



EIA REFERENCE NUMBER: 16/3/3/5/A8/74/3011/18
ENQUIRIES: Mr. S. Abrahams
DATE OF ISSUE: 2018 -07- 24

The Director
Western Cape Government: Department of Human Settlements
P.O. Box 9083
CAPE TOWN
8000

For attention: Ms. J. Samson - Swartz

Tel: (021) 483 4197
Fax: (021) 483 5433

Dear Madam

THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION (REFERENCE NUMBER: 16/3/3/1/A8/74/3047/17) ISSUED ON 14 NOVEMBER 2017 FOR THE PROPOSED FOREST VILLAGE SEWER DIVERSION PROJECT AND ASSOCIATED INFRASTRUCTURE LOCATED BETWEEN KUILSRIVER AND BELLVILLE.

With reference to your application, find below the amended environmental authorisation in respect of this application.

AMENDED ENVIRONMENTAL AUTHORISATION

A. DECISION

With reference to the above-mentioned application, the Competent Authority has decided, in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), to amend the Environmental Authorisation ("EA") issued by this Department on 14 November 2017 (EIA Ref. No. 16/3/3/1/A8/74/3047/17) (attached as Annexure A).

1. Section B and the description of Alternative 1 (preferred alternative) of the EA issued on 14 November 2017 (Ref. No. 16/3/3/1/A8/74/3047/17) states:

" The proposed development entails the redevelopment of the Nooiensfontein pumpstation and the installation of a pipeline from the Nooiensfontein pumpstation to the Bellville Waste Water Treatment Works ("WWTW") and associated infrastructure.

The Nooiensfontein pumpstation will be redeveloped in order to overcome operational and efficiency constraints of sewer discharge water. The proposed development will service discharged water from the Forest Village housing development and surrounding areas. The existing Nooiensfontein pumpstation will be converted into a sandtrap facility in order to have grit and sand removed. The new pumpstation will include the following:

- A wet well/ dry well configuration with flooded suction centrifugal immersible pumps;
- A fifth pump will be installed to periodically pump via the existing pipeline to the Zandvliet WWTW's, to flush the Baden Powell sewer by providing self-cleaning velocities;
- The pumpstation will be equipped with automatic mechanical front raked screens, a standby generator emergency storage pond, security fencing and toilet facilities; and
- Associated infrastructure.

A pipeline will connect the Nooiensfontein pumpstation to the Bellville WWTW's. The pipeline will comprise of a 355mm internal diameter pipe with a length of approximately 4.1km. A section of the pipeline will cross the Kuils River and associated wetland areas and will require the clearance of indigenous vegetation.

The pipeline will cross the Nooiensfontein bridge, follow the Kuils River canal to advance up towards Belhar Road, then proceed in a westerly direction and follow Belhar Road towards the R300, cross the R300 (perpendicularly through a concrete sleeve, installed by means of microtunneling), continue in a northern direction to run parallel to the R300 (within the Bellville Solid Waste Disposal facility site) just before the Sarepta Substation, divert into the R300 road reserve and continue for approximately 250m beyond the Eskom substation, cross over the Sarepta railway line (by means of microtunneling) and follow along a portion of Sacks Circle before entering the Bellville WWTW (see attached Appendix A for the preferred alternative demarcated in red).

The proposed development will have a total development footprint of approximately 4.7ha.

Access to the Nooiensfontein pumpstation will be obtained via Nooiensfontein Road in Kuilsriver."

This is herewith amended as follows:

"The proposed development entails the redevelopment of the Nooiensfontein pumpstation and the installation of a pipeline from the Nooiensfontein pumpstation to the Bellville Waste Water Treatment Works ("WWTW") and associated infrastructure.

The Nooiensfontein pumpstation will be redeveloped in order to overcome operational and efficiency constraints of sewer discharge water. The proposed development will service discharged water from the Forest Village housing development and surrounding areas. The existing Nooiensfontein pumpstation will be converted into a sandtrap facility in order to have grit and sand removed. The new pumpstation will include the following:

- A wet well/ dry well configuration with flooded suction centrifugal immersible pumps;
- A fifth pump will be installed to periodically pump via the existing pipeline to the Zandvliet WWTW's, to flush the Baden Powell sewer by providing self-cleaning velocities;
- The pumpstation will be equipped with automatic mechanical front raked screens, a standby generator emergency storage pond, security fencing and toilet facilities; and
- Associated infrastructure.

