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NEAS REFERENCE: WCP/EIA/0000954/2021
DATE OF ISSUE: 18 February 2022

The Head of Department
Western Cape Government
Department of Health
8th Floor, The Towers South
2 Heerengracht, Foreshore
CAPE TOWN
8001

Attention: Dr Wanda Chunnett

E-mail: wchunnett@turntown.co.za

Dear Madam

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): PROPOSED ESTABLISHMENT OF A NEW MEDICAL DEPOT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF REMAINDER ERF NO. 15350, TYGERBERG HOSPITAL ESTATE.

1. With reference to the above application, the competent authority hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties are provided with access to and reasons for the decision, and that all registered interested and affected parties are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. Tarryn Solomon (Infinity Environmental)
(2) Mr. Dimitri Georgeades (City of Cape Town)

E-mail: tarryn@infinityenv.co.za
E-mail: dimitri.georgeades@capetown.gov.za



ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED): PROPOSED ESTABLISHMENT OF A NEW MEDICAL DEPOT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF REMAINDER ERF NO. 15350, TYGERBERG HOSPITAL ESTATE.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the Basic Assessment Report (“BAR”) dated October 2021.

The granting of this Environmental Authorisation (hereinafter referred to as the “Environmental Authorisation”) is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

Western Cape Government
Department of Health
c/o Dr Wanda Chunnett
8th Floor, The Towers South
2 Heerengracht, Foreshore
CAPE TOWN
8001

Tel.: (021) 421 7001
E-mail: wchunnett@turntown.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as “the holder”.

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 12: <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>i. Western Cape</p> <ul style="list-style-type: none"> i. <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i> ii. <i>Within critical biodiversity areas identified in bioregional plans;</i> iii. <i>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i> iv. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i> v. <i>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister".</i> 	<p>More than 300m² of critically endangered vegetation will be cleared.</p>

The abovementioned list is hereinafter referred to as "the listed activity".

The holder is herein authorised to undertake the following related to the listed activity:

The proposed development entails the clearance of indigenous vegetation to allow for the establishment of a new medical depot and associated infrastructure on a portion of Remainder of Erf No. 15350, Tygerberg Hospital Estate.

The new medical depot will comprise of an electrical perimeter fence, gates, a guard house, security protocols, canteen, recreation area, quarantine and hazardous storage. The proposed depot will be a single-storey warehouse type structure with a maximum height of 13m to accommodate a high-level racking configuration within a steel and reinforced concrete column structure. The building component will also include a two-storey separate office and laboratories section with a maximum height

of 8.5m to accommodate departmental staff. Staff and visitor parking areas will also be provided, along with a stockyard area and loading bays.

The proposed development footprint will not exceed 17 500m². Access will be obtained from Pathology Way.

C. LOCATION AND SITE DESCRIPTION

The listed activity will be undertaken on a portion of Remainder of Erf No. 15350, Tygerberg Hospital Estate.

The SG 21-digit code is: C01600420001535000000

Co-ordinates:

Latitude: 33° 54' 44.49" S

Longitude: 18° 37' 05.46" E

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Infinity Environmental (Pty)Ltd.
c/o Ms. Tarryn Solomon
Suite 17, Private Bag X11
MOWBRAY
8001

Tel.: (021) 834 1602

Fax: (086) 591 8616

E-mail: tarryn@infinityenv.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated October 2021 on the site as described in Section C above.
2. Authorisation of the activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

- This Environmental Authorisation is granted for–
- (a) A period of ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
 - (b) A period of five (**5**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity, must be concluded.
4. The activity that has been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
- 6.1 notify all registered interested and affected parties ("I&APs") of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
 - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 6.4 provide the registered I&APs with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any;
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.

8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 14 and 22.

Management of activity

10. The draft Environmental Management Programme ("EMPr") dated July 2021 (as compiled by Infinity Environmental (Pty) Ltd.) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;

- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

Environmental audit reports

- 15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit an environmental audit report three (3) months after commencement of the construction phase to the relevant competent authority;
 - 15.3 submit an environmental audit report six (6) months after completion of the construction phase to the relevant competent authority; and
 - 15.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.

