

# **APPENDIX B**

## **PUBLIC PARTICIPATION**

**Appendix B1: DEA Meeting Minutes**

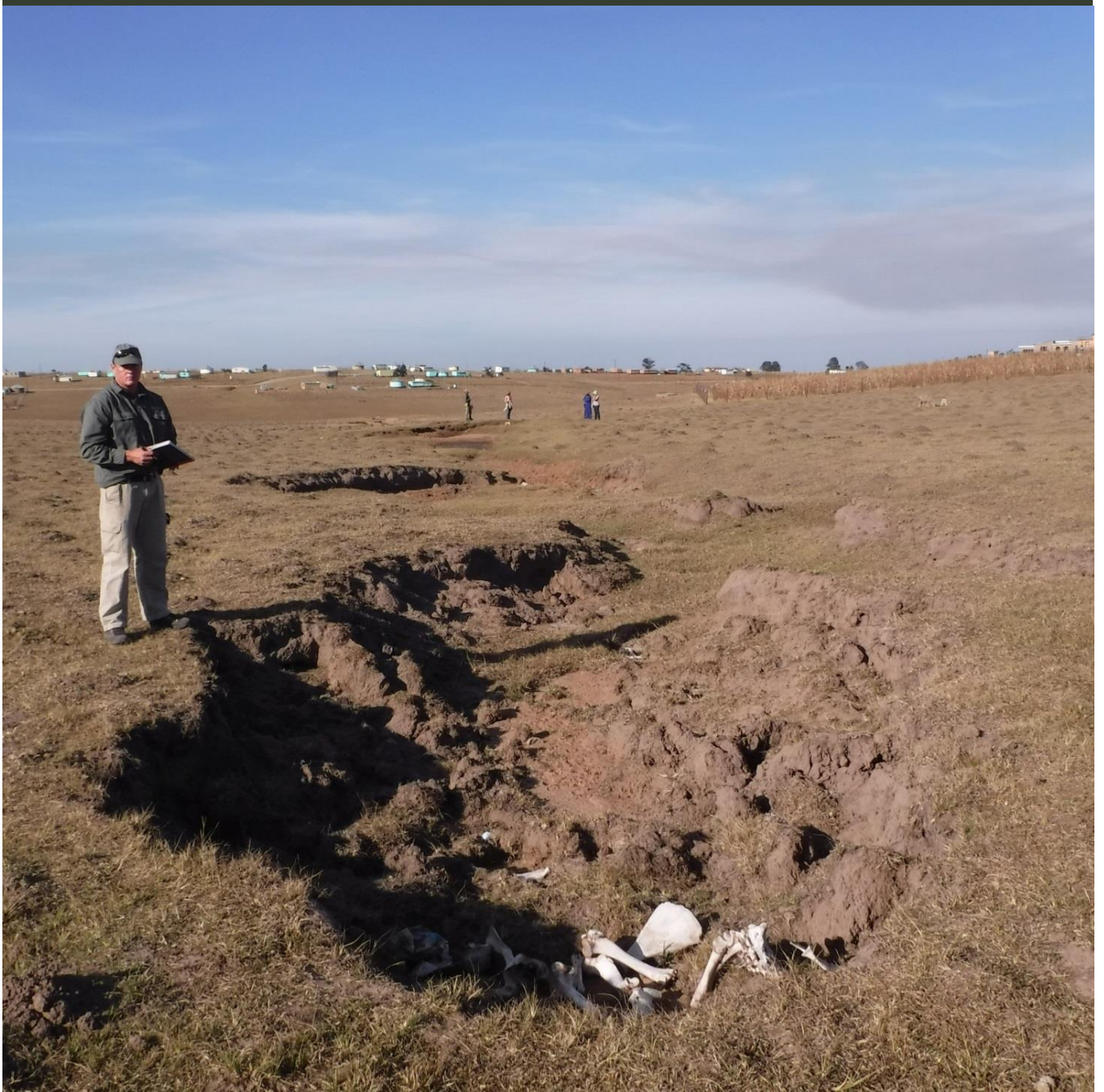
**Appendix B2: Landowner Agreements**

**Appendix B3: Written Notification**

**Appendix B4: Proof of mailing**

**Appendix B5: Comments and Responses**

# Working for Wetlands: Limpopo Public Participation Report



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## 1 INTRODUCTION

The proposed interventions for wetland rehabilitation require the Working for Wetlands 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 Cape<sup>1</sup> 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 10 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 has been described. Proof of advertisements and site notices are included in the report, and proof of delivery is attached as Appendix 4 to this PPR (i.e. Appendix B4).
- Section 4 The consultation that was undertaken during the BA phase has been described. Proof of notification 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. All original comments and responses will be attached in Appendix B5.
- Section 6 The way forward has been identified in this section.

## 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 Limpopo Province. Please note that contact details have been omitted for privacy reasons.

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

Table 1: I&amp;AP Database

Stakeholder	Contact			Organisation
State Authority - National	Mr	Mark	Anderson	BirdLife South Africa
	Ms	Mpume	Ntlokwana	Department of Agriculture Forestry & Fisheries (DAFF): Deputy Director
	Ms	Wilma	Lutsch	Department of Environmental Affairs (DEA): Biodiversity Conservation
	Mr	Danie	Smit	DEA: Sensitive Environments
	Dr	Guy	Preston	DEA: Natural Resource Management (NRM)
	Mr	Michael	Braack	DEA: NRM, Planning
	Mr	Christo	Marais	DEA: NRM
	Ms	Naomi	Fourie	Department of Water and Sanitation (DWS)
	Dr	Paul	Meulenbeld	DWS
	Dr	Wietshce	Roets	DWS: Instream Water Use
	Ms	Jackie	Jay	DWS: Integrated Planning Section
	Ms	Barbara	Weston	DWS: Surface Water Reserve Determinations
	Mr	Kelvin	Legge	DWS: Integrated Environmental Engineering
	Mr	Bonani	Madikizela	Water Research Commission: Research Manager
	Ms	Olga	Jacobs	SANParks: Biodiversity and Social Projects
	Ms	Hélette	Dunne	SANParks: Implementation Manager
	Mr	Steven	Segang	Endangered Wildlife Trust (EWT)
	Mr	Ahmed	Khan	DEA
	Mr	Louwrens	Ferreira	DEA
	Mr	Werner	Roux	DEA
	Ms	Kerryn	Morrison	EWT
	Ms	Tanya	Smith	EWT
	Ms	Morgan	Griffiths	Wildlife and Environmental Society of South Africa (WESSA)
	Mr	Umesh	Bahadur	DEA: Working for Wetlands
	Mr	Farai	Tererai	DEA: Working for Wetlands: Manager: Planning, Monitoring and Evaluation
	Dr	Piet-Louis	Grundling	DEA: Working for Wetlands: Manager: Implementation
	Mr	Seoka	Lekota	DEA: Biodiversity Conservation
	Mr	Dumisani	Mabona	DEA: Biodiversity Conservation
	Mr	Khosa	Tsunduka	DWS
	Mr	Malaudzi	Nkumbudzeni	DWS
Mr	Lumka	Kuse	DWS	
Mr	Xolani	Hadebe	Department of Water Affairs	