A pipeline will connect the Nooiensfontein pumpstation to the Bellville WWTW's. The pipeline will comprise of a 355mm internal diameter pipe with a length of approximately 4.1km. A section of the pipeline will cross the Kuils River and associated wetland areas and will require the clearance of indigenous vegetation.

The pipeline will be installed beneath the Nooiensfontein bridge by means of directional drilling. The entrance and exit points of the directional drilling will be excavated approximately 15 m to east and west of the banks of the Kuils River. The directional drilling will traverse a distance of approximately 80 m and will extend to a depth of approximately 3.7 m below the Kuils River. The pipeline will then follow the Kuils River canal to advance up towards Belhar Road, then proceed in a westerly direction and follow Belhar Road towards the R300, cross the R300 (perpendicularly through a concrete sleeve, installed by means of microtunneling), continue in a northern direction to run parallel to the R300 (within the Bellville Solid Waste Disposal facility site) just before the Sarepta Substation, divert into the R300 road reserve and continue for approximately 250m

beyond the Eskom substation, cross over the Sarepta railway line (by means of microtunneling) and follow along a portion of Sacks Circle before entering the Bellville WWTW.

The proposed development will have a total development footprint of approximately 4.7ha.

Access to the Nooiensfontein pumpstation will be obtained via Nooiensfontein Road in Kuilsriver."

2. Section E (Conditions of Authorisation)

Condition 19 of the of the EA issued on 14 November 2017 (Ref. No. 16/3/3/1/A8/74/3047/17) which states that:

"Dust suppression methods must be used to mitigate dust during the land clearing activities. No water is to be used to mitigate dust in this regard. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation, etc.) may be implemented instead."

is hereby amended to read as follows:

"Dust suppression methods must be used to mitigate dust during the land clearing activities. No potable water is to be used to mitigate dust in this regard. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation, etc.) may be implemented instead."

B. REASONS FOR THE DECISION TO AMEND THE ENVIRONMENTAL AUTHORISATION:

1. The consideration of the information contained in the application for the amendment of the EA dated 07 March 2018 and received by this Department on 15 March 2018, the public participation information included in the amendment of EA report received by this Department on 15 June 2018 and the delayed comment dated 02 July 2018 was taken into account in this decision.

The amendment was a substantive amendment and a Public Participation Process was followed. In accordance with Regulation 32 of GN. No. R 326 of 07 April 2017 (as amended), the competent authority requested the applicant to:

Conduct a Public Participation Process which entailed:

- (i) Informing all Interested and Affected Parties ("I&APs"), which were registered in the Public Participation Process conducted during the EIA process for EA, of the newly proposed method (directional drilling) of the pipeline crossing the Kuils River. Written notification was provided to I&APs who were afforded a 30-day commenting period which commenced on 11 May 2018.
- (ii) The applicant was required to obtain an updated input from the freshwater specialist pertaining to the potential impact on the freshwater ecosystem.
- (iii) The applicant was further required to notify the I&AP's of the proposed amendment to condition 19 of the EA.

2. Comments:

During the Public Participation Process, the following comments were received:

- (i) CapeNature in their delayed comment (dated 02 July 2018) indicated that they accept the motivation for the selected method to install the pipeline by means of directional drilling beneath the Kuils River. CapeNature also indicated that attaching the pipeline to the bridge as previously authorised in the EA may result in vandalism, which could result in significant impacts on the Kuils River system. The directional drilling method of installation underneath the river will also result in a relatively low level of disturbance to the river and

riparian area. CapeNature further indicated that they do not object to the proposed amendments, provided that the Environmental Management Programme is implemented.

