hoc* development setback line in terms of the NEMA EIA Regulations.

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 Checklist.
- 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 Tool Report. The Screening Tool Report must be attached to this checklist as Appendix A.

5. Setback Line Information

- 5.1 An *ad hoc* development setback line is defined/adopted in terms of the NEMA EIA Regulations and only relates to the relevant listed activities triggered by the proposed development where this Department is the competent authority.
- 5.2 An *ad hoc* development setback line is not defined/adopted in terms of the National Environmental Management Act: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA") / National Water Act, 1998 (Act No. 36 of 1998) or any other legislation, and notwithstanding the location of the *ad hoc* development setback line, any other statutory requirements that may be applicable to the undertaking of the development must be adhered to. The requirements of all relevant legislation must be met.
- 5.3 An *ad hoc* development setback line that may be defined/adopted does not imply that the area inland of the line will not be exposed to risks arising from dynamic processes, including the risk of flooding or erosion.

6. Minimum Public Participation Process Requirements

- 6.1. A public participation process must be undertaken as part of the setback line definition/adoption request. As a minimum you will be required to:
- 6.2. inform the surrounding neighbors and your local authority of your intentions (these interested and affected parties will be regarded as registered interested and affected parties).
- 6.3. allow a minimum of 30 days as a commenting period for these interested and affected parties;
- 6.4. obtain written comment from all relevant Organs of State and the Local Authority; and
- 6.5. respond to comments received and the proof of the public participation including all comments received and responses provided thereto must be submitted to the Competent Authority.

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)
The Application must be sent to the following details: Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 1) Private Bag X 9086 Cape Town, 8000 Registry Office 1 st Floor Utilitas Building 1 Dorp Street, Cape Town Queries should be directed to the Directorate: Development Management (Region 1 and 2) at: Tel: (021) 483-5829 Fax (021) 483-4372	The Application must be sent to the following details: Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530 Registry Office 4 th Floor, York Park Building 93 York Street George Queries should be directed to the Directorate: Development Management (Region 3) at: Tel: (044) 805-8600 Fax (044) 805 8650

GENERAL REQUIREMENTS

1.1. Locality Map

A locality map must be attached to the Application Form, as Appendix B. 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 the 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)

APPENDICES

The following appendices must be attached to this Application Form:


APPENDIX		Confirm that Appendix is attached
Appendix A:	Screening Tool Report	✓
Appendix B:	Maps	✓
Appendix C:	Existing Approvals	N/A
Appendix D:	Existing ad hoc setback lines	N/A
Appendix E:	Existing Directives	N/A
Appendix F:	Zoning of properties	✓
Appendix G1:	Existing site development Plan	✓
Appendix G2:	New site development Plan	✓
Appendix H:	Town Planning Report	✓
Appendix I:	Coastal Urban Edge	✓

SECTION A: ADMINISTRATIVE DETAILS

Highlight the Departmental Region in which the intended application will fall	CAPE TOWN OFFICE		GEORGE OFFICE
	REGION 1 (City of Cape Town, West Coast District)	REGION 2 (Cape Winelands District & Overberg District)	REGION 3 (Central Karoo District & Garden Route District)
1. Duplicate this section where there is more than one Proponent. Name of proponent: RSA Identity/ Passport Number: Name of contact person for proponent (if other): RSA Identity/ Passport Number: Company/ Trading name/State Department/Organ of State: Company Registration Number: Postal address: Telephone: E-mail:	Smitswinkelbaai (Pty) Ltd		
	Mark Tanton		
	Smitswinkelbaai (Pty) Ltd		
	24 Kestrel Way, Kenrock Estate		
	Hout Bay		Postal code: 7806
	Telephone:		Cell:
	E-mail:		Fax: ()
2. Company of EAP: EAP name: Postal address: Telephone: E-mail: Qualifications: EAPASA registration no:	Doug Jeffery Environmental Consultants		
	Frede Benadé		
	PO Box 44		
	Klapmuts		Postal code: 7626
	(021) 875 5272		Cell:
	frede@dougjeff.co.za		Fax: (086) 660 2635
	BSc (Hons) Conservation Ecology		
	Reviewed by: Douglas Jeffery: Registered EAP with EAPASA: No. 2019/1746		
3. Duplicate this section where there is more than one landowner Name of landowner: Name of contact person for landowner (if other): Postal address: Telephone: E-mail:	Smitswinkelbaai (Pty) Ltd		
	Mark Tanton		
	24 Kestrel Way, Kenrock Estate		
	Hout Bay		Postal code: 7806
	Telephone:		Cell:
	E-mail:		Fax: ()
4. Name of Person in control of the land: Name of contact person for person in control of the land: Postal address: Telephone: E-mail:	Mark Tanton		
	As Above		
	24 Kestrel Way, Kenrock Estate		
	Hout Bay		Postal code: 7806
	Telephone:		Cell:
	E-mail:		Fax: ()

