

THE PROPOSED INSTALLATION OF A TRUNK WATER MAIN, ASSAGAY, DURBAN: DRAFT BASIC ASSESSMENT REPORT

KwaZulu-Natal DAEARD Ref No.:DM0040/09

APPENDIX E5: COMMENTS AND RESPONSE REPORT (CRR)

Introduction

The eThekweni Municipality: Water & Sanitation Unit proposes to install a 400mm diameter steel water main pipeline (hereafter referred to as 'the Pipeline') within the road reserves of roads in the Assagay suburb in the Outer West Region of the eThekweni Municipality. The proposed Pipeline will be approximately 2.9km long and will connect to from Gevers Road to an existing water main in Fraser Road, Assagay. The Pipeline is intended to supplement the existing 200mm diameter water main that currently feeds the Summerhills area, where there is a growing demand for additional water.

The proposed Pipeline Project requires environmental authorisation from the KwaZulu-Natal Department of Agriculture, Environmental Affairs and Development Planning (DAEARD) prior to construction. The eThekweni Municipality: Water & Sanitation Unit appointed Arcus GIBB (Pty) Ltd. to compile the draft Basic Environmental Assessment Report (BAR) in support of the application for environmental authorisation, as required by the NEMA and associated EIA Regulations. This CRR forms part of the Public Participation Process being undertaken for the BAR.

The table below has been compiled by consolidating all input received throughout the Public Participation Process. The tools listed below were used to inform Interested and Affected Parties (IAP) of the project and afford them the opportunity to comment:

- An Interested and Affected Parties (IAPs) database was compiled and included all listed landowners of properties in proximity to the proposed Alternative 1 route alignment and any additional IAPs who registered through the PPP for the proposed Pipeline project. The database is included in Appendix E1.
- Media notices that informed readers on the application to DAEARD, the proposed Pipeline project and invited IAPs to register and/or provide comment was placed in the *The Metro* on 13 March 2009 and *The Highway Mail* on 18 March 2009.
- Notice boards were designed based on the specification of the NEMA EIA Regulations GNR385, Section 56(3), and displayed at conspicuous places on 19 March 2009. (Refer to Appendix E3 and Plates 33 - 35)
- A Background Information Document (BID), which provides background to the proposed Pipeline project and an overview of the Basic Assessment Process and associated Public Participation Process was compiled. The BID also included an invitation for Interested and Affected Parties (IAPs) to comment and raise any issues and concerns they may have (Refer to Appendix E4). The BID was posted or emailed to all listed properties along the preferred route as well as identified key IAPs.
- This Comments and Response Register was compiled.
- The Draft Basic Assessment Report (BAR) is being made available for a comment period of 40 days to all registered IAPs. IAPs were either notified of the availability of the report at certain venues or provided with an electronic and/or paper copy of the report.
- Any comments received on the Draft BAR will be individually responded to and the responses included in the Final BAR.
- Copies of correspondence through the PPP process are included in Appendix E6.

Main Issues Recorded

The main issues submitted to date are largely related to the construction phase of the proposed Pipeline and include the following:

1. Proposed Alternative 1 route alignment
2. Management of contractors and duration of construction period
3. Traffic disruptions
4. Water disruptions
5. Electricity disruptions
6. Damage to verges and driveways
7. EIA PPP

See Table 1 below for IAP comments received to date. Arcus GIBB has made every effort to understand and respond appropriately and effectively to issues and comments submitted. Since many of the comments submitted were similar or the same as others raised, Arcus GIBB has made reference to the appropriate response rather than rewrite or repeat the same response. This approach in no way, reduces the significance of the issues raised.