- (ii) The City of Cape Town: Catchment and Stormwater Management branch indicated in their comments (dated 04 June 2018) that they support the proposed amendments.
 - (iii) The City of Cape Town: Water and Sanitation branch indicated in their correspondence (dated 06 June 2018) that they are in support of the proposed amendment.
 - (iv) The City of Cape Town: Environmental and Heritage Management branch indicated in their comments (dated 11 June 2018) that they are in support of the proposed amendments.
3. Specialist input:
- (i) According to the updated Freshwater Assessment Report (compiled by EnviroSwift, dated April 2018) the directional drilling will occur within an area that is severely disturbed and the proposed crossing point of the pipeline is unlikely to have significant impacts on the canalised Kuils River, provided that all practical mitigation measures are implemented in order to limit potential impacts on the Kuils River during the operational use of the pipeline.
4. Motivation for the amendment:
- (i) According to the information provided, the proposed directional drilling method to install the pipeline beneath the Kuils River canal will prevent potential vandalism and subsequent adverse impacts on the Kuils River.
 - (ii) The amendments will not result in additional environmental impacts on the Kuils River.
5. Based on the information contained in the amendment report, updated Freshwater Assessment and the comments from the Public Participation Process, the proposed amendment is deemed appropriate.

C. CONDITIONS:

1. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4 (2) –
 - 1.1. Notify all registered I&APs of –
 - 1.1.1. The outcome of the application;
 - 1.1.2. The reasons for the decision;
 - 1.1.3. The date of the decision; and
 - 1.1.4. The date of issue of the decision.
 - 1.2. 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) detailed in section D below;
 - 1.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 1.4. Provide the registered I&APs with-
 - 1.4.1. The name of the holder (entity) of this amended environmental authorisation;
 - 1.4.2. The name of the responsible person for this amended environmental authorisation;
 - 1.4.3. The postal address of the holder;
 - 1.4.4. The telephonic and fax details of the holder;
 - 1.4.5. The e-mail address if any; and

- 1.4.6. 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).
2. All other requirements contained in the EA issued by this Department on 14 November 2017 (Ref. No. 16/3/3/1/A8/74/3047/17) (Attached as Appendix A) remain unchanged and must be implemented.

D. APPEALS

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

1. An appellant (if the holder) must –

- 1.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the Competent Authority of this decision.

2. An appellant (if NOT the holder) must –

- 2.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&AP, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.

3. The holder (if not the appellant), the decision-maker, I&AP and 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. This appeal and responding statement must be submitted to the address listed below:

By post: 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 Jaap de Villiers (Tel: 021 483 3721)
Room 809, 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

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

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

Yours faithfully



ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 24/07/2018

Copies to: (1) Mr. D. Georgeades (The City of Cape Town: ERM)
(2) Ms. N. Ritsch (Gibb (Pty) Ltd.)
(3) Mr. A. Oosthuizen (DEA&DP:DDF)

Fax: (086) 201 1241
Fax: (021) 424 5571
Fax: (021) 438 4185



EIA REFERENCE NUMBER: 16/3/3/1/A8/74/3047/17
ENQUIRIES: Mr. S. Abrahams
DATE OF ISSUE: 14 NOV 2017

The Director
Western Cape Government: Department of Human Settlements
P.O. Box 9083
CAPE TOWN
8000

For attention: Ms. J. Samson - Swartz

Tel: (021) 483 4197
Fax: (021) 483 5433

Dear Madam

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED FOREST VILLAGE SEWER DIVERSION PROJECT AND ASSOCIATED INFRASTRUCTURE LOCATED BETWEEN KUILSRIVER AND BELLVILLE.

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

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("NEMA EIA Regulations, 2014") the competent authority herewith **grants environmental authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred alternative described in the Basic Assessment Report ("BAR") dated October 2017.

The granting of this environmental authorisation is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Western Cape Government: Department of Human Settlements
c/o Ms. J. Samson - Swartz
P.O. Box 9083
CAPE TOWN
8000

Tel: (021) 483 4197
Fax: (021) 483 5433

The abovementioned company is the holder of this environmental authorisation and is hereinafter referred to as "the applicant".

B. LISTED ACTIVITY AUTHORISED

Listing Notice 1 - Government Notice No. R327 of 07 April 2017 (as amended):

Activity number: 19
Activity Description:

The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- (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*
- (f) 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.*

Listing Notice 3 - Government Notice No. R324 of 07 April 2017 (as amended):

Activity number: 12
Activity Description:

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. Western Cape

- 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;*
- ii. Within critical biodiversity areas identified in bioregional plans;*
- iii. 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;*
- iv. 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*
- v. 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.*

The abovementioned is hereinafter referred to as "the listed activities".

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The proposed development entails the redevelopment of the Nooiensfontein pumpstation and the installation of a pipeline from the Nooiensfontein pumpstation to the Bellville Waste Water Treatment Works ("WWTW") and associated infrastructure.

