



DIRECTORATE: DEVELOPMENT MANAGEMENT
(REGION 2)

REFERENCE: 16/3/3/6/7/1/B4/23/1269/15
ENQUIRIES: Ms Lorretta Osborne
DATE: 2016-05-09

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7600

Attention: Mr D van Taak

Tel: (021) 808 8111
Fax: (086) 662 6795

Dear Sir

COMMENT ON THE BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED UPGRADE OF THE EXISTING KLAPMUTS WASTE WATER TREATMENT WORKS ON PORTION 2 AND REMAINDER OF FARM NO. 736, KLAPMUTS

1. The draft BAR and the letter dated 18 March 2016, as received by the Department on 24 March 2016, refer.
2. This letter serves as an acknowledgment of receipt of the aforementioned document by the Department.
3. The following is the Department's comment on the pre-application draft BAR and must be addressed in the draft BAR that will be circulated during the application process:
 - 3.1 The Department notes that the additional expansion activities are not included in the draft BAR as indicated in the Departmental letter issued on 27 October 2015. You are requested to indicate:
 - 3.1.1 Which pipelines are going to be constructed (new)?
 - 3.1.2 The length, diameter and throughput capacity of the new pipelines.
 - 3.1.3 Which pipelines will be upgraded?
 - 3.1.4 The current diameter and throughput capacity of each pipe to be upgraded, as well as the length it will be expanded with and the new throughput capacity.
 - 3.2 The linear co-ordinates on page 14 of the draft BAR are incomplete. The starting, middle and end points of all linear activities must be provided.

- 3.3 Pages 19, 38, 49 and others, as well as the Freshwater Ecosystem Assessment dated August 2015, indicate that the vegetation type is Swartland Alluvium Fynbos. Pages 4 and 37 of the draft BAR however refers to Swartland Granite Renosterveld. The draft BAR that will be submitted during the application phase must include the correct vegetation type.
- 3.4 The Department notes that a Water Use Licence Application ("WULA") was submitted to the Department of Water and Sanitation together with the WULA assessment information. You are requested to:
- 3.4.1 Clarify why the assessment does not refer to the irrigation dam and irrigation pipeline that forms part of the proposal.
- 3.4.2 Provide proof of submission of the WULA to the Department of Water and Sanitation.
- 3.5 You are also requested to indicate the storage capacity of the irrigation dam as this may have additional activities associated with it.
- 3.6 The report mentions that, "a Notice of Intent was previously submitted to Heritage Western Cape for the same Klapmuts Waste Water Treatment Works upgrade proposal and a positive Record of Decision was issued by Heritage Western Cape dated 24 October 2012." Note that the aforementioned letter was not included for reviewing purposes.
- 3.7 Page 56 of the Environmental Management Programme ("EMP") states that, "future maintenance of the stream and wetland vegetation surrounding the stream must be done in line with the Wetland Rehabilitation and Management Plan." Note that the Wetland Rehabilitation and Management Plan must be undertaken and included in the draft BAR that will be submitted during the application phase for commenting purposes. Furthermore, the Department's Guideline for Maintenance Management Plans is herewith attached since future maintenance to the infrastructure located within the watercourse may be required and can form part of the Wetland Rehabilitation and Management Plan.
- 3.8 Page 60 of the Waste, Water Use and Electricity consumption minimization and management programme dated March 2016, indicates that, "Hartenberg Farm (Pty) Ltd, will use this Planning, Construction and Operational Phase EMP as a tool in managing the impacts of the proposed Upgrading and Rehabilitation of the Hartenberg Bottom Dam..." The abovementioned programme must be amended to refer to the correct proposal. In addition, please ensure that all minimization and management measures are applicable to this proposal.
- 3.9 The Wetland Map (Annexure A) in the draft BAR and the Wetland Map in the Freshwater Ecosystem Assessment dated August 2015 (Annexure F) does not correspond with each other. You are requested to amend the Wetland Map (Annexure A) to indicate the correct information. In addition, this Department is

of the opinion that the Critically Biodiversity Areas Map is not adequate. Appropriate maps must be provided.

