



Cape Environmental Assessment Practitioners (Pty) Ltd

Reg. No. 2008/004627/07

Telephone: (044) 874 0365
Facsimile: (044) 874 0432
Web: www.cape-eaprac.co.za

17 Progress Street, George
PO Box 2070, George, 6530

BACKGROUND INFORMATION DOCUMENT (BID) **APPLICATION FOR ENVIRONMENTAL AUTHORISATION**

'GREAT BRAK FILLING STATION'

Portion 4 of Farm 135 Klipfontein, Great Brak River (Mossel Bay, Western Cape)

15 June 2017

Introduction

Cape Environmental Assessment Practitioners (Cape EAPrac) has been appointed as the independent Environmental Assessment Practitioner (EAP) to facilitate the legally required Environmental Application Process in terms of the **National Environmental Management Act** (NEMA, Act No 107 of 1998 as amended) & the 2014 Environmental Impact Assessment (EIA) Regulations (as amended), for the proposed '**Great Brak Filling Station**' on behalf of the Applicant, **Micaren Exel Petroleum Wholesales (Pty) Ltd**.

The competent authority in this case is the Western Cape Department of Environmental Affairs & Development Planning (DEA&DP): George office.

This Environmental Impact Assessment (EIA) Application takes cognisance of the following legislation:

- National Environmental Management Act (NEMA) & the 2014 NEMA EIA Regulations (as amended);
- Western Cape Land Use Planning Act;
- Spatial Planning and Land Use Management Act;
- The National Forest Act (NFA, Act 84 of 1998).

Project Proposal (preferred alternative)

The development of the **Great Brak Filling Station** is proposed on Portion 4 of Farm 135, Klipfontein (Municipal land) Great Brak, Mossel Bay. The Great Brak Filling Station is to include, but not limited to, the following:

- Four (4) x 46 cubic metre fuel tanks (underground);
- A Forecourt with 4-filling points;
- A convenience store, with associated offices and ablutions;
- Parking – if space allows to cater for large vehicles (not as an overnight struck stop);
- Access & egress to and from Long Street (on north-western corner of property);
- Associated internal service infrastructure to be connected to existing municipal service network.

The appointed project team include: **DELPlan Urban & Regional Planners** who are responsible for the necessary planning application process. **CSKO Architects** are responsible for the design of the proposed facility. Access to the facility off Long Street will be informed by recommendations made by the appointed Traffic Engineer: **SMEC South Africa**. Structural, Electrical & Civil Engineers will be appointed to attend to the technical services (water, sewerage, electricity, stormwater & waste management).

The following other technical / specialist studies will be undertaken to inform the environmental assessment and facility design:

- Geotechnical – Outeniqua Labs;
- Groundwater Impact Assessment – Parsons & Associates;
- Socio-Economic Impact Assessment / Market Feasibility – Urban-Econ.
- Freshwater Impact Assessment – BlueScience Consulting;
- Estuarine Statement – Anchor Environmental
- Visual Statement – Alan Cave

Location & Site Context

See Location attached.

Portion 4 of Farm 135 Klipfontein, Great Brak is a municipal property located between the N2 highway off-ramp and the Great Brak Police Station, accessed off Long Street.

The Applicant has entered into a long-term lease agreement with the Mossel Bay Municipality for a portion of the abovementioned property for the purposes of developing a filling station.

Planning Context

The property is current zoned '**Authority zoning**'. A planning application will be submitted to the Mossel Bay Municipality by DELPlan Urban & Regional Planners in parallel to the environmental process, in order for development to be considered in terms of the property's land use rights. In terms of the Mossel Bay By-law on Municipal Land Use Planning

(P.N.288/2015, 21 Aug. 2015) the following is applicable to the Planning Application:

- To rezone the portion of land under the Lease Agreement to “**Business Zone V**”;
- Apply for **consent use** on this zoning to allow for a Filling Station.

The building lines of the combined property, as well as the height restrictions, servitudes etc. will be respected by the proposed Site Development Plan.

Environmental Context

The property in question falls partially **below the 1:100 year floodline of the Great Brak Estuary** i.e. it falls within the estuarine functional zone. It is the intention of the Applicant is to raise this area of the development footprint (approx. 1167m² in size) to above the 1:100 floodline with infill material (G4 gravel), which amounts to a rise of approx. 14cm above the current ground level.

The proposed Great Brak Filling Station site falls within a Critical Biodiversity Area (CBA) associated with the Great Brak Estuary. The broad vegetation type mapped for the area is ‘**Groot Brak Dune Strandveld**’, which has an ecological status of ‘**Endangered**’. The proposed filling station site (under lease agreement) has however been completely transformed by historical use of the property as a road-material stockpile & dumping site, with no vegetation remaining. Intact vegetation remains of the periphery of the property and the steep south-western slope at the back of the property, which will be avoided by the development. Two clumps of **intact Milkwood trees** are located at the entrance to the site off Long Street – these will be retained as far as possible.

What is the purpose of this document?

The main purpose of this **Background Information Document (BID)** is to:

- Provide potential “Interested and Affected Parties” (I&APs) and Stakeholders with information regarding the proposed development; and
- Explain the way forward for the environmental process.

Basic Assessment (BA) Environmental process

The proposed development triggers the following listed activities in terms of the National Environmental Management Act (NEMA, Act No.107 of 1998 as amended) and 2014 NEMA Regulations:

- Listing Notice 1 (GN No. R.983): 14 : The **development and related operation** of facilities or infrastructure, for the storage, or for the **storage and handling, of a dangerous good**, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.
- Listing Notice 1 (GN No. R.983): 19A(ii): 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 - (ii) the littoral active zone, an estuary or a **distance of 100 metres inland of the highwater mark** of the sea or **an estuary**, whichever distance is the greater.