Stakeholder	Contact			Organisation
State-Authority-Provincial	Mr	Thingahangwi	Malotsha	Limpopo Department of Economic Development, Environment and Tourism (LEDET): Vhembe District, Thohoyandou service centre
	Mr	Anton	Van Wetten	LEDET: Head Office
	Mr	Chris S	Nghenabo	LEDET: Head Office
	Mr	Steven	Kgobalale	Department of Agriculture (DoA) - Limpopo (Sekhukhune District)
	Mr	Nimrod	Mathivha	DoA - Limpopo (Vhembe District)
	Mr	David	Nethengwe	Department of Water and Sanitation
	Mr	Foletgi	Mahlakoane	DAFF: Bela-Bela
	Mr	Solly	Kgopong	LEDET: MEC office
	Mr	Vusi E	Maluleke	LEDET: Head Office
	Mr	Sam H	Makhubele	LEDET: Head Office
	Mr	Meshack	Masindi	LEDET
Municipality	Mr	Bongani	Mtshali	Sekhukhune District Municipality
	Mr	Keamotseng Stanley	Ramaila	Sekhukhune District Municipality
	Ms	Mapule	Mokoko	Sekhukhune District Municipality
	Ms	Mahlatse	Kekana	Sekhukhune District Municipality
	Cllr	Maria	Manamela	Sekhukhune District Municipality
	Cllr	Tseke	Lepota	Sekhukhune District Municipality
	Mr	Erick	Moropa	Makhuduthamaga Local Municipality
	Ms	Mainah	Maitula Bahula	Makhuduthamaga Local Municipality
	Ms	Carol	Makola	Makhuduthamaga Local Municipality
	Mr	Bertha	Bapela	Makhuduthamaga Local Municipality
	Cllr	Tala	Mathope	Makhuduthamaga Local Municipality
	Cllr	Chego	David	Makhuduthamaga Local Municipality
	Cllr	Mathabathe	Dalamo	Makhuduthamaga Local Municipality
	Mr	Samuel	Mabotja	Waterberg District Municipality
	Ms	S M	Mataboge	Waterberg District Municipality
	Mr	Mike	Moatshe	Waterberg District Municipality
	Mr	Ombali Phineas	Sebola	Modimolle/ Mookgophong Local Municipality
	Ms	Marlene	Van Staden	Modimolle/Mookgophong Local Municipality
	Mr	NS	Bambo	Bela-Bela Local Municipality
	Cllr	Maureen	Malete	Bela-Bela Local Municipality
Mrs	J	Selapyane	Bela-Bela Local Municipality	

Stakeholder	Contact			Organisation
	Mr	C	Mapholi	Vhembe District Municipality
	Mr	Madi	Simon	Thulamela Local Municipality
	Cllr	Thoma	Tuaani	Thulamela Local Municipality
	Cllr	Tseke	Pandelane	Thulamela Local Municipality
	Mr	Robert	Mokgalabone	Limpopo Tribunal
	Cllr	M.J	Aphiri	Executive Council
	Cllr	R.R	Molapo	Executive Council
Landowner	Ms	Mmakatle	Masemola	Queen of Masemola Tribe
	Mr	Louw	du Toit	Nylsoog Wild en Eko Landgoed (Edms) Bpk
	Mr	Pierre	Joubert	Nylsoog Wild en Eko Landgoed (Edms) Bpk
General I&APs	Mrs	Kelly	Abram	Waterberg Biosphere
	Mr	Mick	Angliss	LEDET
	Mr	André	Beetge	WfWetlands
		J.A	Bierman	Marie Va le
	Mr	Michael	Breetzke	Southern Mapping
	Ms	Terry	Calmeyer	ILISO Consulting Environmental: Director (Certified EAP)
	Mr	Mahlomola Ernest	Daemane	South African National Parks (SANParks)
	Mr	Samuel	Davidson-Phillips	Welgevonden Game Reserve
	Mr	C. S.	Deetlefs	Smithvlei
	Ms	Natasha	Du Plessis	Nylsvley Nature Reserve
	Ms	Marion	Dunkeld-Mengell	Friends of Nylsvley
	Ms	Helette	Dunne	SANParks: BSP
	Mr	Martin	Engelbrecht	Mapungubwe Conservation Manager
	Prof	Paul	Fauche	University of Venda
	Ms	Navashni	Govender	SANParks
	Ms	Cathy	Greaver	SANParks
	Mr	Zebulon	Hlungwane	SANParks
	Mr	Steven	Khoza	SANParks
	Mr	Ernest	Lesoalo	University of Limpopo
	Ms	Ntombi	Majozi	
	Mr.	Jerome	Mandoma	Zwisimane
		Manoko	Masilo	LEDET
	Ms	Doris	Maumela	DWA Director: Institutional Establishment (Limpopo)

Stakeholder	Contact			Organisation
	Mr	Stephen	Midzi	SANParks
	Mr.	Zebulon	Modilkwe	Lepelle Northern Water Board
		Tumelo	Mokgotho	Marakele Project Manager
	Mr	Kesentseeng	Mosotho	Limpopo Department of Agriculture
	Ms	Nketso	Mphake	SANParks
		M.S.	Mugivhi	LEDET
	Mr	Daniel	Mundalamo	Mutale Community Representative
	Mr	Eric	Munzhedzi	Directorate: Operations Wetlands
	Mr	Hector	Muvhenzhe	SANParks: Field Assistant
	Ms	Anathi	Nabi	
	Mr	David	Neguyuni	Mutale Community Representative
	Mr	Mphadeni	Nthangeni	Marakele National Park
	Mr	Kenny	Phasha	Tsogang Water and Sanitation
	Ms	Winnie	Phuluwa	DWS
	Mr	Abel	Ramavhale	
	Mr	Marius	Renke	SANParks
	Mr	B	Schroder	Welgevonden Game Reserve
	Mr	Richard	Selemela	Department of Agriculture
	Mrs	Collin	Silima	WfWetlands
		C.J.	Smith	Roosvlei
	Mr	Marius	Snyders	Ripzone
	Mr	Nethengwe Nbitsheni	Seth	Traditional Council
		The Manager		Game Reserve
	King	Ronald	Makuya Lavhelesani Ntswetheni	Traditional Council
	Mr	Peter	Tsheola	LEDET
		M.S	Tshikundamalema	Tshikundamalema
	Mr	Kennedy	Tshivase	Senior Traditional Leader
	Mr	Eddie	Ubisi	SANParks
	Mrs	C	West	Elangeni Dooran Draai
	Mr	Nick	Zambatis	SANParks: Biodiversity Conservation
	Mr	Sello	Ledwaba	DEA: Sekhukhune District Offices
	Mr	Moses	Ratshivhadelo	Tswelopele Ya Rena Tra. Co.
	Ms	Lorraine	Maloma	Tswelopele Ya Rena Tra. Co.



Stakeholder	Contact		Organisation
		Pamole	Motshana
	Mr	Thuso	Maphuthu
	Mr	John	Wesson
			Wildlife and Environment Society of South Africa (WESSA)

### 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

A pre-application meeting was held between Aurecon, Working for Wetlands, and DEA on 30 October 2017 at Environment House. The meeting minutes are included in Appendix B1.

#### 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. Please note that one Landowner Agreement for Mutale is outstanding but will be included in the final BAR submitted to DEA for decision making.

#### 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* was published on 5 November 2017, and the advertisement in the *Sunday Times* was published on 12 November 2017.

The English text has been included below in Figure 1 to ensure the text is legible. Proof of the page on which the advertisement in *Die Rapport* was published, is included in Figure 2. Proof of the page on which the advertisement in the *Sunday Times* was published, is included in Figure 3. Please note that the original page size is A2, and the advertisement is therefore clearly legible.

## 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. Wetland rehabilitation involves the construction of a variety of interventions that could include, for example, 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:** Rehabilitation proposals trigger the requirement for 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 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 and 48 (Listing Notice 1) and GN R 985 (as amended): 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). Draft BA Reports for the seven affected provinces, and Rehabilitation Plans for each of the associated wetland projects, are available to Interested and Affected Parties (I&APs) for a public comment period of 30 days from **10 November – 12 December 2017**. 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	Gatberg, Qunu	Maclear, Umthatha
Free State	Yes	Seekoeivlei, Upper Wilge, Maluti and Golden Gate	Memel, Harrismith and Phuthaditjhaba
Gauteng	Yes	Gauteng North	Pretoria
KwaZulu-Natal	Yes	KZN Midlands, KZN North and Maputaland	Hluhluwe, Vryheid and Howick
*Limpopo	Yes	Sekhukhune, Waterberg and Mahumani	Mogaladi, Lephalale and Baleni / Giyani
*Mpumalanga	Yes	Lowveld Botanical Gardens and Draaikraal	Nelspruit and Dullstroom
*Western Cape	Yes	Agulhas, Table Mountain National Park, West Coast and Peninsula	Bredasdorp, Worcester, Porterville and Cape Town

\* Registered I&APs will be informed of the availability of the BAR and/or Rehabilitation Plans for public comment as soon as they are available.

