

APPENDIX G2

MOTIVATION FOR A COMBINED APPLICATION LETTER



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

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18 May 2018

Regional Manager
Department of Mineral Resources Limpopo Regional Office
Private Bag X9467
Polokwane
0700

Dear Sir / Madam

Mokolo and Crocodile River (West) Water Augmentation Project Phase 2A: Borrow Pits – Motivation for a Combined Application

1. INTRODUCTION

The discussions held during the Pre-Application Consultation Meeting with the Department of Mineral Resources (DMR) Limpopo Regional Office on 8 May 2018 (refer to minutes of the meeting in **Appendix A**), with regard to the abovementioned project, refer.

This letter serves to request that a single consolidated Application be submitted to seek Environmental Authorisation in terms of the National Environmental Management Act (Act No. 107 of 1998) for the Borrow Pits required as part of the proposed Mokolo and Crocodile River (West) Water Augmentation Project (MCWAP) Phase 2A which forms part of government's SIP 1 (Strategic Infrastructure Projects) to unlock the Northern Mineral Belt with the Waterberg as the Catalyst. This request is made in terms of Regulation 11 of Government Notice (GN) No. 982 of 4 December 2014 (as amended).

2. PROJECT BACKGROUND

Major developments are planned for the Waterberg coalfields that are located in the Lephalale area, Limpopo Province. These developments include inter



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alia the new Medupi Power Station, development of possible further power stations, extension of the Grootegeluk mining operations and further coal mines, possible petrochemical industries, possible exploitation of gas, and accelerated growth in the population in the area with associated settlement and urban development. As a direct result of the aforementioned developments, the demand for water in the Lephalale area will significantly increase over the next 20 years. Due to the limited availability of water in the area, the Department of Water and Sanitation (DWS) conducted a feasibility study of MCWAP to establish how the future water demands could be met. The phases of the proposed project include:

- MCWAP Phase 1: Augment the supply from Mokolo Dam to supply in the growing water use requirement for the interim period until a transfer pipeline from the Crocodile River (West) can be implemented. The solution must over the long term optimally utilise the full yield from Mokolo Dam and will be operated as an integrated system together with MCWAP-2 when the latter is completed. Phase 1 is operational since June 2015; and
- MCWAP-2A: Transfer water from the Crocodile River (West) to the Steenbokpan and Lephalale areas. Phase 2A is the focus of this letter.

As stated above, the MCWAP feature prominently in the government's National Development Plan as one of 18 Strategic Infrastructure Projects (SIP 1) to unlock the northern mineral belt with Waterberg as the catalyst.

MCWAP-2 consists of the following components:

- Water Transfer Infrastructure (WTI), which entails the transfer of water from the Crocodile River (West) to Lephalale;
- Borrow Pits (main topic of this letter); and
- River Management System.

3. BORROW PITS

Borrow Pits are required for the sourcing of suitable material to be utilised during the construction phase of the MCWAP-2A Water Transfer Infrastructure. The proposed 23 Borrow Pit locations were identified as part of geotechnical investigations conducted under the Technical Feasibility Study for MCWAP-2A.

The proposed Borrow Pits are located along the WTI commencing with BP SS1 from the south-western point of the project area near Vlieëpoort Mountains in the catchment of the Crocodile River (West). From there, the borrow pits are situated at approximately 5 km intervals and move in a predominantly northern direction along existing roads, farm boundaries and a railway line and ends near Steenbokpan at the last borrow pit, BP 51. The 23 proposed borrow pits are situated along the MCWAP Phase 2 pipeline, as construction material will be sourced from these Borrow Pits and used for the construction of the pipeline infrastructure. The sizes of the proposed Borrow Pits range from 0,3 ha to 14,8 ha and they are located on different properties,

along the pipeline route. The details of the proposed Borrow Pits are included in **Appendix B** of this letter.

4. LISTED ACTIVITIES UNDER THE EIA REGULATIONS OF 2014 (AS AMENDED)

The activities that are understood to be triggered in terms of the EIA Regulations of 2014 (as amended) by the proposed Borrow Pits are listed below.

GN No. R. 983 of 4 December 2014, as amended (Listing Notice 1)	
<p>GN No. R.983 – Activity no. 12:</p> <p>The development of-</p> <p><u>(xii) infrastructure or structures with a physical footprint of 100 square metres or more;</u></p> <p>where such development occurs-</p> <p>(a) <u>within a watercourse;</u></p> <p>(b) <u>in front of a development setback; or</u></p> <p>(c) <u>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</u></p> <p>excluding-</p> <p>(aa) <u>the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</u></p> <p>(bb) <u>where such development activities are related to the development of a port or</u></p> <p><u>harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</u></p> <p>(cc) <u>activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</u></p> <p>(dd) <u>where such development occurs within an urban area; or</u></p> <p>(ee) <u>where such development occurs within existing roads or road reserves.</u></p>	<ul style="list-style-type: none"> Borrow areas that require access roads (physical footprint of more than 100 square meters) that traverse watercourses, and fall within a watercourse (BP SS1)
<p>GN No. R.983 – Activity no. 14:</p> <p>The development of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</p>	<p>"Dangerous goods" that are likely to be associated with the greater project, are fuel stores, as well as any dangerous goods to be used during the mining phase. Threshold of 80 m³ expected to be exceeded.</p> <p>Diesel, Petrol and Oil to be stored on site at all borrow areas along pipeline.</p> <p>Capacities to be confirmed</p>
<p>GN No. R.983 – Activity no. 19:</p>	<p>Access roads/haul roads to the borrow areas that traverse watercourses. BP SS1 falls within</p>

<p><u>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-</u></p> <p>(i) <u>a watercourse;</u></p> <p>(ii) the seashore; or</p> <p>(iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater -</p> <p>but excluding where such infilling, depositing , dredging, excavation, removal or moving-</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies.</p>	<p>a watercourse.</p>
<p>GN No. R.983 – Activity no. 24:</p> <p>The development of-</p> <p>(i) a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</p> <p>(ii) <u>a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</u></p> <p>but excluding-</p> <p>(a) roads which are identified and included in activity 27 in Listing Notice 2 of 2014; or</p> <p>(b) roads where the entire road falls within an urban area.</p>	<p>Access and haul roads to the various borrow areas will be required as not all fall within existing farm roads and are remote.</p>
<p>GN No. R.983 – Activity no. 27:</p> <p><u>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</u></p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>Clearance of large areas associated with the borrow pit footprint, which includes the following large project components:</p> <ul style="list-style-type: none"> • Mining area; • Access/haul roads; • Site office/store; and • Topsoil stockpiles. <p>Status of vegetation to be confirmed as part of the Terrestrial Ecological Study.</p>
<p>GN No. R.983 – Activity no. 30:</p> <p>Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p>	<p>Possible occurrence of sensitive biodiversity features at affected areas. To be confirmed as part of the Terrestrial Ecological Study.</p>
<p>GN No. R.983 – Activity no. 56:</p> <p><u>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre-</u></p> <p>(i) where the existing reserve is wider than 13,5 meters; or</p> <p>(ii) where no reserve exists, where the existing road is wider than 8</p>	<p>Possible widening of existing roads, in order to allow haul trucks access to the various borrow areas and pipeline servitude. Dimensions to be confirmed.</p>

<p>metres; excluding where widening or lengthening occur inside urban areas.</p>	
<p>GN No. R. 984 of 4 December 2014, as amended (Listing Notice 2)</p>	
<p>GN No. R.984 – Activity no. 4: The development of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.</p>	<p>“Dangerous goods” that are likely to be associated with the greater project, are fuel stores, as well as any dangerous goods to be used during the mining phase. Fuel and other dangerous goods will be stored at all site establishments.</p>
<p>GN No. R.984 – Activity no. 15: <u>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-</u> (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>Cumulative area to be cleared for all borrow pits (except linear components) exceeds 20 hectares. Status of vegetation to be confirmed as part of the Terrestrial Ecological Study.</p>
<p>GN No. R. 985 of 4 December 2014, as amended (Listing Notice 3)</p>	
<p>GN No. R.985 – Activity no. 4(a)(ii): <u>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</u></p>	<p>Access/haul roads to the various sites (pre-mining and mining phase) are expected to exceed thresholds. Dimensions to be confirmed. Activity to be confirmed following Terrestrial Ecological Study.</p>
<p>GN No. R.985 – Activity no. 10(e)(i): The development of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</p>	<p>“Dangerous goods” that are likely to be associated with the greater project, are fuel stores, as well as any dangerous goods to be used during the mining phase. Threshold of 30 m³ expected to be exceeded. Fuel and other dangerous goods will be stored at all site establishments. Activity to be confirmed following Terrestrial Ecological Study.</p>
<p>GN No. R.985 – Activity no. 12(a)(i – ii): The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>Clearance of large areas associated with the borrow pit footprint. Activity to be confirmed following Terrestrial Ecological Study.</p>
<p>GN No. R.985 – Activity no. 14(a)(ii): The development of-</p> <p>(i) canals exceeding 10 square metres in size ; (ii) channels exceeding 10 square metres in size; (iii) bridges exceeding 10 square metres in size; (iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size; (v) weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size; (vi) bulk storm water outlet structures exceeding 10 square metres in size;</p>	<p>The BP SS1 borrow area falls within the Crocodile River (West), and will be approximately 1.3 ha in size, exceeding the threshold.</p>

<p>(vii) marinas exceeding 10 square metres in size;</p> <p>(viii) jetties exceeding 10 square metres in size;</p> <p>(ix) slipways exceeding 10 square metres in size;</p> <p>(x) buildings exceeding 10 square metres in size;</p> <p>(xi) boardwalks exceeding 10 square metres in size; or</p> <p><u>(xii) infrastructure or structures with a physical footprint of 10 square metres or more;</u></p> <p>where such development occurs -</p> <p>(a) <u>within a watercourse;</u></p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p>	
<p>GN No. R.985 – Activity no. 18(a)(ii):</p> <p><u>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</u></p>	<p>Access/haul roads to the various sites (pre-mining and mining phases) are expected to exceed thresholds. Dimensions to be confirmed.</p> <p>Activity to be confirmed following Terrestrial Ecological Study.</p>

The following activities are not included in the above list and are understood not to be relevant to MCWAP-2A, based on the discussions held during the Pre-Application Consultation Meeting with DMR Limpopo Regional Office on 8 May 2018:

- **GN No. R.983 – Activity no. 21:** Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA);
- **GN No. R.983 – Activity no. 22:** The decommissioning of any activity requiring a closure certificate in terms of Section 43 of the MPRDA; or
- **GN No. R.984 – Activity no. 27:** Any activity including the operation of that activity which requires a mining right as contemplated in Section 22 of the MPRDA.

5. MOTIVATION FOR THE COMBINATION OF APPLICATIONS

In terms of Regulation 11(1) of GN No. R. 982 of 4 December 2014 (as amended), “if a proponent or proponents intend to undertake one or more than one activity of the same type at different locations within the area of jurisdiction of a competent authority, the competent authority may, on written request, grant permission for the submission of a single application”.