The procedures of a **Basic Assessment (BA) Environmental Application Process**, as per the 2014 EIA Regulations (as amended), will be undertaken to seek Environmental Authorisation for the abovementioned activities.

Stakeholder Engagement

A pre-application public participation process (PPP) will be followed allowing neighbouring property owners and key stakeholders the opportunity to register as ‘Interested & Affected Parties (I&APs)’ and consider / comment on the proposal.

Going forward, registered I&APs will be provided an opportunity to review & comment on the Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) when they become available. Input/comments received during process will be considered and responded to in the final report, to be submitted to the competent authority for review and decision-making.

The following steps, amongst others, will be undertaken as part of the BA Process:

- Identifying potential Interested and Affected Parties (“I&AP’s”);
- **Advertising** a ‘Call for Registration of Interested & Affected Parties (I&APs)’ in a local newspaper (*Mossel Bay Advertiser*) with a registration period of 30-days, extending from 16 June to 18 July 2017;
- Placement of **Site Notices** at the site calling for Registration of I&APs;
- Make available the **Background Information Document (BID)** for distribution to potential I&APs and neighbouring land owners, briefly explaining the process and project (**this document**);
- Open and maintain a **Registered Stakeholder database**;
- Undertaking of specialist impact assessments and project team reports (if necessary);
- Compilation and public availability of the **Basic Assessment Report (BAR)** and **Environmental Management Programme (EMPr)**;
- **Submit** the final reports to DEA&DP for **decision-making** (authorisation with conditions, or refusal);
- Notification of registered I&APs and Stakeholders of **Environmental Decision**, and details of appeal process / period.

Issues & Concerns

The following issues and concerns were raised in consultation with the project team, key authorities and/or specialists:

- **Proximity to the Great Brak Estuary** & potential impact on surrounding floodplain / floodlines through infilling activities;
- **Potential contamination** of groundwater by pollutants;
- **Poor visibility from N2**;
- Continued ecological integrity / protection of remaining vegetation & steep slope;

- Confirmation that **bulk services** can accommodate the proposed development;
- **Need & Desirability** of another Filling Station in Great Brak River;
- Potential **disturbance of Milkwood trees** on site.

Alternatives

In terms of the NEMA legislation, alternatives must be considered during an environmental assessment. These may be site, activity, or technological alternatives.

The No-Go Alternative (no activities undertaken) must be considered as a baseline against which the impacts of any other Alternatives are measured.

Any other reasonable and/or feasible alternatives identified during the course of this environmental process will be considered and measured against previous development proposals for the site and the no-go alternative.

Stakeholders are requested to provide details of any reasonable and/or feasible alternatives that they may be aware of to ensure that such alternatives can be considered prior to submission of the formal Application to the DEA&DP.

Why and how should you get involved?

Names and details of members of the public who respond to the legal advert &/ notices (calling for Interested & Affected Parties (I&APs) to register) will be captured on the project **Stakeholder Register**. All written comments provided will also be recorded. According to the Guidelines on Public Participation, only those parties that submit their full contact details for registration purposes &/or who submit comment, will be registered. Documentation containing incomplete, or no contact details, may not be considered.

In the event that you (or any other party you may be aware of) have an **interest** in the environmental process, or feel that you **may be affected** by the proposed development, you are invited to **register** as an I&AP for the environmental process, within the 30-day registration period, extending from 16 June to 18 July 2016. I&APs are requested to submit their full contact details, in writing, to *Cape EAPrac* at the address provided at the end of this document.

**TO REGISTER AS AN I&AP, PLEASE SEND
YOUR REGISTRATION REQUEST, NAME &
FULL CONTACT DETAILS, AND ANY
PRELIMINARY COMMENTS TO:
*Cape-EAPrac***

ATT: Mrs Siân Holder
PO Box 2070 George 6530
Telephone: 044 874 0365 Fax: 044 874 0432
E-mail: sian@cape-eaprac.co.za



ENVIRONMENTAL AUTHORISATION – BASIC ASSESSMENT PROCESS

‘Great Brak Filling Station’

Long Street, Great Brak, Mossel Bay, Western Cape

REGISTRATION / INITIAL COMMENT SHEET on BID

Should you have any preliminary comments and would like to be registered as an Interested and Affected Party (“I&AP”), please complete this form and return it to *Cape EAPrac* at P.O. Box 2070, George, 6530. Tel: 044 874 0365, Fax: 044 874 0432, Email: sian@cape-eaprac.co.za. Registration may also be done online at www.cape-eaprac.co.za on the active project page.

TITLE & NAME	
REPRESENTING	
POSTAL ADDRESS	
TEL NO.	
FAX NO.	
CELL NO.	
E-MAIL	

NOTE: Submission of incomplete contact details may result in a person/entity not being registered. Please ensure that you complete the above table in full.

COMMENTS (please feel free to submit more pages)

1. List any **key issues or concerns** relating to the proposed development / amendment process.

2. Describe your **reason/motivation** for participating in this environmental process (disclose any interest) **NOTE** **ito the 2014 Environmental Regulations it is compulsory for I&APs to state their interest in a project/process, thus not providing reasons, may result in a person/entity not being registered.**

3. List any potential (reasonable and/or feasible) **alternatives** for the activity and **state why** you are recommending the alternative(s):

4. List **Interested & Affected Parties** (I&APs) or Stakeholders that you feel should be registered (provide their **full contact details** (name, telephone, fax, email and postal details) and who they represent in order that we may contact them):