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:** Franci Gresse / Simamkele Ntsengwane (of Aurecon) by **12 December 2017**

**E-mail:** [franci.gresse@aurecongroup.com](mailto:franci.gresse@aurecongroup.com) / [Simamkele.Ntsengwane@aurecongroup.com](mailto:Simamkele.Ntsengwane@aurecongroup.com)

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



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



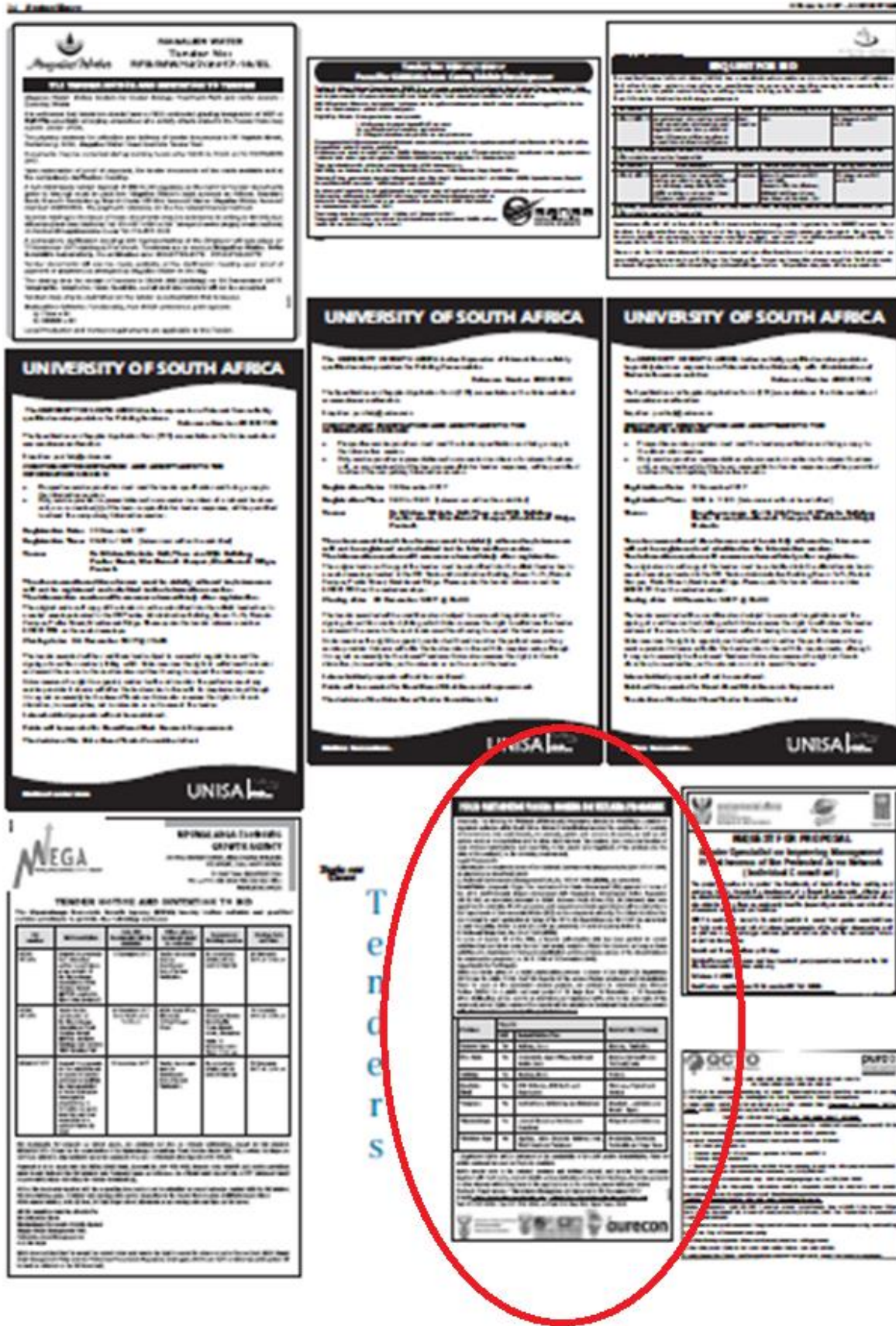


Figure 3: Proof of advertisement in the Sunday Times (12 November 2017)

### 3.4 Site notices

Site notices were fixed on the farm boundaries of the affected wetland systems. The text of the site notice in English is included in

## PUBLIC PARTICIPATION PROCESS: WORKING FOR WETLANDS PROGRAMME LIMPOPO PROVINCE

**Proposal:** The Working for Wetlands (WfWetlands) Programme intends to rehabilitate a number of degraded wetlands within South Africa. Wetland rehabilitation involves the construction of a variety of interventions that could include, for example, gabion and concrete structures, as well as soft options such as re-vegetation and/ or alien 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). Each Province has been considered separately and includes a number of Wetland Projects within which specific wetlands have been identified for rehabilitation. The following wetland rehabilitation projects are proposed in the **Limpopo** Province for the 2017/2018 planning cycle:

PROJECT	WETLAND SYSTEM	NEAREST TOWN	LATITUDE (DDMMSS)	LONGITUDE (DDMMSS)
<b>Sekhukhune</b>	Sekhukhune	Mogaladi	24°44'41.91"S	29°32'34.05"E
<b>Waterberg</b>	Nylsoog	Lephalale	24°46'13.53"S	28°15'22.32"E
<b>Mahumani</b>	South-Baleni	Giyani	23°25'10.41"S	30°54'46.11"E

**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 trigger the requirement for a Basic Assessment (BA) in terms of the 2014 Environmental Impact Assessment (EIA) Regulations (Government Notice Regulations (GN R) 982) pursuant to NEMA. Aurecon South Africa (Pty) Ltd (Aurecon) has been appointed to undertake the BA processes to authorise wetland systems within the applicable provinces, as well as rehabilitation plans for each wetland project identified. These rehabilitation plans will have detailed information on the proposed interventions and will be used on site during implementation. Both the Basic Assessment Report and Rehabilitation Plans 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: 12 and 48 (Listing Notice 1) and GN R 985: 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 R1198 of 18 December 2009).

**Opportunity to Participate:** Interested and Affected Parties (I&APs) are invited to register and/or provide written comments. All comments should be submitted together with their name, contact details (preferred method of notification e.g. email) and an indication of any direct business, financial, personal or other interest that they may have in the application, to the contact person indicated below by **12 December 2017**. Once registered, I&APs will be informed of the availability of the BAR and Rehab Plan and further opportunities to comment on the Basic Assessment Reports and Rehabilitation Plan.

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

**Contact:** Simamkele Ntsengwane/ Franci Gresse (of Aurecon) by **12 December 2017**.

**E-mail:** [Simamkele.Ntsengwane@aurecongroup.com](mailto:Simamkele.Ntsengwane@aurecongroup.com) / [franci.gresse@aurecongroup.com](mailto:franci.gresse@aurecongroup.com)

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

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.

## PUBLIC PARTICIPATION PROCESS: WORKING FOR WETLANDS PROGRAMME LIMPOPO PROVINCE

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<b>Waterberg</b>	Nylsoog	Lephalale	24°46'13.53"S	28°15'22.32"E
<b>Mahumani<sup>2</sup></b>	South-Baleni	Giyani	23°25'10.41"S	30°54'46.11"E

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**Contact:** Simamkele Ntsengwane/ Franci Gresse (of Aurecon) by **12 December 2017**.