TABLE 1: ISSUES AND RESPONSE REGISTER

COMMENT No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
1.	Terry & Fay Bevan	Email 27/03/09	<p>Stated that they wish to place on record their objection to the proposed Pipeline Alternative 1 route alignment.</p> <p>Stated that there are no pros with regard to Alternative 1. However, there are many cons of Alternative 1 (as noted below):</p>	<p>The proponent, eThekweni Water & Sanitation (EWS), has identified three alternative route alignments for the proposed Pipeline (Section 2 of BAR). EWS has made every effort to find a route that does not transverse private properties. The preferred route, Alternative 1, follows the only available route through the proponent's own property i.e. the road servitudes.</p>
2.			<p>Stated that Alternative 1 is not economically or logistically viable. The distance straight down Kassier Road (Alternative 2) is almost half that of Alternative 1, namely, 0,9 kilometres vs. 1,6 kilometres.</p>	<p>With regard to Alternative 2 i.e. the pipeline running along Kassier Road, EWS has discussed this option with the Department of Transport (DOT) who are the authority for provincial roads such as Kassier Road. The DOT has stated that they intend to widen certain portions of Kassier Road in the future and it is therefore not feasible to install a pipeline within the Kassier Road servitude.</p> <p>Considering the limited options and biogeographic constraints, EWS has limited space within which to route the pipeline with Alternative 1 being the only available route without having to cross through private properties. Alternative 2 was initially EWS's preferred route alignment, but because of issues with probable expansion of Kassier Road, Alternative 2 has been omitted from further assessment in the draft BAR as it is not a feasible</p>

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				alternative route.
3.			Noted that there are many very narrow areas down Assagay Crescent with major bends which are dangerous, whereas Kassier Road (Alternative 2) is dead straight for the majority of the way. Added that there are huge banks directly on the side of Assagay Crescent at the top and bottom sections are also on the very narrow parts of the road with bends as well, will create very dangerous situations.	EWS surveyed all alternative routes and took into consideration the technical requirements for installing a pipeline. These include the width of roads, number of bends and available space for pipeline assemblage. While Alternative 2 would have been ideal in terms of these aspects, Alternative 1 was also identified as feasible for the Pipeline installation as technical aspects of Alternative 1 are manageable for the purpose of Pipeline installation. The management of traffic during the construction phase is included in the Environmental Management Plan (EMP).
4.			Stated the following with regard to Alternative 1 and Alternative 2. <ul style="list-style-type: none"> • Kassier Road (Alternative 2) has only one driveway to cut across, all street lights are on the opposite side of the road, no residents verges, trees, driveway entrance, hedges, walls, water or electricity cables to dig across and no electricity sub stations etc. In addition, Kassier Road is due to be widened in the not too distant future so we are informed. Whereas the opposite is true on the proposed route with many driveways to dig up and fix plus cutting across Assagay Crescent etc. • On the side of the road the Pipeline is proposed, are most street lights, many trees planted by residents and all their verges which are kept in good condition by themselves, walls for example Queensbridge Estate and Eskom substation near the bottom of Assagay Crescent • Approximately 250 households will be very badly inconvenienced for a long time (roughly 90 at Silver Oaks, 90 at Queensbridge Estates, 60 single households and residents in Assagay Crescent, Steepleview Road, Glenmore Close, 	In terms of the alignment EWS intends to install the Pipeline within the road reserve, no more than 3m away from property boundaries along the route. Driveways and verges will be avoided as far as possible, with the majority of the Pipeline being installed in the road alongside the verge. However, those areas where the Pipeline will be installed along the verge and driveways will be rehabilitated by EWS. The rehabilitation of disturbed areas will also be considered in the EMP. EWS has stated that the intention is to install 100m of the Pipeline per week. The construction period should therefore last approximately 29 weeks. No street lights, electric cables, walls or substations will be affected by the proposed Pipeline installation. The proposed Pipeline will connect to an existing water main at two places, Fraser Road and Gevers Road. There will be no water disruption as the proposed Pipeline will not connect to any reticulation lines.

