

**BACKGROUND INFORMATION DOCUMENT FOR A WATER USE LICENCE
APPLICATION OF DIBENG WATER SUPPLY PROJECT WITHIN
GAMAGARA LOCAL MUNICIPALITY IN
NORTHERN CAPE PROVINCE
SEPTEMBER 2019**

PRJ_R_1/Rev0



**BACKGROUND INFORMATION DOCUMENT FOR A WATER USE
LICENCE APPLICATION OF DIBENG WATER SUPPLY PROJECT
WITHIN GAMAGARA LOCAL MUNICIPALITY IN
NORTHERN CAPE PROVINCE
SEPTEMBER 2019**

Conducted on behalf of:



Compiled by:

Ayanda Mpofu

Reviewed by:

[Name Surname]

Document History and Distribution List

Project Number	Date	Revision Number
KIM-ENV-2019-119	September 2019	01

Name	Institution
Gamagara Local Municipality	Gamagara Local Municipality
Kimopax Library	Kimopax (Pty) Ltd

STRICTLY CONFIDENTIAL

Although Kimopax Pty Ltd exercises due care and diligence in rendering services and preparing documents, Kimopax (Pty) Ltd accepts no liability, and the client, by receiving this document, indemnifies Kimopax (Pty) Ltd and its directors, managers, agents and employees against all actions, claims, demands, losses, liabilities, costs, damages and expenses arising from or in connection with services rendered, directly or indirectly by Kimopax (Pty) Ltd and by the use of the information contained in this document.

This document contains confidential and proprietary information of Kimopax (Pty) Ltd and is protected by copyright in favor of Kimopax (Pty) Ltd and may not be reproduced or used without the written consent of Kimopax (Pty) Ltd, which has been obtained beforehand. This document is prepared exclusively for ***Gamagara Local Municipality*** and is subject to all confidentiality, copyright and trade secrets, rules, intellectual property law and practices of South Africa.

**WATER USE LICENCE APPLICATION
DIBENG WATER SUPPLY PROJECT**

BACKGROUND INFORMATION DOCUMENT

September 2019

Prepared for: Gamagara Local Municipality

For any project information please contact:

Ayanda Mpofu/Charles Chigurah

Kimopax (Pty) Ltd

Tel: (011) 312 9765 Fax: (011) 312 9768

Email: ayanda@kimopax.com / charles@kimopax.com

Website: www.kimopax.com

PURPOSE OF THE DOCUMENT

This Background Information Document (BID) provides Interested and Affected Parties (I&APs) with information on the Water Use Licence Application (WULA) being undertaken by Kimopax Pty Ltd on behalf of Gamagara Local Municipality for the Water Supply Project

This BID provides I&APs with the opportunity to register as stakeholders in this process; and comment on the Water Use Licence Application. The purpose is

to identify and evaluate potential impacts, to recommend measures to avoid or reduce negative impacts and to enhance positive impacts.

The decision-making authority for the WULA is the Department of Water and Sanitation.

Interested and Affected Parties will be included in the stakeholder database and receive further documents for review and comment/s. The comments will ensure that all issues of concern are incorporated. To raise concerns, complete the enclosed comment sheet, write a letter, call or email. All documents will be available via email, post or fax through the Kimopax office.

Kimopax Contact Details

Ayanda Mpofo

Email: ayanda@kimopax.com / charles@kimopax.com

Postal Address: P.O Box 4077, Halfway House, 1685

**Physical Address: 546 16th Road, Constantia Park,
Midrand**

Tel: 011 312 9765

Fax: 011 312 9768

INTRODUCTION

Gamagara Local Municipality is applying for a Water Use License Application (WULA) in support of its water supply services. The Municipality has existing boreholes that are used to meet the water demand. Due to the increase number of industries and population within the Dibeng area, the current supply does not meet the demand. Additional boreholes were drilled to meet the projected current demand. The municipality is supplying water to the community and industries in their area. The municipality source the water from groundwater through boreholes. Water from the boreholes is distributed via pipelines to the reservoirs that feed the community and industries in the area.

Dibeng is located approximately 28km north west of Kathu alongside the R380 road in the Northern Cape Province. The settlement consists of two suburbs, namely Deben and Haakbosdraai. Dibeng started off as a small settlement on the banks of the Gamagara River, which provided water for the small town. The locations of the residential areas are characterized by the river in the centre of town and the rocky limestone outcrops directly east and west of the river. Dibeng consists entirely of single residential houses but can be split into a

low-density area to the west and higher density houses to the east. The project site falls within quaternary catchment No. D41J and D41K which forms part of the Vaal Water Management Area (WMA). A locality map of the project area is indicated in Figure 2.

