

Appendix B

PUBLIC PARTICIPATION

Appendix B1: DEA Meeting Minutes

Appendix B2: Landowner Agreements

Appendix B3: Written Notification

Appendix B4: Proof of Mailing

Appendix B5: Comments and Responses

Working for Wetlands: Free State Province Public Participation Report



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1 INTRODUCTION

The proposed interventions for wetland rehabilitation require the Working for Wetlands (WfWetlands) Programme to apply for environmental authorisation in terms of the Environmental Impact Assessment (EIA) Regulations (Government Notice (GN) Regulation (R) 982) of the National Environmental Management Act (Act 107 of 1998) (NEMA), as amended. To ensure that the Department of Environmental Affairs (DEA) can make an informed decision, based on a transparent and meaningful process, this Basic Assessment (BA) process must undergo a Public Participation Process (PPP).

This PPP must be undertaken in accordance with regulations 39-44 of the EIA Regulations. Additional guidance has also been incorporated from the Western Cape¹ Department of Environmental Affairs and Development Planning (DEA&DP) Guideline Document on Public Participation (March 2013).

This Public Participation Report (PPR) has therefore been compiled to collectively represent the consultation process that has been undertaken through the PPP. The following sections include:

- Section 2 A database of interested and affected parties (I&APs) has been created and updated over the last 13 planning years. This database will be updated and maintained throughout the BA process.
- Section 3 The consultation that was undertaken during the pre-application phase of the project is described in this section. Proof of advertisements, site notices and delivery is available in Appendix B4.
- Section 4 Describes the consultation process that was undertaken during the BA phase. Proof of notification is available in Appendix has been included in Appendix B4.
- Section 5 Comments received during the PPP and responses provided will be summarised into a table in this section for submission to DEA in the Final BAR. All original comments and responses will be included in Appendix B5.
- Section 6 This section explains the way forward once the public participation process has been completed.

2 I&AP DATABASE

A register of I&APs has been recorded for WfWetlands over the previous planning years undertaken by Aurecon. The existing national and provincial database has been updated with information from new I&APs responding to the advertisements and site notices throughout the application process. Proactive identification of I&APs, municipal representatives, organs of state, competent authorities and surrounding landowners was also undertaken to update the database specific to the new planning year.

Table 1 on the following page provides a summary of the I&AP database for the Free State Province. Please note that contact details have been omitted for privacy reasons.

¹ These guidelines have been considered as best practice even though the project may be located outside of the province.

Table 1: I&AP Database

Stakeholder	Contact	Organisation
National Stakeholders	Mr Mark Anderson	Birdlife South Africa
	Ms Mpume Ntlokwana	Department of Agriculture Forestry & Fisheries
	Ms Serah Muobeleni	Department of Agriculture Forestry & Fisheries: Land Use and Soil Management
	Ms Wilma Lutsch	Department of Environmental Affairs: Biodiversity Conservation
	Mr Danie Smit	Department of Environmental Affairs: Sensitive Environments
	Ms Naomi Fourie	Department of Water and Sanitation
	Dr Paul Meulenbeld	Department of Water and Sanitation
	Ms Jackie Jay	Department of Water and Sanitation
	Ms Barbara Weston	Department of Water and Sanitation
	Mr Kelvin Legge	Department of Water and Sanitation
	Mr Bongani Madikizela	Water Research Commission
	Ms Olga Jacobs	SANParks: Biodiversity and Social Projects
	Mr Steven Segang	Endangered Wildlife Trust
	Mr Ahmend Khan	Department of Environmental Affairs
	Mr Louwrens Ferreira	Department of Environmental Affairs
	Mr Wemer Roux	Department of Environmental Affairs
	Ms Kerry Morrison	Endangered Wildlife Trust
	Ms Tanya Smith	Endangered Wildlife Trust
	Morgan Griffiths	WESSA
	Mr Dumisani Mabona	Department of Environmental Affairs: Sensitive Environments
Provincial Stakeholders: State Authorities	Ms Grace Mkhosana	Department of Economic Development, Tourism and Environmental Affairs
	Ms Kefilwe Disipi	Department of Agriculture, Forestry and Fisheries
	Dr Takisi Masiteng	Free State Provincial Department of Agriculture
	Dr Tseliso Ntli	Department of Water Affairs
	Mr Sibusiso Mthembu	Department of Water Affairs

Stakeholder	Contact	Organisation
	Mr Nacelle Collins	Department of Economic Development, Tourism and Environmental Affairs
	Ms Ramogele Sekwele	Department of Water Affairs
	Mr Ephriam Matsebe	Department of Water Affairs
Landowner	Mr J Joubert	DETEA: Sterkfontein Reserve Manager
	Frank Afeling	Wattle Grove farm
	Elsie	Aneks farm
Municipality	Mr Bernand Mphahlele	Thabo Mofutsanyana District Municipality
	Mr George Bengell	Thabo Mofutsanyana District Municipality
	Ms Takatso Lebenya	Thabo Mofutsanyana District Municipality
	M Mogopodi	Thabo Mofutsanyana District Municipality
	Ms NF Malatjie	Phumelela Local Municipality
	Mr Tlokotsi John Motaung	Phumelela Local Municipality
	Cllr Roseline Zwane	Phumelela Local Municipality
	Mr Vusumuzi Shabalala	Maluti a Phofung Local Municipality
	Cllr Mandla Tshabalala	Maluti a Phofung Local Municipality
	Cllr Sebina Mahlangu	Maluti a Phofung Local Municipality
	Adv Robert Tsupa	Maluti a Phofung Local Municipality
Stakeholder	Contact	
General I&APs	Mrs Caroline Bruce	Oakland country Manor
	Ms Terry Calmeyer	ILISO Consulting Environmental
	M.P Gavhi	SANBI
	Martin Campher	Private I&AP
	Mr Zebulon Hlungwani	SANParks
	Mr Douglas Judd	N3TC
	Ms Suzan S Mandla	SANBI
	Mr Bornett Mototo	WFW
	Mr Ncedo Msutwana	Private I&AP

Stakeholder	Contact	Organisation
	Mr Mphadeni Nthangeni	SANParks
	L.D Rambuwani	SANBI
	Mr Maitland Seaman	University of Free State
	Ms Lindiwe Sithole	Department of Water and Sanitation
	Mr Nditshedzeni Cedric Singo	Working for Water
	Mr Johan van der Schyff	Landcare
	Ms Marie Watson	University of Free State
	Mr Johan Zeelie	Department of Agriculture, Forestry and Fisheries
	Khumbule	SANBI
	Mr Richard Ubisi	SANParks
	Ms Helette Dunn	SANParks
	Mr Ernest Daemane	SANParks
	Mpho Mafika	Private I&AP
	Leonard Gumendega	CWR
	Albert Sibeko	CWR
	Tshepo Mokoena	CWR
	Mr Marc 'de Fontaine	Rand Water
	Mr William Mabotha	Rand Water Foundation
	Magdaleen Brits	Karkloof
	Mr Henk Stuart	Private I&AP
	Mr JJ Joubert	DETEA: Sterkfontein Reserve Manager
	Johannes Roets	Private I&AP

3 PRE-APPLICATION PHASE CONSULTATION

Prior to the circulation of the draft Basic Assessment Report (BAR) and submission of the application form to DEA, the following measures were undertaken to ensure that the legislated 30-day public comment period will reach the relevant parties.

3.1 Pre-application meeting with DEA

Confirmation as received on 18 January 2018 from the Department of Environmental Affairs' EIA Admin unit that pre-application meetings are not compulsory requirements for the National Department. Considering this response, and the Working for Wetlands Programme's multiple submissions since 2006 to the Department, it was decided not to request a pre-application meeting. Please refer to Appendix B1 FOR a copy of the correspondence received from DEA on this matter.

3.2 Landowner consultation

Landowner consultation is a vital component of the Working for Wetlands Programme Standard Operating Procedures. Landowners were consulted with during the planned Phase 1 and Phase 2 site visits, and Landowner Agreements must be signed prior to any construction commencing. Although it can be difficult to access landowner agreements for the full wetland system (some wetlands have more than 30 properties intersecting the wetland), landowner agreements have been obtained for work where targeted rehabilitation interventions are planned for the following implementation cycles. Landowner Agreements are included in Appendix B2.