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			Church Road and Acorn Grove).	
5.			Stated that the route from the junction of Alverstone Road / Assagay Crescent and down Assagay Crescent to Kassier Road is used as a short cut for parents taking and fetching their children to and from Waldorf school (a large number of which always seem to be in an extreme hurry and think Assagay Crescent is part of a race track).	Traffic may be slowed down but no roads will be closed during construction.
6.			Stated that a 75mm water pipe was recently laid in their area and caused untold hassles and mess for a period of approximately 6 months and the problems a 400mm water pipe is going to cause can only be imagined.	Noted.
7.		Email 06/04/09	<p>Stated that it is of great concern that only the residents of Assagay Crescent and Silver Oaks have had notification of the proposed Pipeline. Added that the residents of Kingfisher Lane (including Queenbridge Estate, a complex of about 80 residences, Steepleview Road, Glenmore Close and Church Road have had no postal notification and yet all of these residents have to use Assagay Crescent to gain access to Kassier Road.</p> <p>Requested, as a matter of fairness to those residents that Arcus GIBB advise them of the proposed Pipeline by post to their residential addresses.</p>	<p>Arcus GIBB has made every effort to identify all potentially affected parties within 100m radius of the proposed Pipeline Alternative 1 and 2 routes. eThekweni Municipality was contacted for a list of all landowners within the study area and directed us to their website for the information requested. From eThekweni's website, we were able to acquire the residential addresses of all properties within the following roads (which also fall within the 100m band of the proposed pipeline):</p> <ul style="list-style-type: none"> • Assagay Crescent • Assagay Road • Kingfisher Lane • Glenmore Close • Acorn Grove • Hlupeka Place • Angazi Crescent • Country Lane • Bona Terra Road • Fraser Road • Kassier Road • Steepleview Road <p>We have posted Background Information Documents</p>

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				(BIDs) to the landowners and residential addresses of all the properties listed on the above roads. We also hand delivered copies of the BID to Church Road (within the 100m band) and the security guards at Queensbridge Estate and Silver Oaks, who agreed to hand them over to the Body Corporate for distribution. In addition, five notice boards containing information on the proposed project were erected, one each on Fraser Road, Hlupeka Place, Assagay Road, Assagay Crescent and Alverstone Road. Media notices were also published in the Highway Mail (18 March 2009) and The Metro (13 March 2009) detailing information on the proposed project. Our contact details were provided on the notice boards and media notices for those who required additional information. Lillian Davis, Chairlady of Assagay ratepayers was also provided with the BID, as we also depend on the distribution of information between interested and affected parties' associations and communities themselves.
8.	Ralph Tupper 10 Assagay Crescent Assagay	Email: 23 / 03 / 09	Questioned the following with regard to Alternative 1: <ul style="list-style-type: none"> • Why it is not being routed directly from Fraser Road to Kassier Road • If there are any connections from the proposed Pipeline to any existing water tie-ins along the proposed route • How the proposed positioning of the Pipeline will affect roads, verges, and driveways. 	See Responses 2 and 4 above. .
9.	Billy and Sue Farrell	Email 24 / 03 / 09	Stated with regard to Alternative 1 that they strongly oppose any such contract from going ahead in their area. Noted that their physical address is on Acorn Grove, Assagay, which is on the proposed Alternative 1 route and that it is ridiculous.	Noted.