- 3.10 In addition to the above, you are requested to submit a legible site layout plan of the Waste Water Treatment Works that depicts the serpentine wetland, the irrigation dam and the surrounding associated infrastructure.
 - 3.11 Please ensure that the final BAR and the Environmental Management Programme contain all the information outlined in Appendices 1 and 4 as defined in terms of the EIA Regulations, 2014.
 - 3.12 All original signed declarations (applicant, environmental assessment practitioner and specialists) are to be included with the draft BAR submitted to the Department for comment during the application phase.
 - 3.13 Comments received during the Public Participation Process from the Interested and Affected Parties and the relevant authorities and a Comments and Response Report that adequately addresses any highlighted issues must be included in the draft BAR during the application phase.
 - 3.14 Please ensure that all recommendations and mitigation measures stipulated in the specialist report are included in the EMP to be submitted with the draft BAR.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
 5. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.
 6. The Department reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully



HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr R Kapp (Guillaume Nel Environmental Consultants)
(2) Mr S van der Merwe (Stellenbosch Municipality)

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SECTION B: GUIDELINE FOR COMPILING A MAINTENANCE MANAGEMENT PLAN

The Maintenance Management Plan (MMP) must be submitted together with the request for agreement to a Maintenance Management Plan in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2010 (Section A of this form). This section is intended to give guidance on the content of a MMP. It provides headings for the various sections that a MMP should contain, as well as a brief description of typical content under each heading. The headings in BOLD are sections that a MMP should include, while the other headings give an indication of sections that may be included in the MMP where applicable.

INTRODUCTION

This section may include an overview, details of the responsible party who will implement the MMP, engineers or other specialists appointed for the maintenance work, the Environmental Assessment Practitioner (EAP) or consultant appointed to compile the MMP. Please also include the expertise of the person who prepared the MMP.

DEFINITIONS OF TERMS AND ACRONYMS

Acronyms and technical terms used in the Maintenance Management Plan should be defined or clarified so that the person who must implement the plan understands the document.

1 BACKGROUND

2 RELEVANT LEGISLATION AND POLICIES

This section gives a brief description of the environmental framework within which the Maintenance Management Plan is prepared, approved and implemented.

Please note that:

- a) The Maintenance Management Plan may be approved in terms of the NEMA EIA Regulations 2010 and only relates to Activity 18, Listing Notice 1 (GN R.544);
- b) This Maintenance Management Plan must also satisfy the statutory requirements of the National Water Act, 1998 (Act 36 of 1998, as amended) and the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983, as amended), where applicable;
- c) Maintenance work in watercourses, the sea, seashore, littoral active zone or 100m from the high water mark of the sea or estuary is not necessarily restricted only to "the infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock". Other activities might include expansion and construction that require a Basic Assessment to be undertaken.
- d) Approval of the Maintenance Management Plan does not absolve you from your general "duty of care" set out in Section 28(1) of the NEMA which states that "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." (Note: When interpreting this "duty of care" responsibility, cognisance must be taken of the principles of sustainability as contained in Section 2 of the NEMA);

3 SITE LOCATION AND DESCRIPTION /PROJECT LOCATION & LAYOUT PLANS

3.1 Provide a location map (to appropriate scale e.g. 1:50 000) of the site (clearly indicate the site on the map) and directions to the site.

3.2 Provide a layout plan (to appropriate scale e.g. 1:10 000) of the site, indicating the existing development footprint, extent of proposed maintenance management work, and proximity to the river course/sea/seashore/littoral active zone. In addition, the 1:100 year flood-line (if known) and/or the 32 m line from its banks or the distance of 100m inland of the highwater mark of the sea/estuary and neighbouring sites/properties must be shown on a map.

3.3 You are required to attach aerial photographs (e.g. Google Earth image) and other supporting pictorial evidence or description that clearly illustrates the information required above.

