



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia,· PRETORIA
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NEAS Reference: DEA/EIA/0002442/2014

DEA Reference: 14/12/16/3/2/714

Enquiries: Ms Mathodi Mogorosi

Telephone: 012-399-9388 E-mail: MMogorosi@environment.gov.za

Mr. Menard Mugumo
Department of Water and Sanitation
Private Bag X 313
PRETORIA
0001

Tel no: 012-336-7284
E-mail: mugumom@dws.gov.za

PER FACSIMILE / MAIL

Dear Mr Mugumo

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/545/546: THE EXPANSION OF THE LUSIKISIKI REGIONAL WATER SUPPLY SCHEME WITHIN THE INGQUZA HILL AND PORT ST JOHNS LOCAL MUNICIPALITIES, EASTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By post: Private Bag X447,
Pretoria, 0001; or
By hand: Environment House

M.S

473 Steve Biko,
Arcadia,
Pretoria, 0083

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Appeals must be submitted in writing to:

Mr Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: (012) 399 9356

Email: AppealsDirectorate@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

Yours sincerely


Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Date: 25/07/2016

CC:	Dr A Carter	EOH Coastal & Environmental Services	Tel: 043-726-7809	Email: alan.carter@eoh.co.za
	Mr Q Paliso	Department of Economic Development, Environmental Affairs & Tourism (EC)	Tel: 047-531-1191	Email: Qondile.paliso@deaet.ecape.gov.za
	Mr M Fihlani	Inguza Hill Local Municipality	039-252-0666	Email: info@ihlm.gov.za

MS

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. An appeal must be:-

- a) submitted in writing;
- b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

**THE EXPANSION OF THE LUSIKISIKI REGIONAL WATER SUPPLY SCHEME WITHIN THE
INGQUZA HILL AND PORT ST JOHNS LOCAL MUNICIPALITIES, EASTERN CAPE PROVINCE**

OR Tambo District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/714</i>
NEAS reference number:	<i>DEA/EIA/0002442/2014</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>DEPARTMENT OF WATER & SANITATION</i>
Location of activity:	<i>EASTERN CAPE PROVINCE: Within Ingquza Hill and Port St Johns Local Municipalities</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

DEPARTMENT OF WATER AND SANITATION

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr. M Mugumo
Department of Water and Sanitation
Private Bag X 313
PRETORIA
0001

Tel: (012) 336 7284

Cell: (079) 510 8523

E-mail: mugumom@dws.gov.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 & 3 (GN R. 544, 545 & 546):

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 9:</u></p> <p><i>The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water -:</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more;</i></p> <p><i>excluding where:</i></p> <p><i>a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve;</i></p> <p><i>or</i></p> <p><i>b. where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.</i></p>	<p>Portions of the pipelines will exceed 0.36m in diameter (steel pipeline sizes will have a diameter of 0.4 to 0.45m). The total length of uPVC pipelines is approximately 178km and the length of steel pipelines is about 4km.</p> <p>The peak throughput will be approximately 171 litres per second.</p>
<p><u>GN R. 544 Item 11:</u></p> <p><i>The construction of:</i></p> <p><i>(iii) bridges;</i></p> <p><i>(iv) dams;</i></p> <p><i>(xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i></p> <p><i>(i) a watercourse</i></p>	<p>Upgrade of two bridges near Palmerton Mission. Construction of the Zalu Dam and associated infrastructure over an area of approximately 150 hectares. Construction of reticulation pipelines (that cross watercourses) covering a total area of approximately 91m².</p>
<p><u>GN R. 544 Item 18:</u></p> <p><i>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from:</i></p> <p><i>(i) watercourse</i></p> <p><i>But excluding where such infilling, depositing, dredging, excavation, removal or moving,</i></p> <p><i>(a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority;</i></p> <p><i>or</i></p>	<p>Construction of the Zalu Dam will require both excavation and infilling of material of more than 5 cubic metres into the Xura River. Approximately 500 000m³ of material will be removed from the dam basin.</p> <p>Pipelines will cross various watercourses and excavation in rivers will exceed 5 cubic metres of material.</p>

