



# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia,· PRETORIA

**DFFE Reference:** 14/12/16/3/3/1/3034

**Enquiries:** Ms Zamalanga Langa

**Telephone:** (012) 399 9389 **E-mail:** zlanga@dffe.gov.za

Mr Alan Kockott  
uMngeni-uThukela Water  
PO Box 9  
**PIETERMARITZBURG**  
3200

Telephone Number: 033 341 1111  
Email Address: alan.kockott@umngeni.co.za

## PER EMAIL / MAIL

Dear Mr Kockott

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE PROPOSED DESIGN CHANGES TO NGWADINI SYSTEM (UMDONI LOCAL MUNICIPALITY AND UGU DISTRICT MUNICIPALITY AS WELL AS ETHEKWINI MUNICIPALITY) AND GOODENOUGH SYSTEM (ETHEKWINI MUNICIPALITY), KWAZULU-NATAL 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 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing, and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.



**Batho pele-** putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

*M.S*

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za)

By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083

or

By post: Private Bag X447  
Pretoria  
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal 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.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za)

Yours faithfully



**Dr Sabelo Melaza**  
Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment

Date: 23/01/2025

cc:	Donavan Henning	Nemai Consulting (Pty) Ltd	Email: <a href="mailto:donavanh@nemai.co.za">donavanh@nemai.co.za</a>
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## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended.

The design changes to Ngwadini System (Umdoni Local Municipality and Ugu District Municipality as well as eThekweni Municipality) and Goodenough System (eThekweni Municipality), Kwazulu-Natal

Ugu District Municipality and eThekweni Metropolitan Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/3034
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	uMngeni-uThukela Water
<b>Location of activity:</b>	<i>Ward 3 of Umdoni Local Municipality and Ward 105 of eThekweni Municipality (Ngwadini System); and  Ward 99 and Ward 105 of eThekweni Municipality (Goodenough System)  KWAZULU NATAL PROVINCE</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 Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

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, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

### UMNGENI-UTHUKELA WATER

(hereafter referred to as the **holder of the authorisation**)  
with the following contact details –

Mr Alan kockott  
uMngeni-uThukela Water  
PO Box 9  
**PIETERMARITZBURG**  
3200

Telephone Number: 033 341 1111  
Email Address: alan.kockott@umgeni.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice (LN) 1 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><u>LN 1, Item 09:</u></p> <p><i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more.</i></p>	<p>Pipelines that form part of the water conveyance scheme including:</p> <ul style="list-style-type: none"> <li>• Ngwadini rising main;</li> <li>• Goodenough low lift rising main;</li> <li>• Goodenough rising main;</li> <li>• Gravity main to WTP; and</li> <li>• Gravity main to Quarry Reservoir.</li> </ul>
<p><u>LN 1, Item 12:</u></p> <p><i>The development of—</i></p> <p><i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p>	<p>Various infrastructure within 32m from watercourse(s) and within a watercourse, including:</p> <ul style="list-style-type: none"> <li>• Goodenough weir and abstraction works (uMkhomazi River);</li> <li>• Pipelines; and</li> <li>• Access roads.</li> </ul>
<p><u>LN 1, Item 13:</u></p> <p><i>The development of facilities or infrastructure for the offstream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014</i></p>	<p>The proposed Goodenough reservoir will have a total capacity of 25ML (2x 12.5ML reservoirs). The previously authorised reservoir has not changed in design.</p>
<p><u>LN 1, Item 19:</u></p> <p><i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation,</i></p>	<p>Construction of various infrastructure within watercourse(s), including:</p>

<p><i>removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.</i></p>	<ul style="list-style-type: none"> <li>• Goodenough weir and abstraction works;</li> <li>• Pump station;</li> <li>• Pipelines;</li> <li>• Access roads;</li> <li>• Other.</li> </ul> <p>This will result in the excavating, dredging and infilling within a watercourse of more than 10m<sup>3</sup></p>
<p><u>LN 1, Item 24:</u> <i>The development of a road— (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres.</i></p>	<p>New access roads (temporary for construction and permanent to reach infrastructure) are to be constructed. The roads will be approximately 8m wide gravel roads with a construction servitude of 12m.</p>
<p><u>LN 1, Item 27:</u> <i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation....</i></p>	<p>The combined clearance of vegetation for the proposed infrastructure and non-linear project components will be more than 1ha but less than 20ha.</p>
<p><u>LN 1, Item 28:</u> <i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare</i></p>	<p>The Ngwadini components fall outside of an urban area and the entire Goodenough system falls outside of eThekweni's urban edge. Majority of the properties traversed by the pipeline are agricultural and smallholdings. The development footprint will exceed 1 hectare.</p>
<p><u>LN 1, Item 31:</u> <i>The closure of existing facilities, structures, or infrastructure for (i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</i></p>	<p>The Goodenough weir requires the raising of the existing weir, which is owned by SAPPI SAICCOR and no longer in use. The existing gated structure on the right-hand bank will be decommissioned and a new abstraction works will be constructed.</p>