**E-mail:** [Simamkele.Ntsengwane@aurecongroup.com](mailto:Simamkele.Ntsengwane@aurecongroup.com) / [franci.gresse@aurecongroup.com](mailto:franci.gresse@aurecongroup.com)

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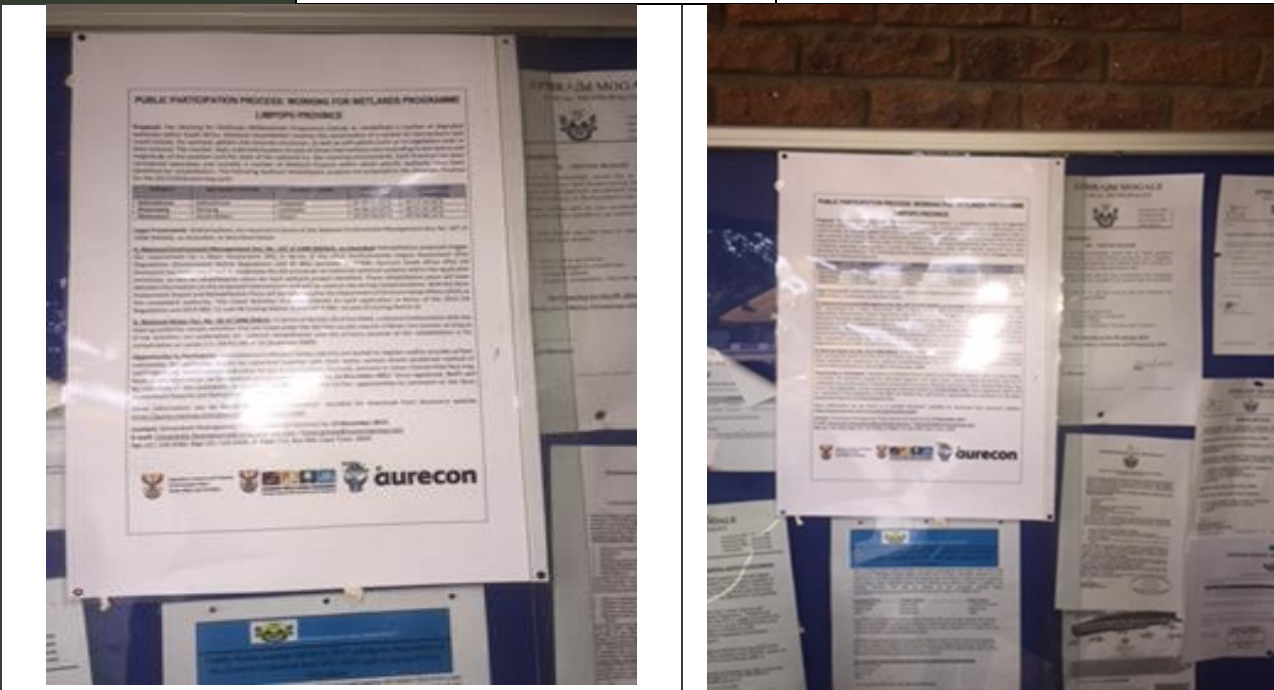
**aurecon**

Figure 4: Example of text included in the Limpopo site notice

<sup>2</sup> Please note that this wetland has subsequently been replaced with the Mutale wetland.



### 3.4.1 Proof of placement

<b>Project:</b>	Sekhukhune	
<b>Wetlands:</b>	Sekhukhune	
<b>Coordinates:</b>	24°54'59.99"S	29°19'60.00"E
		
<b>Project:</b>	Waterberg	
<b>Wetlands:</b>	Nyisoog	
<b>Coordinates:</b>	To be included in final BAR.	
<b>Project:</b>	Mutale	
<b>Wetlands:</b>	Nyahlawe	
<b>Coordinates:</b>	To be included in final BAR.	

## 4 BASIC ASSESSMENT PHASE CONSULTATION

The Basic Assessment Report (BAR) for Limpopo was made available for a 30-day public comment period from 5 March 2018 to 6 April 2018. Registered I&APs identified in the pre-application phase were notified of this comment period via letters delivered by courier, post or email. The written notification provided to the I&APs is included in Appendix B2.

Hardcopies and electronic copies on CD were made available to selected organs of state and municipalities based on their internal requirements. Electronic copies were made available to I&APs receiving email via Dropbox, and the full report was uploaded to the Aurecon website: <http://www.aurecongroup.com/en/public-participation.aspx>. The proof of delivery and notification will be included in Appendix B3 of the final BAR.

## 5 COMMENTS AND RESPONSES

Following the 30-day public comment period, Table 2 will be updated with a summary of the comments received and responses provided by Aurecon, the applicant, or the wetland specialist (where appropriate). The original comments and responses will be included in Appendix B4.

Table 2: I&amp;AP Comments and Responses

No.	Date of comment, format of comment, name of organisation/ I&AP	Comment	Response from EAP/ Applicant/ Specialist
1			
2			
3			
4			

## 6 WAY FORWARD

This PPR was compiled for the draft BAR and will be updated following the 30-day public comment period (5 March 2018 to 6 April 2018). This document forms an annexure to the draft BAR for Working for Wetlands Programme for Limpopo which will be submitted to the DEA for review and decision making in April 2018.

This document should be seen as a live document which will be updated and circulated upon finalisation of the BAR.

## 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

# Meeting Record

Project number	<b>113223</b>	Meeting date	<b>30 October 2017</b>
Project name	<b>Working for Wetlands</b>	Recorded by	<b>ZP</b>
Meeting/subject	<b>Pre-application meeting with DEA</b>	Total pages	<b>7</b>

Present	Apology	Copy	Name	Organisation	Contact details
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Mr Danie Smit (DS)	DEA: IEA	012 399 9394 dsmit@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mr Vincent Chauke (VC)	DEA: Protected Areas	012 399 9399 vchauke@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mr Coenraad Agenbach (CA)	DEA: SID	012 399 9403 cagenbach@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ms Zamalanga Langa (ZL)	DEA: Protected Areas	012 399 9389 zlanga@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ms Nyiko Nkosi (NN)	DEA: Protected Areas	012 399 9392 nnkosi@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ms Dakato Notsholombo (DN)	DEA: SID	012 399 8877 dnotsholombo@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mrs Olivia Letlalo (OL)	DEA: SID	012 399 8815 oletlalo@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ms Samkelisiwe Dlamini (SD)	DEA: IEA	012 399 9379 sdlamini@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dr Farai Tererai (FT)	NRM: WfWetlands	012 399 8970 ftererai@environment.gov.za
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ms Franci Gresse (FG)	Aurecon	021 526 6022 franci.gresse@aurecongroup.com
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ms Zoë Palmer (ZP)	Aurecon	021 526 6069 zoe.palmer@aurecongroup.com

Item	Topic	Recommended action
1	<p><b>Welcome and introductions</b></p> <p>NN welcomed everyone to the meeting. She highlighted that the 2017 environmental authorisation (EA) processes for Working for Wetlands (WfWetlands) would be assessed by all directorates within the Chief Directorate of Integrated Environmental Authorisations, the Strategic Infrastructure Development (SID) directorate, Public Sector, Directorate of Integrated Permitting System as well as the Protected Areas (PA) directorate as part of the work-sharing initiative within DEA.</p> <p>NN requested that each attendee introduce themselves and indicate their department.</p>	
2	<p>FG began the presentation thanking DEA for the opportunity to meet. She highlighted that Aurecon have been involved in the project since 2010, and VC and ZL since 2014. Between the parties, the project has a wealth of shared experiences on the process.</p>	
3	<p>FG provided an outline of the agenda for the meeting and key definitions that would be used through the process.</p>	
4	<p>FG provided an overview of the WfWetlands Process by explaining the three phases according to which wetlands are identified, prioritised and rehabilitated.</p>	

