

30 September 2022

Attention: Mr Zahir Toefy

Director: Integrated Environmental Management, Region B
Department of Environmental Affairs and Development Planning
Utilitas Building
1 Dorp
Street Cape Town
8001

Dear Mr Toefy

EIA Reference number: E12/2/2/1/4 Bulk Water Supply Infrastructure

Part 1 Amendment clarification: Muldersvlei Component

Zutari has been appointed to assist the applicant, the City of Cape Town (CCT), with a proposed Part 1 Amendment to the existing Environmental Authorisation (EA) for the proposed bulk water scheme: Muldersvlei component which was obtained in terms of the (i) Environmental Conservation Act (ECA), 1989 (Act No. 73 of 1989), (ii) the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998) and (iii) the Environmental Impact Assessment Amendment Regulations of 2010. Furthermore, an Appeal was lodged in terms of Section 43 of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998) and the Appeal was granted in favour of the applicant (CCT) and signed on 16 September 2013. An Application for the Amendment of the Appeal in terms of the 2014 EIA Regulations was granted on 7 August 2017.

In the pre-app meeting on 29 September 2022 the DEA&DP advised Zutari to submit the minor design amendments and supporting documentation in a letter (this letter) for consideration for the DEA&DP to be able to formally confirm that these proposed changes can be submitted as a Part 1 Amendment.

Please find below a description of the proposed changes and reference to annexures as part of the motivations for the proposed changes.

1. Amendment to the reservoir and Water Treatment Plant (WTP) site boundaries

An amendment to the site boundaries of the reservoir and water treatment plant (WTP) site is requested. Site A1, as in the Environmental Impact Assessment, was approved in the Environmental Authorisation. A comparison between the cadastral site boundaries and the boundaries of Site A1 approved under the EA is shown in drawing number 1001757-0000-DRG-CC-9021 (refer Appendix A.1). The site approved under the EA had an area of 2.23 ha. This increased to 2.42 ha with the revised site boundaries.

Motivation and reasons

- It was a request of the landowners to update authorised boundaries to match cadastral boundaries. The additional portion on the southern end on Farm Portion 2/719 was acquired by the CCT at the request of the landowner (Starke Farm Trust) as detailed in the attached communication (refer Appendix A.2). The Stark Farm Trust requested that the CCT take ownership of the alcove of land containing the three existing dams as if it were retained by the Stark Farm Trust, it would create a stock theft risk.



- The approved area on Farm Portion RE/2/475 included a portion of the existing farm dam. The area acquired by the CCT was subsequently adjusted to exclude the farm dam and include an additional portion on the southern side.
- The additional land acquired are all covered by the original impact assessment and came at the request of the landowners.
- It is proposed to use the southern portion of the site for stormwater collection ponds. This will result in a positive environmental impact as a wetland area will be created on land previously used for farming activities.
- Please refer to Appendix A.3 for the verification that the environment is similar as to what has been assessed 10 years ago as part of the motivation for updated boundaries.
- Please refer to Appendix A.4 for the Locality map.
- Please refer to Appendix A.2, Appendix A.5.1, Appendix A.5.2 and Appendix A.13 for the proof of consultation with affected landowners (Portion 2 Farm 719 and Portion 2 Farm 475)

2. Amendments to DN1525 incoming pipeline corridor (reroute at snail farm and Eskom pylon):

The EA approved a 60m design corridor for each of the DN1525 incoming pipeline and the future DN1700 raw water pipeline. Within this 60m corridor, a construction corridor of 27m and a final servitude corridor of 15m was approved for each pipeline. There are two positions where the DN1525 incoming pipeline and future DN1700 raw water pipeline cannot be retained within their respective 60m design corridors. The two deviations are shown on drawing *1001757-0000-DRG-CC-9012* (refer Appendix A.6). Note that for the majority of the DN1525 incoming pipeline route, it is running parallel with the future DN1700 raw water pipeline. These pipelines were spaced at 10m centre to centre in the locality plan on which EA was granted. Therefore, for the sections where these pipelines run parallel, there will be a net 70m wide design corridor in which both pipelines must be placed.

Motivation and reasons

- The first deviation is on property RE/9/721 as shown on drawing *1001757-0000-DRG-CC-9013* (refer Appendix A.7). This deviation is required due to the organic farming facilities that has been erected since environmental authorisation was granted. The width of the construction corridor will be restricted to 15 m in this section to minimise the impact of the works outside the approved corridor.
- The second deviation is on property RE/721 as shown on drawing *1001757-0000-DRG-CC-9014* (Appendix A.8). This deviation is required to avoid the existing Eskom pylons within the approved design corridor. Eskom has strict requirements in that no pipelines can be placed within 20m of their pylons and no construction work can occur within 10m of their pylons. This deviation is required to adhere to Eskom's requirements for high-voltage overhead powerlines.
- The impact of both deviations was reduced as far as possible and, considering the scale of the approved design corridor, it is deemed to be negligible.
- Although a 60m design corridor, 27m construction corridor and 15m servitude was approved for each pipeline, where the DN1525 incoming pipeline and the DN1700 raw water pipeline run parallel, it is proposed to reduce the environmental impact by restricting both pipelines into a *single* 27 m construction corridor and a *single* 15 m servitude.
- Please refer to Appendix A.3 for the verification that the environment is similar as to what has been assessed 10 years ago as part of the then EIR as motivation for all the design amendments.
- Please refer to Appendix A.4 for the Locality map.
- Please refer to Appendix A.9.1 to Appendix A.9.7 for the proof of consultation with affected landowners (Portion 9 Farm 721 and Remainder Farm 721).