3.4 Describe the site. Include any relevant information such as:

3.4.1 The type of ecosystem (e.g. valley bottom wetland, seeps, depressional wetland, mountain stream, foothill river, lowland river, estuary, etc.)

3.4.2 Mapped biodiversity features such as Critical Biodiversity Area, Ecological Support area, National Freshwater Ecosystem Priority Area, Threatened Ecosystems listed in Section 53 of the National Environmental Management: Biodiversity Act (NEMBA) etc. Please consult the website www.bgis.sanbi.org.za to determine mapped features. If the site is included in a mapped biodiversity feature, relevant special input must be obtained.

3.4.3 Condition of the river channel type and river bed (e.g. riffle, fixed/canalised, excavated or dynamic (changes direction or position after floods)) and the condition and slope of the banks of the watercourse (e.g. mostly undisturbed indigenous vegetation or mostly alien plants or trees, or bulldozed or canalised). Include description of existing or previous protection measures or reinforcements (eg. gabions or groynes etc.). Describe any evidence of erosion and/or siltation.

3.4.4 Describe the riparian buffer zones. These are the vegetated areas along both sides of water bodies that generally consist of trees, shrubs and grasses. They act as buffers to protect surface waters from contamination and are habitats for a large variety of animals and birds. This must be supported with recent photographs.

3.4.5 Is the site prone to flooding? Please describe history and effect of past floods and include dates of most recent events. Describe measures that you have taken in the past to prevent erosion.

4 OBJECTIVES OF MAINTENANCE ACTIVITIES/TERMS OF REFERENCE

4.1 Describe the objectives of the Maintenance Management Plan (Need & Desirability)

4.2 The Terms of Reference of the person or EAP appointed to draft this MMP may be included under this section.

5 DESCRIPTION OF MAINTENANCE ACTIVITIES /BRIEF SUMMARY OF THE PROJECT

5.1 Description of proposed tasks (further details for the tasks may be provided in a method statement (a template is provided in the Table 1 and 2 below). The following must be included in this section:

5.1.1 The amount of material that will be deposited, removed or moved;

5.1.2 Location of intermediate and final storage/disposal of the material, and how it will be transported. Also state if any new or temporary access roads will have to be developed.

5.1.3 Approximate commencement date and duration in days for each task. Time periods within which the measures contemplated must be implemented. Indicate whether actions will be repeated, e.g. clearing of silt from under a bridge annually or after flood events.

5.2 Impacts on receiving environment:

5.2.1 A description of positive and detrimental environmental impacts. Describe what investigations or assessments have been undertaken (if any) to inform the Maintenance Management Plan.

5.2.2 Any mitigation or management measures proposed to address the environmental impacts. In terms of the mitigation hierarchy, detrimental impacts must be avoided; where it cannot be avoided, it must be minimised and mitigated.

5.3 Any specialist inputs obtained.

5.4 A description of any activities that have physically commenced on site. List the date of commencement of these activities.

6 RESPONSIBLE PARTIES / ROLES & RESPONSIBILITIES

6.1 Names and details of relevant parties:

6.1.1 Name of Proponent or person who will undertake the maintenance activity; Contact Person (if other); Postal address; Telephone; E-mail;

6.1.2 Name of landowner; Contact person; Postal address; Telephone; E-mail. In instances where there is more than one landowner, please attach a list of landowners with their contact details, together with copies of the notices given to these landowners about the maintenance management plan.

6.2 Responsibilities and Functions of the Proponent / Implementing Agent.

7 ENVIRONMENTAL EDUCATION / ENVIRONMENTAL AWARENESS PLAN

This section describes the manner in which persons undertaking the maintenance work will be informed of any environmental risk which may result from their work, and risks which must be dealt with in order to avoid pollution or the degradation of the environment.

8 IMPLEMENTATION MANAGEMENT

Camp Site; Access Routes; Alien Eradication (if not dealt with under "Description of Maintenance Activities").