- 16. The environmental audit reports must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on-
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
 - 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 16.3 evaluate the effectiveness of the EMPr;
 - 16.4 identify shortcomings in the EMPr;
 - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 16.7 include a photographic record of the site applicable to the audit; and
 - 16.8 be informed by the ECO reports.
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- 17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
20. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

21. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
22. A search and rescue for plants of conservation importance must be undertaken by a suitably qualified person before the commencement of any land clearing. The search and rescue must be undertaken in the appropriate season, preferably during September.
 - 22.1 The rescued material must be donated to the City of Cape Town's Restoration Facility at the Westlake Conservation Centre for safekeeping until the material is properly rooted or the appropriated season for transplanting of geophytes can take place.
 - 22.2 The rescued material must be transplanted to one of the City of Cape Town's receptor sites.
23. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
 - 23.1 Dual-flush toilet systems.
 - 23.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 23.3 Water-wise landscaping must be done.
24. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
 - 24.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.

- 24.2 Street lighting must be kept to a minimum and down lighting must be used to minimize light impacts. Streetlights must be switched off during the day.
- 24.3 All geysers must be covered with geyser “blankets”.
- 24.4 The installation of solar water heaters and solar panels must be considered for all buildings.

General matters

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. If the holder does not commence with the listed activity within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.
3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

F. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -

- 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and

- 1.2 Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs -
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Attention: Mr. Marius Venter
 Western Cape Ministry of Local Government, Environmental
 Affairs and Development Planning
 Private Bag X9186
 CAPE TOWN
 8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr. Marius Venter (Tel: 021 483 3721)
 Room 809
 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 18 FEBRUARY 2022

CC: (1) Ms. Tarryn Solomon (Infinity Environmental)
(2) Mr. Dimitri Georgeades (City of Cape Town)

E-mail: tarryn@infinityenv.co.za
E-mail: dimitri.georgeades@capetown.gov.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/1/A8/131/3035/21
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ANNEXURE 1: LOCALITY PLAN



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form received by the competent authority on 21 July 2021; the BAR dated October 2021; and the EMPr submitted together with the BAR;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from I&APs and the responses provided thereon, as included in the BAR dated October 2021;
- d) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit;

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation

The Public Participation Process comprised of the following:

- An advertisement was placed in the "Tygerburger" newspaper on 20 January 2021;
- Notices were placed on site on 21 January 2021;
- Letters were e-mailed and posted via registered mail to the adjacent landowners and relevant State Departments/organs of state on 21 January 2021;
- E-mails were sent on 21 July 2021 to announce the availability of the pre-application BAR;
- The pre-application BAR was placed on the website of Infinity Environmental for the duration of the commenting period;
- The pre-application BAR was made available from 21 January 2021 until 22 February 2021;
- E-mails were sent on 02 September 2021 to announce the availability of the draft BAR;
- The draft BAR was placed on the website of Infinity Environmental for the duration of the commenting period; and
- The draft BAR was made available from 02 September 2021 until 04 October 2021.

Authorities consulted

The authorities consulted included the following:

- City of Cape Town;
- Department of Environmental Affairs and Development Planning ("DEA&DP") Directorate: Pollution & Chemicals Management;
- DEA&DP Directorate: Waste Management;
- CapeNature;
- Western Cape Department of Transport and Public Works;
- Department of Water and Sanitation; and
- Heritage Western Cape.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were responded to and included in the BAR.

2. Alternatives

The following site alternatives have been investigated:

Site option 1: open land adjacent to the existing laundry building (west and south):

In this alternative, the new medical depot will be accommodated in an inefficient narrow L-shape. This alternative was discarded as the size of the site is impacted by the laundry building and position of electrical servitude, thereby limiting the future expansion of the new medical depot. Furthermore, the site poses internal security risks and limits the opportunity to optimise the product flow within the depot.

Site option 2: the existing CDU building and surrounds:

This alternative entails repurposing or demolishing the existing CDU building. This alternative was discarded since repurposing the CDU building is not feasible as it is too small and expansion geometries will prevent workflow efficiency in the new medical depot. Should the CDU building be demolished, construction activities will require demolition and replacement of the Ambulance Station, as well as a portion of existing covered parking for the U2, which will incur additional costs and delays. There is also the possibility of asbestos being present in the existing CDU structure. There is also limited options for a dedicated secure access to the site, due to the gradient between the site and adjacent roads.

Site option 3 (preferred site – herewith authorised: open land immediately north of the Forensic Pathology Laboratory building, south of the sports field):

This alternative is the lowest risk option, and can accommodate the required size and footprint to meet user requirements, as well as an efficient square-shaped layout which allows for maximum flexibility to optimize product flow and work space. The site is currently unencumbered by existing services and structures, and provides the most flexibility in design and construction. Future expansion is also possible at the site and bulk services are available at the perimeter of the site.