The Nooiensfontein pumpstation will be redeveloped in order to overcome operational and efficiency constraints of sewer discharge water. The proposed development will service

discharged water from the Forest Village housing development and surrounding areas. The existing Nooiensfontein pumpstation will be converted into a sandtrap facility in order to have grit and sand removed. The new pumpstation will include the following:

- A wet well/ dry well configuration with flooded suction centrifugal immersible pumps;
- A fifth pump will be installed to periodically pump via the existing pipeline to the Zandvliet WWTW's, to flush the Baden Powell sewer by providing self-cleaning velocities;
- The pumpstation will be equipped with automatic mechanical front raked screens, a standby generator emergency storage pond, security fencing and toilet facilities; and
- Associated infrastructure.

A pipeline will connect the Nooiensfontein pumpstation to the Bellville WWTW's. The pipeline will comprise of a 355mm internal diameter pipe with a length of approximately 4.1km. A section of the pipeline will cross the Kuils River and associated wetland areas and will require the clearance of indigenous vegetation.

The pipeline will cross the Nooiensfontein bridge, follow the Kuils River canal to advance up towards Belhar Road, then proceed in a westerly direction and follow Belhar Road towards the R300, cross the R300 (perpendicularly through a concrete sleeve, installed by means of microtunneling), continue in a northern direction to run parallel to the R300 (within the Bellville Solid Waste Disposal facility site) just before the Sarepta Substation, divert into the R300 road reserve and continue for approximately 250m beyond the Eskom substation, cross over the Sarepta railway line (by means of microtunneling) and follow along a portion of Sacks Circle before entering the Bellville WWTW (see attached Appendix A for the preferred alternative demarcated in red).

The proposed development will have a total development footprint of approximately 4.7ha.

Access to the Nooiensfontein pumpstation will be obtained via Nooiensfontein Road in Kuilsriver.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will occur between the Nooiensfontein pumpstation in Kuilsriver and the Bellville WWTW in Bellville.

The route of the pipeline will cross the following properties:

- Portion 2 of Farm Ongegund Annex 517; Cape Town;
- Portion 3 of Farm Ongegund Annex 517; Cape Town;
- Portion 2 of the Farm Ongegund Annex 521, Cape Town;
- Portion 3 of the Farm Ongegund Annex 521, Cape Town;
- Portion 0 of the Farm Remaining Extent of the Farm 513, Cape Town;
- Portion 5 of Farm No. 522, Cape Town;
- Portion 3 of Farm No. 940, Cape Town;
- Portion 4 of Farm No. 940, Cape Town;
- Portion 2 of Farm No. 523, Cape Town;
- Erf 13108, Cape Town;
- Erf 20880, Cape Town;
- Erf 22180, Cape Town;
- Erf 12751, Cape Town;
- Erf 12483, Cape Town;
- Erf 12484, Cape Town;
- Erf 13106, Cape Town;
- Erf 13109, Cape Town;
- Erf 39247, Cape Town; and
- Erf 14791, Cape Town.

Nooiensfontein pumpstation Co-ordinates:	33° 18°	57' 40'	04.17" 11.25"	South East
Middle point of pipeline Co-ordinates:	33° 18°	56' 39'	23.04" 36.08"	South East
Bellville WWTW Co-ordinates:	33° 18°	55' 39'	52.09" 09.79"	South East

hereinafter referred to as "the route".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Gibb (Pty) Ltd.
c/o Ms. N. Ritsch
P.O. Box 3965
DURBANVILLE
8000

Tel: (021) 469 9159
Fax: (021) 424 5571

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is valid for a period of **five years** from the date of issue within which commencement must occur. 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 Department prior to the expiry date of the environmental authorisation.
2. This Environmental Authorisation is granted for–
 - 2.1. A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - 2.2. A period of ten (10) years, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities for the development phase, must be concluded.
3. The listed activities, may not commence within 20 (twenty) calendar days of the date the applicant notifies the registered Interested and Affected Parties ("I&APs") of this decision. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation is suspended until such time as the appeal is decided (i.e. the listed activities, must not commence until the appeal is decided).
4. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4 (2) –
 - 4.1. Notify all registered I&APs –
 - 4.1.1. the outcome of the application;
 - 4.1.2. the reasons for the decision as included in Annexure 1;
 - 4.1.3. the date of the decision; and
 - 4.1.4. the date of issue of the decision.
 - 4.2. 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) detailed in section F below;