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			<p>Stated that they will not stand for any water interruptions of any kind. Further stressed that they are convinced that water interruptions will take place, based on the dismal track record of the water contractors that have been and still are working on replacing old water connections, namely, WBHO.</p> <p>Added that they do not want to have to put up with any lengthy traffic disruptions that will most certainly occur during the construction phase and that traffic disruptions cannot be allowed to happen especially on a very congested and highly dangerous Kassier Road.</p>	See Responses 2, 3, 4 and 5 above.
			Stated that they know that the construction of the Pipeline will exceed its allowable starting and completion dates as with what they have experienced during the laying of new water pipes in their area.	See Response 4 above.
			Noted that they find the Alternative 1 route description very vague and decidedly suspicious. Also, the comments about the Kassier Road (Alternative 2) not being available for the installation of the Pipeline will not go unchallenged vis a vis the intention of widening parts or the whole of Kassier Road.	Noted. Please see Section 2 of BAR for detailed descriptions of alternatives.
10.	Angela Donval	Email 24 / 03 / 09	Noted that the proposed Alternative 1 route encompasses Hlupeka Place, which is a private road on private property. The properties of the three homes in Hlupeka Place extend right down to Assagay Road. Requested that the area be resurveyed.	EWS has confirmed that the proposed Alternative 1 only will be installed within the road reserve and will not traverse any private properties.
11.	Daryl Bolton	Email 25 / 03 / 09	Questioned as an extremely concerned resident of the area why the water main is taking such a round about route (Alternative 1) and inconveniencing an untold number of households. Noted that it would be more sensible to route the Pipeline straight down Alverstone Road and onto Kassier Road (Alternative 2) as it would cause the minimum amount of disruption to	See Responses 1 – 7 above.

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			<p>residents. Added that this option, Alternative 2, can be assumed being dug up and as it is an extremely busy road, work might just be completed with some speed.</p> <p>Stated that the small pipeline that was recently laid in his area was a nightmare for all concerned, with days with no water as pipes had been broken in the laying of the new one. Electricity was disrupted for similar reasons. There were days when no work was done at all and an unsightly mess was left for residents to drive around. The small project took months to complete.</p> <p>Requested that his objections to the proposed Pipeline as per the email from Terry and Fay Bevan (Comment No 1 above). Noted that he concurs with all the objections raised by the Bevans.</p>	
12.	Anton Krull	Email 25/03/09	<p>Stated that he had received an e-mail from Terry Bevan regarding the proposed Pipeline in the Assagay area, which stated the following with regard to Alternative 1:</p> <ul style="list-style-type: none"> • The proposed Pipeline will cause havoc in the whole area as all verges, plants, trees on verges, driveways, street lights, electric cables etc will be dug up • The small pipeline recently laid was an ongoing messy process for a number of months and one can only imagine how long the construction of a big pipeline will take with the inconvenience, mess etc. • He cannot understand why eThekwini Water & Sanitation has to take such a roundabout route instead of going straight down Kassier Road, which is more direct, much shorter and will not result in inconvenience to hundreds of residents • Provided the details of Arcus GIBB and urged that 	See Responses 1- 7 above.

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			<p>residents get the full details on the proposed project emailed or posted to them and to register their interest or objection</p> <ul style="list-style-type: none"> • Stated that if residents feel a petition is in order to object to Alternative 1, they should please email their objection to him and he will pass it on to the ratepayers association so that they can take the matter up on behalf of the residents. • Noted that he does not have everyone's email addresses, as such, requested that his email be passed on to all other residents known of. <p>Requested that Arcus GIBB confirm whether the contents of the email are correct and forward more complete details of what will be occurring to him.</p>	
13.		Email 07/04/09	Thanked Arcus GIBB for the comprehensive response to his email (dated 25/03/09) which is much appreciated. Requested that he be included on the circulation list to receive updates regarding the proposed project.	Thank you.
14.	Gloria Barratt	Email 20/03/09	<p>Stated that she fully agrees with all of the issues expressed in the email sent to Arcus GIBB by Terry and Fay Bevan (see Comment No. 1 above), of which she received a copy.</p> <p>Acknowledges the fact that Kassier Road falls under the Department of Transport (DOT) and not eThekweni Municipality, but still does not believe that no arrangement could be made between the Municipality and the DOT for the Pipeline to be laid in Kassier Road. Added that she is aware that Kassier Road is to be widened in the future, but cannot see why this should stop a water trunk main from being laid there.</p> <p>She fervently hopes that her appeal does not fall on deaf ears.</p>	See Responses 1 – 7 above.
15.		Email	Stated that she looks forward to receiving the	Noted.

