



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: 14/12/16/3/3/1/2781

Enquiries: Ms. Matlhodi Mogorosi

Telephone: (012) 399 9388 E-mail: MMogorosi@dffe.gov.za

Ms Asha Ramjatan
Umgeni Water
PO Box 9
PIETERMARITZBURG
3200

Telephone Number: (033) 341 1335
Cell phone Number: (083) 679 4423
Email Address: Asha.ramjatan@umgeni.co.za

PER EMAIL / MAIL

Dear Ms Ramjatan

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE CONSTRUCTION OF THE GREATER MBIZANA REGIONAL BULK WATER SUPPLY SCHEME: PHASE 2 – WORK PACKAGE 2: SOUTHERN EASTERN FEEDER WITHIN THE WINNIE MADIKIZELA-MANDELA LOCAL MUNICIPALITY, IN THE ALFRED NZO DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE

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

Please be advised that **Activity 27** as listed in terms of Listing Notice 1 of the EIA Regulations, 2014, as amended, is not authorised:

"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 –

- (i) the **undertaking of a linear activity**; or*
- (ii) maintenance purposes undertaken in accordance with a maintenance management plan."*

The reason for not authorising the above-mentioned activity is as follows:

According to the application form and final BAR submitted, the construction of the Greater Mbizana Regional Bulk Water Supply Scheme: Phase 2 - Work Package 2: Southern Eastern Feeder will entail the construction of three gravity main pipelines from the existing reservoir at KwaNikhwe to Mnyaka, from Redoubt to Mnyaka, and Redoubt to Mzamba, with associated reservoirs at Bizana, Redoubt, Mnyaka and Mzamba. As per the project description provided in section 7 of the final BAR and application form, the gravity mains span communities namely: Redoubt, Mnyaka, and Mzamba where extensive infrastructure and land transformation has occurred. As such, the construction of the three gravity mains constitutes the undertaking of a linear activity, and thus the exclusion highlighted above applies.

5

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.

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@dfpe.gov.za;

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

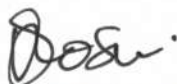
By post: Private Bag X447
Pretoria
0001

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.

VS

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 or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully



Mr. Vusi Skosana

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Date: 06 February 2024

cc:	Mr. Lumko Mboyi	NM Environmental (Pty) Ltd	E-mail: info@nmenvironmental.co.za
	Mr. Siyabulela Mtonjeni	Department of Economic Development, Environmental Affairs & Tourism (EC)	E-mail: siyabulela.mtonjeni@dedea.gov.za
	Ms. Ncumisa Xoko	Winnie-Madikizela Mandela Local Municipality	E-mail: xokon@mbizana.gov.za



forestry, fisheries & the environment

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

Environmental Authorisation

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

Construction of the Greater Mbizana Regional Bulk Water Supply Scheme: Phase 2 – Work Package 2:
Southern Eastern Feeder within the Winnie-Madikizela Mandela Local Municipality, Eastern Cape
Province

Alfred Nzo District Municipality

Authorisation register number:	14/12/16/3/3/1/2781
Last amended:	First issue
Holder of authorisation:	Umgeni Water
Location of activity:	Winnie Madikizela-Mandela Local Municipality Alfred Nzo District Municipality Eastern Cape Province

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 –

UMGENI WATER

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

with the following contact details –

Ms. Asha Ramjatan

PO Box 9

PIETERMARITZBURG

3200

Telephone Number: (033) 341 1335

Cell Number: (083) 679 4423

Email Address: asha.ramjatan@umgeni.co.za

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 12</u></p> <p><i>"The development of-</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>where such development occurs-</i> <i>(a) within a watercourse; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>Construction of Mbizana Town Reservoir has a physical footprint of 626m².</p> <ul style="list-style-type: none"> Wetland CBD (Channelled Valley Bottom). This wetland does not intersect with the CBD Reservoir but falls within 500m of the development. <p>Construction of Redoubt Reservoir, physical footprint of 415.48m².</p> <ul style="list-style-type: none"> Wetland 6 (Hilly slope). <p>Construction of Mnyaka Reservoir, physical footprint of 264.46m².</p> <ul style="list-style-type: none"> Wetland 15 (Channelled Valley Bottom). <p>Construction of Mzamba Reservoir, physical footprint of 264.46m².</p> <ul style="list-style-type: none"> Wetland 31 (Channelled Valley Bottom).
<p><u>Listing Notice 1, Item 13</u></p> <p><i>"The development of facilities or infrastructure for the off-stream 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 development proposes to construct reservoirs of a total capacity of:</p> <ul style="list-style-type: none"> ○ 5 000m³ at Mbizana; ○ 2 200m³ at Redoubt; ○ 1 200m³ at Nyaka; ○ 1 200m³ at Mzamba