5.	Duplicate this section where there is more than one Municipal Jurisdiction Municipality in whose area of jurisdiction activity will fall:	City of Cape Town	
	Contact person:	Mr. Andrew Greenwood (Environmental Resource Management: Southern Region)	
	Postal address:	Private Bag X5 Plumstead	
	Telephone:	(021) 444 2604	Postal code: 7801
	E-mail:	Andrew.greenwood@capetown.gov.za	Cell: -
			Fax: (021) 444 3802

SECTION B: DETAILS OF CURRENT ACTIVITIES/EXISTING DEVELOPMENT

1.	Do you have any approvals for the new development? If yes, explain and attach a copy/ies as Appendix C.	YES	NO
2.	Do you have any approvals for the existing development? If yes, provide details of all approvals and attach a copy/ies as Appendix C.	YES	NO
The current building on the property must have been approved before it was built, but no relevant approvals are available. The construction date of the dwelling is around 1970. (See Appendix H)			
3.	Is the development part of a bigger lawfully approved and commenced with development? If yes, provide details of all approvals and attach a copy/ies as Appendix C.	YES	NO
Erf 25, Smitswinkel Bay is part of an approved General Plan and an SG diagram dated 1916 (pages 4 and 5 of Appendix H)			
4.	Have any activities physically commenced on the site/s?	YES	NO
The existing building was constructed around 1970.			
5.	List the date of commencement of these activities (dd/mm/yy) below.		
The existing building was constructed around 1970.			
6.	Clearly describe the commencement of these activities.		
The construction of the existing dwelling on site.			
7.	Clearly describe the current state of the site/s/route (This must be supported by recent colour photographs).		
There is a fully built house on the property.			
See Figure 1 below and Appendix B for further photographs:			
			
Figure 1: A photograph of the existing dwelling on the Erf 25, Smitswinkel Bay.			

8.	Describe the existing vegetation/ground cover.		
There is no vegetation cover on the existing building footprint or paved areas. The surrounding ground cover is Cape Flats Dune Strandveld around the residence.			
9.	Have any <i>ad hoc</i> setback lines in terms of the NEMA EIA Regulations, been adopted by the Competent Authority for the subject site/s/route? (If yes, copies MUST be attached to this checklist as Appendix D).	YES	NO
10.	Have any Directives under Section 28 of the NEMA (as amended) been issued by the Competent Authority for the subject site/s/route? (If yes, copies MUST be attached to this checklist as Appendix E).	YES	NO
11.	Have any Directives under Section 30A of the NEMA (as amended) been issued by the Competent Authority for the subject site/s/route? (If yes, copies MUST be attached to this checklist as Appendix E).	YES	NO
12.	Have any Directives under Section 24G of the NEMA (as amended) been issued by the Competent Authority for the subject site/s/route? (If yes, copies MUST be attached to this checklist as Appendix E).	YES	NO
13.	Describe the current land use of the proposed site(s) for the proposed development.		
Please explain: Current land use is residential; the footprint and site around the dwelling is transformed. Proposed building alterations and extensions will be made on mostly the same footprint as the current dwelling on Erf 25.			
14.	Describe all the surrounding and abutting land uses.		
Please explain: The property is situated at Smitswinkel Bay on the Southern Peninsula and Erf 25 is the southernmost property in the village. All properties at Smitswinkel Bay are free standing residential houses (See Appendix H). Remainder Farm 1024 which surrounds the Smitswinkel Bay erven is undeveloped.			
15.	Is the current land use lawful?	YES	NO
If no, explain:			