- 4.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 4.4. Provide the registered I&APs with-
 - 4.4.1. the name of the holder (entity) of this environmental authorisation;
 - 4.4.2. the name of the responsible person for this environmental authorisation;
 - 4.4.3. the postal address of the holder;
 - 4.4.4. the telephonic and fax details of the holder;
 - 4.4.5. the e-mail address if any; and
 - 4.4.6. 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).
5. A minimum of seven calendar days notice, in writing, must be given to the competent authority before commencement of the development activities.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 3, 4 and 13.
6. The holder is responsible for ensuring 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.
7. Any changes to, or deviations from the scope of the description set out in section B 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 as it deems necessary 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.
8. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
9. The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
 - 9.1. An application for amendment to the EMPr must be submitted to the competent authority if any amendments are to be made to the EMPr, and this may only be implemented once the amended EMPr has been authorised by the competent authority.
 - 9.2. The EMPr must be included in all contract documentation for all phases of implementation.
10. A copy of the environmental authorisation and the EMPr must be kept at the offices of the applicant. Access to the route 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.

11. The applicant must submit an application for amendment in terms of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended) of the environmental authorisation to the competent authority where any detail or scope with respect to the environmental authorisation must be amended, added, substituted, corrected, removed or updated.
12. Non-compliance with a condition of this environmental authorisation or EMPr may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") for implementation before the commencement of any activities to ensure compliance with the EMPr and the conditions contained herein.
14. 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 landfill licensed in terms of the applicable legislation.
16. 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.

17. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the environmental authorisation and the EMPr, and submit Environmental Audit Reports to the Competent Authority.
 - 17.1. An audit report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended);
 - 17.2. The holder must undertake an environmental audit within 6 months of commencement of the proposed development and submit an Environmental Audit Report to the Competent Authority one month after the completion of the development; and
 - 17.3. The holder must, within 7 days of the submission of the 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 on a publicly accessible website (if applicable).
18. Adequate ablution facilities must be provided during construction activities. The ratio of 15 people per ablution facility must not be exceeded.

19. Dust suppression methods must be used to mitigate dust during the land clearing activities. No water is to be used to mitigate dust in this regard. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation, etc.) may be implemented instead.

F. APPEALS

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

1. An appellant (if the holder) must –
 - 1.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the Competent Authority of this decision.
2. An appellant (if NOT the holder) must –
 - 2.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&AP, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.
3. The holder (if not the appellant), the decision-maker, I&AP and 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. This appeal and responding statement must be submitted to the address listed below:

By post: 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 Jaap de Villiers (Tel: 021 483 3721)
Room 809,8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@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 development or operation subsequent to development 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. ZA AHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 14/11/2017

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EIA REFERENCE NUMBER:

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WCP/EIA/0000304/2017

ANNEXURE 1: REASONS FOR THE DECISION

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

- a) The information contained in the application form dated 23 August 2017 and received by the competent authority on 31 August 2017, the BAR dated October 2017 and received by the competent authority on 20 October 2017 and the EMPr submitted together with the BAR;
- b) The listed activities applicable in terms of the NEMA EIA Regulations, 2014 (as amended), and the assessment of the activities in the BAR received by the Department on 20 October 2017;
- c) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- e) The comments received from interested and affected parties and the responses provided thereon; and
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures.

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 ("PPP") included, *inter alia*, the following:

- identification of and engagement with interested and affected parties;
- fixing a notice board at the Nooiensfontein pumpstation on 12 July 2017;
- giving written notice to the owners of the land and owners and occupiers of land adjacent to the properties along the route where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities; and
- the placing of a newspaper advertisement in the 'Tyger Burger' on 12 July 2017.

The Department is satisfied that the PPP that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report.

Specific management and mitigation measures have been considered in this environmental authorisation and in the EMPr.

2. Alternatives

Alternative included two pipeline route alternatives and the "No-Go" alternative were identified and comparatively assessed:

Alternative 1 (Preferred Alternative) – Herewith Authorised

The proposed development entails the redevelopment of the Nooiensfontein pumpstation and the installation of a pipeline from the Nooiensfontein pumpstation to the Bellville Waste Water Treatment Works ("WWTW") and associated infrastructure.