Preferred activity alternative – herewith authorised:

The proposed development entails the clearance of indigenous vegetation to allow for the establishment of a new medical depot on a portion of Remainder of Erf No. 15350, Tygerberg Hospital Estate.

The new medical depot will comprise of an electrical perimeter fence, gates, a guard house, security protocols, canteen, recreation area, quarantine and hazardous storage. The proposed depot will be a single-storey warehouse type structure with a maximum height of 13m to accommodate a high-level racking configuration within a steel and reinforced concrete column structure. The building component will also include a two-storey separate office and laboratories section with a maximum height of 8.5m to accommodate departmental staff. Staff and visitor parking areas will also be provided, along with a stockyard area and loading bays.

The proposed development footprint will not exceed 17 500m². Access will be obtained from Pathology Way.

This is the preferred alternative for the following reasons:

- Easy access to infrastructure;
- Potential disruption to services being offered on the Tygerberg Hospital Estate will be minimal during the construction and operational phases;
- The layout optimises the required accommodation, external areas, parking and forecasted expansion of the Hospital Estate; and

- Rationalisation of security will provide a single entrance to the facility and a single checkpoint to the warehouse to all functional areas, while providing segregation of access to areas within the warehouse.

“No-Go” Alternative:

This alternative entails maintaining the *status quo* and as such, the medical depot will not be established. This alternative was not deemed as preferred as the anticipated socio-economic benefits (in terms of health care service delivery) and improved efficiencies will not be realised. The “no-go” alternative is therefore not warranted.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

The proposed development is aligned with the Western Cape Department of Health's Healthcare 2030 Strategy, which has been prioritised in terms of the Western Cape Government Provincial Strategic Goals for 2015 -2019, as it will assist the Department of Health with achieving improved integrated service delivery. The new depot will, in keeping with the 2030 Strategy, provide amongst other:

- Shorter turnaround times within the depot, thereby reducing waiting times at facilities;
- Improved quality testing with a quality control laboratory on site, which ensures that only safe medication is issued to patients;
- A vacolitre store for Emergency Medical Services that meets pharmaceutical legislative requirements;
- Reduced risk of stock shrinkage and expired stock as there will be space available to rotate stock;
- Reduced cost by having a unified approach to stock management;
- Additional warehouse capacity to service increased patient numbers; and
- 'Green and lean' warehouse management principles.

The proposed development is compliant with City of Cape Town's Spatial Development Framework dated 2018, Integrated Development Plan and the Tygerberg District Plan.

The Western Cape Provincial Spatial Development Framework (“PSDF”) dated 2019 promotes the provision of health care facilities in optimum locations within the urban area. The PSDF identifies the need to ensure that current and further developments take place in an integrated and sustainable manner with equitable and accessible facilities. The proposed development is aligned with the need to promote the location of multifunctional facilities within complementary land uses.

The proposed development will accommodate the collocation and relocation of existing ancillary medical services. The new medical depot will allow for the centralised receiving, storage and dispatch of pharmaceutical and non-pharmaceutical product lines that are currently managed by existing depots in central Cape Town. Furthermore, the site is earmarked for future ancillary development in the hospital development framework.

Currently, the Western Cape Department of Health's Cape Medical Depot (“CMD”) and antiretroviral (“ARV”) depot facilities operate from two separate premises located within the Cape Town Central Business District. The Central Business District has since become increasingly dense with rapid commercial and residential developments resulting in major traffic congestion. The increase in traffic has a direct implication on the efficient operating of the facilities, including delays in delivery abilities during regular

working hours; security and theft risks to stock in consignment; and the hindrance of access and traffic movement on the neighbouring tenants. The centralisation of depot services in a convenient location is therefore required to accommodate both the CMD and ARV facilities.

The site is located within the urban edge and is zoned as Community Zone 2: Regional. The proposed development is therefore permitted in terms of the property's existing primary land use rights, which include 'institution' and 'hospital' in terms of the Municipal Planning By-law.

3.2 Botanical impacts

A Botanical Assessment Report dated 27 June 2020 was compiled by KC Phyto Enterprises CC to assess the botanical impacts of the proposed development.

The site is severely disturbed by ongoing disposal of solid waste, alien invasive plants, woodcutting, past physical habitat destruction for the development of an access road and a water tank storage facility in the southeastern corner. In addition to the water tanks, other structures on the site include a pump station and security booth that are situated at the eastern end of the access road. Approximately 95% of the habitat is covered by vegetation and is home to mole rats and avifauna.

