



REFERENCE: 16/3/3/5/B4/45/1089/22

DATE: 24 November 2022

The Municipal Manager
City of Cape Town Municipality
PO Box 78949
CAPE TOWN
8000

Attention: Mr Gavin George

Cell: 082 291 8764

E-mail: george@capetown.gov.za

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FOR AMENDMENT IN TERMS OF PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS 2014 FOR THE CITY OF CAPE TOWN BULK WATER AUGMENTATION SCHEME, MULDERSVLEI COMPONENT.

1. The Environmental Authorisation ("EA") issued on 30 January 2013, the Appeal EA issued on 16 September 2013, the Amended Appeal EA issued on 7 August 2017 and the electronic copy of the abovementioned document received by this Department on 14 November 2022, refer.
2. This letter serves as an acknowledgement of receipt of the abovementioned document.
3. The EAP is of the opinion that the proposed changes fall within the ambit of a Part1 amendment. However, having considered the information in the Amendment Application, the Department's comment is as follows:
 - 3.1 Since the 70m corridor and the relocation of the existing Wynland water pipeline was not considered and assessed during the original application and the proposed amendments exceeds the size and footprint of what was initially considered, assessed and authorised, the Department is of the opinion that there is a change in the scope of the EA.
 - 3.2 A Part 2 amendment process in terms of the NEMA EIA Regulations, 2014 (as amended) must therefore be conducted to the apply for the proposed amendments.
4. You are therefore required to:
 - 4.1 Make an Amendment Application Report available to this Department and all the relevant State Departments / Organs of State for a 30-day commenting period. The report must also be made available to potential and registered Interested and Affected Parties ("I&APs") for a minimum 30-day commenting period. All comments received must be incorporated into the report.

Your attention is drawn to Regulation 3(3) of the EIA Regulations, 2014 (as amended) which states, *"Unless justified by exceptional circumstances, as agreed to by the competent authority, the proponent and applicant must refrain from conducting any public participation process during the period of 15 December to 5 January."*

- 4.2 The report must contain the information as prescribed by Regulation 32 of the EIA Regulations 2014.
 - 4.3 In accordance with Regulation 32 of the EIA Regulations 2014, the Department hereby stipulates that the report must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department. If, however, significant changes have been made or significant new information has been added to the report, the applicant/Environmental Assessment Practitioner must notify the Department that an additional 50 days (i.e. 140 days from the date of receipt of the application) will be required for submission of the report. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.
 - 4.4 If the report is not submitted within 90 days, or 140 days where an extension is applicable, the application shall lapse in terms of Regulation 45 of the EIA Regulations 2014 and your file will be closed. Should you wish to continue, a new Application Form must be submitted.
5. Further to the above, the following must also be addressed in the Amendment Report:
- 5.1 The Environmental Management Programme ("EMPr") must also be amended in line with the proposed amendment and appended to the Draft and Final Amendment Report that will be circulated for comment and submitted for decision-making. Please ensure that all the relevant sections of the EMPr is amended accordingly.
6. The conditions stipulated in the Amended Appeal EA dated 7 August 2017 (Authorisation reference: 14/3/1/1/B4/45/0244/17) remain applicable until a decision on this amendment application is taken by this Department.
7. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
8. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully

**Melanese
Schippers**

Digitally signed by
Melanese Schippers
Date: 2022.11.24
12:52:27 +02'00'

**pp HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Corlie Steyn (Zutari (Pty) Ltd)

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