This request is for DMR to allow DWS as the developer of the MCWAP-2A, as a Government Waterworks in terms of the National Water Act (Act N. 36 of 1998), to submit a single Application for a Scoping and EIA process for the

MCWAP-2A Borrow Pits. The following serves as motivation to support the aforementioned request:

1. MCWAP-2A is located within the western part of the Limpopo Province, in the Thabazimbi Local Municipality (LM) and Lephalale LM, and falls within the jurisdiction of the DMR Limpopo Regional Office.
2. In terms of Regulation 11(3) of GN No. 982 of 4 December 2014 (as amended), the Borrow Pits form part of the same proposed development, namely MCWAP-2A.
3. The activities associated with the proposed Borrow Pits are similar, based on the intended use of the mined material. The associated mining infrastructure and equipment associated with the Borrow Pits will include –
 - i. Topsoil stockpile (10% of the borrow area);
 - ii. Screeners (if necessary);
 - iii. Site office/store;
 - iv. Waste storage facilities (hazardous and general waste);
 - v. Excavators, dozer, tipper trucks, front-end loader; and
 - vi. Haul roads.
4. The project has an extensive footprint, with the total length of the bulk water pipeline options exceeding 200 km. 23 Borrow Pits have been identified to date to provide the volume of material required for construction purposes. In the case of separate Basic Assessments for each Borrow Pit, broken up into 5 ha units, this will equate to approximately 40 individual Applications. The implications of this will include the following –
 - i. Based on the requirements of Appendix 1 of GN No. 982 of 4 December 2014 (as amended), which prescribes the scope of the assessment and content of a Basic Assessment Report, comprehensive reports will need to be compiled for each individual Borrow Pit (broken up into 5 ha units).
 - ii. Specialist studies, including Aquatic, Terrestrial Ecological, Heritage, Agricultural, Socio-Economic and Wildlife (related to game farms) will be undertaken for the entire project footprint, including the Borrow Pits. A large number of separate specialist reports will be generated if the Borrow Pits need to be subjected to individual Basic Assessments.
 - iii. In accordance with Regulation 43 of GN No. R. 982 of 4 December 2014 (as amended), a large number of copies of the draft Basic Assessment Reports will be required during the public review period, where copies will need to be provided to public places, key stakeholders, authorities with jurisdiction over the receiving environment, municipalities, etc. This will equate to approximately 15 copies of each draft Basic Assessment Report per Borrow Pit. This will mean that approximately 600 copies of the draft reports will be required. It is anticipated that with the specialist studies, Environmental Management Programme (EMPr) and supporting documentation each Basic Assessment Report will be approximately 500 pages.

5. A single Application Form and draft Scoping Report were already compiled for the MCWAP-2A Borrow Pits, as it was assumed that a consolidated process and combined Application could be followed, based on initial discussions with DMR Limpopo Regional Office on 7 December 2017. Significant time will be required for the EIA team, environmental specialists and technical team members to compile the individual Basic Assessments Reports.
6. A consolidated Public Participation process for MCWAP-2A was conducted from the onset of the EIA in the Announcement Phase. There is also an excessive database of Interested and Affected Parties (IAPs) that has been compiled, consisting of authorities, stakeholders, landowners, various sectors (e.g. agriculture, biodiversity, industry). To date information has been shared with IAPs pertaining to the Water Transfer Infrastructure and Borrow Pits. Splitting the Public Participation up for each of the Borrow Pits will create confusion amongst the IAPs and it could also create a convoluted process.
7. The project is of utmost urgency and can't be delayed because without MCWAP-2A, Eskom will not be able to implement the Flue-Gas Desulphurisation (FGD) technology at the Medupi Power Station to reduce sulphur emissions, which will violate the related condition in Eskom's World Bank loan which can lead to the withdrawal of the loan with associated risks to the Republic of South Africa's (RSA) economy.
8. The entire project footprint falls within the Savanna Biome. The proposed Borrow Pits are located on privately-owned properties, which are primarily used for agricultural practices or game-farming. Sensitive aspects associated with the aforementioned land uses include (amongst others) cultivated commercial fields, orchards and pivots (primarily in the Mooivallei area), agricultural infrastructure and facilities (e.g. pipelines, boreholes, dams), and sensitive game species (e.g. exotic game). Sensitive features will be identified and assessed as part of the individual specialist studies. Due to the nature of activities that form part of the proposed mining, there will be an overlap of the potential impacts and the concomitant mitigation measures for the proposed Borrow Pits. Although a consolidated assessment process can be undertaken, the potential environmental impacts of each activity will be considered in terms of the location where the activity is to be undertaken.
9. A consolidated process under a single Application and Scoping/EIA Process for the proposed 23 Borrow Pits will ultimately allow for a more streamlined process in terms of the following –
 - i. The consolidation of all the Borrow Pits into single reports for each of the specialist studies;
 - ii. The undertaking of the impact assessment and identification of suitable mitigation measures;
 - iii. A combined Public Participation process, including combined notifications in newspapers and combined public meetings; however, with site-specific onsite notices and engagements with affected landowners; and

- iv. It will prevent incremental decision-making by DMR for individual Borrow Pits.

6. FINANCIAL PROVISION

Based on a Memorandum of Understanding in 2007 between the then Department of Water Affairs and Forestry (DWAF) and Department of Mineral and Energy (DME), it was agreed between these parties that for the construction and maintenance of Government Waterworks undertaken by DWS' own Construction Unit, this Department shall be deemed to comply with the requirements of financial provision (**Appendix C**). Provided that the estimated costs for the management, rehabilitation and closure of such quarries and borrowed areas or works are provided for within the approved budget for such Government Waterworks.

Clarification is sought whether the above MoU is still valid, or whether there is any other formal or legal provision, regarding the need for DWS to make financial provision for the closure of the Borrow Pits.

In the spirit of co-operative governance the DWS trust that the request for a combined Application for the MCWAP-2A, as substantiated in this letter, meets with your approval. The project team members will gladly avail themselves to discuss this matter further with DMR.

Yours sincerely



Mr S Mkhize

ACTING DIRECTOR-GENERAL

Signed by:




Mr LS Mabuda

CHIEF DIRECTOR: INTEGRATED WATER RESOURCE PLANNING

DATE: 30/07/2018.

APPENDIX A

**MINUTES OF PRE-APPLICATION CONSULTATION MEETING – DEPARTMENT OF
MINERAL RESOURCES (DMR) LIMPOPO REGIONAL OFFICE**

	DRAFT MINUTES OF MEETING DMR Pre-application Meeting	Queries: Donavan Henning ☎ 011 781 1730 ☎ 011 781 1731 ✉ donavanh@nema.co.za
Client:	  water & sanitation Department Water and Sanitation REPUBLIC OF SOUTH AFRICA TCTA A new word for water	Project Name: Mokolo and Crocodile River (West) Water Augmentation Project (Phase 2A) (MCWAP-2A): Borrow Pits
Date:	08 May 2018	Time: 09:00 – 11:00
Chairman:	N. Chavalala	Place: DMR Regional Offices, Polokwane

Note: The minutes are not intended as a verbatim transcript of the meeting, but rather a summary of the salient discussions which took place during the meeting.

ATTENDANCE

Refer to the completed Attendance Register contained in Appendix A.

Item	Description	Action	Target Date
1.	Opening and Welcome		
	N. Chavalala welcomed everyone present at the meeting and requested a round of introductions.		
1.1	D. Henning indicated that the objectives of the meeting were as follows: <ul style="list-style-type: none"> To provide an overview of the proposed MCWAP-2A: Borrow Pits to the Department of Mineral Resources (DMR); To determine the way forward in terms of the Environmental Impact Assessment (EIA) process; To determine DMR's requirements; and To provide a platform for project-related discussions. 	-	-
2.	Attendance and Apologies		
2.1	N. Chavalala tendered apologies on behalf of the following DMR officials: A. Kharivhe, T. Kolani and T. Mangaba.	-	-
3.	Confirmation of Agenda		
3.1	A. Nelwamondo requested that Closure Certificates for MCWAP-1 Borrow Pits be added under Item 7.1. The agenda was accepted with the inclusion of the aforementioned amendment.	-	-
4	Project Overview		
<i>Refer to a copy of the presentation attached in Appendix B.</i>			
4.1	<u>MCWAP-2A Overview</u>		
4.1.1	D. Henning presented the following: <ul style="list-style-type: none"> National Development Context – SIP 1; and Project Overview. 	-	-
4.2	<u>Borrow Pits and Associated Infrastructure</u>		

Item	Description	Action	Target Date
4.2.1	D. Henning presented the following: <ul style="list-style-type: none"> MCWAP-2A components - <ul style="list-style-type: none"> Water Transfer Scheme Infrastructure (WTI) – Borrow Pits (BPs). 	-	-
4.3	<u>Discussion</u>		
4.3.1	<p>N. Chavalala enquired about the project team's relationship with the landowners within the project footprint. D. Henning stated that due to the length of the pipeline (including alternative routes) there are approximately 200 landowners affected by the proposed project. He noted that public participation pertaining to the WTI and BPs already commenced in 2016, where Background Information Documents were circulated, public meetings were held and landowner consultation took place. He indicated that another series of meetings were held in 2018, as part of the Scoping phase for the WTI, with Interested and Affected Parties (IAPs) and landowners as part of the formal EIA process. He stated that thorough consultation had been undertaken to date.</p> <p>N. Chavalala asked whether all of the identified BPs will be required to source construction material for the project. A. Nelwamondo stated that at the moment the project is still in the planning phase, and they don't know for certain whether the material excavated from the pipeline trench will be suitable or not, and they may find at some sections the overburden material can be used for pipe bedding or backfilling.</p> <p>N. Chavalala asked about the information provided in terms of the geotechnical investigations, such as the suitability of the material and the possible quantity. A. Nelwamondo stated that it indicated suitability and possible quantities, however the 23 proposed BPs identified do not cover the overall quantities required and that 7 additional BPs still need to be located. D. Henning added that the information packs of the 23 proposed BPs provided during the meeting include a table which shows the footprints and volumes of material required from each BP, as well as the locality maps of the 23 BPs.</p>	-	-
5	EIA Process – Borrow Pits		
5.1	<u>Combined Application</u>	-	-
5.1.1	D. Henning explained that a single Application Form and draft Scoping Report were already compiled for the MCWAP-2A BPs Pits, as it was assumed that a consolidated process and combined Application could be followed, based on initial discussions with DMR Limpopo Regional Office at the end of 2017. He noted that when Nemai Consulting wanted to submit the Application and Scoping Report to DMR, the Department requested that each BP be broken up into 5ha units and that a Basic Assessment (BA) needed to be conducted for each unit, which would ultimately require approximately 40 individual applications. He stated that a single Scoping and EIA process covering all 23 of the BPs would be much simpler. He further stated that in terms of Regulation 11(1) of Government Notice (GN) No. R. 982 of 4 December 2014 (as amended), "if a proponent or proponents intend to undertake one or more than one activity of the same type at different locations within the area of jurisdiction of a competent authority, the	Nemai Consulting & DWS	TBC

Item	Description	Action	Target Date
	<p>competent authority may, on written request, grant permission for the submission of a single application". He stated that it is the intention to request that a single application be submitted to DMR for the MCWAP-2A BPs.</p> <p>N. Chavalala asked about the status of the environment at the proposed sites for the BPs, and whether the biodiversity is similar across the whole area. D. Henning stated that the project footprint is situated within bushveld which is in good condition. He added that the project area is of a rural nature and that the proposed infrastructure is mostly located on privately-owned properties that are primarily used for agricultural practices and game-farming.</p> <p>N. Chavalala stated that in order for permission to be granted, it has to be informed with information on the status of the environment and its sensitivity. D. Henning mentioned that the environment along the proposed pipeline route options is mostly uniform, based on the land uses encountered. He indicated that the provisions in the Environmental Management Programme (EMPr) can thus be consistently applied to all areas. He noted that each of the sites will also be assessed as part of the specialist studies to be conducted and specific mitigation measures for each of the BPs would also be identified. A. Nelwamondo emphasised that if there are any sensitive ecological features at specific BPs and properties, it will be contained in the specialist report and the EMPr will contain the specific mitigation measures for those areas.</p> <p>N. Chavalala requested that a formal enquiry from the applicant be submitted to the Department, containing a motivation for a combined application and Scoping and EIA process under GN No. R. 982 of 4 December 2014 (as amended). D. Henning stated that the letter will contain a description of the BPs, a motivation for the combined application and an indication of the triggered Listed Activities. N. Chavalala stated that the letter must be directed to the DMR Regional Manager and copied to T. Kolani. D. Henning asked how it would take to receive feedback from DMR to the request. N. Chavalala stated that it will be acknowledged within 7 days of receipt and that a response will be provided within approximately 14 days from receipt.</p>		
5.2	<u>Listed Activities & Process</u>		
5.2.1	<p>C. van der Hoven asked whether DWS is exempted from a mining right/permit and whether the Listed Activities which would be applied for should only be for clearance and associated infrastructure, such as access roads. N. Chavalala stated that Organs of State are exempted from applying for a mining right/permit.</p> <p>D. Henning asked whether there is also an exemption in terms of financial provisions. N. Chavalala stated that an enquiry on whether financial provision is required must be included in the formal letter.</p> <p>C. van der Hoven enquired whether a Regulation 2(2) Plan would be required. N. Chavalala confirmed that such a plan would be required for each BP.</p>	Nemai Consulting & DWS	TBC

