

22 March 2024

DEA&DP REF: 16/3//3/5/A5/31/2034/23

Dear Interested and Affected Party

NOTIFICATION OF 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) FOR THE PART 2AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED BY THIS DIRECTORATE ON 11 APRIL 2022 (REF. NO. 16/3/3/1/A5/31/2048/21) FOR THE PROPOSED DEVELOPMENT OF A REGIONAL STORMWATER POND AND ASSOCIATED INFRASTRUCTURE ON UNREGISTERED ERF 2001 (PREVIOUSLY A PORTION OF PORTION 32 OF FARM NO. 168), ERF 1991 (PREVIOUSLY PORTION 33 OF FARM NO. 168) AND WITHIN A PORTION OF THE ROAD RESERVE OF DARWIN ROAD, FISANTEKRAAL.

Project Description

Approved description:

Dexter Estates (Pty) Ltd. obtained an Environmental Authorisation (EA) to proceed with the development of the permanent regional stormwater pond on unregistered Erf 2001 and Erf 1991 (previously a portion of Portion 32 of Farm No. 168), Erf 1991 (previously Portion 33 of Farm 168) and within a portion of the road reserve of Darwin Road, Fisantekraal on behalf of the CoCT on the 11th of April 2022.

The EA was issued by the Department of Environmental Affairs and Development Planning (DEA&DP) on the 11th of April 2022. The EA authorises the following:

The authorised development entails the development of a regional stormwater pond and associated infrastructure on unregistered Erf 2001 (previously a portion of Portion 32 of Farm No. 168), Erf 1991

(previously Portion 33 of Farm No. 168) and within a portion of the road reserve of Darwin Road, Fisantekraal.

The initial environmental authorisation authorized the following:

- Construction/ expansion of inlet channels within the road reserve of Darwin Road.
- Construction of a new 'wet' stormwater pond within the services servitude registered on Portion 32 and 33 of Farm 168, and associated landscaping in accordance with the recommendations of the aquatic specialist.
- The erection of concrete palisade fencing along the boundary line of the services servitude. Rerouting of a $\pm 50\text{m}$ stretch of gravel farm road within the road reserve of Darwin Road.
- Demarcation of temporary laydown and stockpile areas during construction. Maintenance of the permanent regional pond during the operational phase, including sediment and litter removal and alien vegetation control.
- The enlargement of a channel (i.e. channel 1) located along the existing outlet channel of the temporary pond to convey peak unattenuated 1:100 year flow from the contributing catchments to a new box culvert. The new box culvert will allow the water to flow from channel 1 into channel 2. Channel 2 will discharge the water into the forebay of the regional pond.
- The regional stormwater pond will have a 2.9m deep permanent pool, which includes an aquatic bench, to attenuate runoff for 1:5 year to 1:50 year storm events. A 1.4m wide and 0.2m deep vegetated strip will be developed around the stormwater pond to form a perimeter and will provide some ecological services including pollutant removal, erosion control and conveyance and temporary storage of water. The total volume of the proposed stormwater pond will be approximately 4193.2m^3 .
- A box culvert, approximately 1.2m wide and approximately 1.2m high will be developed to allow water to be discharged into the gabion spillway/basin.
- The gabion stilling basin with a 10m wide overflow will be developed and will be provided at the 1:50 year flood level of the Mosselbank River. No formal works downstream of the stilling basin will occur.

The total footprint of the proposed development and associated infrastructure will be approximately 6500m^2 in extent

PROPOSED AMENDMENTS TO THE EA

The proposed development is amended to include the following:

Channels 1 and 2 are existing roadside stormwater channels flowing into the Mosselbank River. It is proposed to formalise both channels by increasing the cross-sectional area, flattening the embankments and providing erosion protection in the form of grass by hydroseeding and grass sods. The Channel 1 converges with Channel 2 to discharge into a new 2.10mx1.20m box culvert which flows to the forebay of the new regional dry pond.

The new regional dry attenuation pond will consist of a hardened forebay area with a gabion wall. All sediment and litter from the contributing catchments will be collected at the forebay.

The pond will have a maximum depth of 2.31 (top of bank 82.010 to outlet structure invert 79.700). (Mean sea level 82.010 en 79.700, Depth is 2.31m).

Post development peaks will be attenuated to pre-development peaks for a range of recurrence intervals from the 1:2-year to 1:50-year event at an outlet structure. Storm events larger than the 1:50-year event will be discharge over the gabion spillway and into the gabion stilling basin before flowing into the Mosselbank River.

The gabion stilling basin with a 10m wide overflow will be developed and will be provided at the 1:50 year flood level of the Mosselbank River. No formal works downstream of the stilling basin will occur.

The total footprint of the proposed development and associated infrastructure will be approximately 6500m² in extent.

Amendment is made to implement a dry pond as opposed to the authorised wet attenuation pond.