Listed activities	Activity/Project description
<i>(b) occurs behind the development setback line.</i>	
<p><u>GN R. 545 Item 15:</u></p> <p><i>Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:</i></p> <p><i>(i) linear development activities; or</i></p> <p><i>(ii) agriculture or afforestation where activity 16 in this Schedule will apply.</i></p>	<p>The Zalu Dam is anticipated to inundate an area of approximately 150 hectares of undeveloped land.</p>
<p><u>GN R. 545 Item 19:</u></p> <p><i>The construction of a dam, where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high-water mark of the dam covers an area of 10 hectares or more.</i></p>	<p>Construction of the Zalu Dam on the Xura River. It is estimated that the Zalu Dam wall will be 44 m high and will inundate an area of approximately 150 hectares.</p>
<p><u>GN R. 546 Item 2:</u></p> <p><i>The construction of reservoirs for bulk water supply with a capacity of more than 250 cubic metres.</i></p> <p><i>(a) In Eastern Cape:</i></p> <p><i>iii. Outside urban areas, in:</i></p> <p><i>(dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>iv. In urban areas:</i></p> <p><i>(aa) Areas zoned for use as public open space;</i></p>	<p>Upgrade of existing reservoirs (31) and construction of new reservoirs each with a capacity of approximately 250m³ and a maximum capacity of 11878m³.</p> <p>Some of the reservoirs will be located in rural areas, in critical biodiversity areas (CBA 1 & 2) as identified by the Eastern Cape Biodiversity Conservation Plan (ECBCP).</p> <p>Some of the reservoirs may be located in urban areas zoned as public open space.</p>
<p><u>GN R. 546 Item 4:</u></p> <p><i>The construction of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><i>(a) In Eastern Cape:</i></p> <p><i>ii. Outside urban areas, in:</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p>	<p>A formal access road approximately 500m in length (wider than 4 m) to the dam wall will be constructed. The road will be located in a critical biodiversity area (CBA 2) as identified by ECBCP.</p>

Listed activities	Activity/Project description
<p><u>GN R. 546 Item 13:</u></p> <p><i>The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</i></p> <p><i>(1) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list.</i></p> <p><i>(2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN No. 544 of 2010.</i></p> <p><i>(a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.</i></p>	<p>The Zalu Dam will inundate approximately 150 hectares of Ngonigoni Veld which has been identified as a critical biodiversity area (CBA 2) in terms of ECBCP.</p>
<p><u>GN R. 546 Item 16:</u></p> <p><i>The construction of –</i></p> <p><i>(iii) buildings with a footprint exceeding 10 square metres in size; or</i></p> <p><i>(iv) infrastructure covering 10 square metres or more</i></p> <p><i>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i></p> <p><i>(d) In Eastern Cape:</i></p> <p><i>ii. Outside urban areas, in:</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>iii. In urban areas:</i></p> <p><i>(aa) Areas zoned for use as public open space.</i></p>	<p>The Zalu Dam and associated buildings/infrastructure will inundate an area of approximately 150 hectares. This area is located in a critical biodiversity area, as identified by ECBCP. Pipelines (91m²) and reservoirs (greater than 10m²) will be constructed in critical biodiversity areas (CBA1 and CBA 2) and in urban areas zoned as public open space.</p>

as described in the amended Environmental Impact Assessment Report (EIR) dated March 2016 at:

Zalu Dam Alternative Location 1	Latitude	Longitude
	31°18'50.37"S	29°28'34.33"E

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	31°18'14.33"S	29°28'30.92"E
	31°18'08.04"S	29°27'40.41"E
	31°17'41.91"S	29°26'55.91"E
	31°18'23.50"S	29°27'34.60"E
	31°18'57.35"S	29°27'52.50"E

Pipeline Alternative Layout 1	Latitude	Longitude
Starting point of activity	31°20'39.45"S	29°42'32.40"E
	31°21'11.64"S	29°43'9.96"E
	31°19'51.52"S	29°46'48.21"E
	31°16'54.17"S	29°44'38.19"E
	31°18'0.34"S	29°42'57.32"E
	31°20'46.83"S	29°38'16.55"E
	31°21'56.64"S	29°41'3.55"E
	31°21'58.71"S	29°36'36.07"E
	31°22'18.10"S	29°37'59.32"E
	31°23'36.87"S	29°39'43.22"E
	31°25'8.45"S	29°34'11.68"E
	31°22'39.30"S	29°34'38.18"E
	31°21'22.05"S	29°32'58.78"E
	31°23'13.09"S	29°32'38.93"E
	31°20'25.59"S	29°35'0.22"E
	31°16'6.94"S	29°33'39.93"E
	31°16'15.38"S	29°31'43.34"E
	31°18'9.70"S	29°28'45.94"E
	31°20'12.90"S	29°31'51.81"E
	31°21'36.62"S	29°30'28.33"E
	31°20'15.73"S	29°29'12.92"E
	31°21'23.56"S	29°26'20.53"E
	31°26'42.84"S	29°27'39.29"E
End point of activity	31°28'29.44"S	29°31'6.10"E

