water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

Private Bag X313, Pretoria, 0001, Sedibeng Building, 185 Francis Baard Street, Pretoria,
Tel: (012) 336-7500 Fax: (012) 323-4472 / (012) 326-2715

WATER USE LICENCE APPLICATION SUMMARY

NAME OF APPLICANT:
Western Cape Department of Infrastructure

Compiled by:
Chand Consultants

Signature:

Date:
15 January 2026

1. Applicant details

Name of applicant:	Lisa Van Aarde (authorised representative of the Western Cape Department of Infrastructure as per Power of Attorney – see Appendix A)
Postal address:	4th Floor, 9 Dorp Street, Cape Town City Centre
Cell phone number:	072 844 9684 / 083 771 2493
Office number:	021 483 5668 / 021 418 0510
E-mail address:	lisa@planpart.co.za

2. Person submitting application

Chand Consultants ('Chand') has been appointed by Planning Partners (Pty) (Ltd), on behalf of the Western Cape Department of Infrastructure (DoI), as the independent consultants to manage the Water Use Licence Application (WULA) process, including compiling and submitting the relevant documentation on the Department of Water and Sanitation (DWS) Electronic Water Use Licence Application and Authorisation System (e-WULAAS) and conducting the public participation process as specified in Section 17 of Government Notice (GN) R267 of 2017 (*WULA and Appeals Regulations*). The qualifications and experience of the independent consultant undertaking the Water Use Licence (WUL) is provided in the Curriculum Vitae (see Appendix B).

Table 1 summarises the consultant's details.

Table 1: Details of the consultant submitting the application

Full name:	Murad Esau
Designation:	Environmental Consultant
Company:	Chand Consultants
Email:	comments@chand.co.za
Professional body	Environmental Assessment Practitioners Association of South Africa (EAPASA)
Date of registration	1 March 2025
Registration No.	2023/6887

3. Background and purpose

Project

The Proposed Development of the 15 on Hector Affordable Housing Development on Erf 6482, Lotus River, City of Cape Town (CoCT), Western Cape.

Water Uses Applied for in terms of the National Water Act 36 of 1998:

- Section 21(c) – Impeding or diverting the flow water in a watercourse.
  - Possible periodic diversion of sewer repairs or replacement.
- Section 21(i) – Altering the bed, banks, course or characteristic of a watercourse.
  - Excavation to access existing pipes for maintenance or replacement and associated impacts to water quality and watercourse condition.

Project Description

The DoI intends to develop a ~5 ha housing development ('the project') on Erf 6482, Lotus River, Cape Town ('the site'). The site is bordered by Edward Avenue to the north, a public open space to the west and a road reserve to the south. Marius road borders the eastern boundary of the site and the M17 (Strandfontein Road) is located a further ~350 m to the east of the site, beyond which is the Philippi Horticultural Area.

The project is intended to provide government subsidised housing to qualifying beneficiaries and forms part of the greater Retreat housing initiative[1].

[1] A housing development project in Cape Town aimed at delivering ~5 000 housing opportunities across several southern suburbs (Western Cape Government, 2019).

The project will consist of affordable housing, including Breaking New Ground (BNG)[2] and (possibly) First Home Finance (FHF)[3] housing units[4]. Approximately 318 housing units are proposed, ~80% of which will be two-storey walk-up units (to accommodate affordable rental and ownership opportunities) and ~20% of which will be single-storey units designed to support diverse household structures, including those requiring improved accessibility). Each unit will be located on erven ranging from ~72 m^2 to ~96 m^2. Two-storey units will be ~45 m^2 and single-storey units will be ~40 m^2 in size.

In addition, the following infrastructure is proposed as part of the development:

- A network of internal roads;
- Community facilities;
- Stormwater infrastructure;
- Public open space and landscaping (using indigenous plant species); and
- Service infrastructure.

Rationale

More than 400 000 people in Cape Town are on a 'housing waiting list' and half of all households in Cape Town earn less than R 20 700 per month (Steyn & Hirsch, 2025; StatsSA, 2023). The CoCT, through policies such as BNG and FHF, has promised to accelerate the provision of housing units to these low-income households. However, there is a serious delay in provision of these housing units, with only 0.6% of the backlog addressed in 2024/2025 so far (GOOD, 2025).

The goal of the project is to provide affordable housing solutions to low-income households. Through provision of housing through BNG and/or FHF models, the project will contribute to addressing the demand for housing in Cape Town.

WULA Submission

The WULA was initiated on the e-WULAAS platform on 18 February 2025. Reference number WU41961.

Other Environmental Permits

The Applicant does not hold any other environmental permits for the site. However, the Applicant is currently applying for Environmental Authorisation (EA) in terms of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The Applicant has obtained a Record of Decision from Heritage Western Cape (HWC) dated 8 April 2025 (HWC25021004SVB0210), following on the submission of a Notification of Intent to Develop as required in terms of the National Heritage Resources Act[5]. Further application has been made to the City of Cape Town for rezoning to subdivisional area, subdivision and phasing. The proposal is partially compliant with the relevant spatial development frameworks (SDFs) and partial deviation from the SDFs is required.

4. Location of water uses

The project site is located on Erf 6482, Lotus River, CoCT, Western Cape.

The site forms part of the Zeekoe Catchment and lies in the Department of Water and Sanitation's (DWS) quaternary catchment G22D. This quaternary catchment forms part of the Breede-Olifants Water Management Area, which includes the Berg River catchment. Figure 1 illustrates the general location of the site and Figure 2 illustrates the wetlands delineated within and around the site (Liz Day Consulting, 2025).

[2] An affordable housing intervention recognised under South Africa's BNG policy (Department of Human Settlements, 2004).
[3] A government housing support programme designed to help lower to middle income households buy/build their first homes.
[4] The type of affordable housing will be confirmed during the project implementation stage with guidance by market interest.
[5] HWC subsequently indicated that no further heritage assessment is required.

Table 2: Property details

Property description	Title Deed number	Owner
Erf 6482, Lotus River, CoCT	T1723/1975	Erf 6482 is under the custodianship of the Western Cape Government via the Department of Infrastructure.