Item	Topic	Recommended action
	<p><b>Phase 1:</b> Areas for potential rehabilitation are identified by the Wetland Specialist and Provincial Coordinator (PC)<sup>1</sup> that should be taken forward as priority areas. This process is guided by a desktop assessment, the developed knowledge from previous planning cycles, as well as engagement with key stakeholders such as the local wetland forum, conservation bodies, etc. A ground-truthing exercise is undertaken to validate the findings, and get a better understanding of the drivers of the wetland problems, etc. Landowner engagement is an important part of this phase.</p> <p><b>Phase 2:</b> The priority areas from Phase 1 are then visited by a multi-disciplinary team for each province consisting of an Engineer, a Wetland Specialist, an environmental assessment practitioner (EAP) and the PC to plan specific interventions to rehabilitate the identified wetland problems. In some cases, other stakeholders (such as Implementing Entities, conservation bodies, park managers, etc.) join for the planning visit to share their local knowledge of the systems and areas.</p> <p>During the planning process<sup>2</sup> the wetland specialist typically explains the wetland problem and what objective should be realised by the intervention. The engineer provides rehabilitation intervention options that could be considered which is then debated by the team to select the most appropriate intervention for the specific site. The EAP further ensures that the planning is undertaken in line with the necessary permitting and licensing procedures, and provides mitigation measures to be considered for implementation.</p> <p>Key deliverables in this phase include the following, more detail for which can be found below:</p> <ul style="list-style-type: none"> <li>• Landowner Agreements</li> <li>• Provincial Basic Assessment Report (BAR) (Item 8)</li> <li>• National Environmental Management Programme (EMPr) (Item 6)</li> <li>• Project Specific Wetland Status Quo Report</li> <li>• Project Specific Rehabilitation Plan</li> </ul> <p><b>Phase 3:</b> Following the receipt of the necessary approvals, the interventions are then implemented (usually the year after the planning site visit, but sometimes a few years later). To get to implementation, Project Implementation Plans (PIPs) are compiled and approved which identify the specific interventions that will be used, and costed for. Final construction drawings will be drafted and signed off by the Engineer, and the interventions will be set out with the Implementing Entities. Following this, construction activities will commence, and will be audited by WfWetlands. Completed works are signed off by the Engineer.</p>	
5	<p>During the above discussion, FG highlighted that <b>WfWetlands is not a development project</b>. The purpose of the programme is to rehabilitate damaged wetlands. As such, the planning is aimed to be a supporting and efficient process so that as much funds as possible can be spent on the actual labour and materials for the interventions.</p>	
6	<p><b>EMPr</b> The construction environmental management plan (CEMP) was first written in 2006 when the National Environmental Management Act (Act 107 of 1998) (NEMA) Environmental Impact Assessment (EIA) Regulations were promulgated and has been updated regularly since then. This year the EMPr is undergoing significant improvement to make the document more user-friendly.</p> <p>General environmental management measures are included in this document, which are shaped by the mitigation hierarchy. Furthermore, key roles and responsibilities are fully detailed. The purpose is to use this document in addition to the Rehabilitation Plan which will provide any site-specific mitigation measures worth implementing.</p>	

<sup>1</sup> The PC is an Assistant Director for Wetland Projects from the DEA, who is responsible for the management of the WfWetlands Programme within a specific province.

<sup>2</sup> Please note that this description is highly simplified for the purpose of these minutes. Kindly refer to the Context Document in Appendix 1 which provides more detail.

Item	Topic	Recommended action
7	<p><b>Legislation</b></p> <p>FG highlighted that the WfWetlands Programme triggers the following legislation:</p> <ul style="list-style-type: none"> <li>• NEMA (submission of application for EA and BAR)</li> <li>• NWA (registration of interventions for GA under Section 21)</li> <li>• NHRA (SAHRA included as a commenting authority, only some projects require heritage processes and where necessary a heritage consultant will be appointed to undertake an HIA).</li> </ul>	
8	<p><b>NEMA – BAR and Rehab Plans</b></p> <p>Prior to 2014, each proposed intervention (up to 800 per year) was included in the BAR application. However, the nature of the WfWetlands Programme made this very cumbersome. The wetland systems in which the interventions are proposed are dynamic and the receiving environment can often change rapidly between planning and implementation which may require an intervention to be moved a few metres (making the authorised coordinate irrelevant) or may need to be changed entirely. To amend the EA, would add months delaying the implementation thereof.</p> <p>Since 2014, WfWetlands has requested the DEA to authorise wetland systems<sup>3</sup> under the BAR process using high-level information, with the condition that a Rehabilitation Plan must be approved by the DEA before implementation commences.</p> <p><b>Question (Q) (NN): Will the EMPr be included in the BAR?</b></p> <p>Answer (A) (FG): Yes. We try to provide as much information as possible to help the Department make an informed decision. However, this EMPr will be general and site-specific measures will only be included in the applicable rehabilitation plan.</p> <p><b>Q (NN): Will the rehabilitation plans then come after the BAR?</b></p> <p>A (FG): Yes. Often due to time constraints, we will submit them at the same time. But if a wetland system is authorised in year one, then we submit a rehabilitation plan for a wetland (also referred to as a hydro-geomorphic unit (HGM unit)) within that system for year one, two, three etc. to the Department for approval (as a condition of the Environmental Authorisation).</p> <p>Comment (CA): For the last 15 years, there have been examples on other projects where IEM provided classes/ categories of interventions so you don't have to reinvent the wheel every time.</p> <p><b>Q (CA): How do you assess alternatives?</b></p> <p>A (FG): We don't explicitly assess the impact of alternatives because of the iterative process that is undertaken to ensure the selected intervention is the best suited intervention for the site.</p> <p>Comment (CA): Rather than keeping quiet about alternatives, please acknowledge that you've addressed it through your process. That way people who are not familiar with the project won't make assumptions (i.e. that the information hasn't been considered).</p>	
9	<p>FG displayed the new BAR template on the screen and circulated a hard copy for the attendees' perusal.</p> <p>FG highlighted that a table is provided in the front of the report to serve as a checklist that meets the requirements of Appendix 1 of the EIA regulations. This enables the reader to locate the necessary information in the report.</p> <p>A BAR is written at a provincial level, which will include one to four projects that will be further detailed in the applicable rehabilitation plans.</p>	

<sup>3</sup> A wetland system consists of various hydro-geomorphic (HGM) units which are interlinked with each other. These HGM-units are defined based on their "geomorphic setting (e.g. hillslope or valley-bottom; whether drainage is open or closed), water source (surface water dominated or sub-surface water dominated) and pattern of water flow through the wetland unit (diffusely or channelled)" (Source: WET-Health series). (Please refer to the end of this document for an illustration).

Item	Topic	Recommended action
	<p>The following list provides the outline of the proposed BAR for 2017. The column alongside highlights key suggestions to improve the template.</p> <p><b>1. Introduction and background</b>            Section 1 provides a description of the projects within the province, and highlights the current wetland systems included in the application for EA. Key wetland information such as name, central coordinate and property description is included here.</p> <p><b>Q (NN): Are the wetlands in the same area for the projects?</b>            A (FG): Yes. A project area is an envelope of some wetland systems in proximity to one another. During implementation, a contractor is appointed per project so the wetlands need to be close to one another to reduce unnecessary costs (such as travel).</p> <p><b>2. Legal and planning context</b>            A table (similar to what was included in the old BAR form) is included and provides an overview of the legal and policy frameworks that are considered for this project.</p> <p>The National Water Act (Act 36 of 1998) (NWA) has provided legislation for WfWetlands that enables it to register each intervention for general authorisation (GA) rather than having to undertake a water use license process. The GA requirements are based on the contents of the rehabilitation plans and is therefore not available at the time of the BAR.</p> <p>With regard to the National Heritage Resources Act (Act 25 of 1999) (NHRA), the South African Heritage Resources Agency (SAHRA) is a registered interested and affected party (I&amp;AP) and reports are uploaded on the SAHRIS for consideration, although comments are rarely received. In some projects, where heritage concerns arise, heritage specialists will be appointed to assist with assessment of potential impacts (e.g. MPU and WC).</p> <p>Listed activities are specific to the years' activities but are broad as the detailed work might not have yet been planned. Activities with exclusions for maintenance management plans are not included in the BAR, but are highlighted in the Rehab Plan. Expansion activities are included in case interventions need to be adjusted, e.g. if gabion baskets break, or something upstream affects the planned intervention.</p> <p><b>3. Methodology</b>            This section provides a description on the approach to the project, detailing the three phases mentioned above in Row 4.</p> <p>It describes the impact assessment methodology that is applied.</p> <p>The assumptions and limitations are also addressed. There are a few gaps in knowledge due to the planning process, but these are generally addressed during the Phase 2 planning process.</p> <p><b>4. Public participation</b>            WfWetlands builds on existing I&amp;AP databases every year, and do not remove I&amp;APs unless they specifically request to be</p>	<p>Include a more transparent introduction to the project and phases to assist readers that are unfamiliar with the Programme. For example, an infographic that guides the reader to the relevant sections.</p> <p>Highlight specialist input and acknowledge clearly why a specialist report does not accompany the BAR.</p> <p>(NN) Under Listing Notice 3, please address the sub-activities in your description. E.g. the x project is located within the xx Protected Area.</p>