It is important to note that during the Basic Assessment for the proposed development, a dry attenuation pond was investigated as an alternative, under the Technology Alternatives section of the report. As part of the initial Basic Assessment Report, City of Cape Town (CoCT) Municipality required a wet attenuation

pond to be constructed. However, the CoCT Municipality now recommends that a dry attenuation pond be constructed.

The attenuation requirements as originally authorised for the proposed development will be maintained. There will be subsoils and a low-flow channel on the base of the pond to keep the area dry and contribute to the polishing requirements.

The new overall project description therefore entails the following:

- Construction/ expansion of roadside channels within the road reserve of Darwin Road.
- Construction of a new dry stormwater pond within the services servitude registered on Portion 32 and 33 of Farm 168 according to the abovementioned specifications. Unregistered Erf 2001 (previously Portion 32 of Farm 168) Erf 1991 (previously Portion 33 of Farm 168)
- The erection of concrete palisade fencing along the boundary line of the services servitude. Rerouting of a $\pm 50\text{m}$ stretch of gravel farm road within the road reserve of Darwin Road.
- Demarcation of temporary laydown and stockpile areas during construction. Maintenance of the dry regional pond during the operational phase, including sediment and litter removal and alien vegetation control.
- The enlargement of a channel (i.e. channel 1) located along the existing outlet channel of the temporary pond to convey peak unattenuated 1:100 year flow from the contributing catchments to a new box culvert. The new box culvert will allow the water to flow from channel 1 into channel 2. Channel 2 will discharge the water into the forebay of the regional pond.
- A box culvert, approximately 2.1m wide and approximately 1.2m high will be developed to allow water to be discharged into the gabion spillway/basin.
- The gabion stilling basin with a 10m wide overflow will be developed and will be provided at the 1:50 year flood level of the Mosselbank River. No formal works downstream of the stilling basin will occur.

The location and size of the attenuation pond will also remain the same.

Application is also made for the approval of the amended EMP'r.

This letter serves to inform you that the Department of Environmental Affairs and Development Planning (DEA&DP) has issued Dexter Estate (Pty) Ltd with an Environmental Authorization (EA) in order for the holder of the EA to continue with the upgrade works.

The date of the decision and issue thereof is 20th of March 2024 (and received by GNEC on the same day).

Please note that the holder of the Environmental Authorization is:

- Dexter Estate (Pty) Ltd
- Mr Pieter van der Westhuizen
- 1st Floor, Waterfront Terraces, Block 2 3 Waterfront Road, Tyger Waterfront, Carl Cronje Drive, Bellville, 7530.
- Tel: (021) 914 1840
- Email: pvdw@propertysite.co.za

Additionally, please also see the contact details of the decision-maker below:

- Department of Environmental Affairs and Development Planning (DEA&DP)
- Directorate: Development Management (Region 1)
- Enquiries: Mr Kraigen Govindasamy
- 1 Dorp Street, Cape Town, 8001
- Tel: (021) 483 2804
- Kraigen.Govindasamy@westerncape.gov.za

Should you as an Interested and Affected Party (I&AP) not agree with the DEA&DP's decision herewith attached, and would like to lodge an appeal, the appeal procedure in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended), detailed in Section G of the EA, needs to be followed.

Should you wish to appeal, an appeal must be lodged with the Appeal Administrator **within 20 calendar days from the date that the notification of the decision was sent to the registered interested and affected parties by the holder of the EA (i.e. this letter)**. The prescribed appeal form as well as assistance regarding the appeal process is obtainable from the office of the Appeal Authority at Tel: (021) 483 3721, e-mail: DEADP.Appeals@westerncape.gov.za or via the URL <http://www.westerncape.gov.za/eadp>.

The appeal form must be submitted by means of one of the following methods:

- By Post: Attention: 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
- By e-mail: DEADP.Appeals@westerncape.gov.za

Please find attached a copy of the Environmental Authorization which was issued to Dexter Estate (Pty) Ltd. Additional information regarding the appeal procedure is available in the attached Environmental Authorization. Please note that a copy of the Interested and Affected Party Database is also appended to this letter for your perusal. Additional information regarding the reasons for the decision is available in the attached Environmental Authorization (please refer to Section B). A copy of the Environmental Authorization will also be uploaded onto GNEC's website (www.gnec.co.za) under Documents on Review: 20921_EA_Regional Pond_Fisanterkraal_Western Cape.

Meanwhile, should you have any queries, please feel free to contact myself, at:

Christoff Dippenaar
for GNEC



Please visit our website at <https://gnec.co.za/> for all the services GNEC has to offer.

At Guillaume Nel Environmental Consultants we take great pride in protecting the personal information that we hold or process about our clients, employees, vendors and other stakeholders.

We are committed to best practice in complying with data protection requirements across our entire global operation. You can read our full POPIA Compliance Statement [HERE](#).

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