3. Amendments to Access Road Corridor to match proposed SG diagrams:

Approval for the access road was granted for a 20m road reserve and a 9.5m surfaced roadway. Approval was granted on a preliminary route for the access road which has since, due to existing infrastructure and the natural topography, been refined. Based on the refined route, an amendment is

requested for the access road. Drawing 1001757-0000-DRG-CC-9011 (refer Appendix A.10) shows a comparison between the revised route and preliminary route as per the locality plan on which authorisation was granted.

Motivation and reasons

- The intersection with the R304 was shifted to allow for a perpendicular connection between the access road and the R304 as per Western Cape Provincial Government: Department Transport and Public Works requirements.
- The City of Cape Town agreed to relocate the existing access road to County Fair on the eastern side of the R304. This will result in a single intersection for both access roads which will result in a significant improvement in the road safety. This was also a requirement from Western Cape Provincial Government: Department Transport and Public Works. County Fair has also given consent for the relocation of their access road – please refer to Appendix A.11.2.
- The access road alignment had to be adjusted for the first 100m after the intersection for the road to navigate through the existing Eskom pylons as safely as possible. The current alignment provides optimal clearances from the pylons and thus minimising the impact on Eskom and improving the safety through which vehicles can travel through the pylons and high-voltage overhead powerlines.
- Other minor refinements to the access road were required to minimise the vertical slopes and provide improved sight distance for users of the access road. These changes are required to improve the road safety.
- Please refer to Appendix A.3 for the verification that the environment is similar as to what has been assessed 10 years ago as part of the then EIR as motivation for all the design amendments.
- Please refer to Appendix A.4 for the Locality map.
- Please refer to Appendix A.11.1 – Appendix 11.3 for the proof of consultation with affected landowners (Portion 3 Farm 719). Appendix A.11.4 includes communication dated 6 June 2022 in which CapeNature and Biodiversity recognises that: *“the construction of the new road through the Damarakloof Conservation Area. As the EA was issued before the agreement was signed, the new conservation agreement will not impact on the EA”*

4. Wynland Water pipeline

There is an existing pipeline from Wynland Water that is routed through the proposed reservoir and water treatment plant site. This pipeline must be relocated before the construction of the reservoir can commence. The proposed relocation of the Wynland Water pipeline is shown on drawing 1001757-0000-DRG-CC-9008 (refer Appendix A.12). Due to the incoming pipelines (the DN1525 and the DN1700) crossing the ‘red rectangle’ (Appendix A.12) (new area) there is a corridor of 70m that has been assessed (of the 100m of the red rectangle) leaving only 30m of unassessed area. However, Access Road Option C, which was the eastern most entry to the reservoir, has a buffer of assessment (at least 20m) that has been assessed.

Motivation and reasons

- The proposed new pipeline route was selected to stay within the boundaries of the City of Cape Town's property as far as possible. Where the pipeline could not be retained in the City's property, the pipeline runs through the authorised design corridors for the DN1525 incoming pipeline and the DN1700 raw water pipeline. This approach was adopted to ensure the pipeline is routed, as far as possible, in previously assessed areas.
- Wynland Water agreed to the proposed relocation route.
- The affected landowner on farm portion 2/719 also gave consent for the proposed relocation route.
- The new pipeline will have a diameter of only 160mm. Where it is not within City of Cape Town property, the servitude will be limited to 4m wide or a right-of-way agreement will be concluded with the landowner.
- Please refer to Appendix A.3 for the verification that the environment is similar as to what has been assessed 10 years ago as part of the then EIR as motivation for all the design amendments
- Please refer to Appendix A.4 for the Locality map.

- Please refer to Appendix A.5.1, Appendix A.5.2 and Appendix A.13 for the proof of consultation with affected landowners (Portion 2 Farm 719 and Portion 2 Farm 475).

The above design changes are considered minor compared to the authorised infrastructure and are required to comply with the requirements of the relevant authorities. The affected landowners are supportive of these changes. It will be appreciated if the DEA&DP can confirm whether these minor design changes can be included in the Part 1 Amendment application.

Kindly contact the undersigned at jarryd.finkelstein@zutari.com should any additional information be required.

Yours faithfully



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