<p><u>Listing Notice 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, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse."</i></p>	<p>The installation of pipeline:</p> <ul style="list-style-type: none"> • 3 662m of 300 diameter steel; • 5 281m of 315mm PVC; and • 187m of 250mm diameter PVC. <p>Bulk main from KwaNikhwe to Redoubt will traverse 2x watercourses (river/ stream), and excavation through the watercourses, is anticipated to be more than 10 cubic metres.</p>
<p><u>Listing Notice 3, Item 12</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation;</i> <i>(a) in the Eastern Cape;</i> <i>(ii) within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The Upper and Middle portion of pipeline (KwaNikhwe to Redoubt); (Redoubt to Mnyaka); (portion of Redoubt to Mzamba) interacts with a CBA2.</p> <p>The lower pipeline (Remainder of pipeline to Mzamba) falls within a CBA1.</p> <p>The site lies outside of an area zoned as critically endangered or endangered ecosystem within the Eastern Cape Protected Areas Expansion System (ECPAES).</p>

As described in the Basic Assessment Report (BAR) dated October 2023 at:

SG 21 Digit Code, Farm Names & Portions

Erf_No	Farm	PRCL_KEY	21 Digit Code
10	Umnyaka 17	E151C086000000000010000000	C08600000000001000000
17	Imizizi 16	E151C086000000000017000000	C08600000000001700000
41	Umkolora 20	E151C086000000000041000000	C08600000000004100000
183	Amanikwe 14	E151C0860000000000183000000	C086000000000018300000
6/41	Umkolora 20	E151C086000000000041000060	C08600000000004100006
12	Imizizi 16	E151C086000000000012000000	C08600000000001200000
180	Amanikwe 14	E151C086000000000018000000	C08600000000001800000
127	Imizizi 16	E151C0860000000000127000000	C086000000000012700000
114	Imizizi 16	E151C0860000000000114000000	C086000000000011400000
113	Imizizi 16	E151C0860000000000113000000	C086000000000011300000

126	Imizizi 16	E151C086000000000126000000	C08600000000012600000
123	Imizizi 16	E151C0860000000000123000000	C08600000000012300000
122	Imizizi 16	E151C0860000000000122000000	C08600000000012200000
117	Imizizi 16	E151C0860000000000117000000	C08600000000011700000
125	Imizizi 16	E151C0860000000000125000000	C08600000000012500000
119	Imizizi 16	E151C0860000000000119000000	C08600000000011900000
127	Imizizi 16	E151C0860000000000127000000	C08600000000012700000
127	Imizizi 16	E151C0860000000000127000000	C08600000000012700000
118	Imizizi 16	E151C0860000000000118000000	C08600000000011800000
135	Umnyaka 17	E151C0860000000000135000000	C08600000000013500000
134	Umnyaka 17	E151C0860000000000134000000	C08600000000013400000

Coordinates of the proposed infrastructure for Work Package 2: Southern Eastern Feeder (Reservoirs)

Infrastructure	Community in which located	Coordinate Points (Degrees, Minutes, Seconds)	
		Latitude (y)	Longitude (x)
Reservoir	Mbizana Town	30° 51' 18"S	29° 50' 32"E
Reservoir	Redoubt	30° 53' 33.079"S	29° 58' 15.132"E
Reservoir	Mnyaka	30° 52' 16.389"S	29° 58' 54.059"E
Reservoir	Mzamba	31° 2' 3.1784"S	30° 6' 40.694" E

Coordinates of the proposed infrastructure for Work Package 2: Southern Eastern Feeder (Gravity Mains)