3.3 Advertisements

Advertisements were placed in the national newspapers the *Sunday Times* (in English) and *Die Rapport* (in Afrikaans) to allow the public the opportunity to register their interest in the project. The advertisement in *Die Rapport* and *Sunday Times* was published on 3 February 2019.

The English text has been included below in

PUBLIC PARTICIPATION PROCESS: WORKING FOR WETLANDS PROGRAMME

Proposal: The Working for Wetlands (WfWetlands) Programme intends to rehabilitate a number of degraded wetlands within South Africa. The proposed wetland rehabilitation activities may require the construction of hard interventions, for instance gabion and concrete structures, as well as soft options such as re-vegetation and/ or alien plant removal. The number, type, scale and location of each of these interventions vary according to the nature and magnitude of the problem and the state of the wetland (i.e. the receiving environment).

Legal Framework: Authorisation is required in terms of the National Environmental Management Act (Act 107 of 1998), as amended, as described below:

A. National Environment Management Act, No. 107 of 1998 (NEMA), as amended: The rehabilitation proposals trigger a suite of activities which require Environmental Authorisation by means of a Basic Assessment (BA) process in terms of the 2014 Environmental Impact Assessment (EIA) Regulations (Government Notice Regulation (GN R) 982, as amended) pursuant to NEMA. Aurecon South Africa (Pty) Ltd (Aurecon) has been appointed to undertake the BA processes and separate provincial focused applications will be submitted to the Department of Environmental Affairs (DEA) as the competent authority. The Listed Activities that are relevant to each application in terms of the 2014 EIA Regulations are GN R 983 (as amended): 12, 19, 27 and 48 (Listing Notice 1), GN 984 (as amended): 24 (Listing Notice 2) and GN R 985 (as amended): 12, 14 and 23 (Listing Notice 3).

B. National Water Act, No. 36 of 1998 (NWA): In terms of Section 39 of the NWA, a General authorisation (GA) has been granted for certain activities that are listed under the Act that usually require a Water Use Licence; as long as these activities are undertaken for wetland rehabilitation and the primary purpose of the rehabilitation is for conservation purposes (i.e. GN R 1198 of 18 December 2009).

Opportunity to Participate: Notice is hereby given of a public participation process in terms of the NEMA EIA Regulations (2014) and the NWA (1998). Interested and Affected Parties (I&APs) are invited to register their interest for future correspondence to the people mentioned below and to submit comments on the Draft BA Reports for the six affected provinces during a public comment period of 30 days from **11 February – 14 March 2019** (the project specific rehabilitation plans will be made available for public comment in March 2019). Notification will be sent to all identified and registered I&APs prior to the start date of this comment period. Digital copies of the reports will be available for download from Aurecon's website (<http://aurecongroup.com/en/public-participation.aspx>).

Province	Reports		Nearest City / Town(s)
	BAR	Rehabilitation Plan	
Eastern Cape	Yes	Amathole, Kromme and Tsitsikamma	Hogsback, Seymour, Kareedouw and Humansdorp
Free State	Yes	Maluti	Harrismith and Phuthaditjhaba
Gauteng	Yes	Gauteng North	Pretoria
KwaZulu-Natal	Yes	iSimangaliso	St Lucia
Limpopo	Yes	Soutini Baleni and Mutale	Giyani and Thohoyandou
North West	Yes	Madikwe National Park and Molopo	Rustenburg and Mahikeng

I&APs should refer to the relevant province and wetland project, and provide their comments together with their name, contact details and an indication of any direct business, financial, personal or other interest which they have in the applications to the contact person indicated below.

Contact: Simamkele Ntsengwane / Franci Gresse (of Aurecon) by **14 March 2019**.

E-mail: Simamkele.Ntsengwane@aurecongroup.com / franci.gresse@aurecongroup.com

Tel: 021 526 9560, **Fax:** 021 526 9500, or **Post:** P.O. Box 494, Cape Town, 8000

Figure 1 to ensure the text is legible. A copy of the page on which the advertisement appeared in *Die Rapport*, is included in **Error! Reference source not found.** and of the advertisement in the Sunday Times in Figure 3. Please note that the original page size is A2, and the advertisement is therefore clearly legible.

3.4 Site Notices

Site notices were fixed at the property boundaries of the affected wetland system and at public areas areas such as libraries or municipal buildings. The text of the site notice in English is included in Figure 4 and is followed by proof of placement of the site notices in the sub-section thereafter. The site notice was of a size and content required by the relevant guidelines.

Please note that the proof of placement is included in Section 3.4.1 in this PPR.

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KwaZulu-Natal	Yes	iSimangaliso	St Lucia
Limpopo	Yes	Soutini Baleni and Mutale	Giyani and Thohoyandou
North West	Yes	Madikwe National Park and Molopo	Rustenburg and Mahikeng

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Figure 1: Advertisement for the Working for Wetlands Programme 2017/2018 Planning Cycle

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Province

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Gauteng	Yes	Gauteng North	Pretoria
KwaZulu-Natal	Yes	iSimangaliso	St Lucia
Limpopo	Yes	Soutini Baieni and Mutale	Giyani and Thohoyandou
North West	Yes	Madikwe National Park and Molopo	Rustenburg and Mahikeng

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Logos: Agriculture, Forestry and Fisheries; Environmental Affairs; Water Affairs and Sanitation; EXPANDED PUBLIC WORKS PROGRAMME; aurecon

Figure 3: Proof of advertisement in the Sunday Times (3 February 2019)

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Logos: Agriculture, Forestry and Fisheries; Environmental Affairs; Water Affairs and Sanitation; EXPANDED PUBLIC WORKS PROGRAMME; aurecon



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CLOSING DAT

PUBLIC PARTICIPATION PROCESS: WORKING FOR WETLANDS PROGRAMME FREE STATE PROVINCE

Proposal: The Working for Wetlands (WfWetlands) Programme intends to rehabilitate a number of degraded wetlands within South Africa. The proposed wetland rehabilitation activities may require the construction of hard interventions, for instance gabion and concrete structures, as well as soft options such as re-vegetation and/ or alien plant removal. The number, type, scale and location of each of these interventions vary according to the nature and magnitude of the problem and the state of the wetland (i.e. the receiving environment).

The following wetland rehabilitation projects are proposed in the Free State Province for the 2018/2019 planning cycle:

PROJECT	WETLAND SYSTEM	NEAREST TOWN	LATITUDE (DDMMSS)	LONGITUDE (DDMMSS)
Maluti	Wattle Grove -01	Phuthaditjhaba and Harrismith	29° 5'51.58"S	29° 7'57.68"E
	Wattle Grove 02		28°24'21.33"S	29° 7'0.81"E
	Wattle Grove 03		28°23'35.65"S	29° 8'3.81"E
	Wattle Grove 04		28°23'46.21"S	29° 8'25.77"E
	Helpmekaar 01		28°25'21.47"S	29° 5'51.58"E
	Aneks 01		28°25'57.52"S	29° 5'24.57"E
	Boschkloof 01*		28°31'7.69"S	28°59'13.28"E
	Boschkloof 02*		28°31'8.29"S	28°58'30.21"E
	Boschkloof 03*		28°31'3.27"S	28°59'55.68"E
	Stratherricks 1*		28° 25' 12.62" S	28° 59' 12.79" E
	Stratherricks 2*		28° 25' 21.059" S	28° 59' 11.030" E
	Graigiela 01		28°30'19.96"S	29° 0'49.73"E
	Helmanshoek 1		28°32'4.98"S	29° 0'45.99"E
	Helmanshoek 2		28°32'6.78"S	29° 0'27.51"E
	Farm 185/RE -20		28°31'49.69"S	29° 0'20.45"E
	Elizabeth 01		28°32'14.78"S	29° 1'8.80"E
	Elizabeth 02		28°32'17.17"S	29° 1'9.65"E

**This project received Environmental Authorisation during a previous planning year and will not be included in the BA Report. A rehabilitation plan will however be made available to registered interested and affected parties.*

Legal Framework: Authorisations are required in terms of the National Environment Management Act, No. 107 of 1998 (NEMA), as amended, as described below:

A. National Environment Management Act, No. 107 of 1998 (NEMA), as amended: Rehabilitation proposals triggers a suite of activities which require a Basic Assessment (BA) approval in terms of the 2014 Environmental Impact Assessment (EIA) Regulations (Government Notice Regulation (GN R) 982, as amended) pursuant to NEMA. Aurecon South Africa (Pty) Ltd (Aurecon) has been appointed to undertake the BA processes and separate provincial applications, which will be submitted to the Department of Environmental Affairs (DEA) as the competent authority. The Listed Activities that are relevant to each application in terms of the 2014 EIA Regulations are GN R 983 (as amended): 12, 19, 27 and 48 (Listing Notice 1), GN 984 (as amended): 24 (Listing Notice 2) and GN R 985 (as amended): 12, 14 and 23 (Listing Notice 3).