Figure 1: **Site locality**

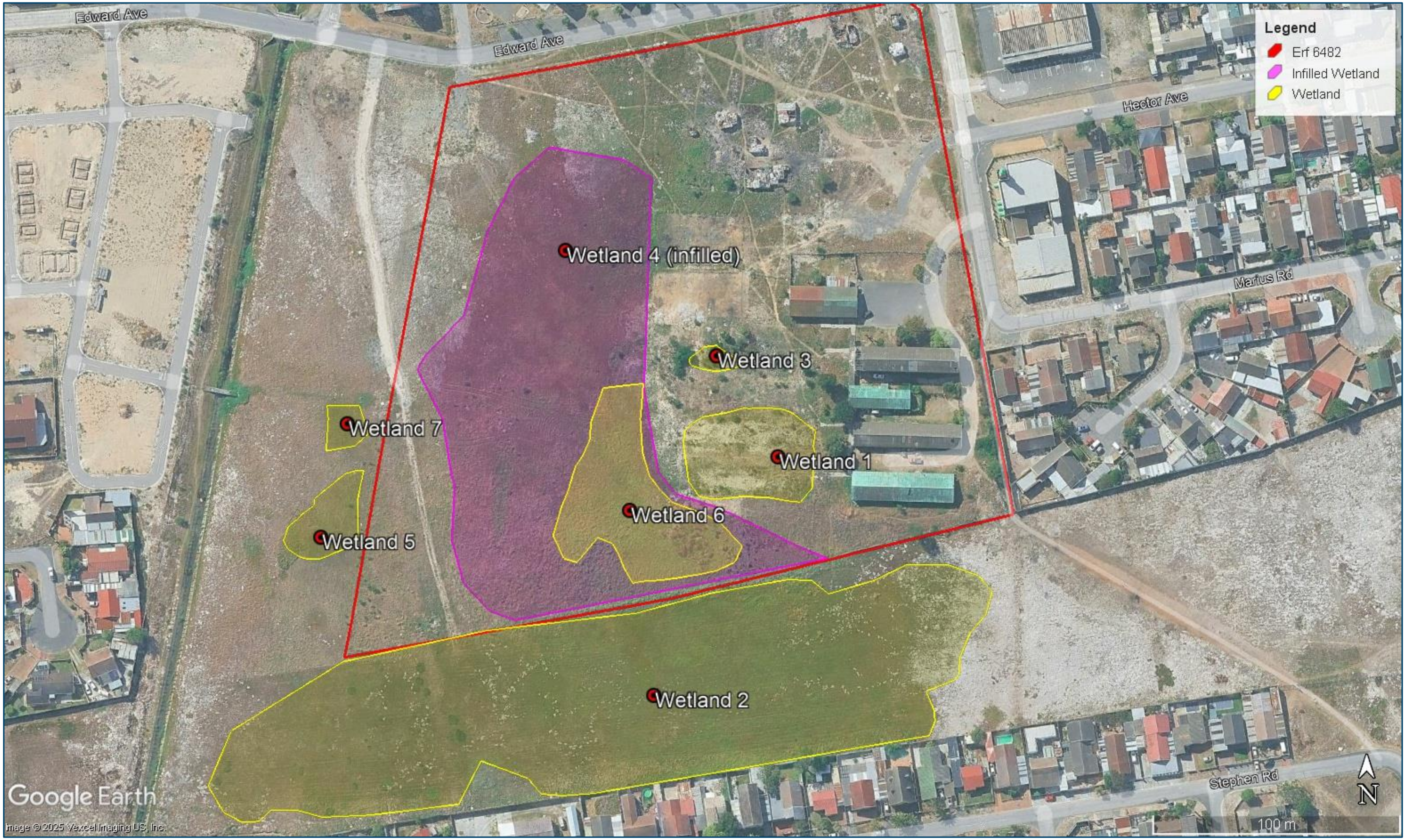

Figure 2: Wetlands at the site (Liz Day Consulting, 2025)

5. Administrative documents and technical reports submitted by applicants

5.1 Administrative documents

5.1.1 Administrative Documents

The following administrative documents are included in the WULA:

- Proof of WULA Application Fee;
- Power of Attorney Letter (Planning Partners (Pty) (Ltd);
- Appointment Letter;
- Section 27 Motivation Report;
- Copy of Identity Document of DoI representative; and
- Title deed.

5.2 Reports and other technical documents

The following technical documents are included in the WULA:

- Freshwater Impact Assessment;
- Groundwater Impact Assessment;
- Stormwater Management Plan;
- Motivation against the requirement for a Risk Assessment Matrix;
- Engineering services report; and
- CoCT bulk capacity confirmation.

A Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) are being compiled as part of the application for EA, for which the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) is the Competent Authority. These documents will be released to stakeholders for public comment in Q1 of 2026 and in accordance with the requirements of the National Environmental Management Act 107 of 1998 (NEMA) and the EIA Regulations, 2014, as amended.

6. Project Description

The project includes the construction of internal roads, community facilities, stormwater and service infrastructure, public open space, landscaping. All of these components are within the regulated area (as defined in GN 509 of 2016 (*General Authorisations in terms of Section 39 of the National Water Act 36 of 1998 for Water Uses as Defined in Section 21(c) and (i) of the NWA*)[6]) of the watercourses surrounding the Erf 6482.

Internal Roads

The internal road network will provide access to all housing units via two primary access points: one on the northern boundary (Edward Avenue) and one on the eastern boundary (Hector Avenue). While both access points will accommodate two-way movement, the northern entrance will primarily serve the double-storey walk-up units, and the eastern entrance will primarily serve the single-storey units.

Road widths will range between 8 m and 10 m, in line with municipal standards, ensuring accessibility for service and emergency vehicles, including refuse collection. Adequate space will be ensured for refuse collection vehicles to perform turning shunts, if required.

The design incorporates sidewalks and verges to facilitate safe pedestrian circulation and on-street parking, with unit placement on erven configured to allow on-site parking where appropriate. The layout further supports non-motorised transport (NMT) integration, reinforcing the development's walkable neighbourhood character.