Infrastructure	Point	Coordinate Points (Degrees, Minutes, Seconds)	
		Longitude (x)	Latitude (y)
Gravity Main (KwaNikhwe to Redoubt)	Start	29° 53' 13.801"E	30° 54' 17.680"S
	Middle	29° 55' 42.060"E	30° 54' 11.308"S
	End	29° 58' 10.103"E	30° 53' 36.348"S
Gravity Main (Redoubt to Mnyaka)	Start	29° 58' 4.699"E	30° 53' 33.876"S
	Middle	29° 58' 41.588"E	30° 53' 1.051"S
	End	29° 58' 54.059"E	30° 52' 16.389"S
Gravity Main (Redoubt to Mzamba)	Start	29° 58' 15.132"E	30° 53' 33.079"S
	Middle	30° 0' 30.322" E	30° 58' 51.837"S
	End	30° 6' 40.694"E	31° 2' 3.1784"S

Watercourses to be traversed by the pipelines:

No.	Name	X	Y
1	MB_Wet4_1	29,89393	-30,9052
2	MB_Wet_2	29,89492	-30,9053
3	MB_Wet5_1	29,89615	-30,905
4	MB_Wet5B_1	29,89703	-30,9038
5	MB_Wet5B_2	29,89814	-30,9031
6	MB_Wet6B_1	29,90985	-30,9052

7	MB_Wet6B_2	29,91059	-30,905
8	MB_Wet9B_1	29,94145	-30,9042
9	MB_Wet9B_2	29,94251	-30,9038
10	MB_Wet9_1	29,94541	-30,9028
11	MB_Wet9_2	29,94622	-30,9026
12	MB_Wet10_1	29,96216	-30,8937
13	MB_Wet10_2	29,96351	-30,8928
14	MB_WetD_1	29,98286	-30,8722
15	MB_WetD_2	29,98215	-30,8716
16	MB_Wet15_1	29,97119	-30,9036
17	MB_Wet_15_2	29,97109	-30,9039
18	MB_Wet18_1	29,97054	-30,9319
19	MB_Wet18_2	29,9703	-30,933
20	MB_Wet33_1	29,99488	-30,9728
21	MB_Wet33_2	29,99591	-30,9732
22	MB_Wet24_1	30,01148	-30,9841
23	MB_Wet24_2	30,01224	-30,9846
24	MB_Wet31_1	30,01939	-30,9898
25	MB_Wet31_2	30,02001	-30,9901
26	MB_WetZ_1	30,09723	-31,025
27	MB_WetZ_2	30,09875	-31,0249
28	MB_WetZ2_1	30,11339	-31,0255
29	MB_WetZ2_2	30,11452	-31,026

- The scope of work for Phase 2 - Work Package 2: Southern Eastern Feeder will consist of the following:
 - Duplication of the Mbizana 5MI Reservoir.
 - Construction of the 2,2MI Redoubt Reservoir.
 - Construction of the 1,2MI Mnyaka Reservoir.
 - Construction of the 1,2MI Mzamba Reservoir.
- The bulk gravity mains proposed for GMRBWSS: Phase 2 - Work Package 2: Southern Eastern Feeder development stage is as follows:
 - KwaNikhwe to Redoubt:
 - Redoubt to Mnyaka:
 - Redoubt to Mzamba:

Conditions of this Environmental Authorisation

Scope of authorisation

1. The construction of the Greater Mbizana Regional Bulk Water Supply Scheme: Phase 2 – Work Package 2: Southern Eastern Feeder (i.e., the duplication of the Mbizana 5MI Reservoir; the installation of the Nkhwe to Redoubt, and to Mnyaka pipelines; the construction of the 2,2MI Redoubt Reservoir; the construction of the 1,2MI Mnyaka Reservoir; and the construction of the 1,2MI Mzamba Reservoir), within Wards 17, 18, 19, 20, 22, 23, and 29 of the Winnie Madikizela-Mandela Local Municipality in the Eastern Cape Province, is approved as per the geographic coordinates cited in the tables 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 must 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 effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further 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.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

12. The authorised activity must 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

13. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to. It must be seen as a dynamic document and must be included in all contract documentation for the development when approved.
14. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
15. 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

16. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 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.
17. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
18. 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.
19. In assessing whether to grant approval of an EMPr that 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.
20. 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

21. 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 EMPrs.
 - 21.1. The ECO must be appointed before commencement of any authorised activities.
 - 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 21.3. The ECO must keep a record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
- 21.4. 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