SECTION C: PROJECT DETAILS

1.	Does the proposed development entail the expansion or changes to an existing lawful facility or the development of a new facility?	YES	NO
If yes, please explain: The proposal is to re-develop the property with a new single-storey, single dwelling house (or cottage). The existing dwelling will be demolished. The proposed works to be done are only a continuation of an activity that commenced when the dwelling was developed. The existing cottage on Erf 25 was constructed using prefabricated materials around 1970 for weekend/holiday use. See Appendix H			
2.	Does the proposed development entail the expansion of an existing lawful development footprint or the "like for like replacement" of anything existing?	YES	NO
The proposal is to re-develop the property with a new single-storey, single dwelling. The existing dwelling (141.7m ²) will be demolished. The footprint of the existing building will be increased by approximately 36 m ² to accommodate the new dwelling. The new dwelling will have a total footprint of 178m ² See Appendix H			

3.	Provide a detailed description of the proposed development and its associated infrastructure. A clear, accurate and comprehensive description will obviate any requests for additional information by the Competent Authority.																					
<p>The proposal is to re-develop the property with a new single-storey, single dwelling house (or cottage). The existing dwelling will be demolished.</p> <p>The existing dwelling has the following dimensions (Appendix G1): Internal Area: 78.8m² External Area*: 62.9m² Total area: 141.7m²</p> <p>The new dwelling will have the following dimensions (Appendix G2): Internal Area: 109m² External Area*: 69m² Total area: 178m²</p> <p>* Including decks, paving, septic tank, and pathways.</p>																						
4.	Is the proposed development:																					
4.1	a linear activity?					YES	NO															
4.2	an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource?					YES	NO															
4.3	a strategic integrated project (SIP) as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014)?					YES	NO															
5.	Property location of all proposed sites:	Erf 25 SMITSWINKEL BAY																				
6.	Farm/Erf name(s) & number(s) (including portion) of all proposed sites:	Erf 25																				
7.	Property size(s) (m ²) of all proposed sites:	495m ²																				
8.	What is the existing lawfully development footprint size in m ² ?	141.7m ² Including decks, paving, septic tank, and pathways. See Appendix G1 for house plans.																				
9.	Development footprint size(s) in m ² (i.e. the total area of land to be physically cleared for the proposed development (including associated infrastructure). Provide clear details of the required footprint).	Total size of new house will be 178m ² . Including decks, paving and septic tank The total new area to be cleared will be 36.3m ² . The current building footprint has been heavily transformed. See Appendix G2 for house plans and Appendix H.																				
10.	SG 21 Digit code(s) of all proposed property(ies):	C	0	1	6	0	0	5	5	0	0	0	0	0	0	2	5	0	0	0	0	0
11.	Coordinates of all proposed sites: Latitude (S) Longitude (E)	-34 °					15 '					55.21 "										
		18 °					27 '					57.94 "										
Note: Coordinates must be provided in degrees, minutes and seconds using the Hartebeesthoek94 WGS84 co-ordinate system. Where numerous properties/sites are involved (e.g. linear activities), you may attach a list of property descriptions and street addresses to this form.																						

SECTION D: POTENTIAL LISTED ACTIVITIES THAT YOU REGARD MAY BE APPLICABLE TO THE PROPOSED DEVELOPMENT

All activities listed in terms of the NEMA EIA Regulations that may be associated with the proposed project 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 project to which the applicable listed activity relates.
19A	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 5 cubic metres from—</p> <ul style="list-style-type: none"> (i) the seashore; (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or (iii) the sea; — <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies. 	During the construction of the new house there will be infilling or depositing of material of more than 5 cubic metres.
Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3	Describe the portion of the proposed project to which the applicable listed activity relates.
Activity No(s):	Provide the relevant Scoping and EIA Activity(ies) as set out in Listing Notice 2	Describe the portion of the proposed project to which the applicable listed activity relates.