<p><i>(ii) any expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</i></p>	
<p><u>LN 1, Item 48:</u></p> <p><i>The expansion of</i></p> <p><i>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more; where such expansion occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse</i></p>	<p>Goodenough weir and abstraction works requires raising of the existing weir by 2.8m, and the removal of the existing gated structure on the right-hand bank, and the construction of a new abstraction works.</p> <p>The expansion of the weir will occur within a watercourse, namely the uMkhomazi River.</p>
<p><u>LN 3, Item 02:</u></p> <p><i>The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.</i></p> <p><i>d. KwaZulu-Natal</i></p> <p><i>viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</i></p> <p><i>xii. Outside urban areas:</i></p> <p><i>(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve</i></p>	<p>The proposed Goodenough reservoir will have a total capacity of 25ML (2x 12.5ML reservoirs). The location and design thereof have however not changed.</p> <p>The Quarry Reservoir will be upgraded from 15ML to 25ML.</p> <p>The proposed reservoirs encroach into areas designated as a Critical Biodiversity Area (CBA) Irreplaceable. The Goodenough Weir is located within the KwaZulu-Natal Coastal Belt, which is a threatened ecosystem. The proposed development occurs outside an urban area and falls within 10km from the Aliwal Shoal Marine Protected Area (MPA). In addition, components of the development also fall within D'MOSS.</p>

LN 3 Item 04:

*The development of a road wider than 4 metres with a reserve less than 13,5 metres.*

*d. KwaZulu-Natal*

*viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*

*xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;*

*xii. Outside urban areas:*

*(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve*

New access roads (temporary for construction and permanent to reach infrastructure) are to be constructed, and there have been changes to the layouts thereof since the approved 2018 design. The roads will be approximately 7m wide gravel roads. The proposed new road will traverse areas designated as CBA Irreplaceable. The roads occur outside an urban area and fall within 10km from the Aliwal Shoal MPA. The roads also fall within parts of D'MOSS.

LN 3 Item 12:

*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.*

*d. KwaZulu-Natal*

*(iv) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;*

*(v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans*

The project layout interacts with the KZN Coastal Belt Grassland, KZN Coastal Belt Thornveld and the Northern Coastal Forest vegetation types with the following conservation statuses:

- KZN Coastal Grassland (Critically Endangered in KZN (2011), but Endangered according to the NBA, 2018)
- KZN Coastal Thornveld (Vulnerable in both KZN, 2011 & NBA, 2018)
- Northern Coastal Forest (Least Concern in both KZN, 2011 & NBA, 2018)

The recent changes to the approved design will include the clearing of new areas that exceed 300m<sup>2</sup>, most notably along the length of the pipelines.

<p><i>(xi) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose</i></p>	<p>Regarding CBAs, the majority of the site falls within the KZN CBA 1 Category or the area that is considered to be highly Irreplaceable (value = 1) within the EKZNW Macro Ecological planning domain.</p> <p>The proposed developments occur outside an urban area and falls within 10km from the Aliwal Shoal MPA. In addition, the developments also fall within parts of D'MOSS</p>
<p><u>LN 3. Item 14:</u></p> <p><i>The development of—</i></p> <p><i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>d. KwaZulu-Natal</i></p> <p><i>vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>viii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</i></p> <p><i>x. Outside urban areas:</i></p> <p><i>(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial</i></p>	<p>The construction of various infrastructure will occur within watercourse(s) or within 32m of a watercourse, including:</p> <ul style="list-style-type: none"> <li>• Weir and abstraction works;</li> <li>• Pump station;</li> <li>• Pipelines;</li> <li>• Access roads; and</li> <li>• Other.</li> </ul> <p>The Goodenough Abstraction Weir and works requires raising of the existing weir by 2.8m. These aspects have undergone design changes since the last approved 2018 design.</p> <p>The proposed developments will encroach into areas designated as CBA Irreplaceable. The Goodenough Weir falls within the KwaZulu-Natal Coastal Belt, which is a threatened ecosystem. The proposed developments occur outside an urban area and fall within 10km from the Aliwal Shoal MPA. In addition, the developments also fall within parts of D'MOSS.</p>

protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.	
<p><u>LN 3. Item 23:</u></p> <p>The expansion of—</p> <p>(i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs—</p> <p>(a) within a watercourse;</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>d. KwaZulu-Natal</p> <p>vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; viii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>x. Outside urban areas</p> <p>(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve</p>	<p>Goodenough Abstraction Weir and works requires raising of the existing weir by 2.8m and the removal of the existing gated structure on the right-hand bank, and the construction of a new abstraction works.</p> <p>The expansion of the weir will occur within a watercourse, namely the uMkhomazi River.</p> <p>These aspects have undergone design changes since the last approved 2018 design.</p> <p>The proposed developments will encroach into areas designated as CBA Irreplaceable. The Goodenough Weir falls within the KwaZulu-Natal Coastal Belt, which is a threatened ecosystem. The proposed developments occur outside an urban area and fall within 10km from the Aliwal Shoal MPA. In addition, the developments also fall within parts of D'MOSS.</p>

as described in the Basic Assessment Report (BAR) dated September 2024 at:

**Coordinates for Ngwadini System components:**

Project Component	Coordinate Point No.	Latitude	Longitude
<b>Pipeline</b>			
1A (start point)		30°8'13.4888"S	30°35'37.6865"E

1B (bend)	30°8'14.6322"S	30°35'38.3106"E
1C (bend)	30°8'11.0958"S	30°35'45.2919"E
1D (bend)	30°8'12.4195"S	30°35'45.9396"E
1E (bend)	30°8'11.3349"S	30°35'49.0077"E
1F (bend)	30°8'15.5525"S	30°35'50.8594"E
1G (bend)	30°8'17.3243"S	30°35'53.7049"E
1H (end point)	30°8'18.7304"S	30°35'54.8514"E
<b>Pipeline - Pipe Jack Section</b>		
1H (start point)	30°8'18.7304"S	30°35'54.8514"E
1I (end point)	30°8'20.5415"S	30°36'4.1343"E
<b>Concrete Cascade</b>		
1I (start point)	30°8'20.5415"S	30°36'4.1343"E
1J (bend)	30°8'21.3533"S	30°36'5.6121"E
1K (end point)	30°8'21.973"S	30°36'6.9158"E

**Coordinates for Goodenough System components:**

Co-ordinates	Latitude	Longitude
<b>Weir &amp; Abstraction Works (polygon)</b>		
2A (corner point)	30°10'11.68"S	30°42'32.01"E
2B (corner point)	30°10'13.50"S	30°42'32.60"E
2C (corner point)	30°10'13.76"S	30°42'33.96"E
2D (corner point)	30°10'14.64"S	30°42'33.75"E
2E (corner point)	30°10'15.08"S	30°42'33.82"E
2F (corner point)	30°10'15.55"S	30°42'32.95"E
2G (corner point)	30°10'14.97"S	30°42'31.78"E
2H (corner point)	30°10'14.71"S	30°42'31.63"E
2I (corner point)	30°10'12.05"S	30°42'31.28"E
<b>Rising main from high lift pump station (line)</b>		
2J (start point)	30°10'19.72"S	30°42'34.35"E
2K (bend)	30°10'24.63"S	30°42'34.23"E
2L (bend)	30°10'29.05"S	30°42'37.27"E
2M (bend)	30°10'35.79"S	30°42'37.95"E