- for the expansion of the Lusikisiki Regional Water Supply Scheme between Lusikisiki (approximately 15km inland) and the coast, extending from the Mzimvubu River in the south west to the Msikaba River in the north east, within the Ingquza Hill and Port St Johns Local Municipalities in the Eastern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Construction of an earth core rockfill dam on the Xura River with a full supply level of 622.6msl and a 44m high dam wall. An area of 150ha will be inundated.
- Construction of a new extended pipeline system (182km in length).
- Upgrade of the Lusikisiki water treatment works.
- Upgrade of the pump station.
- Construction of new additional reservoirs.
- Groundwater abstraction and reticulation.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The construction of the Zalu Dam at Alternative Location 1 and Alternative Layout 1 for the installation of the pipeline for the expansion of the Lusikisiki Regional Water Supply Scheme within the Ingquza Hill and Port St Johns Local Municipalities, are approved as per the abovementioned geographic coordinates above.
2. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
6. This activity must commence within a period of five (05) years from the date of issue of this authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation must apply for an amendment of environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
9. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached

thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the competent authority for the decision.
12. The holder of the authorisation must publish a notice –
 - 12.1. informing interested and affected parties of the decision;
 - 12.2. informing interested and affected parties where the decision can be accessed; and
 - 12.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

13. The Environmental Management Programme (EMPr) submitted as part of application for EA must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures recorded in the amended EIR dated March 2016 must be incorporated as part of the EMPr. Once approved, the EMPr must be implemented and adhered to. The approved EMPr must be included in all contract documentation for all phases of the development. The EMPr must be amended to include:
 - 13.1. The requirements and conditions of this environmental authorisation.
 - 13.2. All recommendations and mitigation measures recorded in the amended EIR and the specialist reports as included in the final amended EIR dated March 2016.
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- 13.3. A final development layout map (with micro-siting of the pipeline) and all mitigation measures as dictated by the final development layout map.
14. The final development layout plan to be included in the EMPr must indicate the following:
- 14.1. The final route of the pipeline and inundation area for the dam;
 - 14.2. All existing infrastructure on the site, including roads, reservoirs, pump station, Lusikisiki treatment works;
 - 14.3. All graves or burial sites;
 - 14.4. All sensitive features e.g. wetlands, pans and drainage channels that will be affected by the pipeline and dam; and
 - 14.5. All "no-go" and buffer areas.

Monitoring

15. The applicant must appoint a suitably experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.
- 15.1. The ECO must be appointed before commencement of any authorised activity/ies.
 - 15.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 15.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 15.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
 - 15.5. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Recording and reporting to the Department

16. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at the Department.

17. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
18. The environmental audit report must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPr.
19. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Commencement of the activity

20. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.

Notification to authorities

21. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number. This notification period may coincide with the notice of intent to appeal period.

Operation of the activity

22. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

23. Should the activity ever cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

Specific conditions

24. No activities, which require a Water Use Authorisation, will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
25. A qualified ecologist must be commissioned to perform a final walk through of the pipeline route and the dam inundation area to identify all sensitive features including wetlands, drainage lines and all other watercourses that may be affected by the construction of the pipeline and the Zalu Dam. This must inform the determination of the final pipeline route and dam citing as well as the final development layout plan that is to be submitted to the Department for approval as per condition 14 above.
26. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
27. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
28. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
29. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
30. Measures must be put in place to ensure noise from construction activities is minimised.
31. Dust suppression measures must be frequently applied on haul roads and large bare areas to minimise airborne dust effects.
32. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate.
33. Any solid waste, which will not be recycled, must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008). No waste material may be left on site after construction.
34. Identification of grave sites that may be affected by the construction of the powerlines must be performed prior to commencement with construction activities. The walkthrough must be conducted simultaneously as the final walkthrough required in condition 25 above.
35. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and

charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted as soon as possible to inspect the findings.

General

36. A copy of this environmental authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The environmental authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who undertakes work at the property.
37. National government, provincial government, local authorities or committees appointed in terms of the conditions of this environmental authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 25/07/2016



Mr Sabelo Malaza

**Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs**

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the amended EIR dated March 2016;
- b) The comments received from interested and affected parties as included in the amended EIR dated March 2016;
- c) Mitigation measures as proposed in the amended EIR dated March 2016 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix C of the amended EIR;
- e) Findings of the site visit conducted on 25 February 2015; and
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the project was sufficiently addressed. There is a need to provide not only potable water services to more households within the area, but also to assist the municipalities with sustainable and clean water provision. At present, the OR Tambo District Municipality has a number of water schemes under its area of jurisdiction. In order to deal with the need for water supply, boreholes are used in some areas where water is pumped from the borehole into a rainwater tank and is then collected in buckets. In most instances these systems are poorly maintained and non-functional.
- c) The amended EIR dated March 2016 identified all legislation and guidelines that have been considered in the preparation of the amended EIR dated March 2016.

- d) The methodology used in assessing the potential impacts identified in the amended EIR dated March 2016 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the amended EIR dated March 2016 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the amended EIR dated March 2016 is accurate and credible.
- e) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the amended EIR and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.