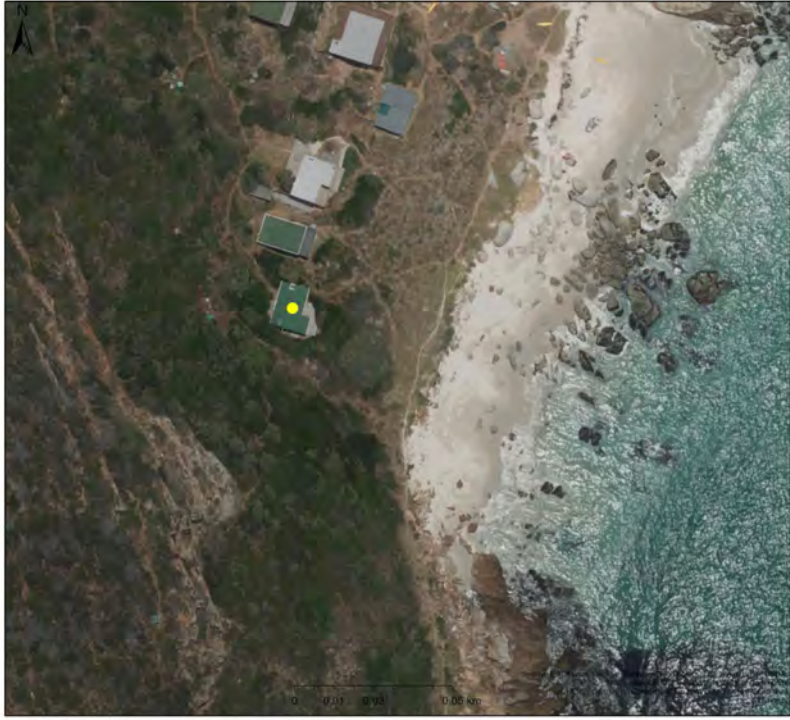

SECTION E: PLANNING CONTEXT

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 F.

1.	What is the current zoning of the property?	Agricultural	
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:			
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			
<p>The establishment of the Smitswinkel Bay erven appear to stem from an earlier (more informal, albeit surveyed) "campsite" which was then formalised into actual cadastral erven (the SG diagram and the title deed also refer to the "campsite"). See Appendix F and pages 4 and 5 of Appendix H</p> <p>The erven in Smitswinkel Bay are all zoned Agricultural. Despite this zoning, none of them are being used for agricultural purposes. Instead they are used for normal residential purposes. The erven are, for all intents and purposes, Single Residential "zoned" properties. The proposed development would therefore not remove "prime, unique and high potential agricultural" land.</p>			
6.	Are there any building restrictions in terms of the applicable Municipal By-laws?	YES	NO
Please explain:			
<p>An application for departures from the following has been submitted to the City of Cape Town:</p> <p>The required building lines in terms of the Agricultural Zoning of the site are 15m (the property measures <20ha in extent). Since the Erf only measures approximately 15,5m x 31,5m, it is clear that no development on the site is possible without obtaining building line departures.</p> <ul style="list-style-type: none"> (a) To permit the proposed dwelling house to be 1m in lieu of 15m from the south-west common boundary, (b) To permit the proposed dwelling house to be 13,765m in lieu of 15m from the north-west common boundary, (c) To permit the proposed dwelling house to be 1,3m in lieu of 15m from the north-east common boundary, and (d) To permit the proposed dwelling house to be 6,945m in lieu of 15m from the south-east common boundary. <p>Given that the Erf is landlocked (there are no roads leading to these erven), it stands to reason that no on-site parking – as required in terms of the DMS, is possible either. A technical departure from Item 137 of the DMS to deviate from the minimum required number of parking bays is required:</p> <ul style="list-style-type: none"> (e) To permit zero (0) parking bays on site in lieu of 2 parking bays required. <p>To compensate for the fall of the land, the north-eastern corner of the proposed dwelling will be raised approximately 2,2m above the EGL, and Council's approval in terms of Item 126(a) of the DMS is required as follows:</p> <ul style="list-style-type: none"> (f) Council's approval to permit a portion of the proposed ground floor to be 2,2m in height above the EGL in lieu of 1,5m in height above the EGL permitted. <p>See Appendix H</p>			
7.	Will the activity be aligned with the following:		
7.1	The Provincial Spatial Development Framework (PSDF)	YES	NO
Please explain: The development is for a residential house. The majority of the Erven have residential dwellings on them.			
7.2	The Spatial Development Framework of the Local Municipality	YES	NO
Please explain: The development is for a residential house. The majority of the Erven have residential dwellings on them			
7.3	The urban edge as delineated in the Municipality's Spatial Development Framework	YES	NO
Please explain: The development is for a residential house. The majority of the Erven have residential dwellings on them.			
7.4	An Environmental Management Framework (EMF)	YES	NO
Please explain: The development is for a residential house. The majority of the Erven have residential dwellings on them.			
7.5	Any other Policies, Plans, Guidelines, Spatial Tools, Development Planning Frameworks and instruments applicable to the development.	YES	NO
Please explain:			
7.6	Are any Amendments of the above-mentioned required?	YES	NO
Please explain:			