Item	Description	Action	Target Date
	<p>N. Chavalala stated that the project team must ensure that all possible Listed Activities triggered by the proposed BPs must be included in the application. D. Henning asked whether the triggered Listed Activities identified must be included in the formal letter. N. Chavalala stated that it can be included in the letter, where DMR can provide input.</p> <p>C. van der Hoven asked whether the application for the BPs would have to be submitted through SAMRAD online system by the applicant, or if a hardcopy of the application needed to be submitted to DMR, where the administrative unit would upload the document to SAMRAD. T. Mulaudzi stated that for DWS all applications must be provided to the Department as a hardcopy, and then the Department will submit the applications online at their offices.</p> <p>C. van der Hoven asked whether a Closure Plan was required as part of the EIA process. N. Chavalala stated that the DMR templates contain applicable sections regarding closure. He also added that when you apply for a Closure Certificate, under Section 43 of the Mineral and Petroleum Resources Development Act (Act No. 28 of 2002) (MPRDA), one of the requirements is for a Closure Plan to be compiled. He indicated that this will be a separate process and will only be required prior to rehabilitation of the BPs.</p>		
5.3	<u>Report Templates</u>		
5.3.1	C. van der Hoven asked whether the DMR Scoping and EIA templates would have to be used. N. Chavalala confirmed that this is the case. He also mentioned that the template must not be altered or changed, but more information can be added within sections in the template.	-	-
5.4	<u>Alternatives</u>		
5.4.1	<p>C. van der Hoven explained that all locations of the proposed BPs were confirmed by geotechnical investigations, and that there are currently no alternatives for BPs. N. Chavalala confirmed that alternatives were not required, as the BPs were based on the availability of the materials.</p> <p>D. Henning stated that the MCWAP-2A WTI has alternative pipeline routes, and depending on the alternative authorised by the Department of Environmental Affairs (DEA), the material would need to be hauled from the proposed BPs or new sites would need to be identified and approved that are nearer to the pipeline.</p>	-	-
5.5	<u>Public Participation</u>		
5.5.1	<p>D. Henning stated that the public participation process conducted for the proposed MCWAP-2A will follow the EIA Regulations of 2014 (as amended). N. Chavalala confirmed that this is required by DMR.</p> <p>D. Henning stated that all public participation conducted to date will be included in the Application Form.</p> <p>D. Henning asked whether DMR distributes copies of the draft reports to commenting authorities or whether this needed to be done by the Environmental Assessment Practitioner. N. Chavalala</p>	-	-

Item	Description	Action	Target Date
	stated that both approached could be followed, however, he recommended the latter.		
5.6	Specialist Studies		
5.6.1	D. Henning indicated that the specialist studies to be conducted for the WTI and BPs include: Aquatic Impact Assessment; Terrestrial Ecological Impact Assessment; Heritage Impact Assessment; Agricultural Impact Assessment; Social Impact Assessment; Socio-Economic Impact Assessment; and a Wildlife Impact Assessment. He explained that previous specialist studies conducted will also be used, such as noise and traffic studies. He also added that if sensitive features were found for a specific BP then the relevant specialist would clearly link their findings to the BP in question. N. Chavalala stated that the specialist studies must assess the full footprint of the proposed BPs, including their associated infrastructure (i.e. access roads)	-	-
5.7	Borrow Pit Footprint		
5.7.1	C. van der Hoven asked whether the entire BP, including the management area (site offices, stockpiles and equipment), would have to be applied for or just the actual mining area. N. Chavalala stated that under normal circumstances when applying for a 5ha BP, reference is only made to a mining area, which includes all associated infrastructure and that would have to be applied for.	-	-
5.8	Outline of EIA Process		
5.8.1	D. Henning explained the steps involved for a Scoping and EIA process, in accordance with the EIA Regulations of 2014 (as amended).	-	-
6	DMR Requirements		
6.1	N. Chavalala requested that a formal written enquiry be submitted to the DMR Regional Offices by the applicant, which contains the motivation for a single consolidated application and Scoping and EIA approach for the proposed BPs. D. Henning also added that spoil material generated during the construction of the WTI may be used to rehabilitate existing BPs and quarries, or be reused to construct roads. N. Chavalala stated that provision must be made for this in the EMPr.	-	-
7	General		
7.1	A. Nelwamondo requested an update on the Closure Certificates for the MCWAP Phase 1 BPs. D. Mudau stated that 4 closure certificates had been provided, and another 4 would be provided in a months' time. She also added that they are awaiting comments from the DWS Limpopo Regional Office. N. Chavalala stated that the challenge is that a Closure Certificate can't be given without consent from DWS. He also added that it would be best to directly follow up with the DWS Limpopo Regional Office. D. Mudau stated that she will supply the farm names of the BPs that still require comments from DWS.	DMR	TBC
8.	Closure and Way Forward		
8.1	D. Henning expressed his gratitude and thanked everyone present	Nemai	15/05/2018

Item	Description	Action	Target Date
	for the meeting. The minutes will be compiled and circulated by Nemaï Consulting. The meeting was concluded at approximately 11:30.		

Appendices
Appendix A – Attendance Register
Appendix B – Presentations

Approval of Minutes

Minutes Compiled for: DMR

Approved By:

(N. Chavalala)

Date

Minutes Compiled by: Nemaï Consulting






(C. van der Hoven)





17/05/2018

Date

APPENDIX A

ATTENDANCE REGISTER

		ATTENDANCE REGISTER – DMR Pre-application Meeting		Donovan Henning ☎ 011 781 1730 ✉ donavanh@nemai.co.za	
Clients:  water & sanitation Department of Water and Sanitation REPUBLIC OF SOUTH AFRICA		 TCTA A new world for water		Project Name: Mokolo and Crocodile River (West) Water Augmentation Project (Phase 2A) (MCWAP-2A)	
Date: 08 May 2018		Project No.: 10580		Time: 09:00 – 10:00	
Chairperson: To be confirmed				Place: DMR Regional Offices, Polokwane	

Representative Name and Surname	Name of Organisation	Designation	Contact Details	Sign	Apologies
Ronald Gillmer	DWS		☎ 012 336 6933 ☎ 082 791 0833 ✉ GillmerR@dws.gov.za		
Azwienewi Nelwaimondo	TCTA	Environmental Manager	☎ 012 683 1200 ☎ 082 809 5101 ✉ ANelwaimondo@tcta.co.za		
Donavan Henning	Nemai Consulting	EIA Project Leader	☎ 011 781 1730 ☎ 082 891 0604 ✉ donavanh@nemai.co.za		
Christian Van Der Hoven	Nemai Consulting	EIA Assistant	☎ 011 781 1730 ✉ ChristianVdH@nemai.co.za		
Aaron Kharivhe	DMR		☎ Aaron.Kharivhe@dmr.gov.za		
Lesiba Tioubaita	DWS		✉ ltioubaita@dws.gov.za		
Thivhulawi Kolani	DMR		✉ Thivhulawi.Kolani@dmr.gov.za		
Tebogo Mangaba	DMR		✉ Tebogo.Mangaba@dmr.gov.za		

APPENDIX B

DETAILS OF THE PROPOSED MCWAP-2A BORROW PITS

Proposed MCWAP-2A Borrow Pits

Name	Borrow Pit Area (ha)	Management Area (ha)**	Volume (m ³)	Average Depth (m)
BP SS1	0.3	1.3	8 000	2.7
BP25	14.8	17.3	370 000	2.5
BP30	7.2	8.9	170 000	2.4
BP35	4.3	5.7	65 000	1.5
BP28	4.6	6.1	105 000	2.3
BP33	7.6	9.4	223 500	2.9
BP41	5.3	6.8	180 000	3.4
BP38	7.0	8.7	100 000	1.4
BP39	4.5	6.0	105 000	2.3
BP42	3.3	4.6	150 000	4.5
BP44	5.1	6.6	140 000	2.7
BP43	4.3	5.7	110 000	2.6
BP53	2.3	3.5	60 000	2.6
BP52	7.2	8.9	100 000	1.4
BP50	4.4	5.8	100 000	2.3
BP48	10.7	12.8	100 000	0.9
BP49	5.2	6.7	100 000	1.9
BP15	3.3	4.6	100 000	3.0
BP46	2.5	3.8	100 000	4.0
BP59	3.0	4.3	100 000	3.3
BP13	7.7	9.5	100 000	1.3
BP14	12.6	14.9	100 000	0.8
BP51	3.8	5.2	100 000	2.6

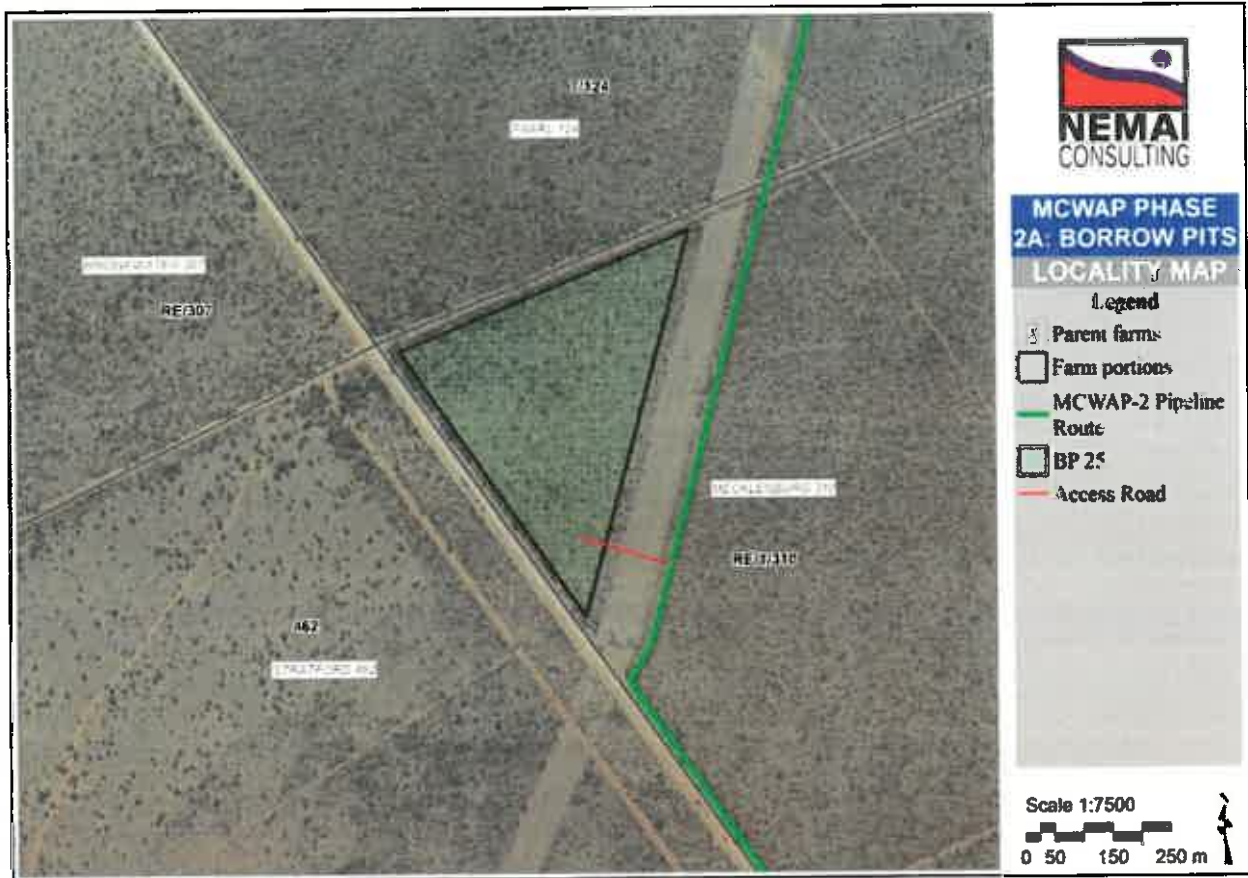
** Management area = the allowance of 10% of Borrow Pit area for topsoil stockpile and 1ha for working space.