The small area north of the asphalt access road is covered in dense grass such as kikuyu and *Cynodon dactylon* on the top, highest area while the lower portion is dominated by annual weeds. In between the weeds are taller woody plants such as Port Jackson, *Melia azedarach*, Castor Oil and the sprawling shrub *Tetragonia fruticosa*.

The same pattern of plant cover is present immediately south of the asphalt access road with the absence of *Melia azedarach*. Almost all of the Port Jackson trees have recently been brush cut and remain as dried stumps and litter.

Towards the middle of the site, indigenous remnant vegetation is surviving as a large population of *Ehrharta* sp. (cf. *villosa*) grass, the shrubs *Cliffortia juniperina* and two species of *Aspalathus*, possibly *A. ternata* and *A. hispida* subsp. *hispida*. On the higher area, adjacent to this community are populations of the graminoid *Hellmuthia membranacea*, *Oxalis luteola*, emerging *Dimorphotheca pluvialis* seedlings, *Erodium exantum*, *Euphorbia* sp., *Dischisma ciliatum* and a geophyte that appears to be a *Babiana* species, based on its possession of isobilateral leaves with prominent veins.

The site contains remnant Cape Flats Sand Fynbos, which is classified as critically endangered in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – National List of Ecosystems that are Threatened and in Need of Protection, 2011. In the City of Cape Town's 2017 fine scale systematic conservation plan this site is not delineated as a Critical Biodiversity Area or Ecological Support Area, indicating it is not required to meet conservation targets.

The botanical specialist confirmed that pristine Cape Flats Sand Fynbos no longer exists on the site, as significant portions of the ecosystem have been degraded or transformed by anthropogenic activities and biological disturbances. It has been reduced to a very small, medium quality remnant towards the middle of the site.

The site has been rated as having a low conservation value and development of the site will have a low impact on the vegetation and habitat.

To mitigate the impact on the terrestrial biodiversity, a search and rescue for plants of conservation importance will be undertaken before any construction works commences. The conservation material obtained through the search and rescue will be relocated to the City of Cape Town's Restoration Facility at the Westlake Conservation Centre, for safekeeping, until such time it can be relocated and transplanted to one of several of the City's receptor sites.

3.3 Agricultural impacts

A Site Sensitivity Verification and Agricultural Compliance Statement dated 24 June 2020 was compiled by Johann Lanz to determine the agricultural impacts of the proposed development.

The site is located within the urban edge and is zoned as Community Zone 2: Regional. According to the Compliance Statement, land that is not within an agricultural area, and which is not zoned for agriculture, can therefore be considered to be of low agricultural sensitivity. The entire site is considered to be of low agricultural sensitivity in terms of the available sensitivity categories (low, medium, high, very high).

3.4 Freshwater impacts

A Site Sensitivity Verification and Wetland Compliance Statement dated 23 July 2020 was compiled by KC Phyto Enterprises CC to determine the freshwater impacts of the proposed development.

The site does not contain any wetlands. However, wetlands are found in close proximity to the site, on the neighbouring Erf No. 11659 (Transnet Industry). The wetland is regarded as an Other Ecological Support Area in the City of Cape Town's Biodiversity Network Map. The closest wetland area is approximately 30m from the site boundary line.

The Department of Water and Sanitation confirmed in a letter dated 20 February 2020 that the proposed depot does not require a water use authorisation as it does not pose a quantum of risk to the watercourse as contemplated in Section 21 (c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998).

The proposed development will incorporate a storm water management system designed to minimise contaminated runoff and encourage infiltration of clean storm water in keeping with Cape Town's management of urban storm water impacts policy, 2009.

3.5 Dust, traffic and noise impacts

Potential dust, traffic and noise impacts are anticipated during the construction phase. However, no significant potential dust, traffic and noise impacts are anticipated as these impacts will be mitigated by the implementation of the mitigation measures included in the EMPr.

3.6 Heritage impacts

Heritage Western Cape confirmed in their response to the Notice of Intent to Develop, that there is no reason to believe that the proposed medical depot and associated infrastructure will impact on heritage resources and that no further action under Section 38 of the National Heritage Resources Act (Act No. 25 of 1999) is required.

The development will result in both negative and positive impacts.

Negative Impacts:

- Potential noise and traffic impacts; and
- Loss of indigenous vegetation.

Positive impacts:

- Employment opportunities will be created during the construction and operational phases of the development; and
- Improved functioning of the health care system in the Western Cape.

National Environmental Management Act Principles

The National Environmental Management Act Principles (set out in section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: "*Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.*"

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