SECTION F: EXISTING BIOPHYSICAL CONTEXT

1.	What is the distance in metres from the closest property boundary to the high-water mark/watercourse and estuary?	Approximately 35(m)	
2.	Is there evidence of existing erosion?	Yes	No
If yes, explain (include pictorial evidence):			
3.	Has there been any previously implemented erosion protection measures?	Yes	No
If yes, please explain:			
4.	What is the existing height above sea level, or above the watercourse?	Approximately 15(m)	
5.	What is the distance in metres of the closest point of the proposed development to the known storm surge high-water mark or flood-lines?	Approximately 35(m)	
6.	Will the proposed development block public access to the coast?	Yes	No
If yes, explain:			
7.	Are there any servitudes registered on the property?	Yes	No
Please explain:			
8.	Is the site prone to flooding or inundation from the sea/watercourse? Explain including dates of most recent events?	Yes	No
Please explain:			
9.	Describe the type of seashore (sandy, rocky, mixed etc.) or watercourse. (Attach photographs)		
Please explain: The sea shore is a mix between sandy beaches and rocky substrates.			
<div style="display: flex; align-items: flex-start;">  <div style="margin-left: 10px;"> <p>Erf 25, Smitswinkel Bay. Legend</p> <p>Scale: 1:1 128 Date created: August 3, 2020 Compiled with CapeFarmMapper</p>  </div> </div>			
Figure 2: An image of Erf 25 Smitswinkel Bay.			
10.	Describe the shape of the seashore or watercourse (concave, convex, meandering etc.) (Attach photographs)		
Please explain: Concave			
Please see Figure 2.			

11. Describe the type of substrate of the seashore or watercourse (e.g., very fine sand, coarse sand, very coarse, pebbles) (Attach photographs).

Please explain: [Coarse sand and rocky boulder patches.](#)

[Please see Figure 2.](#)

12. Provide a description of the coastal zone / riparian zone and the existing vegetation. Provide pictorial evidence.

The Coastal zone is dominated by [Cape Flats Dune Strandveld.](#)



Figure 3: An image of the dwelling on Erf 25, showing the vegetation cover.

13. Does the site form part of a Critical Biodiversity Area? Yes No

Please explain:

The property itself is not part of a CBA but the Erf is surrounded by a terrestrial CBA.



Figure 4: A Cape Farm Mapper image of the dwelling on the Erf 25, showing the CBA's.