Borrow Pit SS1



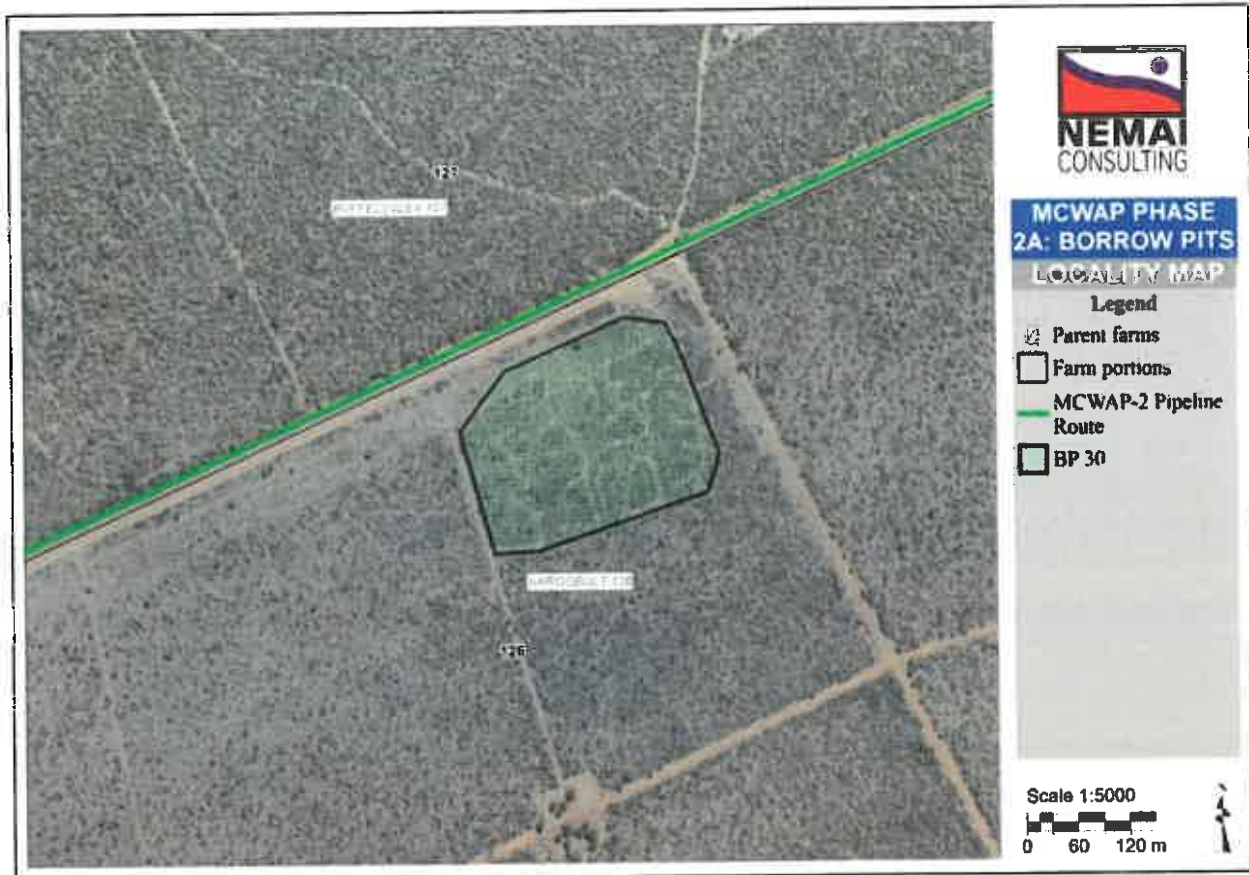
Borrow pit Details				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required ?	Length (km)
BP SS1	0.3	1.3	8000	Low-lift Rising Main	200	Yes	1.0
Property Description							
Farm Name			HANNOVER 341 KQ		MOOIVALEI 342		
Farm Portion			RE/341		RE/342		
21 Digit SGI Code			T0KQ00000000031000001		T0KQ00000000034200000		
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°37'58.4341"S				27°18'56.2169"E			
24°37'57.1443"S				27°18'55.6168"E			
24°37'54.1066"S				27°18'52.214"E			
24°37'56.1769"S				27°18'53.2871"E			
24°37'57.112"S				27°18'54.2825"E			

Borrow Pit 25



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required ?	Length (km)
BP25	14.8	17.3	370 000	High-lift Rising Main	9 900	Yes	Access will be from pipeline servitude or existing farm road
Property Description							
Farm Name			MECKLENBURG 310 KQ				
Portion			RE/1/310				
SGI Code			T0KQ00000000031000001				
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°31'34.7975"S				27°16'27.5508"E			
24°31'13.9014"S				27°16'34.04"E			
24°31'21.1893"S				27°16'16.5237"E			

Borrow Pit 30



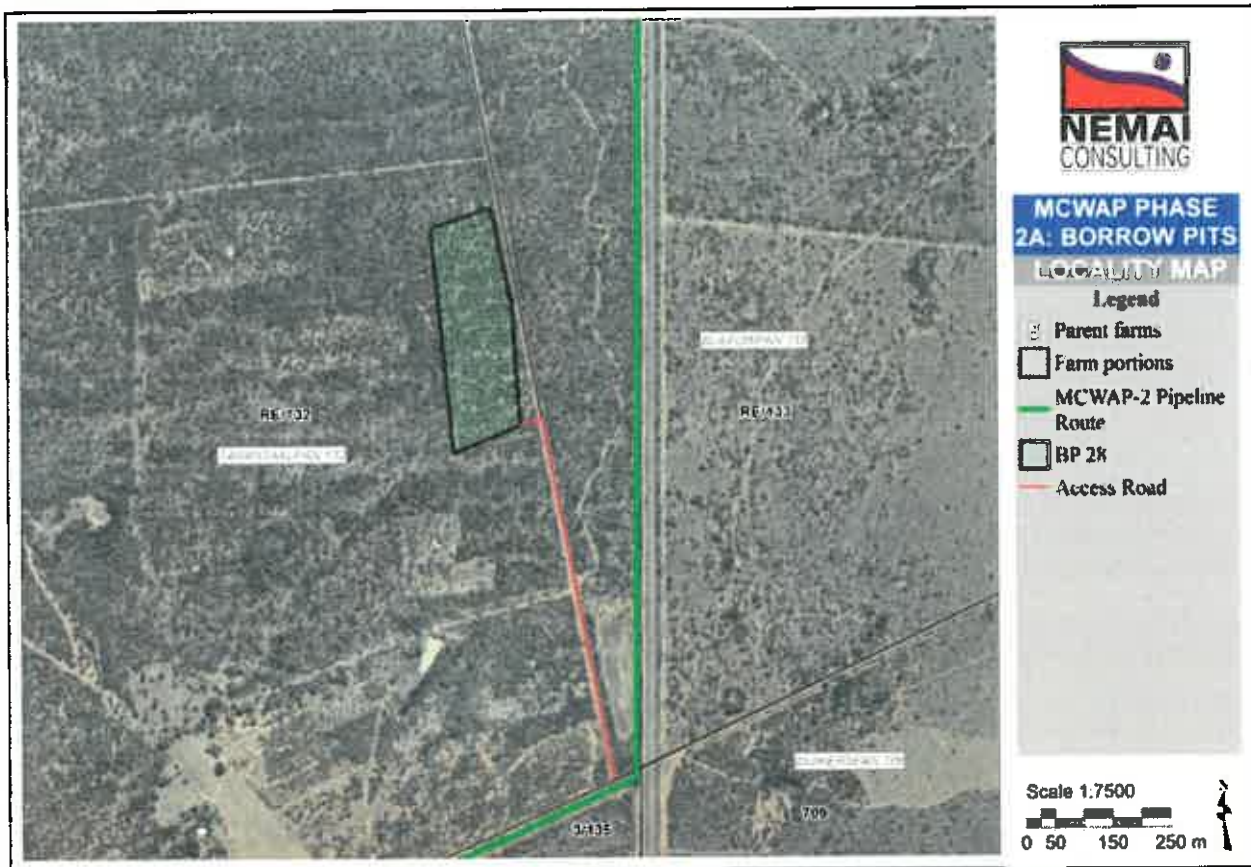
Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required ?	Length (km)
BP30	7.2	8.9	170 000	High-lift Rising Main	20 800	No	Access will be from pipeline servitude
Property Description							
Farm Name		KAROOBULT 126 KQ					
SGI Code		T0KQ00000000012600000					
Co-ordinates of corner points:							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°27'19.7185"S				27°20'5.3856"E			
24°27'19.654"S				27°20'7.289"E			
24°27'17.5042"S				27°20'14.1978"E			
24°27'16.0122"S				27°20'14.6254"E			
24°27'11.059"S				27°20'12.4259"E			
24°27'10.8698"S				27°20'10.8092"E			
24°27'12.8821"S				27°20'5.8461"E			
24°27'15.1351"S				27°20'3.9662"E			

Borrow Pit 35



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required ?	Length (km)
BP35	4.3	5.7	65 000	High-lift Rising Main	25 200	Yes	0.10
Property Description							
Farm Name				LEEUBOSCH 129 KQ			
Portion				RE/1/129			
SGI Code				T0KQ0000000012900001			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°26'21.9312"S				27°22'32.6288"E			
24°26'21.7506"S				27°22'37.7603"E			
24°26'18.801"S				27°22'38.2209"E			
24°26'13.9252"S				27°22'36.2801"E			
24°26'15.2796"S				27°22'29.3393"E			