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More information can be found in a 'context document' available for download from Aurecon's website (<http://aurecongroup.com/en/public-participation.aspx>).

Contact: Franci Gresse / Simamkele Ntsengwane (of Aurecon) by 14 March 2019.

E-mail: franci.gresse@aurecongroup.com / Simamkele.Ntsengwane@aurecongroup.com

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Agriculture, Forestry and Fisheries
Environmental Affairs
Water Affairs and Sanitation



EXPANDED PUBLIC WORKS PROGRAMME
Creating opportunities towards justice fulfillment



aurecon

Figure 4: Example of text included in the Free State site notice

3.4.1 Proof of placement

Proof of placement will be provided in the Final BAR for submission to DEA

4 BASIC ASSESSMENT PHASE CONSULTATION

The Basic Assessment Report (BAR) for the Free State Province is available for a 30-day public comment period from 11 February to 14 March 2019. Registered I&APs identified in the pre-application phase were notified of this comment period via post or email. The written notification provided to the I&APs is included in Appendix B2.

Hard and electronic copies were made available to selected organs of state and municipalities based on their internal requirements. I&APs are able to access the BAR via Dropbox and on the Aurecon website: <http://www.aurecongroup.com/en/public-participation.aspx>. The proof of delivery and notification is included in Appendix B3.

5 COMMENTS AND RESPONSES

Table 2 has been updated with a summary of the comments received during the public participation process and responses provided by Aurecon, the applicant, or the wetland specialist (where appropriate). The original comments are included in Appendix B4.

Table 2: I&AP Comments and Responses

No.	Date of comment, format of comment, name of organisation/ I&AP	Comment	Response from EAP/ Applicant/ Specialist
1			

6 WAY FORWARD

Following the 30 day public comment period, the BAR will be updated by incorporating any I&AP comments received on the reports (where relevant). All comments will be recorded and responded to in this PPR which will be circulated to all who have provided comment. The updated BAR will then be submitted to DEA for their decision-making process. Once DEA has made their decision on the proposed project, all registered I&APs will be notified of the outcome of the decision within fourteen (14) calendar days of the decision and the right to appeal projects.

7 Appendices

Appendix 1 | DEA Meeting Minutes

Appendix 2 | Landowner Agreement(s)

Appendix 3 | Written Notification

Appendix 4 | Proof of Delivery

Appendix 5 | Comments and Responses

Appendix B1

DEA PRE-APPLICATION MEETING MINUTES

Franci Gresse

From: EIAAdmin <EIAAdmin@environment.gov.za>
Sent: Friday, January 18, 2019 11:06 AM
To: Franci Gresse
Cc: Claire Blanché
Subject: RE: 113223 WfWetlands: New Applications

Morning,

Dear Ms Gresse.

Pre-application meetings are not a compulsory requirement at National. If you feel you require one, you may set up one. When we receive your request, it will be allocated to a case officer. Otherwise, go ahead and lodge your application. Purely up to you. Trust this suffices

EIA Admin
Integrated Environmental Authorisations:
Coordination, Strategic Planning and Support
Tel: (012) 399 8630 / (012) 399 8529
Email: EIAAdmin@environment.gov.za

Please be informed that the Departmental EIA related templates were updated. It can be downloaded from the Departmental web address at https://www.environment.gov.za/documents/forms#legal_authorisations.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

From: Franci Gresse [mailto:Franci.Gresse@aurecongroup.com]
Sent: 18 January 2019 09:40 AM
To: EIAAdmin
Cc: Claire Blanché
Subject: 113223 WfWetlands: New Applications

Dear Sir/Madam

A new set of Basic Assessment applications (i.e. six) are being prepared for the Working for Wetlands Programme for public participation in February. Similar to the previous years, one BA report will be prepared per province.

We would appreciate if you could please indicate if a pre-application meeting will be required to discuss the project and procedures. We can confirm that the format of the reports will be the same as previous years and that no concerns/ issues were raised last year by the Case Officers regarding the process and/or the reports.

Kind regards
Franci

Franci Gresse
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WORKING FOR WETLANDS: CONTEXT DOCUMENT

1. Introduction

Working for Wetlands (WfWetlands) is a government programme managed by the Natural Resource Management Programme (NRMP) of the Department of Environmental Affairs, and is a joint initiative with the Departments of Water and Sanitation (DWS), and Agriculture, Forestry and Fisheries (DAFF). In this way the programme is an expression of the overlapping wetland-related mandates of the three parent departments, and besides giving effect to a range of policy objectives, it also honours South Africa's commitments under several international agreements, especially the Ramsar Convention on Wetlands.

The programme is mandated to protect pristine wetlands, promote their wise-use and rehabilitate those that are damaged throughout South Africa, with an emphasis on complying with the principles of the Expanded Public Works Programme (EPWP) and using only local Small, Medium and Micro Enterprises (SMMEs). The EPWP seeks to draw significant numbers of unemployed people into the productive sector of the economy, gaining skills while they work and increasing their capacity to earn an income.

2. Wetlands and their importance

Once considered valueless wastelands that needed to be drained or converted to more useful land use purposes, wetlands are now seen in an entirely different light. Today wetlands are more commonly perceived as natural assets and natural infrastructure able to provide a range of products, functions and services free of charge.

That which actually constitutes a wetland is often not fully understood. Common misconceptions have been that wetlands must be wet, must have a river running through them, or must always be situated in low-lying areas. The definition of a wetland is much broader and more textured: they are characterised more by soil properties and flora than by an abundance of water.

The National Water Act, No. 36 of 1998 defines a wetland as:

"land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil".

The Ramsar Convention defines wetlands as:

"areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed 6m" (Article 1, Ramsar Convention on Wetlands. 1971).

Wetlands can therefore be seasonal and may experience regular dry spells (sometimes even staying dry for up to several years), or they can be frequently or permanently wet. Wetlands can occur in a variety of locations across the landscape (**Plate A**), and may even occur at the top of a hill, nowhere near a river. A pan, for example, is a wetland which forms in a depression. Wetlands also come in many sizes; they can be as small as a few square metres (e.g. at a low point along the side of a road) or cover a significant portion of a country (e.g. the Okavango Delta).



Plate A: A large, seasonal wetland identifiable by the characteristic flora. This wetland contained no surface water at the time of the photograph

Wetland ecosystems provide a range of ecological and social services which benefit people, society and the economy at large:

- Improving the ecological health of an ecosystem by performing many functions that include flood control, water purification, sediment and nutrient retention and export, recharge of groundwater, as well as acting as vital habitats for diverse plant and animal species.
- Providing ecological infrastructure replacing the need for municipal infrastructure by providing the same or better benefit at a fraction of the cost, for example:
 - The movement of water in the landscape is slowed down by wetlands, which offers the dual benefit of flood control as well as a means of purification.
 - The slow movement of water allows heavier impurities to settle and phreatic vegetation and micro-bacteria the opportunity to remove pollutants and nutrients.
- Functioning as valuable open spaces and create recreational opportunities for people that include hiking along wetlands, fishing, boating, and bird-watching.
- Having cultural and spiritual significance for the communities living nearby. Commercially, products such as reeds and peat are also harvested from wetlands (**Plate B**).