14.	Does the proposed development lie within coastal public property, the coastal protection zone or coastal access land?	Yes	No
Please explain:			

SECTION G: ENVIRONMENTAL IMPACTS

1.	Describe any negative environmental impacts that may occur if the request is granted. Information on any increases in air emissions, waste generation, discharges to water and impacts of the natural or cultural environment such as pollution must be included.
----	---

Please explain: [There are no negative environmental impacts.](#)

2.	Describe any negative environmental impacts that may occur if the request is not granted (e.g. Continued erosion).
----	--

Please explain: [There are no negative environmental impacts.](#)

3.	Describe any positive environmental impacts that may occur if the request is granted. Information on any reduction in the ecological footprint, air emissions, waste generation and discharges to water, rehabilitation or coastal erosion protection measures must be included.
----	--

Please explain: [There are no significant positive environmental impacts. Apart from the fact that it is the preferred option for the landowner.](#)

4.	Describe what investigations or assessments have been undertaken (if any) to inform this request.
----	---

Please explain: [The site was examined by Doug Jeffery and Frede Benade of Doug Jeffery Environmental Consultants. No specialist investigations were undertaken.](#)

5.	Is there any existing local authority building setbacks lines, or other in place?	Yes	No
----	---	-----	----

If yes, explain: [The City of Cape Town's Coastal Urban Edge line extends around all the properties of Smitswinkel Bay. Erf 25 is behind the Coastal Urban Edge Line. On Google Earth the Coastal Urban Edge is in a polygon of the same shape of the properties, but due to an error in rectification of this edge on Google Earth it has shifted on the aerial photo. The polygon should overlay correctly on the Erven of Smitswinkel Bay and is aligned with the front of the Erven boundaries. See Appendix I as well as Figures 5 & 6.](#)



Legend

- Erf 25, Smitswinkel Bay
- Proposed Setback Line

Figure 5: Image of all the Erven in Smitswinkel Bay, showing Erf 25 in red and the Proposed Setback Line in yellow