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		20/03/09	opportunity to review the Basic Assessment Report in due course, and appreciates that Arcus GIBB has her concerns under consideration.	
16.	Gavin and Shereen Fryer	Email 31/03/09	Stated that they were informed by a resident in their road that a pipeline is to be laid down Assagay Crescent and that Arcus GIBB is responsible for the impact assessment. Requested details on the proposed Pipeline.	This has been provided.
17.	Paul and Donna Cocks	Email 02/04/09	<p>Stated that they wish to put forward their objection to the proposed Pipeline Alternative 1 route. Noted that the proposed route down Assagay Crescent does not make sense due to the following factors:</p> <ul style="list-style-type: none"> • There are many very narrow areas down Assagay Crescent with major bends and blind rises which will be of extreme danger to the residents of the area • There are huge banks and verges, which again play claim to a very narrow road, which currently is difficult to pass on coming vehicles • Approximately 250 households will be very badly inconvenienced • Assagay Crescent is also used as an alternative route to Waldorf School which streamlines traffic <p>Noted that based on the road infrastructure, it would make far more sense to use the Alternative 2 route of Kassier Road.</p>	See Responses 1 – 7 above.
18.	Gillian Marnewick	Email 07/04/09	<p>Stated that she would like to be registered as an interested and affected party within the EIA process for the proposed Pipeline and that details of the EIA and any other pertinent information be emailed to her.</p> <p>Queried how she may go about objecting to the proposed Alternative 1 route.</p>	<p>This has been done.</p> <p>The PPP of BA process is intended to assist with the identification of potential impacts that could be realised due to the proposed development. Your role as an IAP is therefore to comment on how the proposed project will impact on you or your environment, so that those impacts may be addressed by the project team. Thus, all you need to do is submit all your comments with regard to the proposed Pipeline to us in writing, so that we may identify measures to either avoid or best mitigate those impacts</p>

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				you have listed. Hence, you may state that you object to the proposed project, but this must be accompanied by your reasons for objecting in order to facilitate the mitigation of potential impacts on you and your surrounds.
19.	Gillian Marnewick	Email 07/04/09	<p>Noted that she wishes to place on record her objection to the proposed route of the Assagay Trunk Water main.</p> <p>Noted the following:</p> <ul style="list-style-type: none"> • The distance straight down Kassier Road is almost half that of the proposed route, namely, 0,9 kilometres vs 1,6 kilometres. • There are many very narrow areas down Assagay Crescent with major bends whereas Kassier Road is dead straight for the majority of the way. • Kassier Road has only one driveway to cut across; all street lights are on the opposite side of the road; no residents verges, trees, driveway entrances, hedges, walls, water or electricity cables to dig across, no electricity sub stations etc. (PLUS Kassier Road is due to be widened in the not too distant future so we are informed). The opposite is true on the proposed route with many driveways to dig up and fix and cutting across Assagay Crescent etc. Most street lights are on this side of the road. Many trees planted by residents, all verges which are kept in good condition by residents and walls e.g. Queensbridge Estate, Eskom sub station near the bottom of Assagay Crescent. • From an aesthetic point of view - Assagay crescent is lined with trees, which she would not like to see removed. • Dangerous situations will result from construction along Assagay Crescent due to the steep banks on both sides of the road especially where the road narrows and bends. 	See responses 2 – 6 above.