Item	Topic	Recommended action
	<p>removed. We try to get all adjacent landowners, but for big systems it can be challenging. We do however also advertise in national newspapers and place site notices on wetland boundary fences.</p> <p>Most of the comments received on reports today include “Thank you for the good work”, “Is there a way that I can be involved” (collaboration or job seeker), and “I know of a wetland that needs rehabilitation”.</p> <p>To date, no appeals have been lodged against the Programme.</p> <p>In terms of circulating reports for public comment, CDs with electronic copies are circulated as far as possible to limit printing (costs can exceed R50,000 with limited comments received).</p> <p><b>5. Activity description</b></p> <p>This section provides an overview of the types of interventions that might be considered for Phase 2 planning. Illustrations of these are included in Appendix A (Engineering Booklet).</p> <p>The need and desirability and alternatives are also detailed in this section.</p> <p><b>6. Baseline description</b></p> <p>This section provides the baseline description of the wetland systems including the biophysical, cultural and heritage, and socio-economic environment.</p> <p>The biophysical description is currently very high level and more information is provided in detail in the rehabilitation plans. It does however provide information on the general problems occurring within the wetland system and the rehabilitation objectives WfWetlands would like to achieve.</p> <p>The cultural and heritage environment is described very generally, but is broadened with detail where more information is applicable (e.g. Mpumalanga and Western Cape).</p> <p>The socio-economic environment provides high-level baseline based on StatsSA statistics, and then highlights the potential benefits created by the programme.</p> <p><b>7. Impact assessment</b></p> <p>Construction and operational impacts are detailed in tables with impact descriptions, assessment of impacts, and proposed mitigation measures. Mitigation measures are included in EMPr which will accompany the BARs and rehabilitation plans. Each assessment includes the no-go alternative.</p> <p><b>8. Conclusion and way forward</b></p> <p>Concluding information and summary of assessment. Level of confidence etc.</p>	<p>The section headings should be updated as the biophysical description currently looks like it is missing.</p> <p>This must contain enough information that will enable the case officer to make an informed decision as a stand-alone report.</p>
10	<p><b>Q &amp; A on report</b></p> <p><b>Q (NN): What type of specialist studies do you do for the project?</b></p> <p>A (FG): We get input into the BAR from the wetland specialist who undertakes the Phase 1 and 2 planning, but this report is only included in the Rehab Plan. If a wetland is located within a sensitive</p>	



Item	Topic	Recommended action
	<p>heritage environment, then a heritage specialist will be appointed to undertake a Heritage Impact Assessment (HIA).</p> <p>Comment (NN): Please ensure that this is properly explained in the report. Otherwise we may assume that the EAP is the only party providing input.</p> <p><b>Q (SD): As a new person to the project, the overview of the project is not clear. Could this be improved?</b></p> <p>A (FG): We could highlight more information in the introduction and provide a diagram that provides a better overview.</p> <p><b>Q (DN): How was the application previously assessed, as it might be different with new case-officers?</b></p> <p><b>Q (CA): What was in the authorisation? Can we discuss the authorisation conditions internally and set up a meeting to plan way forward?</b></p> <p>DEA representatives agreed to this approach.</p> <p>Comment (NN): Because this project is different, the reminders must occur upfront in the report describing the process undertaken.</p> <p><b>Q (NN): For a maintenance management plan (i.e. the rehabilitation plan) do you include the excluded listed activities there?</b></p> <p>A (FG): No, but we highlight the impacts from those sorts of activities, so that the information is provided. But they are not explicitly assessed in the rehabilitation plans.</p> <p><b>Q (CA): Essentially we need to have enough information to make an informed decision. Have there been any appeals?</b></p> <p>A (FG, VC, FT): No appeals since we started.</p> <p><b>Q (CA): Without specialist input into your BAR, how are you going to know about an endangered fish species, for example, in an aquatic ecosystem? How are you going to assess that impact?</b></p> <p>A (FG): Where information is available on the occurrence of endangered species, the relevant specialists are contacted and involved during the planning phase. This information is often also obtained during Phase 1 when the PCs present the Phase 1 information to Wetland Forums and/or other conservation bodies.</p> <p>We also recently had a situation in Agulhas with a newly described fish species (red fin) that was found on site by the Implementing Entity during the construction phase. CapeNature was contacted as soon as the fish were spotted to provide guidance, and mitigation measures were implemented.</p>	
11	<p>FG offered for the new case officers to join the planning team on the Phase 2 planning site visit for Nylsvley in the next few weeks. CA agreed that it would be good to see the implemented interventions and get an idea of the planning process. The invitation should be extended to the Chief Director and a range of case officers.</p> <p>FG added that a “mock” planning session could also be arranged at a wetland located closer, like Colbyn. This wetland also includes existing intervention structures that could be shown to the Department.</p>	
12	<p><b>Amendment process</b></p> <p>FG raised a concern with the current amendment process. The process is currently cumbersome and expensive, which directly removes money that could be spent on rehabilitating wetlands. This process also requires a 30-day public comment period which also has time implications.</p>	

Item	Topic	Recommended action
	<p>OL asked if this was something that could be addressed through Section 30 where interventions are changed due to an emergency? CA indicated that lives need to be at risk in an emergency for this section to be applicable.</p> <p>CA stated that legal requirements cannot be avoided. Aurecon could send a well-motivated email to the Department to enquire if there are other methods available. For example, another method could be to reconsider what boundaries/ parameters are authorised from the beginning of the process.</p> <p><b>Q (CA): Do you pay application fees for EIA processes?</b></p> <p>A (FG): No, WfWetlands is exempt as it is a government project.</p>	
13	NN closed the meeting shortly after 12h15.	

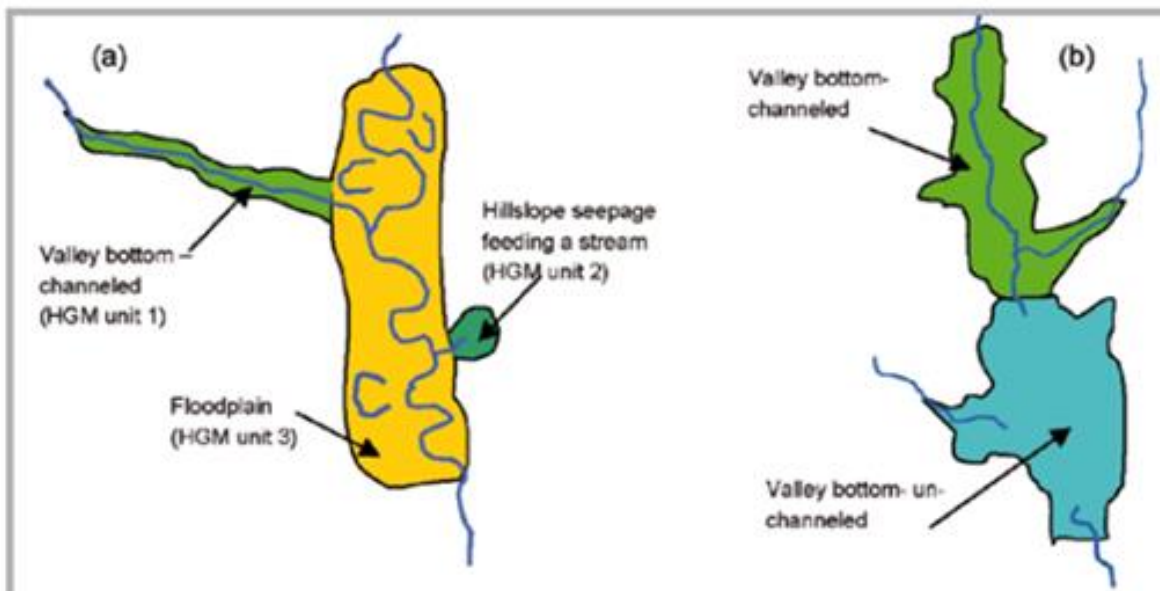


Figure 1.3: Two wetlands, the first comprising three different hydro-geomorphic units and the second comprising two units (see Table 1.2 for definitions of the HGM unit types)

Figure 1 | Illustration of two wetlands/ wetland systems comprising different HGM units (Source: WET-Health series)

## 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)<sup>1</sup> 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

<sup>1</sup> 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 interventions<sup>2</sup> 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.