[6] GN 509 of 2016 defines the regulated area of a watercourse as, *inter alia*, within 500 m from the delineated boundary of any wetland and 100 m from the edge of a watercourse.

Community Facilities

The project will deliver community-serving facilities to support social well-being, including:

- A ~498 m² flexible community facility/place of worship/Early Childhood Development (ECD) centre etc., located near the northern boundary to ensure visibility and accessibility; and
- Land use rights to make provision for small-scale local services to meet daily neighbourhood needs.

Stormwater infrastructure

Four retention ponds and bio-retention swales are proposed to manage stormwater runoff. They are proposed to be constructed around the residential units within the site – three on the eastern side and one on the southern side.

Public Open Space and Landscaping

Approximately 10 075 m² of public open space will be provided, locate near the northern boundary (opposite community facility/place of worship) to serve as a pocket park, and along the southern and western edges of the site to function both as recreational amenity and ecological buffer. The space will be landscaped with indigenous plant species to promote biodiversity, provide informal play opportunities, and strengthen the environmental character of the development.

Service Infrastructure

Service infrastructure including a range of overhead and underground services (electrical, water, sewage, stormwater, telecommunication etc.) will be installed or connected within the site boundary and will connect to the local municipal service infrastructure. Four distribution substations will be constructed, one:

- Along the northern boundary of the access road off Hector Avenue;
- On the southern boundary of the southernmost road abutting the retention pond/swale south of the housing units);
- In the western portion of the site, extending into the public open space; and
- South of the public open space opposite the community facility/place of worship, adjacent to a two-storey housing unit.

A water pressure booster tank (10 m x 10 m) will be constructed south of the public open space opposite the community facility/place of worship.

Development Phasing

The project will be developed in three phases:

- Phase 1 which will include construction of:
  - Approximately 136 two-storey units and ~15 single-storey units (~151 housing units in total) in the western portion of the site;
  - Community facilities;
  - The pocket park;
  - Utility services;
  - The stormwater infrastructure; and
  - Key internal and access roads.
- Phase 2 which will includes construction of:
  - Approximately 111 two-storey units and ~20 single-storey units (~131 housing units in total);
  - Utility services; and
  - Key internal and access roads.
- Phase 3 which will include construction of:
  - Approximately eight two-storey units and ~28 single-storey units (36 housing units in total);

- Utility services; and
- Key internal and access roads.

The project will entail development over all of the wetlands (besides the outer fringes of the partially infilled Wetland 4) within Erf 6482 (see Figure 2). A minimum 20 m setback from Wetland 2, between the wetland and any hardened development, will be implemented (as recommended by the aquatic biodiversity specialist). Part of this buffer area will be used for the establishment of swales. A wide area of public open space has been included west of the edge of the proposed built portion of the western side of the site. Two or more swales and a wet extended detention (ED) pond (600 m^2) will be located within this area.

It should be noted that large areas of the site have been infilled in the past. This infill material includes rubble and other waste. There is a clear infill 'platform' visible along the southern boundary of the site (see Figure 3).

Figure 3: Infill platform along the southern boundary of the site (Liz Day Consulting, 2025)