- 22. 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.
- 23. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPs remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPs are audited and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
- 24. The frequency of auditing and submission of the environmental audit reports must be as per the frequency indicated in the EMPs, considering the processes for such auditing as prescribed in Regulation 34 of the NEMA EIA Regulations, 2014 as amended.
- 25. 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.
- 26. The environmental audit reports must be compiled in accordance with Appendix 7 of the NEMA 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 EMPs.
- 27. 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

- 28. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. 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

29. 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

30. 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

31. No activities, which require a water use license, must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
32. 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.
33. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
34. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
35. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
36. Dust suppression measures must be implemented during the construction phase to limit the impacts of dust.
37. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell, and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are uncovered during construction, work in the immediate area must be halted, and the SAHRA must be alerted immediately, and a professional archaeologist or palaeontologist (depending on the nature of the finds) must be contacted as soon as possible to inspect the findings.

38. 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 stormwater run-off.
39. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, reuse, 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

40. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPs must be made available for inspection and copying-
 - 40.1. at the site of the authorised activity;
 - 40.2. to anyone on request; and
 - 40.3. Where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
41. 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: 06 February 2024



Mr Vusi Skosana

Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & 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 by the Department on 05 June 2023.
- b) The information contained in the final BAR dated October 2023.
- c) The comments received from interested and affected parties as included in the final BAR dated October 2023.
- d) Mitigation measures as proposed in the final BAR dated October 2023 and the EMPr.
- e) The information contained in the specialist input contained within the Appendices of the final BAR dated October 2023 and as appears below:

Title	Prepared by	Date
Terrestrial Biodiversity Impact Assessment	Conservation Exposure Education & Training (CEET)	June 2023
Wetland Impact Assessment	Conservation Exposure Education & Training (CEET)	June 2023
Surface Hydrology Impact Assessment	Isikhungusethu Environmental Services (Pty) Ltd	June 2023
Agricultural Compliance Statement	Dr Andries Gouws Index	October 2023
Archaeology Impact Assessment	Umlando: Archaeological Surveys & Heritage Management	April 2023
Heritage Impact Assessment	Setjo Sesho Consultancy	July 2023
Palaeontology Desktop Impact Assessment	Banzai Environmental (Pty) Ltd	April 2023
Socio-Economic Impact Assessment	Boswaso Holdings (Pty) Ltd	Undated
Geohydrology Assessment	NatureStamp (Pty) Ltd	May 2023
EMPr	NM Environmental (Pty) Ltd	October 2023

2. Key factors considered in making the decision

All information presented to the Department was considered 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 input conducted and their recommended mitigation measures.
- b) The need for the proposed project was sufficiently described. The project aims to develop a new water resource, increase the capacity of the water treatment works, and improve the bulk water distribution to the region. The current existing infrastructure is outdated as it is believed that installation dates to 1996 and has reached the end of its design lifetime. Through an investigation into the existing infrastructure, it has been found that large portions of the existing pipeline have been replaced by the maintenance teams of the local municipality, and many breaks and leaks in infrastructure have also occurred. Damage due to vandalism is common as well as lack of maintenance. Through the Greater Mbizana Regional Bulk Water Supply Scheme: Phase 2 - Work Package 2: Southern Eastern Feeder, Umgeni aims to address these concerns.
- c) The final BAR dated October 2023 identified all legislation and guidelines that have been considered in the preparation of the final BAR.
- d) The location of the proposed augmentation of the Greater Mbizana Regional Bulk Water Supply Scheme: Phase 2 – Work Package 2.
- e) The methodology used in assessing the potential impacts identified in the final BAR dated October 2023 and the specialist input have been adequately indicated.
- f) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the NEMA EIA Regulations, 2014 as amended for public involvement.