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



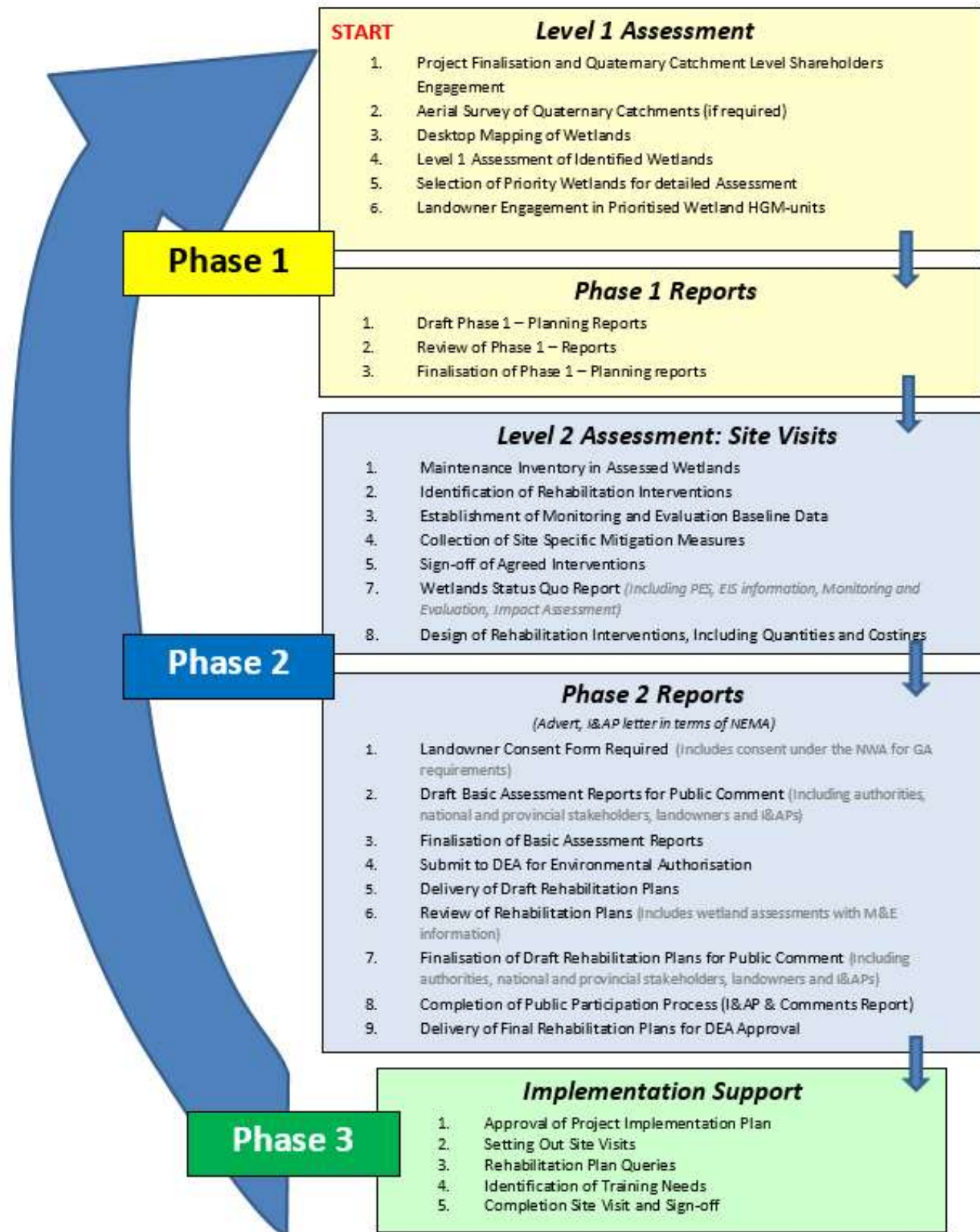


Plate C: The Working for Wetlands planning process (Phase 1 to Phase 3)

### 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"> <li>Guideline 5 – Companion to the NEMA EIA Regulations, 2010 (DEA, October 2012)</li> <li>Guideline 7 – Public Participation in the EIA process, 2012 (DEA, October 2012)</li> <li>Guideline 9 - Guideline on Need and Desirability, 2010 (DEA, October 2014)</li> <li>DEA&amp;DP. 2013. Guideline on Public Participation (DEA&amp;DP, March 2013).</li> <li>DEA&amp;DP. 2013. Guideline on Alternatives (DEA&amp;DP, March 2013).</li> </ul>	Department of Environmental Affairs	2012 - 2014
International Conventions, in particular: <ul style="list-style-type: none"> <li>The Ramsar Convention</li> <li>Convention on Biological Diversity</li> <li>United Nations Conventions to Combat Desertification</li> <li>New Partnership for Africa's Development (NEPAD)</li> <li>The World Summit on Sustainable Development (WSSD)</li> </ul>	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 authorisation<sup>3</sup> (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*<sup>4</sup>' and '*altering the bed, banks, course or characteristics of a watercourse*<sup>5</sup>' where they are specifically undertaken for the purposes of rehabilitating<sup>6</sup> 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.

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<sup>3</sup>Government Notice No. 1198, 18 December 2009

<sup>4</sup>Section 21(c) of the NWA, No. 36 of 1998

<sup>5</sup>Section 21(i) of the NWA, No. 36 of 1998

<sup>6</sup>Defined 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 B1**

## **DEA MEETING MINUTES**

**Appendix B1: DEA Meeting Minutes**

**Appendix B2: Landowner Agreements**

**Appendix B3: Written Notification**

**Appendix B4: Proof of mailing**

**Appendix B5: Comments and Responses**

# **APPENDIX B2**

## **LANDOWNER AGREEMENTS**

**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 Programme

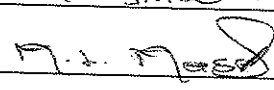
## Wetlands Rehabilitation Activities Consent

Property Details	
Property Type:	COMMUNIAL
Registration Division:	
Farm Number:	TOK50056
Portion Number:	
Farm Name:	MOGALADI
Surveyor-General Key:	
Province:	LIMPOPO
Unique Wetland Number:	

Owner Details	
Owner Name: (Full Names/Full Registered Name)	MMAKGATSE I. MASEMOLA
Person Type:	<input type="checkbox"/> Company <input type="checkbox"/> Close corporation <input type="checkbox"/> Trust <input type="checkbox"/> Natural person
Registration/Identity Number:	6506120919089 <small>(Where applicable. For a trust, attach a copy of the latest letters of trusteeship issued by the Master of the High Court.)</small>
Owner's chosen address for delivery of notices and documents:	Postal Address : P. O. BOX 96 MASEMOLA 1060
	Physical Address : STAND NO: 1 MARUBENG SECTION MASEMOLA 1060
	Telephone Number: 0835412613
	Email Address: mmmakgatl@com

**Project Name:** SEKHUKHUNE WETLAND REHABILITATION

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.

