



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

MINISTRY OF WATER AND
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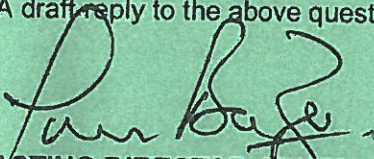
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MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 3324 FOR WRITTEN REPLY

A draft reply to the above question asked by Mr I O Davidson (DA) is attached for your consideration.


ACTING DIRECTOR-GENERAL

DATE: 10/11/2011

DRAFT REPLY APPROVED/AMENDED ✓


MRS B E E MOLEWA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE: 20/11/2011

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 3324

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 28 OCTOBER 2011
(INTERNAL QUESTION PAPER NO. 35)

3324. Mr I O Davidson (DA) to ask the Minister of Water and Environmental Affairs:

- (1) Whether, with reference to her reply to question 1276 on 20 May 2010 and lapsed question 3423 on 31 January 2011, her department has done any formal assessment of sandmining operations completed to date to assess the effect of mining conducted by Mr L Fourie and a certain company (name furnished) on the (a) integrity of the Mokolo River, (b) pollution of the river and (c) availability of water to surrounding water users; if not, why not; if so, what are the relevant details;
- (2) whether her department has been informed of any cases where surrounding water users have not been able to fully exercise their water rights because of sandmining in the river; if not, what is the position in this regard; if so, what are the relevant details;
- (3) whether any action has been taken against the miners in this regard; if not, why not; if so, what action?

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REPLY:

- (1)(a) Yes, the Department conducts assessment of the effects of sand mining in Mokolo River at Mr L Fourie and his company mining sites through monthly site inspections and taking of water samples (i.e. for water quality analysis).

Due to the geological (i.e. soil and rock types) formations in upper catchment of the Mokolo River, the sand recovery rate is higher and there is no significant pooling / damming effect. The Mokolo River has been used as source of sand for the construction of Eskom Matimba Power Station in the 1980's with no latent impacts on Mokolo River integrity and the current supply of sand from Mokolo River to the construction of Medupi Power Station is unlikely to have latent impacts on the integrity of the river. The demand for sand will decline once the construction of the power station is completed in 2013/14 financial year.

- (1)(b) Water quality samples are taken at upstream and downstream points of the sand mining sites to detect water pollution of the sand mining activities. Based on the available samples analysis data, there is no significant variation detected in relation to water quality.
- (1)(c) Water is allowed to pass through the sand mining site and there were no lawful water abstraction points which were interfered with or damaged and sand material near any lawful water abstraction points was not removed
- (2) Yes, the Department has received four complaints regarding sand mining in general since the start of supplying sand to the construction of the Medupi Power Station. On several sites inspections conducted by the Department with the latest being on 21 October 2011, there was no evidence or practical indication that water use entitlements of lawful water users were violated or deprived. In most cases it

was established that due to the historical provisions of the Water Act of 1956 (Act repealed by National Water Act , 1998 (Act No.36 of 1998) that gave riparian rights to property owners next to water resources (i.e. Mokolo River) emphasised riparian rights in the gist of their complaints.

This was more evident as some complainants were willing to trade sand in exchange for economic/financial benefit (i.e. excising riparian rights) and some applied to the Department of Mineral Resources for sand mining permits while supposedly against sand mining. In one recorded case of damage to water abstraction point that occurred over the past two years, agreed compensation to the affected user was done through facilitation by the Department of Mineral Resources.

- (3) No action was taken specifically as it relates to water users not being able to fully exercise their water rights as this category of complaint was never factually presented to the Department. The Department following its own programme of monthly inspection has instructed the sand miners to ensure that there is no excessive clearance of vegetation or inducement of erosion on the river banks and that there is no interference with or destruction of lawful water abstraction points. On one sand mining site, the rehabilitation of river banks was done by planting of indigenous grass and trees.

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