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			<ul style="list-style-type: none"> Approximately 250 households will be very badly inconvenienced for the period that road will be under construction - which if its anything like the road works recently done in our area - it could be a very long time. (roughly 90 at Silver Oaks, 90 at Queensbridge Estates, 60 single households and residents in Assagay Crescent, Steepleview Road, Glenmore Close, Church Road and Acorn Grove). A 75mm water pipe was recently laid in their area and caused untold hassles and mess for a period of approximately 6 months. Noted she is sure it will be worse for a 400mm pipe. Noted that they suffer from regular power cuts in their area without any construction near the substation. Her concern is that this becomes a more frequent occurrence, worse than it is now, due to digging in and around the power cables. The roads in their area, especially Assagay Crescent, re in a bad state with potholes etc. The increased numbers of heavy duty vehicles which would be inevitable with the laying of the pipeline would result in the further deterioration of the roads. 	
20.	Gillian Marnewick	Email 07/04/09	<p>Stated that an influx of contractors in the area always results in an increase in crime in the area.</p> <p>Requested that she be kept updated on the progress of this project.</p>	Only existing eThekwini technical staff will be used for the construction of the proposed Pipeline. No contractual or temporary workers will be used. The EMP (Appendix F) provides for the management of construction workers on site.
21.	Ms P.S Croucamp	Letter 23 / 04 / 09	Stated that the eThekwini Traffic Authority (ETA) requested that any proposed road closures or deviations must be discussed and approved by the ETA Traffic Operations Manager, Vishay Hiriram.	Noted.
22.	eThekwini Development Assessment: Environmental Management Department		Requested that detailed layout maps / plans meeting the requirements as detailed in the guide document: <i>"Environmental Impact Assessment for capital Projects: Administrative Roles and Responsibilities"</i> be provided in the Basic Assessment Report and that	This has been provided. See Figure A2 of the BAR.

COMMENT No.	NAME, ORGANISATION	SOURCE & DATE	COMMENT	RESPONSE
			the layout show the alignment of the pie and any associated infrastructure in relation to the existing (including adjacent) environment. Sensitive areas, (i.e river crossings) must be shown in greater detail.	
23.			Stated that construction and operation phase impacts to the river/stream crossings must be adequately mitigated and these areas must be rehabilitated after construction activities have been completed.	The EMP provides mitigation measures for wetland and stream impacts during the construction phase as well as measures for post-construction rehabilitation. See Appendix F for EMP.
24.			Requested that impacts to riparian areas and/or adjacent wetlands and vegetation along the alignment be assessed.	These have been assessed. See Section 7 of the BAR for the Environmental Impact Statement.
25.			Requested that erosion hindering structures must be placed in and along area that are susceptible to erosion to reduce and prevent any further soil erosion and subsequent sedimentation.	This has been included in the EMP. See Appendix F.
26.			Stated that wetland areas and other environmentally sensitive areas must be suitable and visibly demarcated and cordoned off prior to, and during construction activities.	See Response above.
27.	Martin A Herbert	Email 08/05/09	<p>Thanked Arcus GIBB for the general notification letter dated 23/04/2009.</p> <p>Requested that he, as an affected resident of the proposed trunk water main along Assagay Crescent, be registered as an IAP. Noted that he strongly objects to the proposed route of this pipeline for the following reasons:</p> <ul style="list-style-type: none"> • Off D435, Assagay Crescent is a narrow and twisting road with small verges. In its current state it cannot safely take much traffic, let alone with major pipeline excavation and construction works. • About two years ago the relatively minor residential water pipes were upgraded, which disrupted traffic flow and access for months, so a major pipeline construction will be a disaster and a safety hazard on an already dangerous road. 	See Responses 1- 6 above.

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			<ul style="list-style-type: none"> • Assagay Crescent takes a lot of traffic from several local complexes as well as Roseway Waldorf School. It is already a problem to negotiate Assagay Crescent at peak times, which will only be exacerbated by any pipeline works. • The more direct route (and thus cheaper) would be along Kassier Road. • Residential properties along Kassier road are nearly all large plots and situated well back from the road, unlike those on Assagay Crescent, and thus Kassier Road will accommodate with ease construction of the proposed pipeline. • Upgrading of Kassier Road is scheduled to take place in the near future, which would be an ideal time to simultaneously make provision for the proposed 400 mm trunk water main. <p>Noted that he would greatly appreciate it if he could be kept fully informed of all BA and PPP processes, any relevant reports, especially those pertaining to potential alternative routes.</p>	