Figure 4: Rubble and other infill on the infill platform

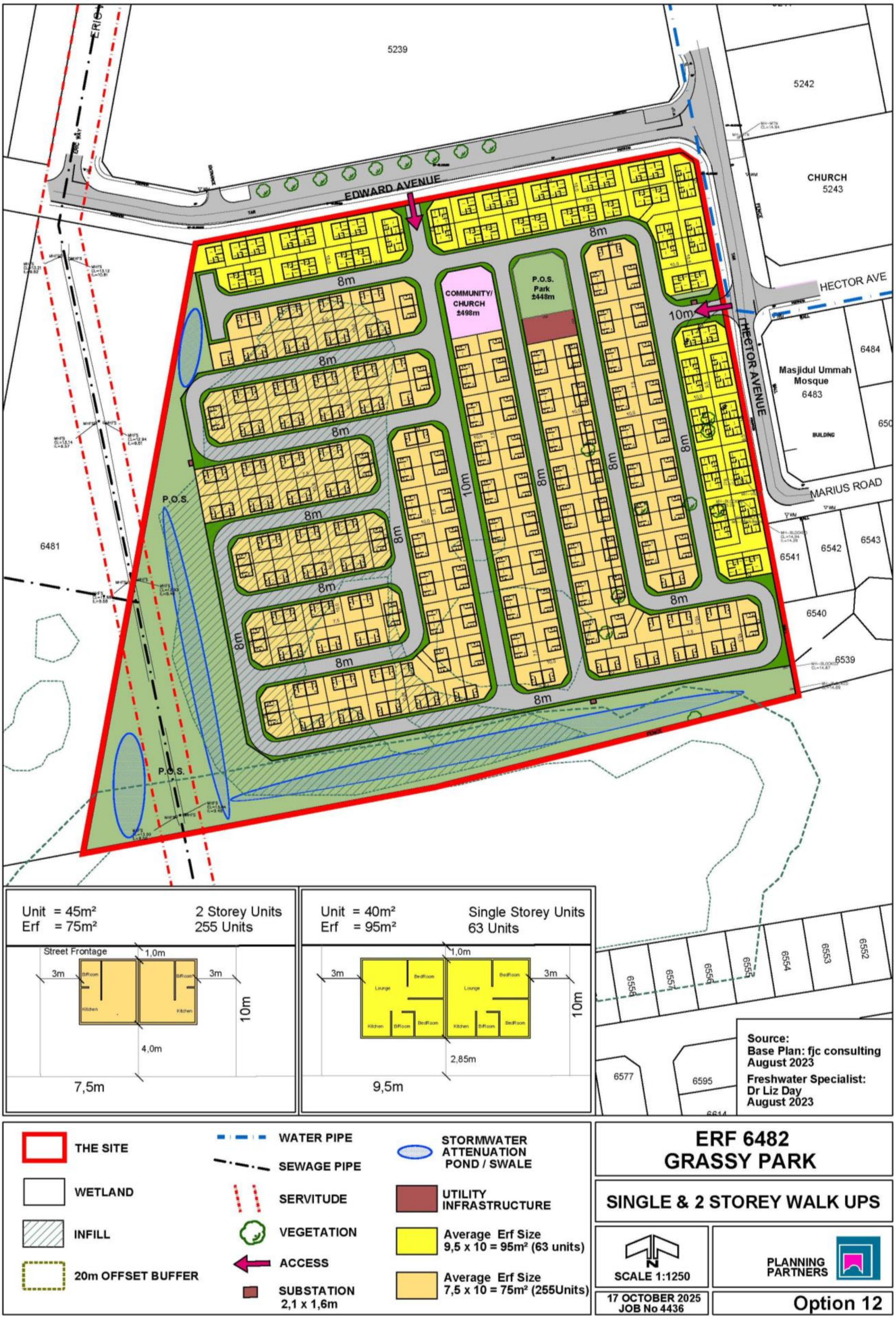

Figure 5: Concept Development Plan (source: Planning Partners, October 2025)

7. Methods statement (only for c and i activity) and mining method/ industrial process

Refer to Section 6 for a description of the proposed development.

8. Stormwater Management Plan

A Stormwater Management Plan is included as Appendix C.

9. Rehabilitation Plan

Rehabilitation of any areas disturbed within or near the wetlands within or surrounding the site will be undertaken in accordance with the Aquatic Biodiversity specialist's recommendations and will include the following measures (Liz Day Consulting, 2025) (see Appendix D):

- Establish vegetated stormwater swales and detention areas with hardy, indigenous wetland-appropriate species to promote filtration and support hydrological function;
- Maintain buffer zones around high-value wetlands (e.g., Wetland 2) and restrict access through appropriate fencing to prevent further disturbance;
- Implement compensatory rehabilitation of nearby degraded wetland areas where direct on-site rehabilitation is limited, including re-establishing shallow inundation zones and wetland vegetation;
- Remove contaminated fill material, if detected (e.g., uranium-bearing sediments) and dispose of it appropriately to prevent leaching into groundwater or wetland soils; and
- Apply strict construction-phase controls to prevent cement spills, sedimentation, and unnecessary physical disturbance to wetland areas, thereby reducing the need for extensive rehabilitation.

10. Water Uses Applied For

Table **3** specifies the water uses applied for.

Table 3: Water uses applied for

Water use(s) activities	Purpose	Dimensions (of each wetland)	Property Description	Co-ordinates
Section 21 (c) and (i)				
Impeding or diverting the flow of water in a watercourse (Section 21(c))	Periodic diversion for sewer repairs or replacement.	Wetland 1 = 1 0744 m² Wetland 2 = 19 376 m² Wetland 3 = 146 m² Wetland 4 = 15 522 m² Wetland 5 = 716 m² Wetland 6 = 2 940 m² Wetland 7 = 253 m²	Wetlands 1, 3, 4 and 6 are located on Erf 6482. Wetland 2 abuts Erf 6482 on the southern side. Wetlands 5 and 7 abut Erf 6482 on the western side.	See Appendix E
Altering the bed, banks, course or characteristic of a watercourse (Section 21(i))	Excavation to access existing pipes for maintenance or replacement, and associated impacts to water quality and watercourse condition.			

11. Impacts and mitigation measures

The potential impacts and mitigation measures that are expected from the proposed activity, as described by the aquatic biodiversity specialist (Liz Day Consulting, 2025), are presented in Table 4.

Table 4: Summary of impacts and mitigation measures

Water Use activity	Possible causes of the impacts of the activities Impacts to the water resources	Possible Impacts to the water resource and other water users	Mitigation Measures
Section 21(c)	Development of the project.	The development would result in the definite loss of the wetlands within the boundaries of the site. Although the wetlands have been highly impacted by alien vegetation, dumping of solid waste, infilling and fragmentation, they still provide some ecosystem services. The combined wetland loss would be ~0.474 ha. The development will also result in the loss of the (more degraded) infilled wetland within the site boundary, within which another wetland within the site boundary is nested. Although already impacted with landfill, this wetland area could be rehabilitated to form seasonal wetlands of far better condition and improved ecosystem functionality. This can be achieved by removing the infill, reshaping and establishing indigenous wetland plants in this area. However, this is considered unlikely given the location of the site, ownership and development pressures.	There is no mitigation for the loss of wetlands. However, the following essential *compensatory* measures are recommended and must be implemented before the first phase of development (all swales and detention ponds must be constructed – even if not yet connected to upstream stormwater channels and pipes): • Maintain a 10 m gap between the southern boundary of the swale in the southern portion of the site and the edge of the seasonal wetland south of the site (i.e., the no-go area). • Place the swales in the western portion of the site within ~5 m of the western boundary of the site[7]. • Plant the swales with locally indigenous, hardy vegetation compatible with their locations abutting important seasonally inundated and rehabilitated wetlands (west of the site) with input from a botanist and wetland ecologist, informed by a detailed engineering design that considers the depth of the water table in the affected areas when establishing the swale depth. • Landscape the remaining area (by means of excavation of fill in of the infilled wetland) in the western portion of the site (excluding areas designated for the stormwater detention pond) to create seasonally inundated wetlands and a wetland area west of this that are: o Set at roughly the same level as those of the wetland south of the site (i.e., the no-go area).

[7] The swales will serve as a defined edge to the development and a protective buffer for the wetlands beyond it.