Plate B: Commercial products made by locals from reeds harvested from wetlands

Wetlands are thus considered to be critically important ecosystems as they provide both direct and indirect benefits to the environment and society.

3. Wetland degradation

It has been estimated that originally over 10% of the Republic of South Africa (RSA) was covered by wetlands. However, this figure decreases significantly every year owing to unsustainable land-use practices. It is estimated that more than 50% of South Africa's wetlands have been destroyed through drainage of wetlands for crops and pastures, poorly managed burning regimes, overgrazing, disturbances to wetland soils, vegetation clearing as well as industrial and urban development (including mining activities).

Although wetlands are high-value ecosystems that make up only a small fraction of the country, they rank among the most threatened ecosystems in South Africa. According to a recent Council of Scientific Research (CSIR) study (Nel and Driver, 2012), South Africa's remaining wetlands were identified as the most threatened of all South Africa's ecosystems, with 48% of wetland ecosystem types being critically endangered, 12% endangered and 5% vulnerable. Only 11% of wetland ecosystem types are well protected, with 71% not protected at all.

The remaining wetland systems suffer from severe erosion and sedimentation, undesirable plant species and aquatic fauna infestations, unsustainable exploitation, artificial drainage and damming, and pollution. The continued degradation of wetlands will impact on biodiversity, ecological function, and the provision of ecosystem services with subsequent impacts on livelihoods and economic activity, as well as health and wellbeing of communities. In the absence of functional wetlands, the carbon cycle, the nutrient cycle and the water cycle would be significantly altered, mostly detrimentally.

Wetland conservation and rehabilitation should be at the heart of water management. It is necessary to prioritise South Africa's remaining wetlands such that those that offer valuable ecosystem services and are least impacted by current pressures or threats are offered immediate attention to avoid further loss, conversion or degradation.

4. The Working for Wetlands Programme

South Africa is a dry country, but is endowed with exceptionally rich biodiversity. The nation has a pressing reason to value the water-related services that wetlands provide. It is estimated that by 2025, South Africa will be one of fourteen African countries classified as "*subject to water scarcity*" (UNESCO, 2000). The conservation of wetlands is fundamental to the sustainable management of water quality and quantity, and wetland rehabilitation is therefore essential to conserving water resources in South Africa.

The guiding principles of the National Water Act, No. 36 of 1998, recognise the need to protect water resources. In responding to the challenge of stemming the loss of wetlands and maintaining and enhancing the benefits they provide, government has recognised that, in order to be truly effective, strategies for wetland conservation need to include a combination of proactive measures for maintaining healthy wetlands, together with interventions for rehabilitating those that have been degraded. These objectives are currently being expressed in a coordinated and innovative way through the WfWetlands Programme.

Working for Wetlands pursues its mandate of wetland protection, wise use and rehabilitation in a manner that maximises employment creation, supports small emerging businesses, and transfers skills amongst vulnerable and marginalised groups. In the 13 years since 2004, the WfWetlands Programme has invested just under R1 billion in wetland rehabilitation and has been involved in over 1,300 wetlands, thereby improving or securing the health of over 70 000 hectares of wetland environment. The WfWetlands Programme has a current budget of just over R 130 million, of which approximately 35% is allocated directly to paying wages. Being part of the EPWP, the WfWetlands Programme has created more than 27 000 jobs and over 3 million person-days of paid work. The local teams are made up of a minimum of 55% women, 55% youth and 2% disabled persons.

Wetlands are not easy ecosystems to map at a broad scale as they are numerous, often small and difficult to recognise and delineate on remotely sensed imagery such as satellite photos. The WfWetlands Programme houses the National Wetlands Inventory Project (NWI) which aims to provide clarity on the extent, distribution and condition of South Africa's wetlands. The project clarifies how many and which rivers and wetlands have to be maintained in a natural condition to sustain economic and social development, while still conserving South Africa's freshwater biodiversity.

The National Freshwater Ecosystem Priority Areas (NFEPA) has used the NWI data to produce the most comprehensive national wetland map to date, called the NFEPA Atlas. This atlas enables the planning of wetland rehabilitation on a catchment scale.

Other activities that form part of the WfWetlands Programme include:

- Raising awareness of wetlands among workers, landowners and the general public; and
- Providing adult basic education and training, and technical skills transfer (in line with the emphasis of the EPWP on training, the WfWetlands Programme has provided 250,000 days of training in vocation and life skills).

5. Rehabilitation interventions

The successful rehabilitation of a wetland requires that the cause of damage or degradation is addressed, and that the natural flow patterns of the wetland system are re-established (flow is encouraged to disperse rather than to concentrate). Approximately 800 interventions are implemented every year in the WfWetlands Programme. The key purposes of implementing interventions include:

- Restoration of hydrological integrity (e.g. raising the general water table or redistributing the water across the wetland area);
- Recreation of wetland habitat towards the conservation of biodiversity; and
- Job creation and social upliftment.

Typical activities undertaken within the projects include:

- Plugging artificial drainage channels created by development or historical agricultural practices to drain wetland areas for other land use purposes;

- Constructing structures (gabions, berms, weirs) to divert or redistribute water to more natural flow paths, or to prevent erosion by unnatural flow rates that have resulted from unsustainable land use practices or development; and
- Removing invasive alien or undesirable plant species from wetlands and their immediate catchments (in conjunction with the Working for Water initiative).

Methods of wetland rehabilitation may include hard engineering interventions such as:

- Earth berms or gabion systems to block artificial channels that drain water from or divert polluted water to the wetland;
- Concrete and gabion weirs to act as settling ponds, to reduce flow velocity or to re-disperse water across former wetland areas thereby re-establishing natural flow paths;
- Earth or gabion structure plugs to raise channel floors and reduce water velocity;
- Concrete or gabion structures to stabilise head-cut or other erosion and prevent gullies;
- Concrete and/or reno mattress strips as road crossings to address channels and erosion in wetlands from vehicles; and
- Gabion structures (mattresses, blankets or baskets) to provide a platform for the growth of desired wetland vegetation.

Soft engineering interventions also offer successful rehabilitation methods, and the following are often used together with the hard engineering interventions:

- The use of biodegradable or natural soil retention systems such as eco-logs, Macmat-R plant plugs, grass or hay bales, and brush-packing techniques;
- The re-vegetation of stabilised areas with appropriate wetland and riparian plant species;
- Alien invasive plant clearing, which is an important part of wetland rehabilitation (this is supported by the Working for Water Programme).
- The fencing off of sensitive areas within the wetland to keep grazers out and to allow for the re-establishment of vegetation;
- In some instances, the use of appropriate fire management and burning regimes. The removal of undesirable plant and animal species; and
- In some wetlands, it may be possible to involve the community to develop a management plan for wise use within a wetland. This can involve capacity building through educating and training the community members who would monitor the progress. A plan could involve measures such as rotational grazing with long term benefits for rangeland quality.

6. Programme, projects and phases

In order to manage the **WfWetlands Programme**, wetlands have been grouped into “projects”, and each **Wetland Project** encompasses several smaller wetland systems which are each divided into smaller, more manageable and homogenous wetland units. A Wetland Project may be located within one or more quaternary catchments within a Province. The WfWetlands Programme is currently managing 37 Wetland Projects countrywide, and rehabilitation activities range from stabilising degradation to the more ambitious restoration of wetlands to their original conditions.

Each Wetland Project is managed in three phases (as shown in the flow diagram in **Plate C**) over a two-year cycle. The first two phases straddle the first year of the cycle and involve planning, identification, design and authorisation of interventions. The third phase is implementation, which takes place during the second year.

In order to undertake these three phases, a collaborative team has been established as follows. The **Programme Team** currently comprises two subdirectories: a) Implementation and After Care and b) Planning, Monitoring and Evaluation. The Assistant Directors for Wetlands Programmes (ASDs)¹ report to the Implementation and After Care Deputy Director and are responsible for the identification and implementation of projects in their regions. The Programme Team is further supported by a small team that fulfil various roles such as Geographical Information Systems (GIS) and training. Independent Design Engineers and Environmental Assessment Practitioners (EAPs) are appointed to undertake the

¹ Previously referred to as Provincial Coordinators (PCs).

planning, design and authorisation components of the project. The project team is assisted by a number of wetland specialists who provide scientific insight into the operation of wetlands and bring expert and often local knowledge to the project teams. They are also assisted by the landowners and implementers who have valuable local knowledge of these wetlands.

The first phase is the identification of suitable wetlands which require intervention. The purpose of Phase 1 and the associated reporting is to identify:

- Priority catchments and associated wetlands/ sites within which rehabilitation work needs to be undertaken; and
- Key stakeholders who will provide meaningful input into the planning phases and wetland selection processes, and who will review and comment on the rehabilitation proposals.

Phase 1 commences with a catchment and wetland prioritisation process for every province. The Wetland Specialist responsible for a particular province undertakes a desktop study to determine the most suitable wetlands for the WfWetlands rehabilitation efforts. The involvement of Provincial Wetland Forums and other key stakeholders is a critical component of the wetland identification processes since these stakeholders are representative of diverse groups with shared interests (e.g. from government institutions to amateur ecological enthusiasts). This phase also involves initial communication with local land-owners and other Interested and Affected Parties (I&APs) to gauge the social benefits of the work. Aerial surveys of the areas in question may be undertaken, as well as limited fieldwork investigations or site visits to confirm the inclusion of certain wetland projects or units. Once wetlands have been prioritised and agreed on by the various parties, specific rehabilitation objectives are determined for each wetland following a rapid wetland assessment undertaken by the Wetland Specialist.

Phase 2 requires site visits attended by the fieldwork team comprising a Wetland Specialist, a Design Engineer, an EAP, and an ASD. Other interested stakeholders or authorities, landowners and in some instances the Implementing Agents (IAs) may also attend the site visits. This allows for a highly collaborative approach, as options are discussed by experts from different scientific disciplines, as well as local inhabitants with deep anecdotal knowledge. While on site, rehabilitation opportunities are investigated. The details of the proposed interventions are discussed, some survey work is undertaken by the engineers, and Global Positioning System (GPS) coordinates and digital photographs are taken for record purposes. Furthermore, appropriate dimensions of the locations are recorded in order to design and calculate quantities for the interventions. At the end of the site visit the rehabilitation objectives together with the location layout of the proposed interventions are agreed upon by the project team.

During Phase 2, monitoring systems are put in place to support the continuous evaluation of the interventions. The systems monitor both the environmental and social benefits of the interventions. As part of the Phase 2 site visit, a maintenance inventory of any existing interventions that are damaged and/or failing and thus requiring maintenance is compiled by the ASD, in consultation with the Design Engineer.

Based on certain criteria and data measurements (water volumes, flow rates, and soil types); the availability of materials such as rock; labour intensive targets; maintenance requirements etc., the interventions are then designed. Bills of quantity are calculated for the designs and cost estimates made. Maintenance requirements for existing interventions in the assessed wetlands are similarly detailed and the costs calculated. The Design Engineer also reviews and, if necessary, adjusts any previously planned interventions that are included into the historical Rehabilitation Plans.

Phase 2 also comprises a reporting component where Rehabilitation Plans are prepared for each Wetland Project. The Rehabilitation Plans include details of each intervention to be implemented, preliminary construction drawings and all necessary documentation required by applicable legislation. The Rehabilitation Plans are reviewed by various government departments, stakeholders and the general public before a specific subset of interventions are selected for implementation.

Landowner consent is an important component of each phase in each Wetland Project. The flow diagram, **Plate C**, demonstrates the point at which various consent forms must be approved via signature from the directly affected landowner. The ASDs are responsible for undertaking the necessary landowner engagement and for ensuring that the requisite landowner consent forms required as part of Phase 1 and 2 of this project are signed.

These include:

- WW(0): Standard operating procedure,
- WW(1): Wetland survey and Inspection consent,
- WW(2): Terms and Conditions for carrying out wetland rehabilitation,
- WW(3): Wetland Rehabilitation Activities Consent,
- WW(4): Property Inspection Prior to Wetland Rehabilitation, and
- WW(5): Notification of Completion of Rehabilitation.

Without these signed consent forms the WfWetlands Programme will not be able to implement rehabilitation interventions on the affected property.

Phase 3 requires that certain Environmental Authorisations are obtained before work can commence in the wetlands (please see subsequent sections of this document for detail on Environmental Authorisations). Upon approval of the wetland Rehabilitation Plans by DEA, the work detailed for the project will be implemented within a year with on-going monitoring being undertaken thereafter. The Rehabilitation Plans are considered to be the primary working document for the implementation of the project via the construction/ undertaking of interventions² listed in the Plan.

It is typically at this point in the process when the final construction drawings are issued to the IAs. IAs are currently employed in the WfWetlands Programme and are responsible for employing contractors and their teams (workers) to construct the interventions detailed in each of the Rehabilitation Plans. For all interventions that are based on engineering designs (typically hard engineered interventions), the Design Engineer is required to visit the site before construction commences to ensure that the original design is still appropriate in the dynamic and ever-changing wetland system. The Design Engineer will assist the IAs in pegging and setting-out interventions. The setting-out activities often coincide with the Phase 1 activities for the next planning cycle. Phase 3 concludes with the construction of the interventions, but there is an on-going monitoring and auditing process that ensures the quality of interventions, the rectification of any problems, and the feedback to the design team regarding lessons learnt.

² This could include soft options such as alien clearing or eco-logs, as well as hard structures for example weirs.

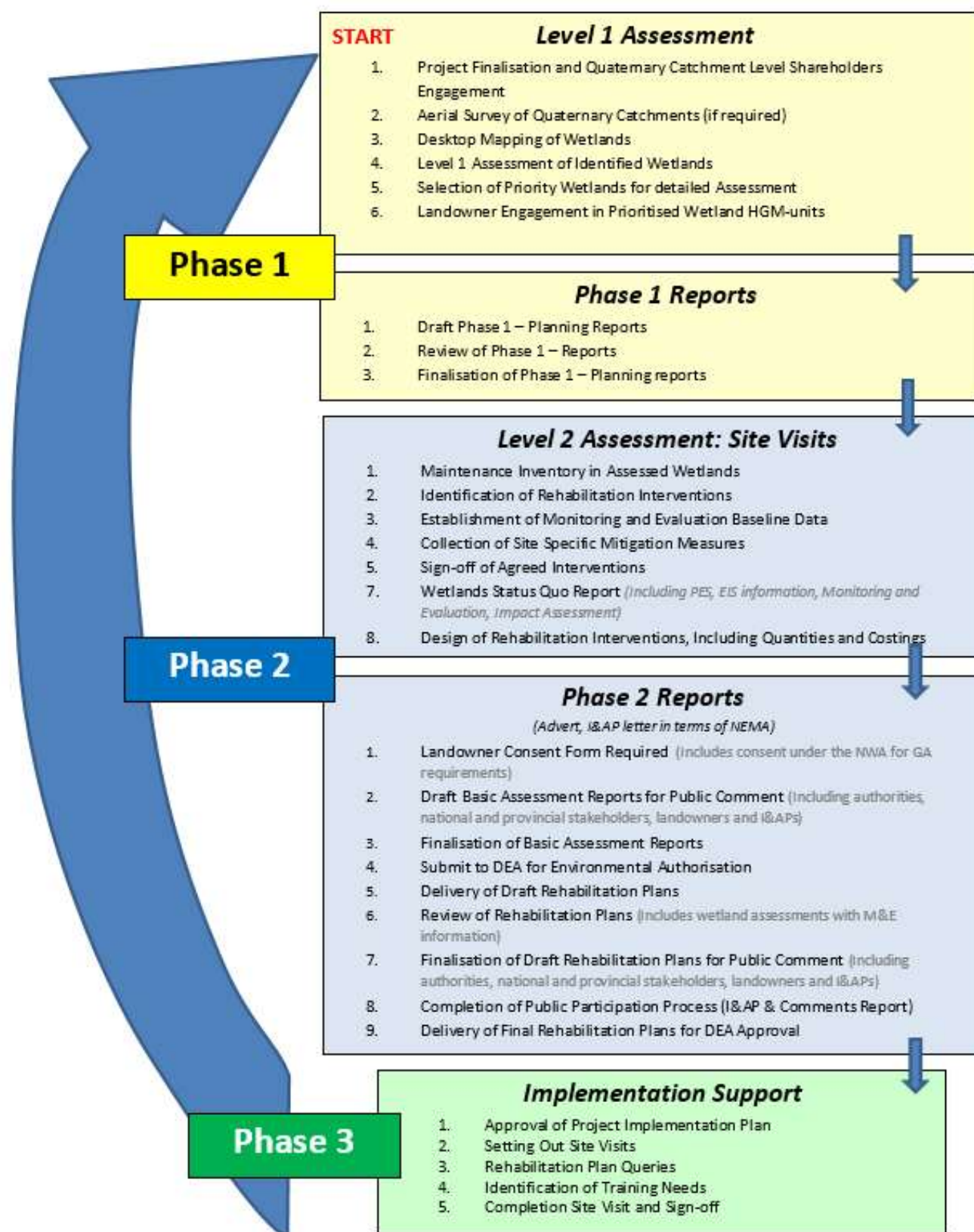


Plate C: The Working for Wetlands planning process (Phase 1 to Phase 3)

Rehabilitation work within floodplain systems

Based on lessons learnt and project team discussions held during the National Prioritisation workshop in November 2010 the WfWetlands Programme took an in-principle decision regarding work within floodplain systems.

Recognising the ecosystem services provided by floodplain wetlands and the extent to which they have been transformed, WfWetlands do not intend to stop undertaking rehabilitation work in floodplains entirely. Instead, WfWetlands propose to adopt an approach to the rehabilitation of floodplain areas that takes into account the following guiding principles:

- a) As a general rule, avoid constructing hard interventions within an active floodplain channel; and rather
- b) Explore rehabilitation opportunities on the floodplain surface using smaller (possibly more) softer engineering options outside of the main channel.

When rehabilitation within a floodplain setting is being contemplated, it will be necessary to allocate additional planning resources, including the necessary specialist expertise towards ensuring an adequate understanding of the system and appropriate design of the interventions.

7. Environmental legislation

One of the core purposes of the WfWetlands Programme is the preservation of South Africa's valuable wetland systems through rehabilitation and restoration.

South Africa has rigorous and comprehensive environmental legislation aimed at preventing degradation of the environment, including damage to wetland systems. The following legislation is of relevance:

- The National Environmental Management Act, No. 107 of 1998 (NEMA), as amended
- The National Water Act, No.36 of 1998 (NWA)
- The National Heritage Resources Act, No. 25 of 1999 (NHRA)

Development proposals within or near any wetland system are subject to thorough bio-physical and socio-economic assessment as mandatory processes of related legislation. These processes are required to prevent degradation of the environment and to ensure sustainable and environmentally conscientious development.

The WfWetlands Programme requires that both hard and soft interventions are implemented in the wetland system, and it is the activities associated with the construction of these interventions that triggers requirements for various authorisations, licenses or permits. However, it is important to note that the very objective of the WfWetlands Programme is to improve both environmental and social circumstances. The WfWetlands Programme gives effect to a range of policy objectives of environmental legislation, and also honours South Africa's commitments under several international agreements, especially the Ramsar Convention on Wetlands.

Memorandum of Understanding for Working for Wetlands Programme

A Memorandum of Understanding (MoU) has been entered into between DEA, DAFF and DWS for the WfWetlands Programme. Through co-operative governance and partnerships, this MoU aims to streamline the authorisation processes required by the National Environmental Management Act (Act 107 of 1998), the National Water Act (Act 36 of 1998), and the National Heritage Resources Act (Act 25 of 1999) to facilitate efficient processing of applications for authorisation of wetland rehabilitation activities.

Table A: List of applicable legislation

Title of legislation, policy or guideline	Administering authority	Date
The Constitution of South Africa, Act No.108 of 1996	National Government	1996
National Environmental Management Act, No.107 of 1998	Department of Environmental Affairs	1998
The National Water Act, No. 36 of 1998	Department of Water and Sanitation	1998
Conservation of Agricultural Resources Act, No. 43 of 1983	Department of Agriculture, Forestry & Fisheries	1983
National Heritage Resources Act, No. 25 of 1999	National Heritage Resources Agency	1999
World Heritage Conventions Act, No. 49 of 1999	Department of Environmental Affairs	1999
The National Environmental Management: Biodiversity Act, No. 10 of 2004	Department of Environmental Affairs	2004
National Environmental Management: Protected Areas Act, No. 57 of 2003	Department of Environmental Affairs	2003
The Mountain Catchments Areas Act, No. 63 of 1970	Department of Water and Sanitation	1970
EIA Guideline Series, in particular: <ul style="list-style-type: none"> Guideline 5 – Companion to the NEMA EIA Regulations, 2010 (DEA, October 2012) Guideline 7 – Public Participation in the EIA process, 2012 (DEA, October 2012) Guideline 9 - Guideline on Need and Desirability, 2010 (DEA, October 2014) DEA&DP. 2013. Guideline on Public Participation (DEA&DP, March 2013). DEA&DP. 2013. Guideline on Alternatives (DEA&DP, March 2013). 	Department of Environmental Affairs	2012 - 2014
International Conventions, in particular: <ul style="list-style-type: none"> The Ramsar Convention Convention on Biological Diversity United Nations Conventions to Combat Desertification New Partnership for Africa's Development (NEPAD) The World Summit on Sustainable Development (WSSD) 	International Conventions	N/A

Of particular relevance in **Table A** is the following legislation and the WfWetlands Programme has put systems in place to achieve compliance:

- The National Environmental Management Act, No. 107 of 1998 (NEMA), as amended
 - In terms of the 2014 Environmental Impact Assessment Regulations pursuant to the NEMA, certain activities that may have a detrimental impact on the environment (termed Listed Activities) require an Environmental Authorisation (EA) from the DEA. The implementation of interventions will trigger NEMA Listing Notices 1 and 3 (G.N. R983 and G.N R985 as amended by R327 and R324 respectively). In order to meet the requirements of these Regulations, it is necessary to undertake a Basic Assessment (BA) Process and apply for an EA. This was previously undertaken on an annual basis per Province for each individual wetland unit. However as of 2014, applications were submitted (per Province) for wetland systems, allowing WfWetlands to undertake planning in subsequent years within these wetlands without having to undertake a BA process. The rehabilitation plans still however require approval from the competent authority (i.e. DEA).
 - **Basic Assessment Reports (BARs)** will be prepared for each Province where work is proposed by the WfWetlands Programme. These BARs will present all Wetland Projects that are proposed in a particular province, together with information regarding the quaternary catchments and the wetlands that have been prioritised for the next few planning cycles (anywhere from one to three planning cycles depending

on the information gained through the Catchment Prioritisation Process). The EA's will be inclusive of all Listed Activities that may be triggered and will essentially authorise any typical wetland rehabilitation activities required during the WfWetlands Programme implementation phase. Note that certain Listed Activities have been excluded from the Basic Assessment as they fall under the ambit of a 'maintenance management plan' in the form of the Rehabilitation Plan for each project and are therefore subject to exclusion. The impacts thereof have however been considered within the respective Rehabilitation Plans.

- A condition of the EAs is that **Rehabilitation Plans** will be prepared every year after sufficient field work has been undertaken in the wetlands that have an EA. These Rehabilitation Plans will be made available to registered Interested and Affected Parties (I&APs) before being submitted to DEA for approval. The Rehabilitation Plans will describe the combination and number of interventions selected to meet the rehabilitation objectives for each Wetland Project, as well as an indication of the approximate location and approximate dimensions (including footprint) of each intervention.
- The National Water Act, No.36 of 1998 (NWA)
 - In terms of Section 39 of the NWA, a General authorisation³ (GA) has been granted for certain activities that are listed under the NWA that usually require a Water Use License; as long as these activities are undertaken for wetland rehabilitation. These activities include '*impeding or diverting the flow of water in a watercourse*⁴' and '*altering the bed, banks, course or characteristics of a watercourse*⁵' where they are specifically undertaken for the purposes of rehabilitating⁶ a wetland for conservation purposes. The WfWetlands Programme is required to register the 'water use' in terms of the GA.
- The National Heritage Resources Act, No. 25 of 1999 (NHRA)
 - In terms of Section 38 of the NHRA; any person who intends to undertake a development as categorised in the NHRA must at the very earliest stages of initiating the development notify the responsible heritage resources authority, namely the South African Heritage Resources Agency (SAHRA) or the relevant provincial heritage agency. These agencies would in turn indicate whether or not a full Heritage Impact Assessment (HIA) would need to be undertaken. Should a permit be required for the damaging or removal of specific heritage resources, a separate application will be submitted to SAHRA or the relevant provincial heritage agency for the approval of such an activity. WfWetlands has engaged with SAHRA regarding the wetland planning process and has committed to achieving full compliance with the heritage act over the next few years.

³Government Notice No. 1198, 18 December 2009

⁴Section 21(c) of the NWA, No. 36 of 1998

⁵Section 21(i) of the NWA, No. 36 of 1998

⁶Defined in the NWA as "*the process of reinstating natural ecological driving forces within part of the whole of a degraded watercourse to recover former or desired ecosystem structure, function, biotic composition and associated ecosystem services*".

Appendix B2

LANDOWNER AGREEMENTS



Working for Wetlands Programme

Wetlands Rehabilitation Activities Consent

Property Details

Property Type:	Provincial Nature Reserve
Registration Division:	
Farm Number:	
Portion Number:	
Farm Name:	Sterkfontein Dam Nature Reserve
Surveyor-General Key:	
Province:	Free State
Unique Wetland Number:	C81D / C81E

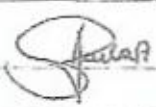
Owner Details

Owner Name: (Full Names/Full Registered Name)	FS Provincial Government (DESTEa) - J.J. Joubert (Manager)				
Person Type:	<input checked="" type="checkbox"/> Company	<input type="checkbox"/> Close corporation	<input type="checkbox"/> Trust	<input type="checkbox"/> Natural person	
Registration/Identity Number:	(Where applicable. For a trust, attach a copy of the latest letters of trusteeship issued by the Master of the High Court.)				
Owner's chosen address for delivery of notices and documents:	Postal Address : PO Box 758 Harrismith 9880		Physical Address : Sterkfontein Dam Nature Reserve Harrismith 9880		
	Telephone Number: 056 622 3520 079 464 2008		Email Address: joubertji@destea.fs.gov.za		

Project Name:

Maluti a Phofung (CWR)

I/We hereby consent to the Working for Wetlands Programme and its appointed implementers undertaking the wetland rehabilitation activities listed in annexure "WFW 003A" attached hereto, for the project referred to above, subject to my/our approval of the relative Wetland Rehabilitation Plan, on the property described above of which I am the owner.

Name	J.J. Joubert	Position	Reserve Manager
Signature		Date	2017-11-09

Please fax or post this form to:

With a copy to:

The Planning, Monitoring and Evaluation Manager
Working for Wetlands Programme,
Private Bag X101, PRETORIA, 0001
Telefax (012) 8435165

Wetland rehabilitation activities to be carried out in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA)

[Note: To be added to/amended as appropriate]

Please note: The description of the project activities may not all occur, however they do provide some context for the possible interventions that may be implemented on your land.

Listed activity as described in GN 983, 984 & 985

GN 983: Activity 12: The development of-

- i. canals exceeding 100 square metres in size;
- ii. channels exceeding 100 square metres in size;
- iii. bridges exceeding 100 square metres in size;
- iv. dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size;
- v. weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres in size;
- vi. bulk storm water outlet structures exceeding 100 square metres in size;
- vii. marinas exceeding 100 square metres in size; (
- viii. jetties exceeding 100 square metres in size;
- ix. slipways exceeding 100 square metres in size;
- x. buildings exceeding 100 square metres in size;
- xi. boardwalks exceeding 100 square metres in size; or
- xii. infrastructure or structures with a physical footprint of 100 square metres or more;

where such development occurs-

- a. **within a watercourse;**
- b. in front of a development setback; or
- c. if no development setback exists, **within 32 metres of a watercourse**, measured from the edge of a watercourse.

GN R983: Activity 19: The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from –

- i. a watercourse;
- ii. the seashore; or
- iii. the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater –

but **excluding where such infilling, depositing, dredging, excavation, removal or moving –**

- a. will occur behind a development setback;
- b. **is for maintenance purposes undertaken in accordance with a maintenance management plan; or falls within the ambit of activity 21 in this Notice, in which that activity applies.**

GN R983: Activity 27: 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.**

GN 983: Activity 48: The expansion of -

v. weirs, where the weir, including infrastructure and water surface area, is expanded by 100 square metres or more in size; where such expansion or expansion and related operation occurs-

- a. within a watercourse;
- b. in front of a development setback; or
- c. if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.

GN 983: Activity 49: The expansion of -

- iv. boardwalks by more than 100 square metres; or
- v. infrastructure or structures where the physical footprint is expanded by 100 square metres or more;

where such expansion or expansion and related operation occurs-

- a. **within a watercourse;**
- b. in front of a development setback; or
- c. if no development setback exists, **within 32 metres of a watercourse**, measured from the edge of a watercourse;

GN R984: Activity 24: The extraction or removal of peat or peat soils, including the disturbance of vegetation or soils in anticipation of the extraction or removal of peat or peat soils, but **excluding where such extraction or removal is for the rehabilitation of wetlands in accordance with a maintenance management plan.**

GN R985: Activity 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.**

a. In...Free State province:

- i. 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;
- ii. Within critical biodiversity areas identified in bioregional plans;
- iii. Within the littoral active zone of 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distances is the greater, excluding where such removal will occur behind the development setback line or erven in urban areas; or
- iv. On land, where at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.

GN 985: Activity 14 (a): The development of-

- i. canals exceeding 10 square metres in size;
- ii. channels exceeding 10 square metres in size;
- iii. bridges exceeding 10 square metres in size;
- v. weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size;
- ix. slipways exceeding 10 square metres in size;
- x. buildings exceeding 10 square metres in size;
- xi. boardwalks exceeding 10 square metres in size; or
- xii. infrastructure or structures with a physical footprint of 10 square metres or more;

where such development occurs -

- a. within a watercourse; or within 1 kilometre from the high-water mark of

- b. in front of a development setback; or
- c. if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;

(a) In Free State:

- i. In an estuary; ;
- ii. Outside urban areas, in:
 - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
 - (bb) National Protected Area Expansion Strategy Focus areas;
 - (cc) World Heritage Sites;
 - (dd) Sensitive areas as identified in an environmental management framework as contemplated in Chapter 5 of the Act and as adopted by the competent authority;
 - (ee) Sites or areas listed in terms of an International Convention;
 - (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;
 - (gg) Core areas in biosphere reserves; or
 - (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or
- (ii) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or
- iii. In urban areas:
 - (aa) Areas zoned for use as public open space;
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or
 - (cc) Areas seawards of the development setback line.

GN 985: Activity 23 (b): The expansion of-

- v. weirs where the weir is expanded by 10 square meters or more in size;
- x. buildings where the building is expanded by 10 square metres or more in
- xi. boardwalks where the boardwalk is expanded by 10 square metres or more in size; or
- xii. infrastructure or structures where the physical footprint is expanded by 10 square metres or more;

where such development occurs

- a. within a watercourse;
- b. in front of a development setback adopted in the prescribed manner; or
- c. if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;

(a) In Free State:

- i. In an estuary;
- ii. Outside urban areas, in:
 - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
 - (bb) National Protected Area Expansion Strategy Focus areas;
 - (cc) Sensitive areas as identified in an environmental management framework as contemplated in Chapter 5 of the Act and as adopted by the competent authority;
 - (dd) Sites or areas listed in terms of an International Convention;

- (ee) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*
- (ff) Core areas in biosphere reserves; or*
- (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or*
- (hh) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or*
- iii. In urban areas:*
 - (aa) Areas zoned for use as public open space;*
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.*

Appendix B3

WRITTEN NOTIFICATION



11 February 2019

Dear Sir / Madam,

**WORKING FOR WETLANDS REHABILITATION PROJECT
PUBLIC PARTICIPATION PROCESS:
AVAILABILITY OF BASIC ASSESSMENT REPORTS FOR PUBLIC COMMENT**

This letter is available in any of the official languages on written request.

This letter serves to inform you of the Working for Wetlands Programme's (WfWetlands) proposal to rehabilitate a number of wetlands in South Africa. We would also like to notify you of your opportunity to comment on the Basic Assessment Reports (BARs) in terms of the regulations pursuant to the National Environmental Management Act, No. 107 of 1998 (as amended) (NEMA).

1. BACKGROUND INFORMATION

WfWetlands is a government programme managed by the Natural Resource Management (NRM) directorate of the Department of Environmental Affairs (DEA), and is a joint initiative with the Department of Water and Sanitation (DWS) and the Department of Agriculture, Fisheries and Forestry (DAFF). The programme is mandated to rehabilitate damaged wetlands and to protect pristine wetlands throughout South Africa. Emphasis is placed on complying with the principles of the Expanded Public Works Programme (EPWP) which seeks to draw significant numbers of unemployed people into the productive sector of the economy, gaining skills while they work and increase their ability to earn an income.

The Aurecon team comprises Design Engineers and Environmental Assessment Practitioners (EAPs) who undertake the planning, design and authorisation components of the project. The Aurecon Team, in partnership with GroundTruth, is assisted by an external team of Wetland Specialists who provide scientific insight into the operation of wetlands and bring expert and often local knowledge of the wetlands. The project team is also complimented by the Assistant Director for Wetlands Programmes (ASDs) who are each responsible for provincial planning and implementation.

2. THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, NO. 107 OF 1998 (AS AMENDED) (NEMA)

2.1 BASIC ASSESSMENT

In terms of the environmental principles of NEMA certain activities that may have a detrimental impact on the environment (termed Listed Activities) require Environmental Authorisation (EA) from DEA. Many of the Activities associated with the rehabilitation of the wetlands are listed Activities in terms of Government Notice Regulation (GN R 983 Listing Notice 1, Listing Notice 2 GN 984 and GN 985 Listing Notice 3 of NEMA:

- Listing Notice 1: Activities 12, 19, 27 and 48
- Listing Notice 2: Activity 24
- Listing Notice 3: Activities 12, 14 and 23

In terms of GN R982, activities identified in Listing Notices 1 and 3 require a Basic Assessment (BA) process to be undertaken during which potential biophysical and socio-economic impacts are identified and assessed. Aurecon has undertaken this process on behalf of WfWetlands, and separate BA applications for each province will be submitted to the DEA for consideration. Please note that a BA process is being undertaken for the following provinces:

Province	Project	Nearest Town(s):
Eastern Cape	Amathole, Kromme and Tsitsikamma	Seymour, Kareedouw and Humansdorp
Free State	Maluti	Harrismith and Phuthaditjhaba
Gauteng	Gauteng North	Pretoria
KwaZulu-Natal	iSimangaliso	St Lucia
Limpopo	Soutini-Baleni	Giyani
North West	Madikwe National Park and Molopo	Zeerust and Mahikeng

Provincial level Basic Assessment Reports (BARs) were compiled for each province and describe the wetland systems that were identified as priorities for this planning cycle, together with the baseline information on the quaternary catchment. Please note that a BA process is being undertaken in six (6) provinces, i.e. Eastern Cape, Free State, Gauteng, Kwa-Zulu Natal, Limpopo and North West. The rehabilitation plans for these provinces will be made available for public comment in March 2019 to all registered I&APs for a 30-day comment period. Registered I&APs will be informed of the availability of the rehabilitation plans and commencement of the commenting period via email or mail.

Note: A condition of the EAs will be that annual Rehabilitation Plans must be submitted to DEA for approval after sufficient field work has been undertaken for the authorised Wetland Projects. These Rehabilitation Plans include specialist reports prepared by the Wetland Specialist (which provide a site description, detailed baseline information, and the wetland context within the greater catchment). The Rehabilitation Plans also include the proposed interventions, objectives, their design details and specification, and proposed locations.

3. THE NATIONAL WATER ACT, NO.36 OF 1998 (NWA)

Activities associated with the rehabilitation of wetlands may constitute “water use” in terms of the NWA and may therefore require general authorisation or licenses from DWS. In general, a water use must be licensed unless:

- a) It is listed in Schedule one (1) of the NWA,
- b) It is existing lawful use,
- c) It is permissible under a General Authorisation (GA), and
- d) If a responsibility authority waives the need for a license.

In terms of Section 39 of the NWA, a GA has been granted for certain activities that are listed that usually require a Water Use License. Such a GA (i.e. GN R1198 of 18 December 2009) exists for wetland rehabilitation as long as the activities are for conservation purposes. As some of the rehabilitation activities entail ‘impeding or diverting the flow of water in a watercourse’ and/ or ‘altering the bed, banks, course or characteristics of a watercourse’, a number of GAs for water uses will be registered with the DWS for structures that would ordinarily require a Water Use License.

4. OPPORTUNITY TO PARTICIPATE

Public Participation procedures are specified as a minimum requirement of the BA Process and must ensure that all Interested and Affected Parties (I&APs) (including State Departments) have an opportunity to participate. The requisite PPP (in terms of Section 41 of GN R982) has commenced and to date included the publication of national advertisements in *Die Rapport* and *Sunday Times* on **3 February 2019** and the placement of site notices at the relevant wetland site boundaries and Public Areas (such as libraries or Municipal buildings). The BARs will be available for a 30-day comment period from **11 February to 14 March 2019**. The Basic Assessment Reports are also available for download from the Aurecon Website:

- <http://aurecongroup.com/en/public-participation.aspx>;

Please be aware that you will be required to register on the website and then again on the project to access the documents from the Aurecon website. Should you have any trouble accessing the documents, please do not hesitate to contact Mr Simamkele Ntsengwane (details below).

I&APs have until **14 March 2019** to submit their comments on the BARs to the EAPs listed below. Please include your name, contact details and an indication of any direct business, financial, personal or other interest that you may have in the applications in your submission, as well as the applicable province.

Contact Person:	Mr Simamkele Ntsengwane	Miss Franci Gresse
Tel:	(021) 526 9560	(021) 526 6022
Email:	Simamkele.Ntsengwane@aurecongroup.com	Franci.Gresse@aurecongroup.com
Fax:	(021) 526 9500	
Mail:	PO Box 494, Cape Town, 8000	

5. WAY FORWARD

Following the 30-day public comment period, the BARs will be updated by incorporating any I&AP comments received on the reports (where relevant). All comments will be recorded and responded to in a Comments and Response Report which will be circulated to all who have provided comment. The updated BARs will then be submitted to DEA for their decision. Once DEA has made their decision on the proposed projects, all registered I&APs will be notified of the outcome of the decision within fourteen (14) calendar days of the decision and the right to appeal.

Yours sincerely
AURECON



CLAIRE BLANCHÉ MEnvDev, BSc (Hons)
Manager
Environment and Planning

Appendix B4

PROOF OF MAILING

Proof of mailing will be included with the Final Basic Assessment Report submitted to the Department of Environmental Affairs.

Appendix B5

COMMENTS AND RESPONSES

Any comments received and responses sent during the 30-day public comment period will be included with the Final Basic Assessment Report submitted to the Department of Environmental Affairs.