The Nooiensfontein pumpstation will be redeveloped in order to overcome operational and efficiency constraints of sewer discharge water. The proposed development will service discharged water from

the Forest Village housing development and surrounding areas. The existing Nooiensfontein pumpstation will be converted into a sandtrap facility in order to have grit and sand removed. The new pumpstation will include the following:

- A wet well/ dry well configuration with flooded suction centrifugal immersible pumps;
- A fifth pump will be installed to periodically pump via the existing pipeline to the Zandvliet WWTW's, to flush the Baden Powell sewer by providing self-cleaning velocities;
- The pumpstation will be equipped with automatic mechanical front raked screens, a standby generator emergency storage pond, security fencing and toilet facilities; and
- Associated infrastructure.

A pipeline will connect the Nooiensfontein pumpstation to the Bellville WWTW's. The pipeline will comprise of a 355mm internal diameter pipe with a length of approximately 4.1km. A section of the pipeline will cross the Kuils River and associated wetland areas and will require the clearance of indigenous vegetation.

The pipeline will cross the Nooiensfontein bridge, follow the Kuils River canal to advance up towards Belhar Road, then proceed in a westerly direction and follow Belhar Road towards the R300, cross the R300 (perpendicularly through a concrete sleeve, installed by means of microtunneling), continue in a northern direction to run parallel to the R300 (within the Bellville Solid Waste Disposal facility site) just before the Sarepta Substation, divert into the R300 road reserve and continue for approximately 250m beyond the Eskom substation, cross over the Sarepta railway line (by means of microtunneling) and follow along a portion of Sacks Circle before entering the Bellville WWTW (see attached Appendix A for the preferred alternative demarcated in red).

The proposed development will have a total development footprint of approximately 4.7ha.

This pipeline route is deemed as preferred since the proposed pipeline will have lower reinstatement costs as damage to existing roads and associated infrastructure will be minimised. This alternative will follow a straighter path and would have a shorter length to follow. This alternative was selected from a feasibility and accessibility perspective.

Alternative 2

The pipeline for this alternative will cover a length of approximately 4.3km. The pipeline will cross the Nooiensfontein bridge, follow the Kuils River canal to advance up towards Belhar Road, then proceed in a westerly direction and follow Belhar Road towards the R300, cross the R300 (perpendicularly through a concrete sleeve, installed by means of microtunneling), continue in a northern direction which will run parallel to the R300 (within the Bellville Solid Waste Disposal facility site), turn west before the Eskom substation and run along the southern boundary before proceeding in a northern direction and run along the western boundary of the Eskom substation and cross over the Sarepta railway line (by means of microtunneling) before entering the Bellville WWTW facility (see attached Appendix A for this alternative demarcated in blue).

This alternative is located in areas that has slightly reduced impacts on the affected wetland habitat according to the Freshwater Assessment Practitioner and may be preferred from a botanical perspective. However, this route alternative was not preferred due to accessibility constraints and will have greater installation costs. Further, this route follows a longer path.

"No-Go" Alternative

The "no-go" alternative will result in the status quo being maintained. The preferred alternative has been designed in such a manner that will not result in unacceptable impacts. The "No-Go" alternative was therefore not warranted.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

The proposed development is located in an urban area and is in line with the City of Cape Town's Integrated Development Plan, 2012-2017 and the City of Cape Town's Spatial Development Framework ("SDF"), dated 2012 and the amended SDF, dated 2014. The proposed infrastructural upgrades will service discharge sewer water from the recently developed Forest Village housing development and surrounding areas. The proposed upgrade of the Nooiensfontein pumpstation, and the pipeline, will result in an improvement in service delivery.

3.2. Freshwater Impacts

According to the Freshwater Assessment Report (compiled by EnviroSwift dated, June 2017) the Kuils River Present Ecological Status ("PES") and Ecological Importance and Ecological Sensitivity were assessed for the areas where the proposed pipeline will cross the Kuils River. The PES for riparian crossing points is categorised as having a loss of natural habitat, biota and basic ecosystem function while the PES for instream habitat is measured to have largely modified loss of natural, biota and basic ecosystem function. The Freshwater Impact Assessment further states that the Kuils River is considered to be of moderate Ecological Importance. The Ecological Sensitivity is regarded as high sensitivity where the proposed pipeline will cross. The proposed pipeline will only traverse wetland 9 and wetland 15 of the 27 wetlands identified in the study area. The PES for wetland 9 was assessed as being moderately modified while the PES for wetland 15 is regarded as largely modified. Further, wetland 9 was determined to have a moderate Ecological Importance and Ecological Sensitivity while wetland 15 is determined to have low Ecological Importance and Ecological Sensitivity.