3. Findings

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

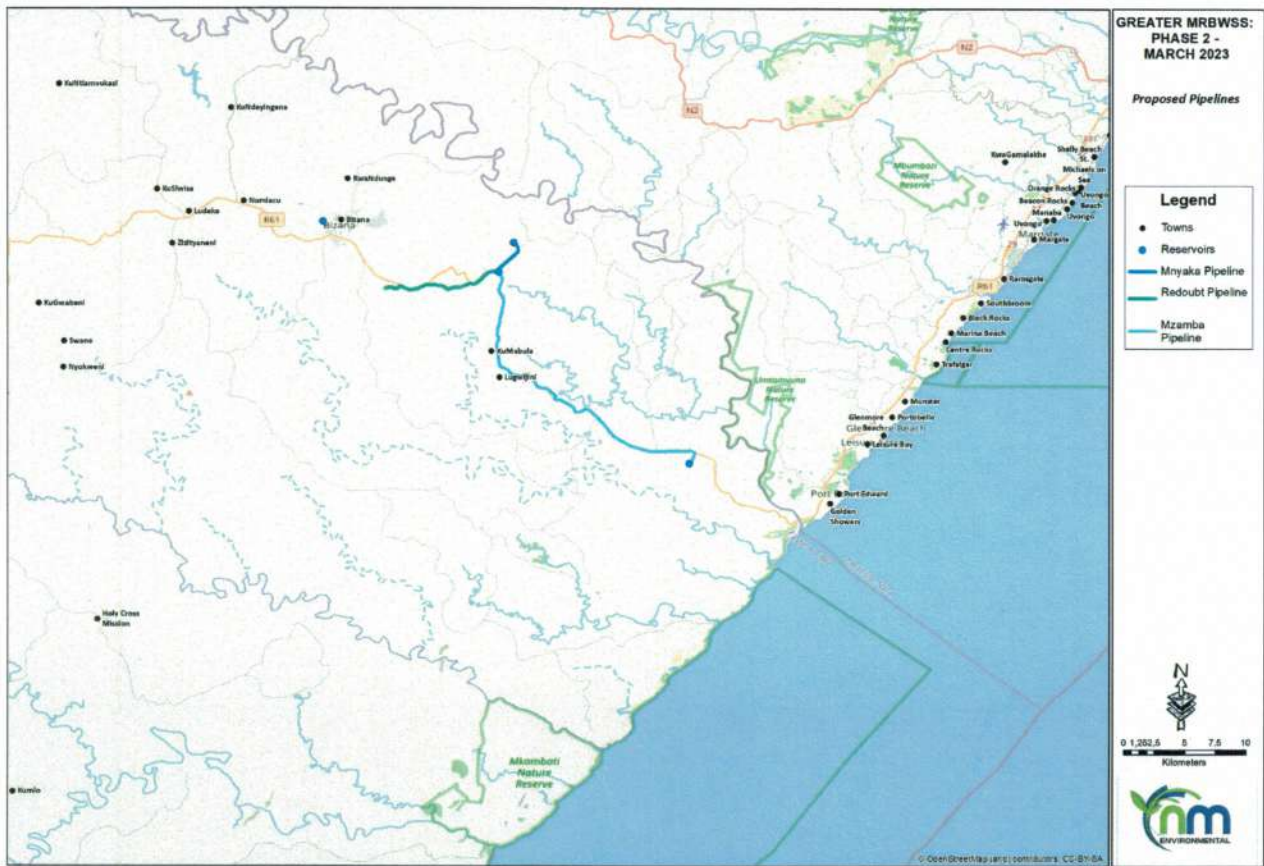
- a) The identification and assessment of impacts are detailed in the final BAR dated October 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the final BAR dated October 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMP measures for the pre-construction, construction, and rehabilitation phases of the development were proposed and included in the final 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.**

Annexure 2: Aerial Locality Map



Annexure 3: Regional Locality Map



15



forestry, fisheries & the environment

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

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Ref: Acting Arrangements
Enquiries: Devinagie Bendeman
Telephone: 012 399 9337 E-mail: vbendeman@dfre.gov.za

Mr Vusi Skosana
Director: National Integrated Authorisations

Dear Mr Skosana

APPOINTMENT AS CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING) FROM 05 FEBRUARY 2024 UNTIL 11 FEBRUARY 2024

I hereby inform you that you have been appointed to act in the post of Chief Director: Integrated Environmental Authorisations from **05 February 2024 until 11 February 2024**. Please note that acting arrangements may be terminated by any party giving 24 hours written notification.

All correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorisations must be signed under **Chief Director: Integrated Environmental Authorisations (Acting)** during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Yours sincerely

Ms Devinagie Bendeman
DDG: Regulatory Compliance & Sector Monitoring
Date: 05 February 2024

cc: Mr Sabelo Malaza
smalaza@dfre.gov.za

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Chief Director: Integrated
Environmental Authorisations (Acting)

Signed:

Date: 05 February 2024



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.