Water Use activity	Possible causes of the impacts of the activities Impacts to the water resources	Possible Impacts to the water resource and other water users	Mitigation Measures
			○ Landscaped to create an area that resembles a mosaic of natural, shallowly inundated depressions (maximum 1:1 year wet season inundation of around 300 mm depth), interspersed by slightly higher lying mounds. ○ Planted with locally indigenous wetland vegetation, sourced from plant stock in the Zeekoe catchment, and dominated by *Juncus kraussii* plants, to achieve a density of 80% by area before site handover. ○ Reasonable compensation for the loss of wetland in the rest of the site. • The proposed retention pond should: ○ Include an accessible forebay for removal of sediment and solid waste (although it is assumed that most of this material would be collected in the swale systems). ○ Be landscaped to include seasonally shallowly inundated wetland margins (at least 10 m wide) on the outer edges of the pond which resembles a similar habitat to that of the wetland south of the site (i.e., the no-go area) (allowance must be made for the sourcing of locally indigenous wetland plants for these areas, which would be located outside of the hard-working functional parts of the detention pond, but would contribute towards improved biodiversity and additional shallow (<300 mm deep) seasonally inundated wetland habitat

Water Use activity	Possible causes of the impacts of the activities Impacts to the water resources	Possible Impacts to the water resource and other water users	Mitigation Measures
			suitable for use by wading birds in the wet season. • Use palisade fencing (rather than walls). • Place fencing along the outside of the western boundary of the site. • Include access along the western boundary for maintenance purposes. • Allow access along fencing along the southern boundary of the site to allow for at least 5 m between the fence and the edge of the wetland south of the site (i.e., the no-go area). • Assess the quality of fill on the site for potential sources of uranium and other contaminants of concern in wetland surface water. • Conduct repeat wet season sampling of the wetland south of the site (i.e., the no-go area) for water quality assessments. Use the results of the assessment of the quality of fill on the site and the wet season sampling of the wetland south of the site (i.e., the no-go area) to inform appropriate disposal during detailed site planning.
Section 21(c)	Construction activities.	Given their close proximity to the proposed construction activities, and without the application of mitigation measures, the wetlands surrounding the site would be negatively impacted by: • Changes in water quality (inflows of cement or otherwise contaminated water);	• Fence off the edge of the wetland south of the site (i.e., the no-go area) from the development using temporary fencing (preferably entrenched shade-cloth or wind-break netting) that prevents machine and human access to this area during construction and prevents the runoff of sediment-rich water from the site. • Fence off the western boundary of the site using temporary fencing.

Water Use activity	Possible causes of the impacts of the activities Impacts to the water resources	Possible Impacts to the water resource and other water users	Mitigation Measures
		• Physical damage during construction as a result of the passage of vehicles / construction machinery over these areas; and • The accumulation of construction material (e.g., cement bags and waste from construction workers [e.g., general litter and other waste]) These wetlands provide habitat for *inter alia* locally indigenous wetland plants including the delicate Cape-pondweed as well as to aquatic invertebrate communities, the natural of habitats of which are severely threatened.	• Compile and implement a Construction Phase Environmental Management Programme which includes measures that will contain construction-associated sediment and runoff of contaminated maters (e.g., sediment, oils, fuel) within the site (i.e., preventing this material from entering the buffer around the wetland south of the site). • Limit construction activities so that it does not impede on the no go area south of the site and/or beyond the western boundary of the site. • Construct the detention pond and swales outside of the wet season (i.e., construction should take place between October and the end of May).
Section 21	Illegal dumping.	Until now, the wetlands surrounding the site have been buffered from impacts by the undeveloped portions of the site. These portions of the site have been impacted by issues such as illegal dumping. The project will bring these impacts closer to the wetlands surrounding the site, resulting in increased opportunities for dumping of solid waste into adjacent open space areas. If the project is to include backyard development, these impacts would be compounded by impacts on water quality runoff and solid waste accumulation resulting from the presence of the additional populations (up to four times the intended population) residing within the development footprint.	• Place the two-story units (rather than single-storey or veteran units) along the entire western and southern edges of the site (as shown in Figure 5). • Design servicing (sewage, solid waste collection and stormwater management) to an appropriate size so as to accommodate backyard settlements at single-storey and veteran units. This design must be approved by the relevant sewage reticulation, wastewater treatment works and urban waste departments of the CoCT prior to any development authorisation. • Remove solid waste from the open space west of the site and along the southern buffer area weekly. • Maintain and stormwater system on an ongoing basis.

Water Use activity	Possible causes of the impacts of the activities Impacts to the water resources	Possible Impacts to the water resource and other water users	Mitigation Measures
			• Audit the stormwater management plan on an ongoing basis. • Edge all road edges along the southern and western boundaries of the site with bollards spaced at sufficient distances apart to limit access for dumping from vehicles.
	Development of the project.	The water quality of the Big Lotus River is critically degraded and is the main source of impacts on the water quality of Zeekoevlei, which is also in a critical condition. Inflows to Zeekoevlei from the Big Lotus River is the most significant threat to its sustainability. The project will increase the (already high) levels of solid waste dumping into the river. Furthermore, if the project includes high levels of backyard settlement, this would potentially increase pollution sources of the river system (dumping of night soils and/or domestic wastewater into the river and/or stormwater system). Increased unmanaged solid waste in the development would further increase the likelihood of sewage blocks and overflows into the stormwater system, exacerbating current levels of pollution in the system.	• Construct and maintain a solid waste interceptor fence in the Big Lotus River immediately downstream of the site or in a nearby suitable location, in consultation with the Friends of the Zeekoevlei and Rondevlei and the CoCT. • Clear litter fences at least twice per week. • In consultation with the CoCT, remove cleared solid waste weekly by Urban Waste Management.

12. Water demand and water supply

Water demand

Water demand for the proposed project has been calculated in accordance with "The Neighbourhood Planning and Design Guide", 2019 version. Table 5 illustrates the calculated water demand for the project (Kantey & Templer Consulting Engineers, 2025) (see Appendix C).

Table 5: Water demand for the proposed development

Land Use	Units	Total Average Annual Daily Demand (kL/day)	Peak Factor	Peak Flow (l/sec)
Residential	318 units	146	3.6	5,3
Community Hall / Church	300 m^2	103	3.3	3,4
TOTAL		**249 kL/day**		**8,74 l/sec**

Water supply

Water will be supplied by the CoCT municipality. The CoCT has indicated that there is sufficient capacity to supply water to the development. The pressure network currently ranges between 24 m and 85 m. When the demand of the development is added, the pressure is anticipated to decrease to 18 m, which is insufficient. On-site pressure boosting and water storage is therefore required (this is will be incorporated in the utility infrastructure area as indicated in Figure 5) and on-site flow and pressure testing is recommended to verify actual conditions on site.