Borrow Pit 28



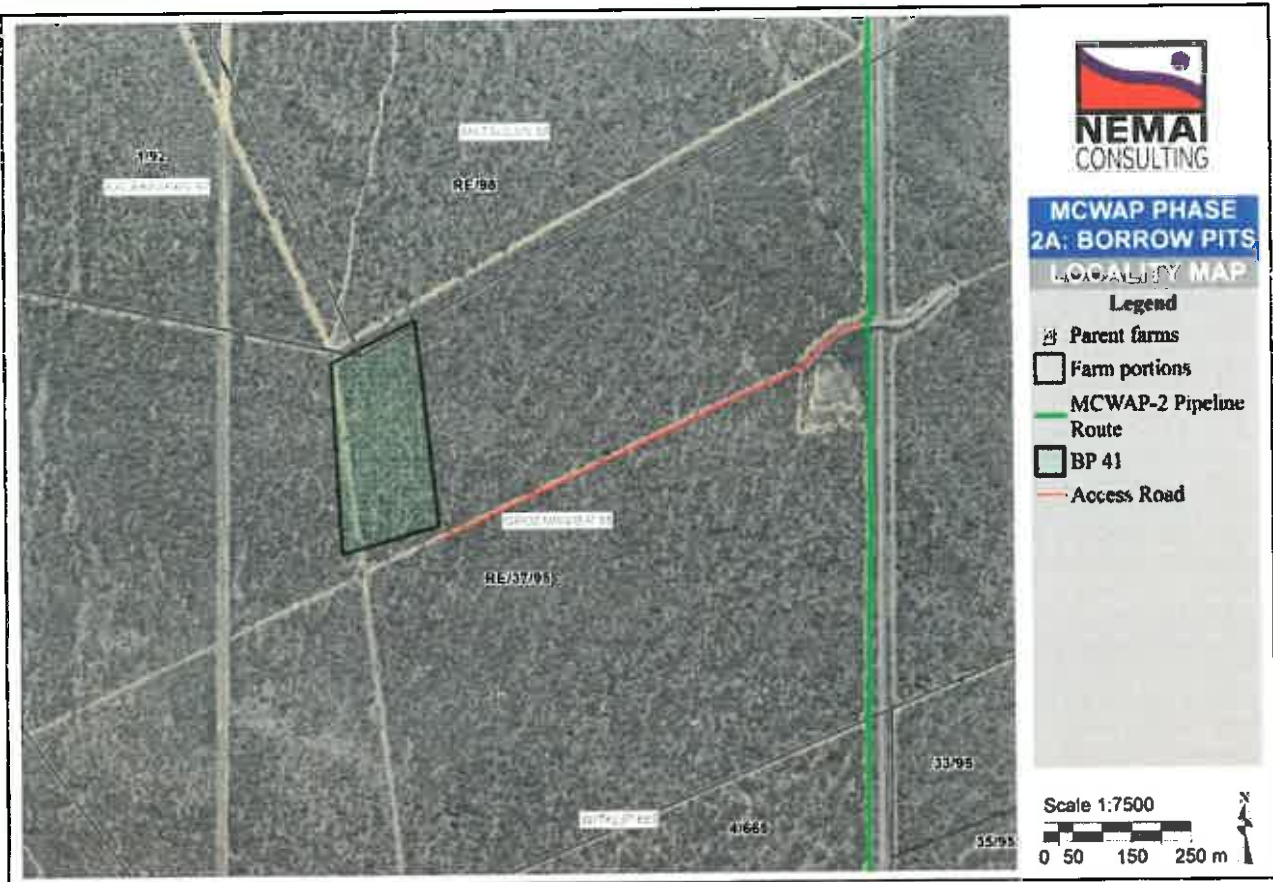
Borrow pit		Pipeline Reference		Access Road			
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required ?	Length (km)
BP28	4.6	6.1	105 000	Gravity Main from BPR to OR	8 600	Yes	Access will be from an existing farm road
Property Description							
Farm Name		TARANTAALPAN 132 KQ					
Portion		RE/132					
SGI Code		TOKQ0000000013200000					
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°22'54.442"S				27°26'44.1742"E			
24°22'52.7652"S				27°26'48.3076"E			
24°22'45.9716"S				27°26'47.7909"E			
24°22'40.554"S				27°26'46.3348"E			
24°22'41.8009"S				27°26'42.859"E			

Borrow Pit 33



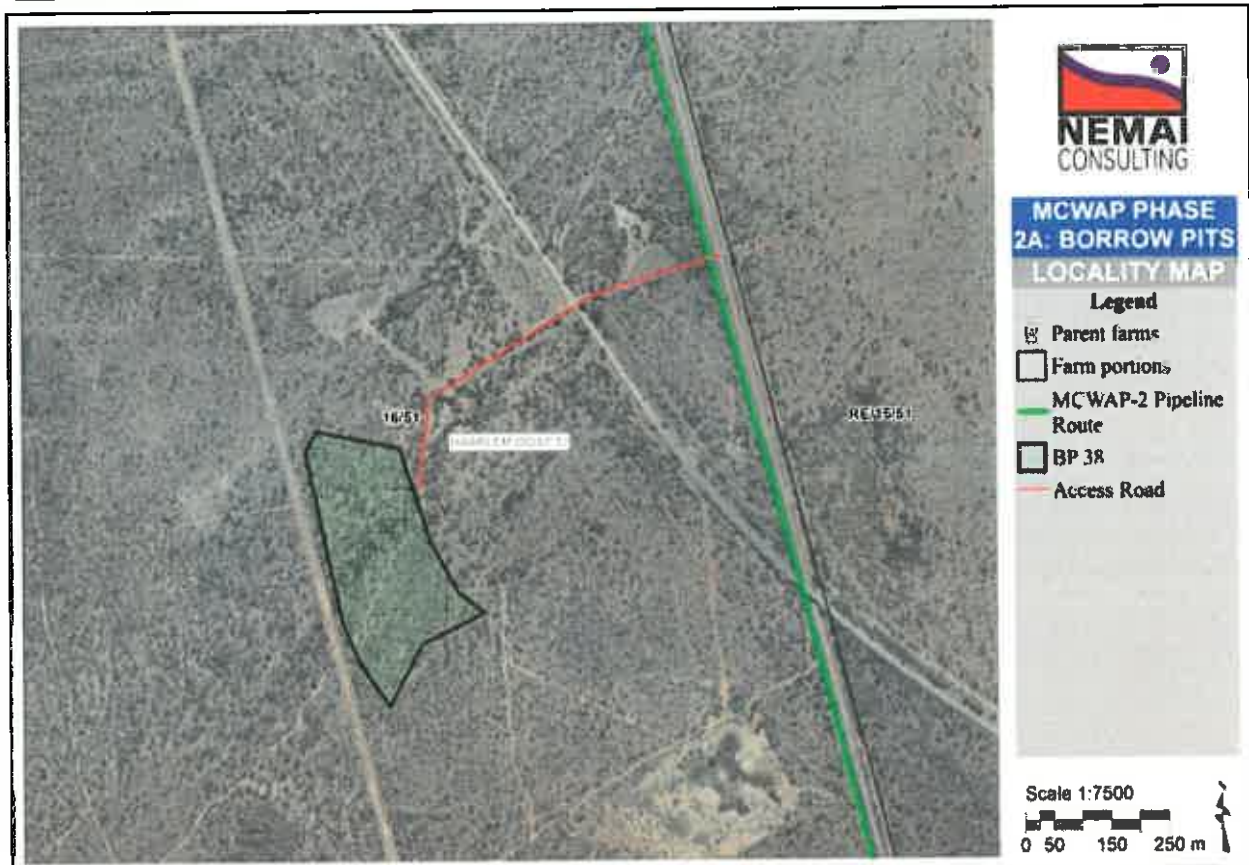
Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP33	7.6	9.4	223 500	Gravity Main from BPR to OR	17 900	Yes	0.13
Property Description							
Farm Name				RUIGTEVLEY 97 KQ			
Portion				5/97			
SGI Code				T0KQ0000000009700005			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°17'42.1626"S				27°26'54.9996"E			
24°17'30.8758"S				27°26'53.8263"E			
24°17'33.6707"S				27°26'49.813"E			
24°17'34.7026"S				27°26'43.6875"E			
24°17'34.7456"S				27°26'43.7345"E			
24°17'34.7456"S				27°26'43.7579"E			
24°17'36.487"S				27°26'45.0018"E			
24°17'39.7763"S				27°26'45.1192"E			

Borrow Pit 41



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP41	5.3	6.8	180 000	Gravity Main from BPR to OR	23 100	Yes	Access will be from an existing farm road
Property Description							
Farm Name			GROENRIVIER 95 KQ		MATSULAN 98 KQ		
Portion			RE/37/95		RE/98		
SGL Code			T0KQ0000000009500037		T0KQ0000000009800000		
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°15'1.7993"S				27°26'27.1333"E			
24°15'0.3546"S				27°26'33.1112"E			
24°14'49.0376"S				27°26'31.6331"E			
24°14'51.381"S				27°26'26.7016"E			

Borrow Pit 38



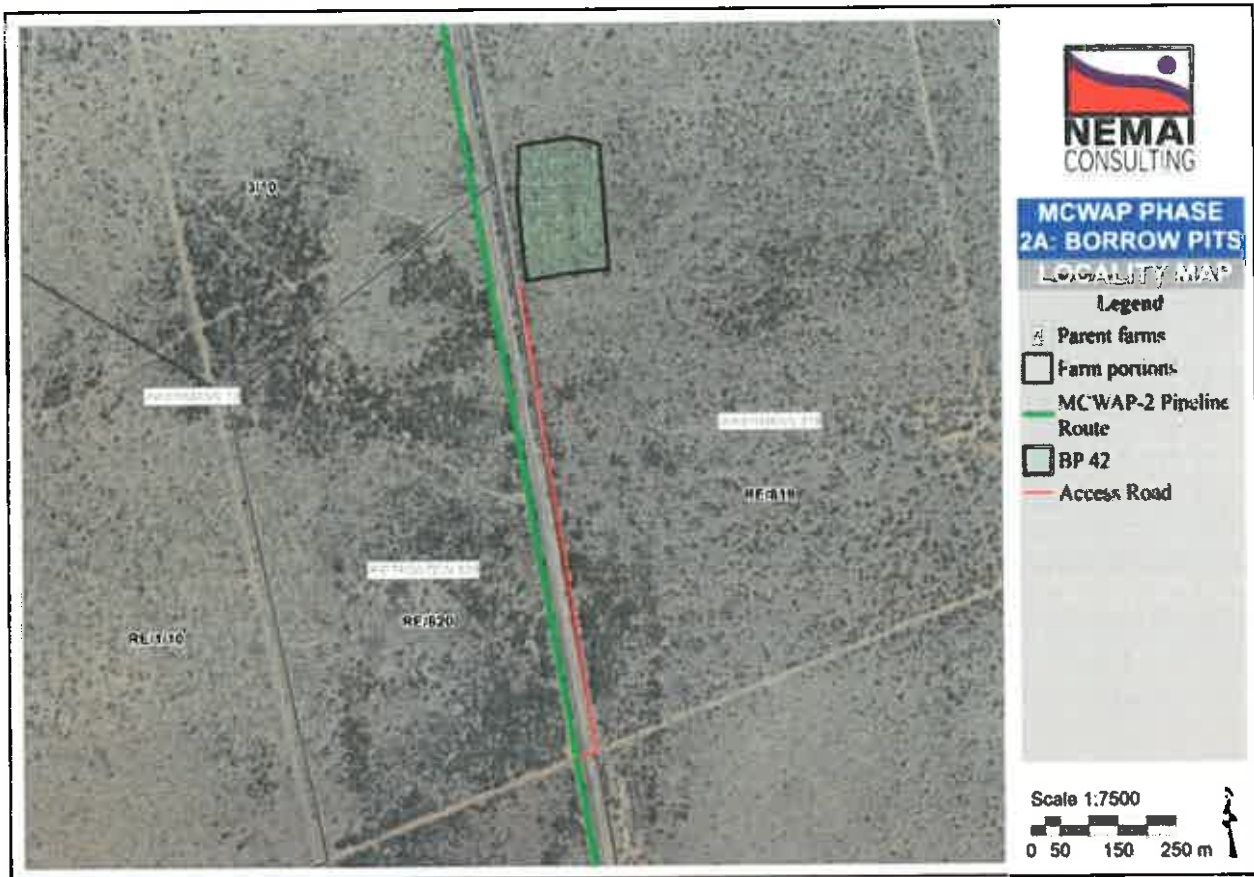
Borrow pit		Pipeline Reference		Access Road			
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP38	7.0	8.7	100 000	Gravity Main from BPR to OR	31 200	Yes	Access will be from an existing farm road
Property Description							
Farm Name		HAARLEM OOST 51 KQ					
Portion		16/51					
SGI Code		TOKQ00000000005100016					
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°10'57.3539"S				27°26'10.1793"E			
24°10'53.9226"S				27°26'12.3131"E			
24°10'52.207"S				27°26'16.0883"E			
24°10'51.0632"S				27°26'14.4469"E			
24°10'48.3544"S				27°26'12.8055"E			
24°10'42.8463"S				27°26'10.803"E			
24°10'41.9133"S				27°26'5.8132"E			
24°10'43.1172"S				27°26'5.0581"E			
24°10'52.6284"S				27°26'7.2248"E			
24°10'55.0965"S				27°26'8.3738"E			

Borrow Pit 39



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP39	4.5	6.0	105 000	Gravity Main from BPR to OR	42 900	Yes	0.21
Property Description							
Farm Name			RIETFONTEIN 15 KQ		SCHOONWATER 14 KQ		
Portion			RE/15		1/14		
SGI Code			T0KQ0000000001500000		T0KQ0000000001400001		
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°4'39.4075"S				27°24'55.8886"E			
24°4'38.913"S				27°24'58.0207"E			
24°4'8.4484"S				27°24'51.0389"E			
24°4'9.0074"S				27°24'49.9846"E			

Borrow Pit 42



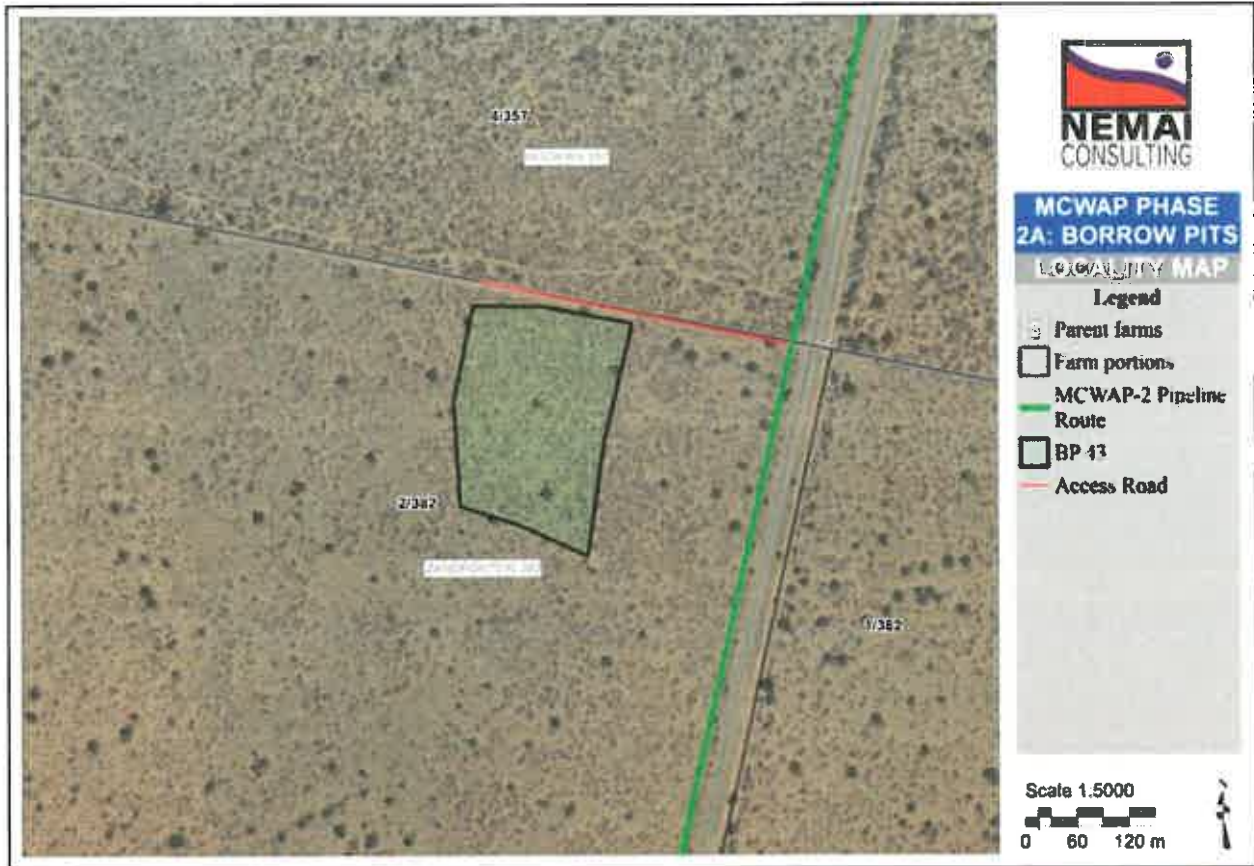
Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP42	3.3	4.6	150 000	Gravity Main from BPR to OR	46 900	Yes	0.88
Property Description							
Farm Name				INKERMANN 819 KQ			
Portion				RE/819			
SGI Code				T0KQ0000000081900000			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
24°1'39.0922"S				27°24'21.9184"E			
24°1'38.3999"S				27°24'26.935"E			
24°1'31.4169"S				27°24'26.3776"E			
24°1'31.1159"S				27°24'24.6398"E			
24°1'31.6577"S				27°24'21.4266"E			
24°1'35.1191"S				27°24'21.361"E			

Borrow Pit 44



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP44	5.1	6.6	140 000	Gravity Main from BPR to OR	54 800	Yes	Access will be from an existing farm road
Property Description							
Farm Name				DIEPSPRUIT 386 LQ			
SGI Code				T0LQ00000000038600000			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°57'59.608"S				27°23'30.3749"E			
23°57'58.8856"S				27°23'35.8152"E			
23°57'48.0799"S				27°23'31.6531"E			
23°57'48.9227"S				27°23'26.8682"E			

Borrow Pit 43



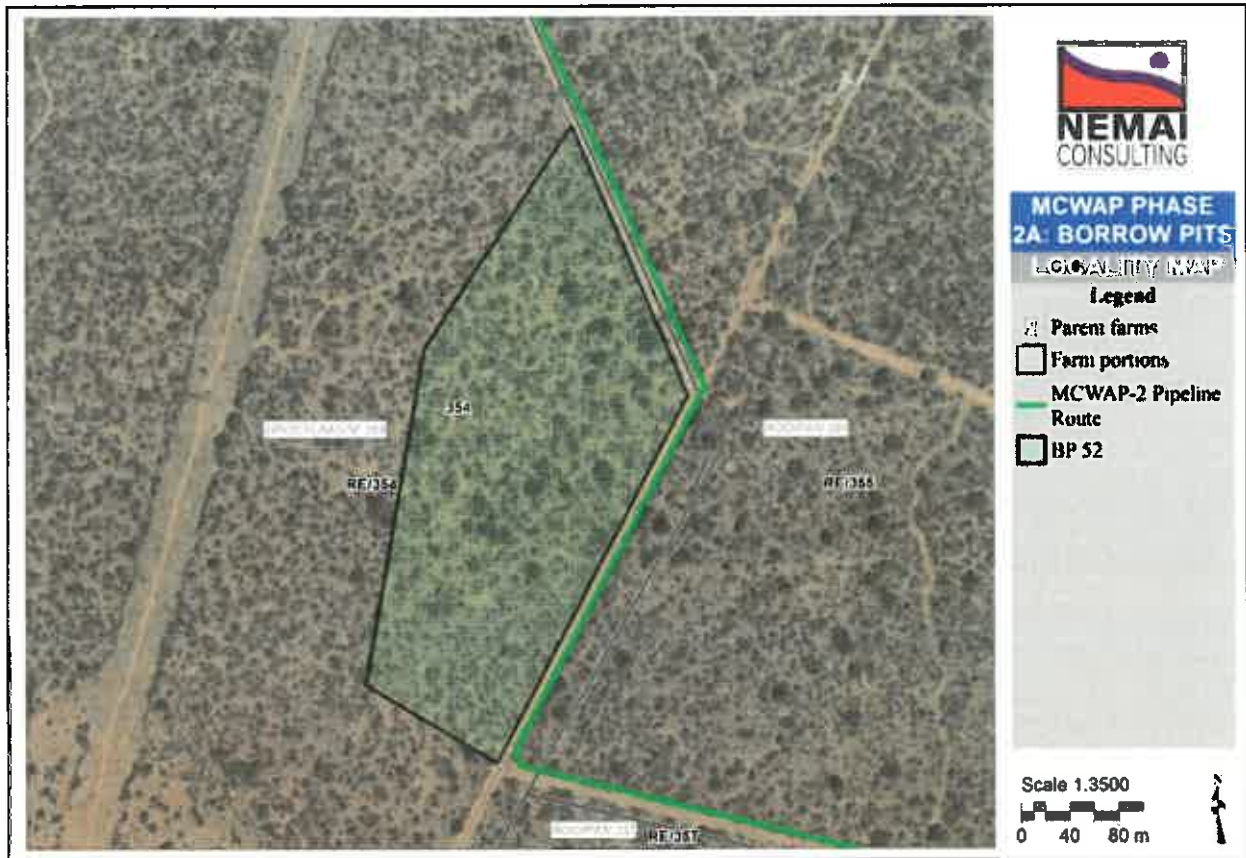
Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP43	4.3	5.7	110 000	Gravity Main from BPR to OR	63 000	Yes	Access will be along an existing farm road
Property Description							
Farm Name				ZANDFONTEIN 382 LQ			
Portion				2/382			
SGI Code				T0LQ00000000038200002			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°54'52.2554"S				27°23'43.0792"E			
23°54'54.113"S				27°23'48.2459"E			
23°54'45.4271"S				27°23'50.0056"E			
23°54'44.8079"S				27°23'46.4862"E			
23°54'44.7907"S				27°23'43.6034"E			
23°54'48.4199"S				27°23'42.7797"E			

Borrow Pit 53



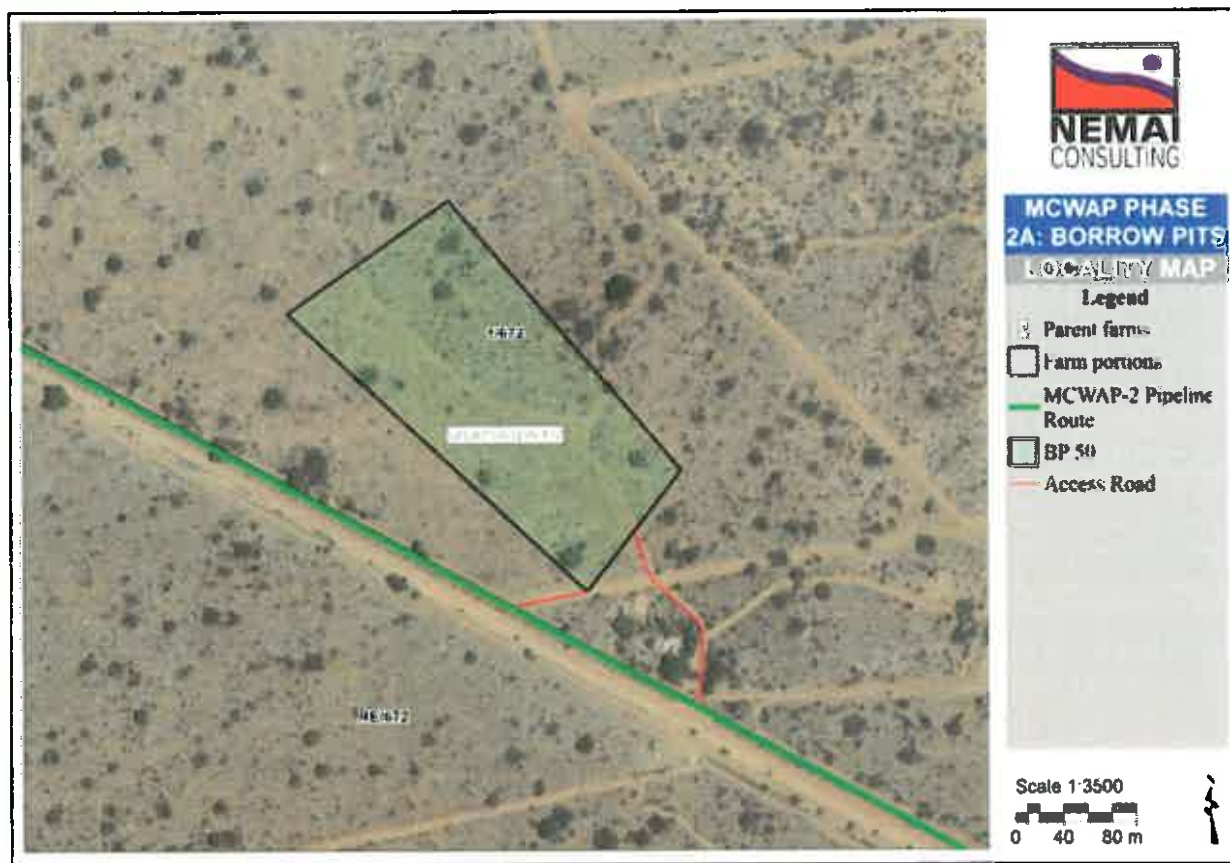
Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP53	2.3	3.5	60 000	Gravity Main from OR to Steenbokpan	2 300	No	Access will be along the pipeline servitude
Property Description							
Farm Name				ROOIPAN 357 LQ			
Portion				4/357			
SGI Code				TOLQ0000000035700004			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°52'31.2644"S				27°23'45.1659"E			
23°52'32.0169"S				27°23'50.8855"E			
23°52'27.5772"S				27°23'51.751"E			
23°52'26.771"S				27°23'46.0198"E			

Borrow Pit 52



Name	Borrow pit			Pipeline Reference		Access Road	
	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP52	7.2	8.9	100 000	Gravity Main from OR to Steenbokpan	6 000	No	Access will be along the pipeline servitude
Property Description							
Farm Name			GROOTLAAGTE 354 LQ				
Portion			RE/354				
SGI Code			T0LQ0000000035400000				
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°51'59.9173"S				27°21'45.4487"E			
23°52'2.0844"S				27°21'49.2474"E			
23°51'52.3923"S				27°21'54.6507"E			
23°51'45.3188"S				27°21'51.3105"E			
23°51'51.0679"S				27°21'47.1188"E			

Borrow Pit 50



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP50	4.4	5.8	100 000	Gravity Main from OR to Steenbokpan	12 800	Yes	Access will be along existing farm roads
Property Description							
Farm Name				LELIEFONTEIN 672 LQ			
Portion				1/672			
SGI Code				T0LQ0000000067200001			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°48'32.3825"S				27°21'2.1591"E			
23°48'29.1919"S				27°21'4.876"E			
23°48'22.0883"S				27°20'58.1657"E			
23°48'25.008"S				27°20'53.6158"E			

Borrow Pit 48



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP48	10.7	12.8	100 000	Gravity Main from OR to Steenbokpan	16 500	Yes	Access will be along
Property Description							
Farm Name			ZANDHEUVEL 356 LQ		ZANDHEUVEL 356		
Portion			1/356		RE/356		
SGI Code			T0LQ00000000035600001		T0LQ00000000035600000		
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°47'27.0849"S				27°19'14.3643"E			
23°47'23.7953"S				27°19'29.022"E			
23°47'15.6468"S				27°19'26.8712"E			
23°47'19.3878"S				27°19'12.3071"E			

Borrow Pit 49



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP49	5.2	6.7	100 000	Gravity Main from OR to Steenbokpan	20 700	No	Access will be along the pipeline servitude

Property Description

Farm Name	SCHULDPADFONTEIN 328 LQ
Portion	RE/328
SGI Code	T0LQ0000000032800000

Co-ordinates of corner points

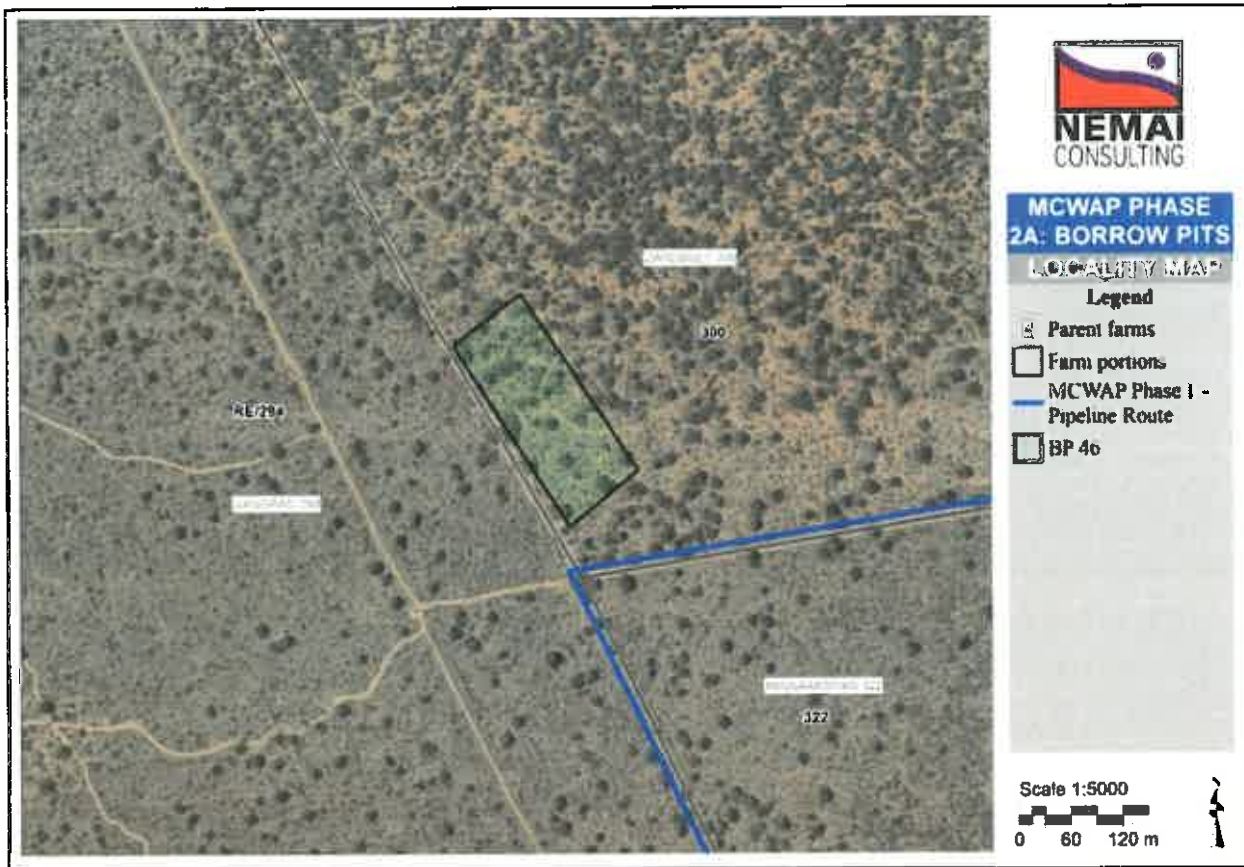
Latitude (S) (DDMMSS)	Longitude (E) (DDMMSS)
23°46'9.4972"S	27°17'27.6226"E
23°46'7.0892"S	27°17'30.993"E
23°45'55.8919"S	27°17'22.256"E
23°45'57.8183"S	27°17'18.5256"E

Borrow Pit 15



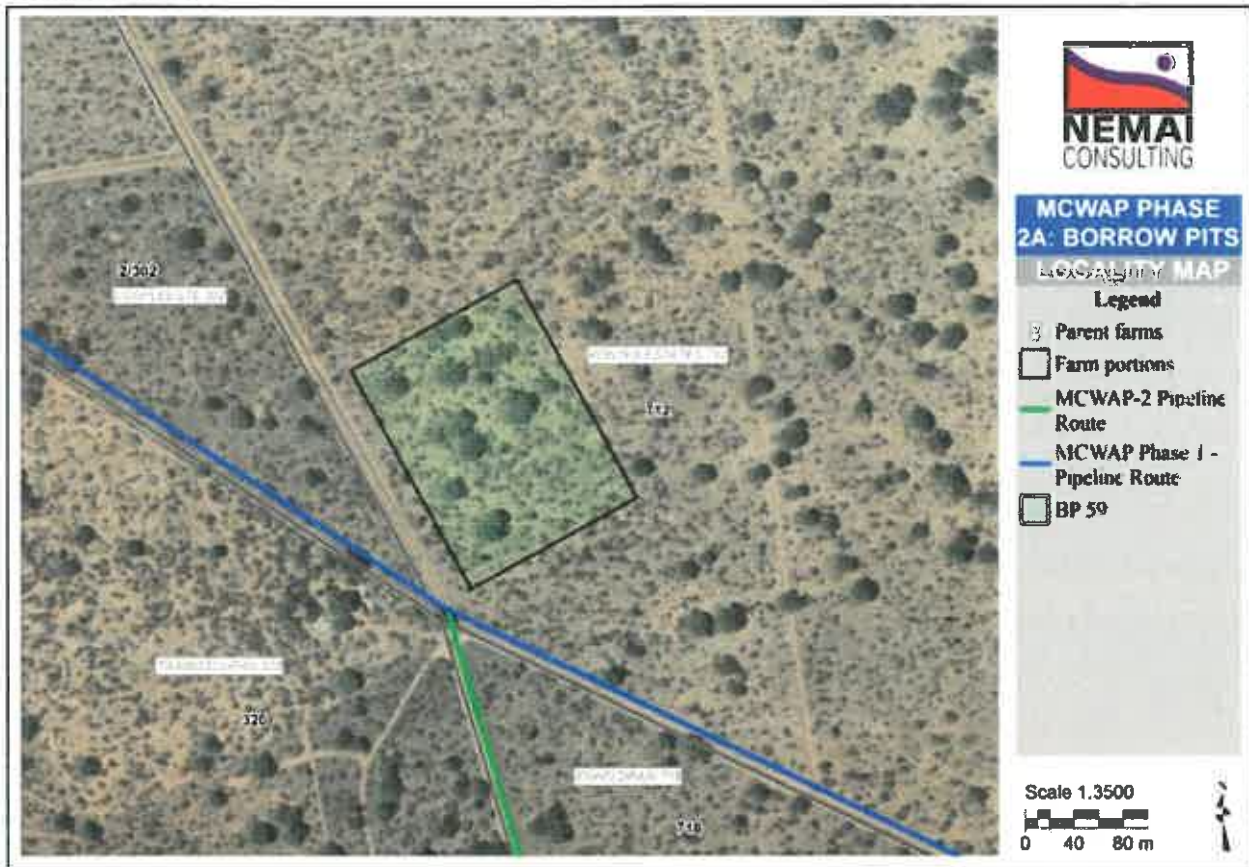
Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP15	3.3	4.6	100 000	Gravity Main from Steenbokpan to Medupi	1 100	No	Access will be along pipeline servitude
Property Description							
Farm Name			VANGPAN 294 LQ				
Portion			1/294				
SGI Code			T0LQ0000000029400001				
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°43'35.4929"S				27°17'9.9853"E			
23°43'32.8424"S				27°17'16.6937"E			
23°43'26.4778"S				27°17'14.5049"E			
23°43'29.4422"S				27°17'7.2659"E			

Borrow Pit 46



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP46	2.5	3.8	100 000	Gravity Main from Steenbokpan to Medupi	6 800	No	Access will be along pipeline servitude
Property Description							
Farm Name				ZANDBULT 300 LQ			
SGI Code				T0LQ00000000030000000			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°42'15.3395"S				27°20'0.1334"E			
23°42'13.2549"S				27°20'2.9162"E			
23°42'6.614"S				27°19'58.1899"E			
23°42'8.5348"S				27°19'55.4475"E			

Borrow Pit 59



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP59	3.0	4.3	100 000	Gravity Main from Steenbokpan to Medupi	14 800	No	Access will be along pipeline servitude
Property Description							
Farm Name				PONTES ESTATES 712 LQ			
SGI Code				T0LQ00000000071200000			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°43'23.7072"S				27°24'18.4376"E			
23°43'21.3293"S				27°24'23.1154"E			
23°43'15.7607"S				27°24'19.7134"E			
23°43'18.0784"S				27°24'15.0356"E			

Borrow Pit 13



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP13	7.7	9.5	100 000	Gravity Main from Steenbokpan to Medupi	20 000	Yes	1.04

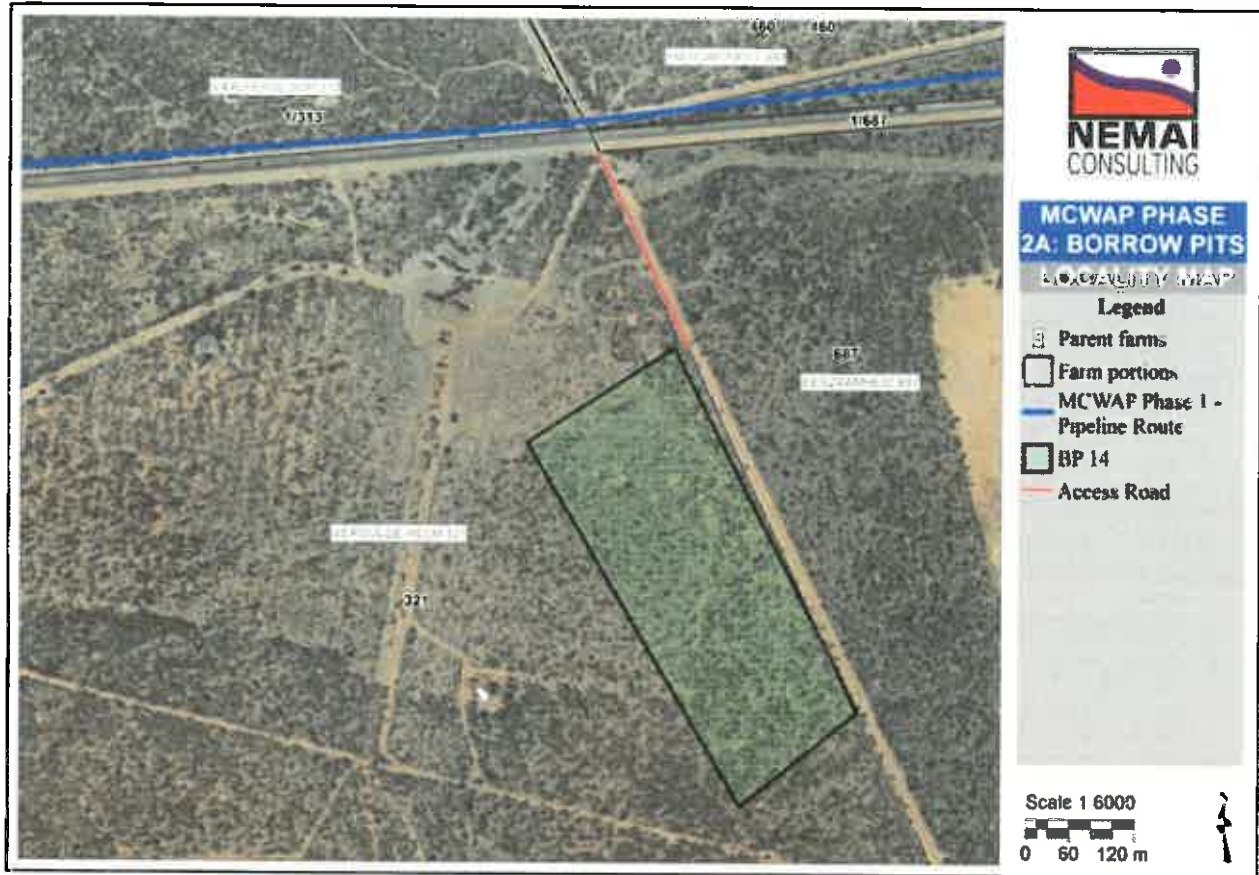
Property Description

Farm Name	PONTES ESTATE 744 LQ
SGI Code	T0LQ00000000074400000

Co-ordinates of corner points

Latitude (S) (DDMMSS)	Longitude (E) (DDMMSS)
23°43'43.623"S	27°27'16.7588"E
23°43'44.3786"S	27°27'32.2353"E
23°43'39.0312"S	27°27'31.73"E
23°43'38.0721"S	27°27'30.8772"E
23°43'39.409"S	27°27'16.1903"E
23°43'40.7458"S	27°27'15.148"E

Borrow Pit 14



Borrow pit		Pipeline Reference		Access Road			
Name	BP Area (ha)	Management Area (ha)**	Volume (m ³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP14	12.6	14.9	100 000	Gravity Main from Steenbokpan to Medupi	25 300	Yes	0.33
Property Description							
Farm Name		VERGULDE HELM 321 LQ		EENZAAMHEID 687 LQ			
SGI Code		T0LQ00000000032100000		T0LQ00000000068700000			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°43'2.6628"S				27°29'55.8348"E			
23°42'58.5708"S				27°30'1.409"E			
23°42'44.836"S				27°29'53.0967"E			
23°42'46.5507"S				27°29'45.4621"E			

Borrow Pit 51



Borrow pit				Pipeline Reference		Access Road	
Name	BP Area (ha)	Management Area (ha)**	Volume (m³)	Pipeline Section	Chainage (m)	Required?	Length (km)
BP51	3.8	5.2	100 000	Gravity Main from Steenbokpan to Medupi	32 500	No	Access will be along pipeline servitude
Property Description							
Farm Name				NAAUW ONTKOMEN 509 LQ			
SGI Code				T0LQ00000000050900000			
Co-ordinates of corner points							
Latitude (S) (DDMMSS)				Longitude (E) (DDMMSS)			
23°41'36.0895"S				27°33'53.6565"E			
23°41'34.3351"S				27°34'4.7385"E			
23°41'29.7942"S				27°34'3.2809"E			
23°41'33.2859"S				27°33'52.7034"E			



MCWAP-2A BORROW PITS LOCALITY MAP

- Legend**
- Borrow Pits
 - Places
 - town
 - Waterways
 - river
 - water
 - Railways
 - rail
 - Highways
 - tertiary
 - secondary
 - primary
 - Route numbers
 - primary
 - secondary



APPENDIX C

MOU BETWEEN DWS AND DMR

APPENDIX C

MOU BETWEEN DWS AND DMR



MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF WATER AFFAIRS AND FORESTRY

**DULY REPRESENTED BY
MR JI SINDANE**

**IN HIS CAPACITY AS
DIRECTOR-GENERAL: WATER AFFAIRS AND FORESTRY**

AND

THE DEPARTMENT OF MINERALS AND ENERGY

**DULY REPRESENTED BY
ADV S NOGXINA**

**IN HIS CAPACITY AS
DIRECTOR-GENERAL: MINERALS AND ENERGY**

ON

**FINANCIAL PROVISION ASSOCIATED WITH THE REHABILITATION OF QUARRIES
AND BORROWED AREAS USED FOR THE CONSTRUCTION OR MAINTENANCE OF
DAMS OR ANY OTHER WATER RESOURCE INFRASTRUCTURE**

Jointly hereinafter referred to as the parties

PREAMBLE

WHEREAS in terms of the National Water Act, 1998 (Act No. 36 of 1998), the Minister of Water Affairs and Forestry may enquire, construct, alter, repair, operate or control Government water works in order to protect, use, develop, conserve, manage and control the nation's water resources in the public interest;

WHEREAS section 41(1) of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) requires an applicant for a prospecting right, mining right or mining permit, to make the prescribed financial provision for the rehabilitation and management of negative environmental impacts, before the Minister approves the environmental management plan or environmental management programme;

WHEREAS the Department of Water Affairs And Forestry (*hereinafter referred to as DWAF*) raised some concerns on the implementation on section 41(1) of the Mineral and Petroleum Resources Development Act, 2002 with respect to the methods of financial provision for the rehabilitation and management of negative environmental impacts prescribed in the Mineral and Petroleum Resources Regulation 53 as it relates to quarrying and burrowed activities undertaken during the development and maintenance of water resource infrastructure and recognising the requirements of the Public Finance Management Act, 1999 (Act No 1 of 1999) in particular for the efficient use of State funds;

AND PURSUANT to a meeting on, Friday 6 October 2006 between representatives of DWAF and the Department of Mineral and Energy (*hereinafter referred to as DME*) where a common understanding was reached on the implementation of sections 41(1) and 106 of the Mineral and Petroleum Resources Development Act, 2002 read with the Government Notice No. R.762 of 25 June 2004 as published in Government Gazette No. 26501;

NOW THEREFORE THE PARTIES' UNDERSTANDING IS HEREWITH RECORDED AS FOLLOWS:

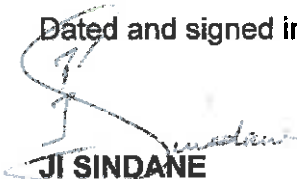
The purpose of this Memorandum of Understanding is to confirm consistent compliance of legislation by DWAF when undertaking construction or maintenance of Government water works infrastructure.

It is thus understood by both DWAF and DME that:

- 1.1 In terms of section 106(1) of the Mineral and Petroleum Resources Development Act, 2002 read with the Government Notice No. R.762 of 25 June 2004 published in Government Gazette No. 26501, an organ of state is only exempted from application procedures and the approval or granting of such right or permit in terms of sections 16, 20, 22 and 27 of the said Act,

- 1.2 Notwithstanding the exemption stated in clause 1.1 above, in terms of section 106(2) of the Mineral and Petroleum Resources Development Act, 2002, the provisions pertaining to environmental management, financial provision and mine closure in terms of the Mineral and Petroleum Resources Development Act, 2002 and its supporting Regulations, applies to quarrying and burrowing activities undertaken by DWAF during the development or maintenance of water resource infrastructure.
- 2.1 With regard to section 41 of the Mineral and Petroleum Resources Development Act, 2002 and its supporting Regulations 53 and 54, DWAF, its agents, or developer or any other person contracted by DWAF, is not exempted from these provisions that requires financial provision to be made.
- 2.2 It is therefore agreed between the parties that for the construction and maintenance of Government water works undertaken by the DWAF's own Construction Unit, DWAF shall be deemed to comply with the requirements of financial provision: Provided that the estimated costs for the management, rehabilitation and closure of such quarries and borrowed areas or works are provided for within the approved budget for such Government water works.
3. This Memorandum of Understanding shall be in force upon signature by both parties, and shall remain in force until terminated by written notice signed by both parties.

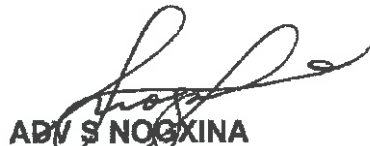
Dated and signed in Pretoria on this 02 day of April 2007



JI SINDANE

DIRECTOR-GENERAL: WATER AFFAIRS AND FORESTRY

Dated and signed in Pretoria on this 20TH day of March 2007



ADV S NOOGINA

DIRECTOR-GENERAL: MINERALS AND ENERGY