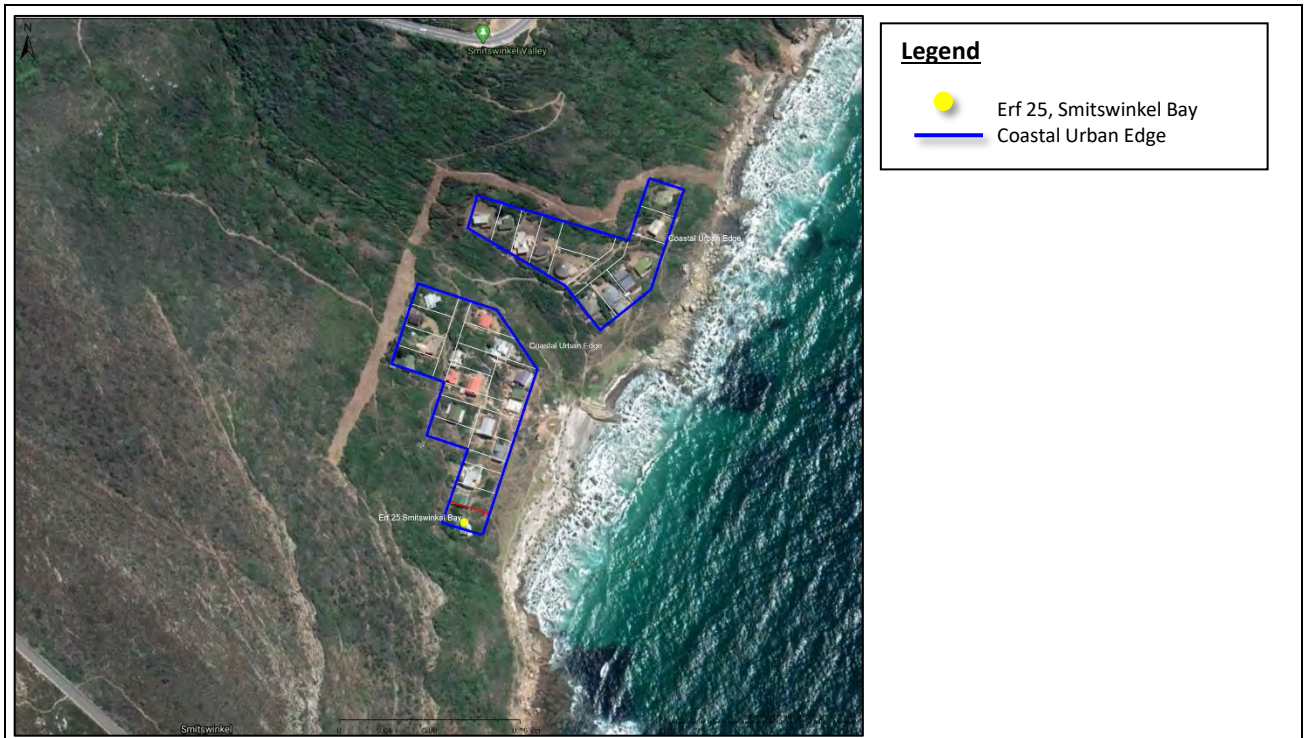


Figure 6: Image of all the Erven in Smitswinkel Bay, showing Erf 25 as a yellow dot with a red outline and the Coastal Urban Edge from the City of Cape Town in blue.

6.	Clearly describe what line you propose for the Competent Authority to adopt as a setback line (This MUST be supported by a map, in both hard and soft copy (preferably 1:10 000 or larger) clearly showing the proposed line and proximity to the high-water mark of the sea/ watercourses as well as any lines in terms of f above. If a clear representation of this proposed line on a map is not provided, it will be requested as additional information.
<p>The Setback Line we propose is the Eastern and Southern property boundaries, highlighted in yellow (Figure 5). This line should correspond with the Coastal Urban Edge, proposed by the City of Cape Town in blue. (Figure 6)</p> <p>The Coastal Urban Edge of the City of Cape Town, is located around all the Erven in Smitswinkel Bay.</p>	
7.	Explain how climate change concerns have been considered in the development of the property/ies.
<p>Please explain: The proposed development is on top of the existing footprint and there are no concerns related to climate change for this development.</p>	
8.	Explain what water-saving measures will be included in the development of the property/ies.
<p>Please explain: This is a residential Erf, however there are no services supplied to this Erf. Normal water saving measures will be applicable. The site will only use rainwater from storage tanks.</p>	

SECTION H: DECLARATIONS

1. DECLARATION OF THE PROPONENT

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

I [Mark Tanton](#), ID number, in my personal capacity or duly authorised thereto hereby declare/affirm that:

- the information provided or to be provided as part of this checklist, is true and correct;
- 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 Regulations, as defined in Chapter 5 of NEMA (as amended) 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 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 am aware of my general duty of care in terms of Section 28 of the NEMA; and
- 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 person legitimately contracted by the EAP; and
 - costs in respect of specialists if any.

Signature of the Proponent:

Date:

Name of company (if applicable):

2. DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I, Frede Benadé, EAPASA registration no Not yet submitted, as the appointed EAP hereby declare/affirm that:

- the information provided or to be provided as part of this checklist, is true and correct;
- I have disclosed/will disclose, to the Proponent, the specialist (if any) and the Competent Authority, all material information that have or may have the potential to influence the with respect to the proposed development;
- I have ensured/will ensure the inclusion of inputs and recommendations from any specialists in respect of the checklist, where relevant;
- I am aware that it is an offence in terms of Section 24F of the NEMA should the Proponent commence with a listed activity prior to obtaining confirmation of the definition/adoption of an *ad hoc* development setback line in terms of the NEMA EIA Regulations; and
- I am aware of my general duty of care in terms of Section 28 of the NEMA.

Signature of the EAP:

Date:

Name of company (if applicable):

Reviewed by: Doug Jeffery

Signature of the EAP:

Date:

Name of company (if applicable):