13. Public participation

A 60-day public comment period (from 3 March 2026 to 6 May 2026) is currently being undertaken. Comments raised by Interested and Affected Parties (I&APs) during the comment period will be incorporated into a Comments and Responses Report (CRR) and submitted with the final WUL Summary Report to the DWS. The following public participation activities are being undertaken: Advertising the project in the *People's Post* newspaper;

- Erecting A2-sized site notification posters at conspicuous locations around the site boundary.
- Releasing the WUL Summary Report for comment from 3 March 2026 to 6 May 2026 (60 days);
- Making hard copies of the WUL Summary Report available for public review at:
  - Subcouncil 18 office (Corner of Buck Road and 6th Avenue, Lotus River, 7941); and
  - Chand Consultants' offices in Plumstead, Cape Town;
- Providing written notification to potential I&APs (via email and post [to potential IAPs who do not have email addresses]) about the availability of the WUL Summary Report for public comment;
- Dropping letters at adjacent properties and properties within a two-block radius (where contact information is not available); and
- Notifying the informal occupants of the structures on the site by means of email and letter drops (where contact information is not available).

10. Other authorisations applicable to the activity

The project will require Environmental Authorisation (EA) in terms of the NEMA. An application for EA was submitted in parallel to this application for Water Use Authorisation.

11. Section 27 (1)

The requirements contained in Section 27(1) of the National Water Act 36 of 1998 have been considered and are discussed further below.

a) Existing lawful water uses

Existing lawful downstream water uses

The proposed water uses are located on Erf 6482, Grassy Park, within the Zeekoe catchment (Quaternary Catchment G22D), which drains via the Big Lotus River to Zeekoevlei, ~1.9 km downstream of the site. Downstream lawful water uses within this catchment are predominantly non-consumptive and include:

- Stormwater conveyance and flood attenuation, with the Big Lotus River functioning as a canalised urban drainage system;
- Ecological, conservation and recreational uses associated with Zeekoevlei, Rondevlei and Princess Vlei; and
- Biodiversity support functions, including aquatic habitat provision for fish, invertebrates and water-dependent avifauna.

No licensed downstream abstractions for potable supply, irrigation, or industrial use associated with the Big Lotus River were identified within the downstream receiving environment. The system is not used as a source of raw water supply.

Nature of the proposed water use

The application includes Section 21(c) and (i) water uses related to:

- Infilling and development over degraded wetland areas on site; and
- Construction of stormwater infrastructure (including swales and an extended detention pond) discharging treated stormwater towards the Big Lotus River.

No abstraction, storage, diversion or consumptive use of surface water or groundwater is proposed.

Impact of the proposed water use on existing and future downstream users

The potential impacts of the proposed Section 21(c) and (i) water uses on downstream water users are primarily related to stormwater quality and runoff regulation and are described in detail in Section 11 of this Report. The Aquatic Biodiversity Impact Assessment indicates that the receiving environment (i.e., the Big Lotus River) is highly modified and canalised and that downstream water quality is already influenced by upstream urban inflows (see Appendix D) (Liz Day Consulting, 2025). The proposed development incorporates stormwater attenuation and treatment measures intended to manage runoff volumes and improve discharge quality relative to existing conditions.

Based on the findings of the specialist assessment, and provided that the proposed mitigation measures are implemented and maintained, the proposed water use is not expected to result in a material adverse impact on downstream water users or downstream ecological systems.

Critically impacted downstream users

No downstream users have been identified as being critically impacted, provided that:

- Stormwater treatment and attenuation infrastructure is implemented as designed; and
- Ongoing operation and maintenance requirements are complied with.

Ecological and nationally important areas downstream

Downstream receiving environments of ecological and national importance include:

- Zeekoevlei and Rondevlei, which form part of the False Bay Nature Reserve and are designated as a Ramsar Wetland of International Importance; and
- Associated aquatic habitats supporting species of conservation concern.

These systems are sensitive primarily to water quality degradation rather than changes in flow volume. The proposed development, with the implementation of mitigation, is not expected to compromise their ecological integrity

Existing lawful water use on the property

There is no existing lawful water use authorised on Erf 6482. No Existing Lawful Water Use, General Authorisation or Water Use Licence is associated with the property.

b) Need to redress the results of past racial and gender discrimination

Control, ownership and upliftment of disadvantaged groups

The proposed water use is associated with a public-sector housing development intended to deliver formal residential accommodation and associated services. While the water use itself does not confer direct ownership or control of water resources to individuals, it contributes indirectly to the upliftment of historically disadvantaged groups through the provision of serviced housing, improved living conditions and access to formal urban infrastructure.

The development is intended to benefit low-income and historically disadvantaged households[8], including women-headed households, through improved access to secure tenure, basic services and a safer living environment. The proposed water use therefore supports broader socio-economic upliftment objectives, even though it does not involve direct private control or commercial exploitation of water resources.

Land ownership and tenure

The land on which the proposed water use will occur is publicly owned under the custodianship of the Western Cape Government via the DoI (i.e., the Applicant), and the Applicant holds the necessary mandate to develop the property for housing purposes. The Applicant has lawful access to the land and no land acquisition is required for the proposed water use.

Redress of past economic inequities and BEE considerations

The application does not involve a commercial or profit-generating enterprise linked to the abstraction or use of water. As such:

- The proposed water use does not generate direct profits from which dividends or profit-sharing mechanisms could be derived; and
- The water use does not form part of a private business or individual enterprise.

Accordingly, conventional indicators such as Black Economic Empowerment (BEE) ownership percentages, Historically Disadvantaged Individuals shareholding or profit participation are not applicable in the context of this application. Nevertheless, the development contributes to redress and transformation through:

- Employment creation during construction, including opportunities for local labour and historically disadvantaged individuals;
- Procurement of services and contractors in accordance with applicable BEE and public procurement frameworks; and
- Long-term socio-economic benefits associated with access to formal housing, services and urban opportunities.