9 GENERAL CONTROL

Refuse; Fires; Services; Erosion control; Demarcation of no-go areas; Noise from Maintenance activities; Fuel Spills; Occupational Health and Safety; Protection of Fauna and Flora.

10 RESTORATION/REHABILITATION SPECIFICATIONS & SITE CLEAN-UP

This section should include measures to rehabilitate the affected environment by the maintenance activity to its natural or predetermined state. This could include closure plans and closure objectives where appropriate.

11 ENVIRONMENTAL MONITORING & REPORTING / AUDITING

The monitoring programme must detect changes that will inform intervention or remedial measures for good environmental performance. The data collection, management and reporting must be documented and be made available for inspection. The following table can be used as a guide.

Table for monitoring of actions

Part of the water course that is monitored	Frequency of monitoring	Monitoring Procedure	How results are analysed and presented	Comments

12 ANNEXURES:

ANNEXURE 1: AERIAL PHOTOGRAPHS AND SUPPORTING DOCUMENTS

NOTE: Please attach aerial photographs and other supporting pictorial evidence that clearly show the site and adjoining property, the development footprint and the water course as an appendix. This includes:

- A locality map with scale at least 1:50 000, indicated on the map. The following must be indicated:

- Position of the project site(s);
 - Road names or numbers of all the major roads as well as access roads to the site(s);
 - North arrow;
 - Legend;
 - GPS co-ordinates for the centre point of the site in degrees and (three) decimal minutes. The projection must be the WGS-84 spheroid in a national or local projection.
- A site map with scale at least 1:10 000 that indicates:
 - Roads that provide access to the site;
 - North arrow;
 - Legend;
 - Locations for various methods, for example,
 - Location and area where material will be moved from and to, or removed;
 - Location where soil/sediment/debris will be stored/loaded, etc.;
 - Extent of indigenous vegetation, if present;
 - The 1:100 year flood line (if known) and the 32 m line from the banks of the watercourse.

ANNEXURE 2: METHOD STATEMENTS

Please expand or contract the tables that follow for each task listed in 5 above, where necessary.

NOTE:

The Department is entitled to request further information if it believes it is necessary for consideration of this request.

Table 1: Method statement that describes immediate proposed tasks, and assessment of their impacts

Description of tasks and subordinate actions:				
<ul style="list-style-type: none"> • Pre-work required. • Description of work to be done: what, when, where and how. • Access to and from the site. • Disposal of sand, soil, pebbles, shell, rock. 				
Actions	Potential impacts of these actions	Severity of impacts	Measures to mitigate the severity of these impacts	Corrective/remedial measures if mitigation measures are not properly implemented on site
		<p>Light: Disturbance of area with important conservation value; destruction of rare or endangered species. No possible mitigation, or mitigation is difficult, expensive, time-consuming.</p> <p>Medium: Disturbance of area with potential conservation value or of use as a resource; complete change in species occurrence or variety.</p> <p>Low: Disturbance of degraded area with little conservation value; minor change in species occurrence or variety. Mitigation easily achieved or little required.</p>		

Table 2: Method statement that describes future proposes, and assessment of the risks

Descriptive tasks and sub-activities:				
Actions	Potential impacts of these actions	Severity of impacts	Measures to mitigate the severity of these impacts	Corrective/remedial measures if mitigation measures are not properly implemented on site
<ul style="list-style-type: none"> • Pre-work required. • Description of work to be done: what, when, where and how. • Access to and from the site. • Disposal of sand, soil, pebbles, shell, rock. 		<p>High: Disturbance of area with limited conservation value; definition of rare or endangered sp. No possible mitigation, mitigation is difficult, expensive, costly.</p> <p>Med: Disturbance of area with partial conservation value or, as source; complete change in sp occurrence or variety.</p> <p>Low: Disturbance of degraded area with limited conservation value; minor change in sp occurrence or variety</p> <p>Minor: Easily achieved or lifted.</p>		