2N (bend)	30°10'37.03"S	30°42'37.38"E
2O (bend)	30°10'42.51"S	30°42'31.89"E
2P (end point)	30°10'45.13"S	30°42'31.49"E
<b>Gravity main: Goodenough Reservoir to WTP (line)</b>		
2Q (start point)	30°10'44.816"S	30°42'31.5844"E
2R (bend)	30°10'44.8842"S	30°42'42.6384"E
2S (bend)	30°10'44.3974"S	30°43'2.474"E
2T (bend)	30°10'47.5055"S	30°43'29.3522"E
2U (bend)	30°10'46.7562"S	30°43'42.5525"E
2V (bend)	30°10'43.6005"S	30°43'50.0398"E
2W (bend)	30°10'44.3735"S;	30°44'18.1542"E
2X (bend)	30°10'48.3578"S	30°44'27.7806"E
2Y (bend)	30°10'53.1342"S	30°44'32.7489"E
2Z (bend)	30°11'16.2558"S	30°45'3.429"E
2AA (bend)	30°11'19.2935"S	30°45'6.3363"E
2BB (bend)	30°11'29.0987"S	30°45'6.9678"E
2CC (bend)	30°11'37.8862"S	30°45'9.1069"E
2DD (bend)	30°11'46.2025"S	30°45'6.4786"E
2EE (bend)	30°11'46.8236"S	30°45'3.7042"E
2FF (end point)	30°11'46.0449"S	30°45'1.1326"E
<b>Gravity main: WTP to Quarry Reservoir (line)</b>		
2GG (start point)	30°11'52.6035"S	30°44'58.6389"E
2HH (bend)	30°11'53.7521"S	30°45'1.158"E
2II (bend)	30°11'58.3816"S	30°44'59.7926"E
2JJ (bend)	30°12'3.6414"S	30°45'8.9771"E
2KK (bend)	30°12'3.442"S	30°45'16.9327"E
2LL (bend)	30°12'1.6374"S	30°45'19.5317"E
2MM (bend)	30°12'1.7609"S	30°45'22.1653"E
2NN (bend)	30°12'3.1931"S	30°45'24.6532"E
2OO (bend)	30°12'1.8139"S;	30°45'27.1095"E
2PP (bend)	30°12'1.531"S	30°45'31.656"E
2QQ (bend)	30°11'56.5984"S	30°45'36.2799"E
2RR (bend)	30°11'54.1212"S	30°45'44.7892"E

2SS (bend)	30°11'42.2663"S	30°45'47.6293"E
2TT (bend)	30°11'39.1387"S	30°45'49.9636"E
2UU (bend)	30°11'30.3674"S	30°46'10.4461"E
2VV (end point)	30°11'29.7082"S	30°46'16.3907"E
<b>Goodenough Reservoir (raw water) (polygon)</b>		
3A (corner point)	30°10'43.88"S	30°42'29.18"E
3B (corner point)	30°10'45.36"S	30°42'29.15"E
3C (corner point)	30°10'45.37"S	30°42'26.08"E
3D (corner point)	30°10'46.04"S	30°42'26.07"E
3E (corner point)	30°10'46.04"S	30°42'29.13"E
3F (corner point)	30°10'47.46"S	30°42'29.15"E
3G (corner point)	30°10'47.45"S	30°42'31.52"E
3H (corner point)	30°10'43.90"S	30°42'31.53"E
<b>Quarry Reservoir (polygon)</b>		
4A (corner point)	30°11'31.2547"S	30°46'13.275"E
4B (corner point)	30°11'32.3279"S	30°46'13.9873"E
4C (corner point)	30°11'32.1564"S	30°46'14.3264"E
4D (corner point)	30°11'32.2809"S	30°46'14.4091"E
4E (corner point)	30°11'32.1764"S	30°46'14.6179"E
4F (corner point)	30°11'32.0515"S	30°46'14.5352"E
4G (corner point)	30°11'31.7198"S	30°46'15.2018"E
4H (corner point)	30°11'31.8434"S;	30°46'15.2834"E
4I (corner point)	30°11'31.7392"S;	30°46'15.493"E
4J (corner point)	30°11'31.6137"S	30°46'15.4103"E
4K (corner point)	30°11'31.4451"S	30°46'15.7508"E
4L (corner point)	30°11'30.3719"S	30°46'15.0386"E

-For the design changes to Ngwadini System (Umdoni Local Municipality and uGu District Municipality as well as eThekweni Municipality) and Goodenough System (eThekweni Municipality), Kwazulu-Natal Province, hereafter referred to as "the property". (coordinates above).