Gender equity considerations

[8] Through the BNG and (possibly) FHF programmes.

The proposed water use is associated with a public-sector housing development and does not constitute a commercial or profit-generating enterprise. As such, the water use itself does not confer ownership, control or direct economic benefit to specific individuals or groups, nor does it create a business structure through which equity participation can be measured.
At the time of submission, no detailed beneficiary allocation or demographic breakdown has been finalised or confirmed[9]. Accordingly, the proportion of women or other historically disadvantaged individuals that may ultimately benefit from the development cannot be quantified within this application. Matters relating to housing allocation, beneficiary selection and tenure arrangements are determined through separate administrative and policy-driven processes implemented by the relevant public authorities and fall outside the scope of the WUA process. Nevertheless, the proposed water use supports broader public-interest objectives by enabling formal housing development and associated services intended to benefit historically disadvantaged communities in general.

Inclusion of women and persons with disabilities

The Applicant's procurement and employment practices will comply with applicable legislation and policies aimed at:

- Promoting participation by women and historically disadvantaged individuals in construction and service provision; and
- Avoiding unfair discrimination, including against persons with disabilities.

Specific management or profit-sharing positions linked directly to the water use are not applicable, as the water use supports a non-commercial, public-interest development.

Although the proposed water use does not involve private ownership, profit generation or direct commercial benefit, it supports the redressing of past socio-economic and gender-based inequities through its role in enabling formal housing delivery, employment creation, and improved access to services for historically disadvantaged communities.
The water use is therefore considered aligned with the public interest, consistent with the objectives of the NWA and broader transformation imperatives.

c) Efficient and beneficial use of water in the public interest

The proposed water use is non-consumptive and associated with a public-sector residential development. It does not involve abstraction, irrigation or agricultural production, and therefore does not generate direct economic output from water use. Its contribution to the economy and to historically disadvantaged individuals is indirect, through facilitation of housing development and temporary employment during construction, in accordance with applicable public procurement frameworks.
The primary beneficiaries of the water use are the broader community (through improved access to formal housing and associated services) and downstream users (through improved stormwater management). The water use does not confer private ownership or exclusive benefit to a limited number of individuals.
The Aquatic Biodiversity specialist study concludes that the receiving environment (i.e., the Big Lotus River) is highly modified and canalised and that downstream water quality is already influenced by upstream urban inputs. Potential impacts are primarily related to stormwater quality rather than changes in flow volume. With the implementation of stormwater attenuation and treatment measures, the proposed water use is not expected to result in a material adverse impact on downstream aquatic ecosystems or biodiversity, including sensitive receiving environments such as Zeekoevlei (Liz Day Consulting, 2025).

[9] This will be confirmed later in the development process.

The proposed development is not expected to place surrounding communities at risk, as it does not alter flood dynamics at a catchment scale. Stormwater attenuation measures are intended to manage peak flows and reduce flood risk relative to existing conditions.
Overall, the proposed water use supports efficient and beneficial use of water in the public interest without placing downstream users, aquatic ecosystems or communities at risk – provided that the mitigation measures identified in the Aquatic Biodiversity specialist study are implemented and maintained.

d) Socio-economic impact –

i) Of water use or uses if authorised:

Approval of the application is expected to result in employment creation primarily during the Construction Phase. Employment opportunities will be generated through civil works, construction activities and associated service provision, with potential for temporary and short- to medium-term jobs, including opportunities for local labour.
Within the context of the surrounding area (characterised by urban development pressures and socio-economic need), the proposed development aligns with priority planning objectives relating to housing delivery, infrastructure provision and local economic stimulation. While the proposed water use itself does not create permanent employment, it is a necessary enabling component of the development and supports broader socio-economic objectives by facilitating construction activity and associated job creation.
Should the application not be approved, these employment opportunities would not materialise, and the socio-economic benefits associated with the development would be delayed or foregone.
The main sectors of the economy that would be (positively) affected by the development include civil works, construction activities and service provision. The number and type of (permanent or seasonal) job opportunities will be determined prior to the commencement of construction.

ii) Of the failure to authorise water use or uses:

Should the licence not be granted, the construction-related employment opportunities associated with the proposed development would not materialise. The project is characterised by temporary, construction-phase employment, with labour demand concentrated during site establishment and building activities and no long-term operational workforce linked directly to the water use.
The proposed water use is an enabling requirement for the development. Refusal of the licence would therefore delay or prevent implementation of the project, with associated negative implications for short-term job creation and local economic activity. Given the nature and scale of the development, there are no closure-related employment impacts associated with the water use.

e) Any catchment management strategy applicable to the relevant water resource

The Zeekoe catchment falls within the Berg-Olifants Water Management Area and, while a formal statutory Catchment Management Strategy has not yet been gazetted for this specific sub-catchment, catchment governance mechanisms are emerging. A Zeekoe Catchment Management Forum (ZK-CMF) was established in mid-2024 as a multi-stakeholder platform involving the City of Cape Town, civil society, communities and other water resource stakeholders to collaboratively address water quality, stormwater management and catchment resilience. The ZK-CMF aims to strengthen local catchment management, improve water governance and support inclusive decision-making in the catchment (Lauren & Tilley, 2024). Reference to this forum and associated collaborative efforts demonstrates active, place-based catchment management aligned with catchment planning objectives in the absence of a formally promulgated CMS.

f) Likely effect of the water use to be authorized on the water resource and on other water users.