<b>Name</b>	MMAKGATSE I. MASEMOLA	<b>Position</b>	KGOSHWADI
<b>Signature</b>		<b>Date</b>	28 / 11 / 2016

<p><b>Please fax or post this form to:</b></p> <hr/> <hr/> <hr/>	<p><b>With a copy to:</b>          The Planning, Monitoring and Evaluation Manager          Working for Wetlands Programme,          Private Bag X101, PRETORIA, 0001          Telefax (012) 8435165</p>
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DEPARTMENT OF CO-OPERATIVE GOVERNANCE,  
 HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS  
**MASEMOLA  
 TRADITIONAL COUNCIL**  
**28 NOV 2016**  
 P.O BOX 510 MASEMOLA  
 1060  
 SEKHUKHUNE DISTRICT SUPPORT CENTRE



## 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.

**Listed activity as described in GN 983, 984 & 985**

**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...Limpopo 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

**Listed activity as described in GN 983, 984 & 985**

- 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 Limpopo:**

- 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 Limpopo:**

- 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;

**Listed activity as described in GN 983, 984 & 985**

- (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.*



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA



# Working for Wetlands Programme

## Wetlands Rehabilitation Activities Consent

Property Details	
<b>Property Type:</b>	Farm
<b>Registration Division:</b>	Bela-bela
<b>Farm Number:</b>	447-KR
<b>Portion Number:</b>	Portions 286 & 290 (portions of portion 11)
<b>Farm Name:</b>	GROOT NYLSOOG
<b>Surveyor-General Key:</b>	T0KR00000000044700286; T0KR00000000044700290;
<b>Province:</b>	Limpopo
<b>Unique Wetland Number:</b>	A61A01-10

Owner Details		
<b>Owner Name:</b> (Full Names/Full Registered Name)	Nylsoog Wild en Eko Landgoed (Edms) Bpk	
<b>Person Type:</b>	<input type="checkbox"/> Company <input type="checkbox"/> Close corporation... <input type="checkbox"/> -Trust- <input type="checkbox"/> Natural person	
<b>Registration/Identity Number:</b>	2001/017745/07 (Where applicable. For a trust, attach a copy of the latest letters of trusteeship issued by the Master of the High Court.)	
<b>Owner's chosen address for delivery of notices and documents:</b>	Postal Address : P.O.Box 151, Hartbeespoort, 0216	Physical Address : Portion 11, Farm Groot Nylsoog 447-KR, gate 22A, Bela-bela
	Telephone Number: 072 763 6920 (Louw) 082 445 3711 (Alida)	Email Address: louwduto@mweb.co.za alidadutoit5@gmail.com

<b>Project Name:</b>	Working for Wetlands: Waterberg Project
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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.

<b>Name</b>	Dr Farai Tererai	<b>Position</b>	Deputy Director: Planning, Monitoring and Evaluation, Natural Resource Management, Department of Environmental Affairs
<b>Signature</b>		<b>Date</b>	

<b>Please fax or post this form to:</b> _____ _____ _____	<b>With a copy to:</b> The Planning, Monitoring and Evaluation Manager Working for Wetlands Programme, Private Bag X101, PRETORIA, 0001 Telefax (012) 8435165
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## 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
<p><b>GN 983 (as amended): Activity 12:</b> the development of-</p> <ul style="list-style-type: none"> <li>i. dams or weirs, where the dam weir, including infrastructure and water surface area, exceeds 100 square metres; or</li> <li>ii. infrastructure or structures with a physical footprint of 100 square metres or more;</li> </ul> <p>where such developments occurs-</p> <ul style="list-style-type: none"> <li>(a) within a watercourse;</li> <li>(b) in front of development setback; or</li> <li>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;-</li> </ul> <p>excluding-</p> <ul style="list-style-type: none"> <li>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</li> <li>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies</li> <li>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</li> <li>(dd) where such developments occurs within an urban area;</li> <li>(ee) where such development occurs within existing roads, road reserve or railway line reserves; or</li> <li>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</li> </ul>
<p><b>GN R983 (as amended): Activity 19:</b> The infilling or depositing of 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;</p> <p>But <b>excluding</b> where such infilling, depositing, dredging, excavation, removal or moving-</p> <ul style="list-style-type: none"> <li>(a) will occur behind a development setback;</li> <li>(b) <b>is for maintenances purposes undertaken in accordance with a maintenance management plan;</b></li> <li>(c) <b>falls within the ambit of activity 21 in this Notice, in which case that activity applies;</b></li> <li>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</li> </ul>
<p><b>GN R983 (as amended): Activity 27:</b> 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 –</p> <ul style="list-style-type: none"> <li>i. the undertaking of a linear activity; or</li> <li>ii. <b>maintenance purposes undertaken in accordance with a maintenance management plan.</b></li> </ul>

**Listed activity as described in GN 983, 984 & 985**

**GN 983 (as amended): Activity 48:** *The expansion of-*

- (i) *infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or*
- (ii) *dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;*

*where such expansion occurs-*

- (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;*

*excluding-*

- (aa) *the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;*
- (bb) *where such expansion activities are related to the development of a port or harbour, in case activity 26 in Listing Notice 2 of 2014 applies;*
- (cc) *activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;*
- (dd) *where such expansion occurs within an urban area; or*
- (ee) *where such expansion occurs within existing roads, road reserves or railway line reserves.*

**GN R984 (as amended): 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 (as amended): Activity 12 (e):** *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.***

**e. Limpopo**

- 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; or*
- iii. *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 (as amended): Activity 14 (e):** *The development of-*

- (i) *Dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or*
- (ii) *Infrastructure or structures with a physical footprint of 10 square metres or more;*

*Where such development occurs-*

- (a) *Within a watercourse;*
- (b) *In front of a development setback; or*



**Listed activity as described in GN 983, 984 & 985**

(c) *If no development setback has been adopted within 32 of a watercourse, measured from the edge of a watercourse;*

*excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.*

**e. Limpopo**

*i. Outside urban areas:*

- (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 identified 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. Inside urban areas:*

- (aa) Areas zoned for use as public open space; or*
- (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.*

**GN R985 (as amended): Activity 23 (e):** *The expansion of-*

- (i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or*
- (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;*

*where such expansions 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;*

*excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.*

**e. Limpopo**

*i. Outside urban areas:*

- (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;*

**Listed activity as described in GN 983, 984 & 985**

*(dd) Sites or areas identified in terms of an international convention;*

*(ee) Critical biodiversity 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*

*ii. Inside urban areas:*

*(aa) Areas zoned for use as public open space; or*

*(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.*

# **APPENDIX B3**

## **WRITTEN NOTIFICATION**

**Appendix B1: DEA Meeting Minutes**

**Appendix B2: Landowner Agreements**

**Appendix B3: Written Notification**

**Appendix B4: Proof of mailing**

**Appendix B5: Comments and Responses**



1 March 2018

Dear Sir / Madam,

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

*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.

Aurecon South Africa (Pty) Ltd (Aurecon) has been appointed to undertake the project activities and associated reporting requirements by WfWetlands. The Aurecon team comprises of Design Engineers and Environmental Assessment Practitioners (EAPs) who undertake the planning, design and authorisation components of the project. The Aurecon team 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 WfWetlands Programme's provincial coordinators (PCs) who are 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 management 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 wetland are listed Activities in terms of Government Notice Regulation (GN R) 983 Listing Notice 1 and GN R985 Listing Notice 3 of NEMA:

- **Listing Notice 1:** Activities 12, 19, 27 and 48
- **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):
<b>Mpumalanga</b>	Lowveld, Steenkampsberg and Steelpoort	Nelspruit, Dullstroom and Middelburg
<b>Limpopo</b>	Sekhukhune, Waterberg and Mutale	Mogaladi, Lephallale and Tshandama

The provincial level Basic Assessment Reports (BARs) provide the findings of the associated investigations and are available for public comment. The BARs 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 for two provinces, i.e. Limpopo and Mpumalanga. The rehabilitation plans for these provinces will be made available for public comment in early 2018 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:

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

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* on **5 November 2017** and *The Sunday Times* on **12 November 2017** and the placement

of site notices at the relevant wetland site boundaries. The BARs will be available for a 30 day comment period from **5 March 2018 to 6 April 2018**.

The 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. Should you have any trouble accessing the documents, please do not hesitate to contact Mr Simamkele Ntsengwane (details below).

I&APs have until **6 April 2018** 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.

<b>Contact Person:</b>	<b>Miss Franci Gresse</b>	<b>Mr Simamkele Ntsengwane</b>
<b>Tel:</b>	(021) 526 6022	(021) 526 9560
<b>Email:</b>	Franci.Gresse@aurecongroup.com	Simamkele.Ntsengwane@aurecongroup.com
<b>Fax:</b>	(021) 526 9500	
<b>Mail:</b>	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



**FRANCI GRESSE**

Senior Environmental Consultant:  
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 B1: DEA Meeting Minutes**

**Appendix B2: Landowner Agreements**

**Appendix B3: Written Notification**

**Appendix B4: Proof of mailing**

**Appendix B5: Comments and Responses**

# **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.

**Appendix B1: DEA Meeting Minutes**

**Appendix B2: Landowner Agreements**

**Appendix B3: Written Notification**

**Appendix B4: Proof of mailing**

**Appendix B5: Comments and Responses**