The scope of works will include the following:

- Ngwadini System components:

- The Ngwadini Weir and abstraction works to fill the Ngwadini Dam during summer periods of excess flow (excluded from the scope of this EA).
- The Ngwadini pipeline (included in the scope of this EA); and
- The Ngwadini OCS Dam, with a capacity of 10 million m<sup>3</sup>, and outlet infrastructure to release water back into the river and augment low flow periods (excluded from the scope of this EA).

- Goodenough System components

- A second abstraction downstream at the Goodenough Weir site to abstract the raw water for delivery to the WTP (included in the scope of this EA);
- Hydrocyclones before the pump station and WTP to remove sediments during periods of higher turbidity river flows and reduce the WTP residual ("sludge") (included in the scope of this EA);
- A pump station to pump water from the Goodenough abstraction to the WTP via (included in the scope of this EA);
- A short rising main and 7km gravity main (included in the scope of this EA);
- A raw water storage reservoir (included in the scope of this EA);
- A 100 Ml/d WTP in the town of Craigieburn (excluded from the scope of this EA); and
- A potable gravity water pipeline from the WTP to Quarry Reservoir, the potable water delivery and tie-in point on the South Coast Pipeline (included in the scope of this EA);

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The design changes to Ngwadini System (Umdoni Local Municipality and uGu District Municipality as well as eThekweni Municipality) and Goodenough System (eThekweni Municipality), Kwazulu-Natal Province, is approved as per the geographic coordinates above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental 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 Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be affected. 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 Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the 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.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental 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.
8. Construction must be completed within five (05) years of the commencement of the activity on site. The continuation of any such activities after this period may trigger one or more listed and/or specified activities, including activity 32 of LN1. Such continuation without the required environmental authorisation will constitute an offence or offences in terms of section 49A(1)(a) read with section 24F(1)(a) of NEMA."

### **Notification of authorisation and right to appeal**

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 10.4. give the reasons of the Competent Authority for the decision.

### **Commencement of the activity**

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended 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.

### **Management of the activity**

12. The Layout Maps for “Goodenough System” and “ Ngwadini System” submitted as part of the BAR dated September 2024 is approved.
13. The Environmental Management Programme (EMPr) submitted as part of the BAR dated September 2024 is approved and must be implemented and adhered to.
14. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.

16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

### **Frequency and process of updating the EMPr**

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 24 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
20. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
21. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

### **Monitoring**

22. The holder of the authorisation must appoint an experienced 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 environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 22.1. The ECO must be appointed before commencement of any authorised activities.

- 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
- 22.4. 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.

### **Recording and reporting to the Department**

- 23. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
- 24. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
- 25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
- 26. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
- 27. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and 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 approved EMPr.
- 28. 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.

### **Notification to authorities**

- 29. 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.

### **Operation of the activity**

30. 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**

31. Should the activity ever cease or become redundant, the holder of the authorisation must 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**

32. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
33. Should any heritage objects or sites of archaeological and cultural significance be discovered during the course of development, construction must cease immediately and the discovery must be reported to KwaZulu-Natal Amafa and Research Institute for investigation. Work on the site must only recommence following written approval from KwaZulu-Natal Amafa and Research Institute.
34. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected, or endangered plant or animal species (if any) and a copy of such permit/s must be submitted to the Department for record keeping.
35. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
36. Clearance of vegetation must only be done on areas earmarked to avoid disturbance of the ecosystem.
37. 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
38. 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. Any solid waste 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).

## General

39. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying:

- 39.1. at the site of the authorised activity.
- 39.2. to anyone on request.
- 39.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.

40. National government, provincial government, local authorities or committees appointed in terms of the conditions of this 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/her 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: 28/01/2025



Dr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment



## **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 listed activities as applied for in the amended application form received on 25 October 2024.
- b) The information contained in the BAR dated September 2024.
- c) The recommendations made by the EAP in the BAR dated September 2024.
- d) Mitigation measures as proposed in the BAR and the EMP.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated September 2024 and as appears below:

### **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) This project will transfer water from the uMkhomazi River to the Ngwadini OCS Dam during summer periods of excess flow, therefore filling the OCS Dam. This will link into the LUBWSS and thus ensure that the local communities will have access to a safe and reliable supply of water, which will address the issue of the inadequate water provision within the municipal areas.
- c) The BAR dated September 2024 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated September 2024 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, 2014 as amended for public involvement.

### **2. 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 BAR dated September 2024 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 information contained in the BAR dated September 2024 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities 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 activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.