The proposed water use is limited to non-consumptive Section 21(c) and (i) activities, with potential effects primarily related to stormwater quality rather than water quantity. The Aquatic Biodiversity specialist study indicates that the receiving environment (i.e., the Big Lotus River) is highly modified and that downstream conditions are largely influenced by upstream urban inputs. With the implementation of stormwater attenuation and treatment measures, the proposed water use is not expected to result in a material adverse impact on the water resource. Therefore, downstream water users, which are predominantly non-consumptive ecological and recreational users, are not expected to be adversely affected.

g) Class and the resource quality objectives of the water resource

The Aquatic Biodiversity specialist assessment indicates that the on-site aquatic features and the receiving watercourse (Big Lotus River) are highly modified and degraded with limited remaining natural ecological functioning. Consequently, the Ecological Importance and Sensitivity (EIS) of the on-site and immediate downstream aquatic environment is assessed as *Low* to *Moderate*.
Downstream receiving environments, including Zeekoevlei, are of high ecological importance and sensitivity, given their role within the False Bay Nature Reserve and Ramsar Wetland system. These systems are sensitive primarily to water quality impacts. The Aquatic Biodiversity specialist assessment concludes that (with the implementation of the proposed stormwater attenuation and treatment measures) the proposed water use is not expected to result in a material adverse impact on downstream aquatic ecosystems.
No specific Socio-cultural Importance (SI) rating from a national database has been identified for the affected on-site water resources. Socio-cultural values associated with downstream systems are acknowledged but are not expected to be adversely affected by the proposed water use.

h) Investments already made and to be made by the water user in respect of the water use in question

At the time of submission, the Applicant has already incurred substantial upfront investment associated with the planning, assessment and authorisation of the proposed water use and associated development. Expenditure to date includes, inter alia:

- Land use planning and statutory approval processes;
- Engineering investigations and stormwater design;
- The BA process;
- The WUL application process;
- Specialist environmental studies, including freshwater/aquatic biodiversity, terrestrial biodiversity, and groundwater assessments; and
- Supporting technical investigations, including traffic, geotechnical and tree surveys.

These investments reflect a demonstrated commitment to the proposed development and to compliance with applicable environmental and water legislation. No capital investment in

construction of water use infrastructure has occurred to date as implementation remains conditional on the granting of the required authorisations.
Should the licence not be granted, a portion of the professional, specialist and planning-related investment already made would be rendered abortive.

i) Strategic importance of the water use to be authorised

The proposed water use is consistent with the objectives of the National Water Resource Strategy (NWRS-2), particularly those relating to the protection of water resources, efficient and beneficial use of water in the public interest, and improved management of urban stormwater to protect downstream aquatic ecosystems. The application does not involve consumptive use of water and incorporates mitigation measures aimed at preventing further degradation of an already highly modified urban watercourse.
Approval of the application supports priority regional and municipal planning objectives, including the delivery of formal housing, infrastructure provision and urban integration, as articulated in applicable Integrated Development Plans and spatial planning frameworks. The proposed water use is an enabling component of the development and is aligned with broader objectives to promote sustainable urban development while safeguarding downstream water quality and ecological systems.

j) The quality of water in the water resource which may be required for the Reserve and for meeting international obligations

The proposed water use is non-consumptive and does not involve abstraction or alteration of water availability required to meet the ecological Reserve. Potential effects relate to stormwater return flows, rather than changes in water quality.
Downstream receiving environments include Zeekoevlei, which forms part of the False Bay Nature Reserve and a Ramsar Wetland of International Importance. Therefore, international obligations associated with Ramsar designation are relevant. The Aquatic Biodiversity specialist assessment indicates that downstream water quality is already strongly influenced by upstream urban inputs and that, with the implementation of the proposed stormwater attenuation and treatment measures, the water use is not expected to result in a significant adverse impact on downstream water quality or compromise the ability to meet ecological Reserve requirements.
There is no significant consumptive user group dependent on the source as downstream uses are predominantly ecological, conservation and recreational in nature. Provided mitigation measures are implemented and maintained, the proposed water use is not expected to affect international obligations or downstream water users.

k) Probable duration of any undertaking for which a water use is to be authorised

The proposed water use is associated with a once-off construction and establishment phase of a residential development, with water use impacts primarily linked to construction activities and the permanent presence of stormwater management infrastructure. Construction-related water use impacts are temporary, while the operation of stormwater attenuation and treatment infrastructure will be long-term and ongoing for the lifespan of the development.
At the time of application, no additional future developments or schemes requiring further water use authorisation are confirmed beyond the proposed development. Any future expansions or changes that trigger additional water uses would be subject to separate assessment and authorisation.
As the proposed water use is non-consumptive and non-commercial, there is no defined term of operation required to ensure a financial return on investment. Instead, the water use supports the

long-term functionality of public infrastructure and urban development, with ongoing operation and maintenance forming part of normal municipal or project lifecycle management.

14. Declaration by the applicant with signature confirming that the information submitted is correct

I, Lindelwa Mabuntane (authorised representative of the Western Cape Department of Infrastructure), hereby declare that the information provided by me in this report is, to the best of my/our knowledge, true and correct.

	021 483 5788
Signature	Contact Number
Acting Chief Director: Economic Hub	27 February 2026
Designation	Date

[END OF WATER USE LICENCE APPLICATION SUMMARY]

15. References

GOOD. (2025, June 18). Western Cape Housing Qeue: Waiting for a Grave, Not a Home. Retrieved from https://forgood.org.za/western-cape-housing-queue-waiting-for-a-grave-not-a-home/#:~:text=In%202024%2F25%2C%20the%20province%20completed%20only%203%2C046%20Breaking,157%20years%20to%20clear%20the%20current%20housing%20need.

Kantey & Templer Consulting Engineers. (2025). Erf 6482 Grassy Park Stormwater Management Plan.

Lauren, A., & Tilley, B. (2024). Economic Development Partnership. Retrieved from https://wcedp.co.za/learning-from-zeekoe-five-lessons-about-catchment-management-forums-for-water-resilience/

Liz Day Consulting. (2025). Proposed Housing Development on Erf 6482, Grassy Park, Cape Town. Specialist Aquatic Ecologist Impact Assessment Report.

StatsSA. (2023). Income & Expenditure Survey 2022/23.

Steyn, D., & Hirsch, M. (2025, July 8). Explainer: affordable housing in Cape Town. Retrieved from https://www.bizcommunity.com/article/explainer-affordable-housing-in-cape-town-478459a