Potential impacts as a result of the proposed development include potential habitat loss which could be experienced within the wetland and potentially affected riparian habitats. In addition, permanent alteration of the hydrological regime in the vicinity of the pipeline may be experienced. Sedimentation of the wetland and river habitat may occur. Further, modifications to river flow as a result of construction of the pipeline within the wetland areas may potentially alter the water quality in the event of potential spills. Impact to wetland habitats may also be incurred as a result of maintenance of the pipeline.

Mitigation measures to minimise the potential impact on freshwater and wetlands were included in the EMPr.

3.3. Biophysical

According to the Botanical Assessment Report (compiled by Nick Helme Botanical Surveys dated, 25 July 2017), the original indigenous vegetation in the area is mapped as Cape Flats Sand Fynbos which is listed as Critically Endangered in terms of Section 52 of the National Environmental Management: Biodiversity Act (Act No. 10 of 2004) ("NEMBA") List of Threatened Ecosystems in need of protection, dated December 2011. Cape Flats Dune Strandveld is listed as Endangered in terms of the NEMBA list of threatened ecosystems in need of protection.

The entire study area is considered to be low or low – medium botanical sensitivity and consequently presents no botanical constraints to the proposed development. The entire study area has been heavily to moderately disturbed with very little natural vegetation remaining. The proposed alternatives neither cross areas of high botanical sensitivity nor no go areas. The overall anticipated botanical impacts are likely to be low negative before and after mitigation for both route alternatives.

3.4. Traffic Impacts

Traffic impacts are anticipated during development due to the increased number of construction vehicles. A concern was raised by an I&AP during the Public Participation Process as the proposed

pipeline will cross property boundaries which may affect access. The traffic impacts will be managed to acceptable levels with the implementation of the mitigation measures highlighted in the EMPr.

3.5. Visual Impacts

Some visual impacts may occur during development. Mitigation measures have been included in the EMPr to minimise potential visual impacts as far as possible.

3.6. Noise and Dust Impacts

Noise and dust related impacts are anticipated during development. All noise and sounds generated during the proposed development will comply with the relevant SANS codes and standards. Potential noise and dust related impacts will be mitigated by the implementation of mitigation measures included in the EMPr.

3.7. Heritage and Archaeological Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape on 14 June 2017. Heritage Western Cape indicated in comment dated 14 July 2017 that no heritage resources will be impacted upon by the proposed development and no further studies are required. Heritage and archaeological impacts are therefore not deemed as significant.

3.8. Impact Assessment and significance rating

- 3.8.1. The potential fresh water related impacts on the affected watercourses and wetlands as a result of the development has been identified in the BAR as being of medium negative significance prior to mitigation and very low negative significance post mitigation.
- 3.8.2. The potential fresh water related impacts on the affected watercourses and wetlands as a result of potential pipeline leakage or spillage has been identified in the BAR as being of high negative significance prior to mitigation and very low negative significance post mitigation.
- 3.8.3. Potential biophysical impacts associated with the proposed development have been identified in the BAR as being of low negative significance prior to and post mitigation measures.
- 3.8.4. The potential traffic related impacts on the affected road network as a result of the proposed development has been identified in the BAR as being of medium negative significance prior to mitigation and low negative significance post mitigation.
- 3.8.5. The potential visual impacts associated with the proposed development have been identified in the BAR as being of low negative significance prior to mitigation and low negative post mitigation.
- 3.8.6. Potential noise related impacts during development have been identified in the BAR as being of low negative significance prior to and post mitigation measures.

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.

The development will result in both negative and positive impacts.

Negative Impacts Include:

- Potential loss of some indigenous vegetation;
- Potential impacts on freshwater; and
- Development impacts (dust, noise and traffic).

Positive impacts Include:

- The infrastructural upgrades will service discharge sewer water from the recently developed Forest Village housing development and surrounding areas;
- Service delivery improvements;
- Additional sewage treatment capacity; and
- Improvement to infrastructure.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this environmental authorisation, and compliance with the EMP, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-END-

Appendix A:

