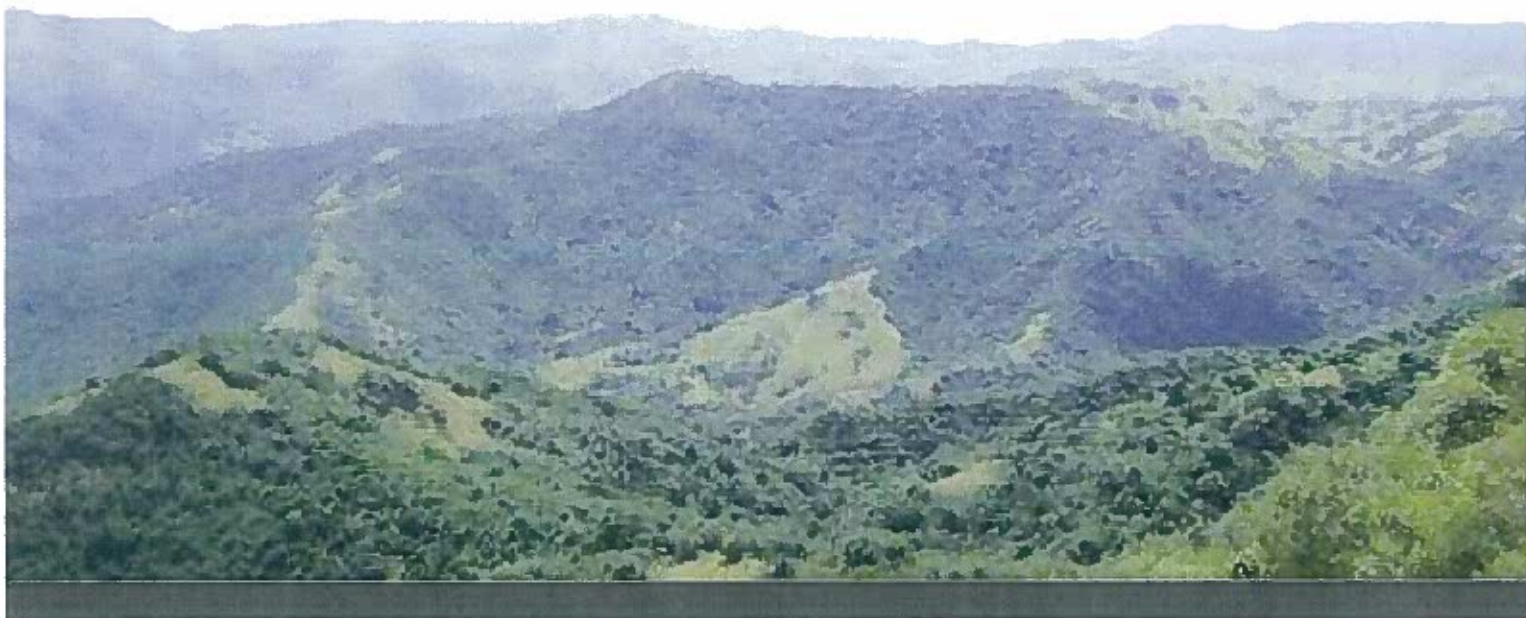




water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA



NCWABENI: OFF-CHANNEL STORAGE DAM

AMENDED Application for authorisation in terms of the
National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended
and the Environmental Impact Assessment Regulations, 2010

September 2012



P.O. BOX 1673
SUNNINGHILL
2157

147 Bram Fischer Drive
FERNDAL
2194

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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

	(For official use only)
File Reference Number:	12/12/20/
NEAS Reference Number:	DEAT/EIA/
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010

PROJECT TITLE

Ncwabeni: Off-Channel Storage Dam

Kindly note that:

1. This application form is current as of 2 August 2010. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
3. Where applicable **black out** the boxes that are not applicable in the form.
4. Incomplete applications may be returned to the applicant for revision.
5. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.
6. This application must be handed in at the offices of the relevant competent authority as determined by the Act and regulations.
7. No faxed or e-mailed applications will be accepted.
8. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.
9. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report must also be submitted.

Queries must be addressed to the contact hereunder:

Departmental Details

Postal address:

Department of Environmental Affairs
Attention: Director: Environmental Impact Evaluation
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Fedsure Forum Building (corner of Pretorius and Van der Walt Streets)
2nd Floor North Tower
315 Pretorius Street
Pretoria
0002

Queries should be directed to the Directorate: Environmental Impact Evaluation at:

Tel: 012-310-3268
Fax: 012-320-7539

Please note that this form must be copied to the relevant provincial environmental department/s.

View the Department's website at <http://www.deat.gov.za/> for the latest version of the documents.

SITE IDENTIFICATION AND LINKAGE

Please indicate all the Surveyor-general 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

N	0	E	T	0	0	0	0	0	0	0	1	6	4	6	2	0	0	0	0
N	0	E	T	0	0	0	0	0	0	0	0	8	2	5	8	0	0	0	0

(if there are more that 6, please attach a list with the rest of the numbers)

(These numbers will be used to link various different applications, authorisations, permits etc. that may be connected to a specific site)

PROJECT TITLE

Ncwabeni: Off-Channel Storage Dam

1. BACKGROUND INFORMATION

Project applicant:	Department of Water Affairs		
Trading name (if any):	N/A		
Contact person:			
Physical address:	185 Schoeman Street, Sedibeng Building, Pretoria		
Postal address:	Private Bag X313, PRETORIA		
Postal code:	0001	Cell:	
Telephone:		Fax:	
E-mail:			

Provincial Authority:	KZN Department of Agriculture, Environmental Affairs and Rural Development		
Contact person:	Sabelo Ngcobo		
Postal address:	Private Bag X 885 Port Shepstone		
Postal code:	4220	Cell:	082 312 6597
Telephone:	039 682 2040/5	Fax:	039 682 3325
E-mail:	Sabelo.Ngcobo@kzndae.gov.za		

Landowner:	See Appendix C – List of Landowners		
Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application.

Local authority in whose jurisdiction the proposed activity will fall:	Umzumbe Local Municipality		
Nearest town or districts:	<ul style="list-style-type: none">Dweshula (approximately 6km to the north-east);Port Shepstone (approximately 22km to the south-east).		
Contact person:	Ms LP Radebe		
Postal address:	P.O. Box 561 Hibberdene		
Postal code:	4220	Cell:	082 559 6773
Telephone:	039 972 0005	Fax:	039 972 0099
E-mail:	Lush.ntusi@gmail.com		

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

N/A

2. ACTIVITIES APPLIED FOR TO BE AUTHORISED

2.1 For an application for authorisation that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Note: The technical information provided below to describe the listed activities was sourced from the Mzimkhulu River Off-Channel Storage Pre-Feasibility Study (2007) and the Ncwabeni: Off-Channel Storage Dam Feasibility Study: Module 1: Technical Study Environmental Screening Investigation (2011). The information pertaining to the sizing of the infrastructure should be regarded as approximates, as they are subject to further investigations.

The alternative sites for the location of the dam include D2 (located on the Ncwabeni River) and D3A (located on the Gugamela River). The diversion weir, which forms part of abstraction works, will be situated in the Mzimkhulu River.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice) :	Describe each listed activity as per project description ¹ :
544, 18 June 2010	9	Rising main and gravity main to be built as part of conveyance system. The parameters for the conveyance system are as follows: <ul style="list-style-type: none"> • Total length of pipeline (rising plus gravity main) - D2 = $\pm 400\text{m}$; D3A = $\pm 1\,800\text{m}$; • Rising main nominal diameter - D2 = $\pm 600\text{mm}$; D3A = $\pm 600\text{mm}$; and • Velocity in rising main - D2 = $\pm 1.78\text{ m/s}$; D3A = $\pm 1.78\text{ m/s}$.
544, 18 June 2010	10	Infrastructure to supply electricity to the new pump station. Capacity of electrical distribution infrastructure to be confirmed.
544, 18 June 2010	11	Construction of off-channel storage dam, diversion weir (as part of abstraction works) and approach channel within watercourse.
544, 18 June 2010	12	Construction of off-channel storage dam with the following gross storage: <ul style="list-style-type: none"> • D2 = $\pm 14.32\,10^6\text{m}^3$; and • D3A = $\pm 14.23\,10^6\text{m}^3$.
544, 18 June 2010	13	Temporary storage of dangerous goods (e.g. fuel) during the construction phase.
544, 18 June 2010	18	Construction activities (including bulk earthworks) to be undertaken within a watercourse to construct off-channel storage dam and relevant components of abstraction works (e.g. diversion weir).
544, 18 June 2010	19	Borrow areas to be created to obtain construction material (concrete aggregates and earth embankment).
544, 18 June 2010	20	
544, 18 June 2010	22	Access roads to the dam wall and the weir as well as relocation of roads that will be inundated.
544, 18 June 2010	23	The approximate inundation areas for the two alternative

¹ Please note that this description should not be a verbatim repetition of the listed activity as contained in the relevant Government Notice, but should be a brief description of activities to be undertaken as per the project description

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice) :	Describe each listed activity as per project description ¹ :
		<p>sites are as follows:</p> <ul style="list-style-type: none"> • D2 = $\pm 1.28 \text{ km}^2$; and • D3A = $\pm 1.04 \text{ km}^2$. <p>Borrow areas to be created to obtain construction material (concrete aggregates and earth embankment) - sizes to be confirmed.</p> <p>Operator housing / offices and fencing to be built.</p>
544, 18 June 2010	24	<p>The approximate inundation areas for the two alternative sites are as follows:</p> <ul style="list-style-type: none"> • D2 = $\pm 1.28 \text{ km}^2$; and • D3A = $\pm 1.04 \text{ km}^2$.
544, 18 June 2010	26	Possible occurrence of sensitive biodiversity features at the dam sites.
544, 18 June 2010	39	Possible upgrading of existing road bridge and other infrastructure within 32m of a watercourse.
544, 18 June 2010	47	Widening or lengthening of existing roads to create access roads to the dam wall and the weir, and for the relocation of roads that will be inundated.
545, 18 June 2010	3	Temporary storage of dangerous goods (e.g. fuel) during the construction phase.
545, 18 June 2010	10	Water to be pumped from the Mzimkhulu River to the off-channel storage dam.
545, 18 June 2010	15	<p>The approximate inundation areas for the two alternative sites are as follows:</p> <ul style="list-style-type: none"> • D2 = $\pm 1.28 \text{ km}^2$; and • D3A = $\pm 1.04 \text{ km}^2$.
545, 18 June 2010	18	Relocation of existing road D859, which is administered by the Kwazulu-Natal Department of Transport.
545, 18 June 2010	19	<p>Dam wall height from non-overspill crest level to river bed:</p> <ul style="list-style-type: none"> • D2 = $\pm 48 \text{ m}$; and • D3A = $\pm 47 \text{ m}$.
545, 18 June 2010	20	Borrow areas to be created to obtain construction material (concrete aggregates and earth embankment) - sizes to be confirmed.
545, 18 June 2010	21	Borrow areas to be created to obtain construction material (concrete aggregates and earth embankment) - sizes to be confirmed.
545, 18 June 2010	23	Borrow areas to be created to obtain construction material (concrete aggregates and earth embankment) - sizes to be confirmed.
546, 18 June 2010	2	The construction of a reservoir for bulk water supply with a capacity of more than 250 cubic metres within a sensitive area.
546, 18 June 2010	4	Access roads to the dam wall and the weir and relocation of roads that will be inundated. Possible occurrence of sensitive biodiversity features at affected areas.
546, 18 June 2010	10	Temporary storage of dangerous goods (e.g. fuel) during

Indicate the number and date of the relevant notice:

Activity No (s) (in terms of the relevant notice) :

Describe each listed activity as per project description¹:

		the construction phase. Possible occurrence of sensitive biodiversity features at the dam sites.
546, 18 June 2010	12	Road and dam construction activities will involve extensive clearance of vegetation (300 square metres or more, where 75% or more of the vegetative cover constitutes indigenous vegetation). Possible occurrence of sensitive biodiversity features at affected areas.
546, 18 June 2010	13	Road and dam construction activities will involve extensive clearance of vegetation (1 hectare or more, where 75% or more of the vegetative cover constitutes indigenous vegetation). Possible occurrence of sensitive biodiversity features at affected areas.
546, 18 June 2010	14	Road and dam construction activities will involve extensive clearance of vegetation (5 hectares or more, where 75% or more of the vegetative cover constitutes indigenous vegetation). Possible occurrence of sensitive biodiversity features at affected areas.
546, 18 June 2010	16	Construction of off-channel storage dam, diversion weir (as part of abstraction works) and approach channel within watercourse. Possible occurrence of sensitive biodiversity features at affected areas.
546, 18 June 2010	19	Access roads to the dam wall and the weir as well as relocation of roads that will be inundated. Possible occurrence of sensitive biodiversity features at affected areas.
546, 18 June 2010	24	Construction of off-channel storage dam, diversion weir (as part of abstraction works) and approach channel within watercourse. Possible occurrence of sensitive biodiversity features at affected areas.

Please note that any authorisation that may result from this application will only cover activities specifically applied for.

2.2 A project schedule, indicating the different phases and timelines of the project, must be attached to this application form. – **See Appendix D**

3. OTHER AUTHORISATIONS REQUIRED

3.1 DO YOU NEED ANY AUTHORISATIONS IN TERMS OF ANY OF THE FOLLOWING LAWS?

- | | |
|--|----------------|
| 3.1.1 National Environmental Management: Waste Act | Yes/ <u>No</u> |
| 3.1.2 National Environmental Management: Air Quality Act | Yes/ <u>No</u> |
| 3.1.3 National Environmental Management: Protected Areas Act | Yes/ <u>No</u> |
| 3.1.4 National Environmental Management: Biodiversity Act | Yes/ <u>No</u> |
| 3.1.5 Mineral Petroleum Development Resources Act | <u>Yes</u> /No |
| 3.1.6 National Water Act | <u>Yes</u> /No |
| 3.1.7 National Heritage Resources Act | <u>Yes</u> /No |
| 3.1.8 Other (please specify) | Yes/No |

3.2 Have such applications been lodged already? Yes/No

4. DECLARATIONS

4.1 The Applicant

I, SA Bester, declare that I -

- am, or represent², the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application / will obtain exemption from the requirement to obtain an environmental assessment practitioner³;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2010, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of these Regulations and will take reasonable steps to verify whether the EAP complies with the Regulations;
- will inform all registered interested and affected parties of any suspension of the application as well as of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action which the applicant or environmental assessment practitioner is responsible for in terms of these Regulations;
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;

² If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

³ If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.

- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.



Signature of the applicant⁴/ Signature on behalf of the applicant:

DEPARTMENT OF WATER AFFAIRS

Name of company (if applicable):

28/09/2012

Date:

⁴ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. An EAP may not sign on behalf of an applicant.

APPENDIX A

LOCALITY MAP



water affairs

Department
Water Affairs
REPUBLIC OF SOUTH AFRICA



Ncwabeni OCS Dam

Legend

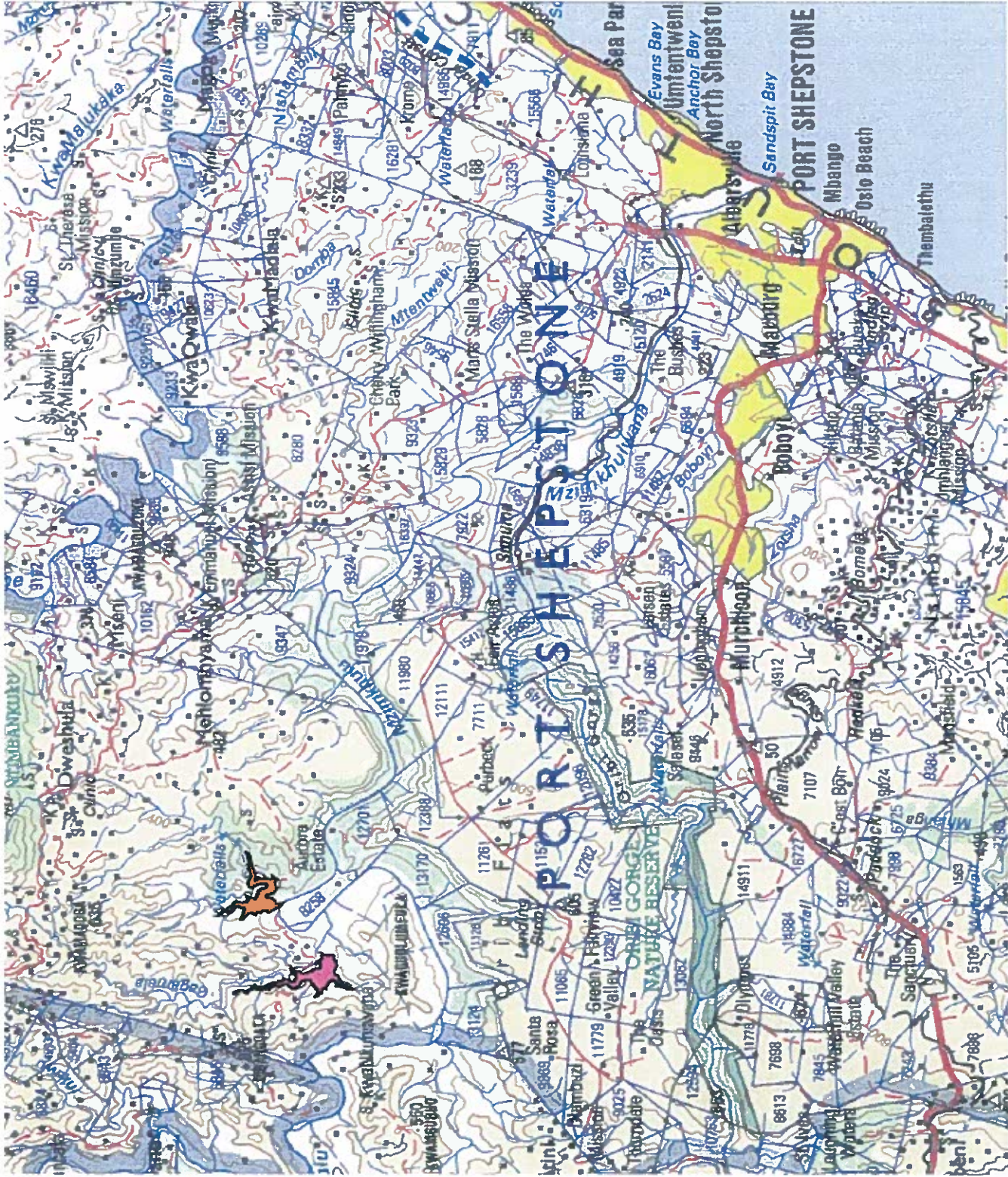
Ncwabeni OCS Dam

Cwabeni River Site

Gugamela River Site



Scale 1:150000



APPENDIX B

DETAILS OF EAP AND DECLARATION OF INTEREST



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

DETAILS OF EAP AND DECLARATION OF INTEREST

	(For official use only)
File Reference Number:	12/12/20/
NEAS Reference Number:	DEAT/EIA/
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010

PROJECT TITLE

Ncwabeni: Off-Channel Storage Dam

Environmental Assessment Practitioner (EAP): ¹	Nemai Consulting		
Contact person:	Donavan Henning		
Postal address:	P.O. Box 1673 Sunninghill		
Postal code:	2157	Cell:	082 891 0604
Telephone:	011 781 1730	Fax:	011 781 1731
E-mail:	donavanh@nemai.co.za		
Professional affiliation(s) (if any)	<ul style="list-style-type: none">• Environmental Assessment Practitioners of South Africa (EAPSA)• Company affiliated to IAIA		
Project Consultant:	BKS (Pty) Ltd		
Contact person:	JLJ van der Westhuizen		
Postal address:	P.O. Box 3173 Pretoria		
Postal code:	0001	Cell:	083 627 5921
Telephone:	012 421 3856	Fax:	086 523 0439
E-mail:	Sakkievdw@BKS.CO.ZA		

4.2 The Environmental Assessment Practitioner


I, Donavan Henning, declare that –

General declaration:

- I act as the independent environmental practitioner in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 8 of the regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process; and
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

Disclosure of Vested Interest

- I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010;



Signature of the environmental assessment practitioner:

Nemai Consulting

Name of company:

17 September 2012

Date:

APPENDIX C

LIST OF LANDOWNERS

NCWABENI: OFF-CHANNEL STORAGE DAM

LIST OF LANDOWNERS

Landowner:	Nyamande Tribal Authority		
Contact person:	Inkosi K.A. Cele		
Postal address:	P.O. Box 65438 Dweshula (/P.O. Box 51894 Margate 4275)		
Postal code:	4247	Cell:	073 709 8888
Telephone:	N/A	Fax:	N/A
E-mail:	N/A		

Landowner:	Camro Estates CC		
Contact person:	Alessandro Gritti		
Postal address:	P.O. Box 10036 Marburg		
Postal code:	4252	Cell:	079 633 7226
Telephone:	039 687 0270	Fax:	039 687 0268
E-mail:	agritti@sternlaser.com; algritti@vodamail.co.za		

APPENDIX **D**

PROJECT SCHEDULE (DRAFT)

NCWABENI: OFF-CHANNEL STORAGE DAM

PROJECT SCHEDULE (DRAFT) – Amended (September 2012)

