



Infinity Environmental
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Dear Tarryn Solomon

05 May 2023

DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED MUIZENBERG BEACHFRONT REFURBISHMENT, MUIZENBERG, CAPE TOWN (DEA&DP REFERENCE NUMBER: 16/3/3/1/A2/22/3014/23)

The abovementioned application refers.

The City of Cape Town has delegated certain powers to the Executive Director and Director, Spatial Planning & Environment, to make comments, objections and representation in a basic assessment, full scoping or other environmental impact assessment processes, and on an advertised report or submission, including applications for exemption from any provision of the National Environmental Management Act or Specific Environmental Management Act. The comments below are given in terms of these delegations (dated 20 October 2020 and sub-delegations of 2 November 2020).

This application circulated to the following internal departments and branches for comment:

- Urban Mobility: Roads, Infrastructure & Management
- Urban Mobility: Impact Assessment & Development Control
- Spatial Planning & Environment: Urban Integration Department
- Spatial Planning & Environment: Development Management
- Spatial Planning & Environment: EMD: Environment & Heritage Management
- Spatial Planning & Environment: EMD: Biodiversity Management
- Informal Settlements, Water & Waste Services: Catchment, Stormwater & River Management
- Water & Sanitation
- Solid Waste Management
- Social Services: Recreation & Parks
- Energy: Electrical Generation & Distribution
- Assets & Facilities Management: Property Management
- Area Based Service Delivery: Economic Development

The following departments/branches provided comment:

- Area Based Service Delivery: Economic Development – Sadia Nanabhay
- Informal Settlements, Water & Waste Services: Waste Services – Gévarnia Petersen
- Energy: Electrical Generation & Distribution – Xavier Rosenberg
- Water & Sanitation – Chaneé Johnstone
- Spatial Planning & Environment: Development Management – Justin Dido
- Spatial Planning & Environment: EMD: Environment & Heritage Management – Crispin Barrett

COMMENTS RECEIVED FROM INTERNAL BRANCHES AND DEPARTMENTS:

Area Based Services Delivery: Economic Development (Area South)

The Informal Beach Trading Policy and Management Framework, which falls under Recreation and Parks and not Area Economic Development (AED), guide the management of informal trading within the study area. However, AED can comment that there does not seem to be any provision made to integrate informal trading in the new development.

The socio-economic study says that informal traders have a role in providing affordable goods, and that the informal traders who are currently permitted to trade on the beachfront are likely to be negatively impacted by the development.

It would then make sense for the refurbishment to consider opportunities to better integrate informal trading in the beachfront so that informal traders can continue to serve those visitors who cannot afford the restaurants, coffee shops and take-away services.

Finally, AED may be required to review the Informal Trading Plan for Muizenberg at some point, and the scope may include the study area.

Informal Settlements, Water & Waste Services: Waste Services

The council wishes to ensure that all new developments, require planning permission, contain suitable accommodation for the storage and disposal of waste to a licenced landfill site.

Council reserves the right to service all residential properties that falls within its boundaries for refuse removal services. In terms of the Waste Management Tariff Policy, Section 18.2.1 all residential properties are compelled to use council refuse removal services and may not use private contractors directly. Please refer to the attached Waste management tariff policy for more information. **Non-residential properties may opt to use either Council services or a private contractor directly.**

ENVIRONMENTAL IMPACT ASSESSMENTS (EIA) – DBAR – PROPOSED MUIZENBERG BEACHFRONT REFURBISHMENT WITH REFERENCE TO YOUR EMAIL DATED 04 APRIL 2023 FROM CRISPIN BARRETT, PLEASE SEE COMMENTS HEREUNDER:

In connection with the above proposal / development, I confirm that Waste Services (Collections) as the Service Provider in the Muizenberg Area has **NO OBJECTION** to and has sufficient unallocated capacity to accept and collect and dispose of all types of waste to a designated licence landfill site. A good waste management system must be in place to handle all waste generated by the activities and to mitigate against negative impact on the environment. The generation of construction waste and waste during the operation phases should be recycled on site or re used to fill up other sites and clean builder's rubble can be disposed of at the nearest licenced under the guidance of the City of cape Town. Please refer to the attached disposal tariff list for more information. The waste generated by the construction personnel e.g. lunch remains and packaging etc. must be placed in approved refuse bins on site during the construction phases. The proposed development will not have any implications on the infrastructure of the area provided that the contractors identify a permitted refuse disposal site for various categories of waste, provided that a refuse room is included in the planning stages of the development for the storage of waste to the satisfaction of the Director: Waste Services.

Please refer to Appendix A for comment.

Energy: Electrical Generation & Distribution

This Department has no objection to the abovementioned proposal subject to the following conditions:

1. Any alterations or deviations to electricity services necessary as a consequence of the proposal, or requested by the applicant, will be carried out at the applicant's cost.
2. A quote for the shared-network charge and connection fee, as well as conditions of supply, will be provided upon formal application.
3. Electrical infrastructure may exist on the property or in its vicinity. A wayleave shall be obtained from the Electricity Generation and Distribution Department before any excavation work may commence. In this regard, please contact the Drawing and Record Centre Office South (telephone 021 400 4780).
4. Depending on the power requirement, substations may be required. These substations shall be directly accessible from public road, i.e. on the erf boundary adjacent to the road reserve, at street level, and shall not be traversed by any other services. Depending on requirements this can take the form of any combination of the following:
 - **outdoor substations on 5 m x 4 m site;**
 - **outdoor substations on 6 m x 4 m site; or**
 - **substation buildings on 20 m x 14 m site.**

These substations shall be appropriately subdivided and zoned in the plan approved by the surveyor general. The sites shall be registered and transferred to the City free of all costs.

In some cases, substations may have to be contained within the building. Dimensions of these will be determined. Where subdivision of these substations will not be possible, a servitude shall be registered in favour of the City

5. The property owner is required to include in the development measures to improve energy efficiency to reduce the consumption of electricity.

Owners shall conform to any conservation and/or rationing programme or scheme introduced, adopted or implemented by a sphere of government or relevant regulating body by reducing their electricity consumption as required in terms of such programme or scheme.

Installations with a new or upgraded authorised capacity of more than 100 kVA will have to meet certain energy efficiency requirements. These requirements are subject to change. A set of applicable requirements will be made available as part of the quotation process.

Please refer to Appendix B for comment.

Water & Sanitation

Background

This letter serves as comment on water and sewer network and bulk services affected in terms of a Draft Basic Assessment Report for the above mentioned application.

The City of Cape Town proposes to refurbish public coastal infrastructure and services at the Muizenberg Beachfront. The proposal is primarily for the refurbishment of coastal defence infrastructure but will also entail refurbishment of the promenade, recreational areas as well as formalisation of the gravel parking area. The overall proposed refurbishment will provide improved pedestrian and universal access to the beach.

The report provides an overview of the existing water and sewer infrastructure near the development.

Water Reticulation

There are a few water mains, which are affected by the proposed Refurbishment of Muizenberg Beachfront. Special care needs to be taken during the construction phase and if needed, relaying or repositioning of these water mains needs to be applied for and approved before construction commence.

See attached Figure 2 for Water system.

Sewer Reticulation

There are several sewer mains, which are affected by this proposed Refurbishment of Muizenberg Beachfront. Special care needs to be taken during the construction phase and if needed, relaying or repositioning of these water mains needs to be applied for and approved before construction commence.

See attached Figure 2 for Sewer system.

Bulk Water

No infrastructure under the control of the City of Cape Town's Bulk Water Branch exists in the immediate vicinity of the proposed development shown in the application.

Conclusion

Water and Sanitation support the application except that no permanent structures may be built/erected over/within the servitude/s that protects the existing municipal infrastructure traversing the proposed site. Re-alignment or re-routing of the water and sewer mains must be discussed with the reticulation officials prior to work commencing

Hardened surfacing (such as premix/tar or paving for parking bays) and light landscaping are allowed and will be in order.

Conditions

The following conditions are imposed:

1. Engagement with the reticulation officials is required before construction begins.
2. No permanent structures may encroach the servitudes for the municipal infrastructure crossing the property.
3. Servitude/s to be registered in favour of City of Cape Town.

General/ Disclaimer

1. Information provided is based on best available data.

Please refer to Appendix C 1 & C 2 for Comment and Figure 2.

Spatial Planning & Environment: Development Management

COMMENT ON DRAFT BASIC ASSESSMENT REPORT: ERF 87137, 87138, 87143 AND REMAINDER ERVEN 87131, 87133, 87134, 87135, 87139, 87140, 87141, 87142, 87158 CAPE TOWN, BEACH ROAD, MUIZENBERG

I refer to your correspondence in the above regard.

Property: ERF 87137, 87138, 87143 AND REMAINDER ERVEN 87131, 87133, 87134, 87135, 87139, 87140, 87141, 87142, 87158 CAPE TOWN, BEACH ROAD, MUIZENBERG

Zoning Scheme: City of Cape Town Development Management Scheme

Zoning: The subject properties are zoned General Residential Subzone GR4, General Business Subzone GB5 and Transport Zone 2.

Comment:

A land use application is currently being process for the rezoning of the subject property including an application for Council's approval to permit building work in a Heritage Protection Overlay Zone and in a property zoned Open Space Zone 2.

This Department has no objection to the project.

Please refer to Appendix D for Comment.

Informal Settlements, Water & Waste Services: Waste Water Services

There are few sewers that traverse this spread of space or in close proximity, which could be affected by this upgrade. It is advisable to get the accurate location of these services in terms of how it would impact on the upgrade by means of a Land-surveyor. Municipal sewers over municipal property does not require a servitude. The position of manholes may be located over lawns will have to be exposed, visible and locatable for maintenance. Manholes in the parking areas may be flush with the final finish level.

For further information on the positions, you may be in contact with this office.

Please refer to Appendix E for comment.

Spatial Planning & Environment: EMD: Environment and Heritage Management (Environmental Management Section)

This application is for the impacts associated with the proposed refurbishment of the Muizenberg Beachfront. All issues relating to

- Activity 15 - the Development of structures in the coastal public property where the development footprint is greater than 50 square metres (m²).
- Activity 19A - Infilling or depositing of any material of more than 5 cubic metres (m³), or the dredging excavation, removal, or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 5 m³ from the seashore, the littoral active zone, an estuary, 100m inland of the highwater mark of the sea or an estuary, or the sea.
- Activity 52 - Expansion of structures in the coastal public property where the development footprint will be increased by more than 50 m².

Conclusion:

The Basic Assessment Report highlights the overall low impact, with mitigation measures in place, the Beachfront Refurbishment proposal will have on this portion of Muizenberg Beachfront. This proposal is for the refurbishment/replacement and essential upgrade of the existing failing beachfront protection and associated usages. Being a refurbishment there is only this proposal and the No-Go option. The proposal is to replace the existing protection systems to increase the longevity of public use of this space therefore this is the option with the least amount of environmental impact on this portion of Muizenberg Beachfront.

The below points are concerns from the environmental aspect on an already impacted system, which are set forward within the EMPr.

- The appointment of an independent ECO to induct/provide environmental education to contract staff;
- Monitoring of any and all impacts of construction and associated works on/from the refurbishment of the Muizenberg Beachfront highlighted in this project;
- Implementation of all Method Statements (camp positions & set up, waste material storage, fuel storage, dewatering, etc.); and
- Enforcement of any transgression/contraventions of the EMPr.

Kind regards

JOY GARMAN
ACTING REGIONAL MANAGER: SOUTHERN REGION
ENVIRONMENTAL MANAGEMENT DEPARTMENT