PROJECT DESCRIPTION

The Dibeng community is located adjacent to the Sishen Iron Mine. In pursuit of employment opportunities there has been an increase in population within the area. The immigration substantially increased not only the housing but also the water demand in the Dibeng community and the industries which exerted pressure on the eleven (11) boreholes available that are used to meet the water demand. Gamagara Local Municipality as the Water Services Authority was mandated to supply sufficient water to the community, hence five (5) additional boreholes were drilled in 2018 to meet the projected current demand.

Gamagara Local Municipality will be applying for a Water Use Licence (WUL) for eleven (11) existing and newly drilled boreholes to the Department of Water and Sanitation (DWS) for the Dibeng Water Supply project.

The water uses listed under Section 21 of the National Water Act (NWA) which are being applied for the Dibeng Water Supply Project in the WULA include the following:

- Section 21 (a): Taking water from a water resource and;
- Section 21 (c) Impeding or diverting the flow of water in a watercourse and;
- Section 21 (i) Altering the bed, banks, course or characteristics of a watercourse.

BACKGROUND INFORMATION

Dibeng Water Supply Project falls within Ward 2 and 7 of the Gamagara Local Municipality within the John Taolo Gaetsewe District in the Northern Cape Province.

Kimopax Pty Ltd was appointed by Gamagara Local Municipality to undertake

A technical report is compiled in the WULA process, which serves as a summary document for the proposed water uses that are required as part of the proposed Dibeng Water Supply Project. Application and registration forms for the licencing of the water uses will be completed and submitted together with the technical report to the DWS for authorisation/licensing.

the Water Use Licence Application (WULA) process in terms of the National Water Act (NWA, Act 36 of 1998).

A WUL process for all water uses associated with Gamagara Local Municipality under the provisions of the National Water Act (NWA, Act 36 of 1998) will be undertaken and the documents will be submitted to the Department of Water Affairs (DWS)

WATER USE LICENSE APPLICATION

In terms of the NWA, all water uses as listed in Section 21 of the NWA require a Water Use Licence process to be followed and approved by the DWS. The DWS requires that any operations located closer than 500 metres from a watercourse, be licensed in terms of Section 21 of the NWA.

WATER USE LICENCE APPLICATION PROCESS

Water use application is made through DWS Kimberley Office following the below sequential process:

PRE-APPLICATION CONSULTATION

Pre-application process involves consulting with DWS official to inform them of the intention to apply for Water Use Licence (WUL). The official will then advise on what forms will be needed and the route to take based on the information provided by Kimopax. Pre-application process includes timeously requesting the future input and participation of other government departments, non-governmental organisations (NGOs), as well as other relevant external stakeholders (such as people living in and around the area of the proposed water use).

The applicant (Herein “Gamagara Local

Municipality”) is responsible for approaching the relevant government departments for any other authorisations required. During the pre-application process, the Departmental official will be required to perform a risk assessment in order to determine the hazard class of the proposed activity. The risk assessment is based on two criteria, namely the potential impact of the activity on the resource, and the sensitivity of the water resource in the vicinity of the proposed water use activity.

INFORMATION GATHERING

Gather all information and documentations as prescribed by the DWS official in line with Generic Water Use Application

Process to support the application. A complete water use licence application submitted for assessment will consist of the following:

- completed application forms, accompanied by:
- A certified relevant documentation (copy of applicant’s ID document or company registration, title deeds of water resource site)
- Proof that immediate neighbours have been informed of the intention to apply for a licence – refer to section 41(4)(b) of the NWA, i.e. *“to take such other steps as it may direct to bring the application to the attention of relevant organs of state, interested persons and*

the general public" (Comments received in response to this part of the application process are to be conveyed to the Department.)

- Physical proof that the neighbours have been identified and informed through individual letters to each, with copies of acknowledgement of receipt.
- Documentation from the relevant Provincial Department responsible for the environment concerning the requirement for an Environmental Impact Assessment, or confirming that exemption has been granted
- Technical supporting documentation addressing all the

specific requirements, depending on the specific water uses

- Section 27 motivation

APPLICATION

Fill in the application forms and submit to DWS. The application will be assessed by DWS and if some information is missing or lacking the official will contact and advise the applicant.

ASSESSMENTS AND REVIEW

The DWS official will study the licence application to determine if any additional information, investigations, or further consultation of Interested and Affected Parties (I&APs) is required. The applicant will be requested to meet any additional requirements. Department of Water and Sanitation will undertake a

technical evaluation and assessment of the application and forward the application to relevant authoring committee within their structure.

DECISION

The decision and the licence, if granted, will be returned to the Regional official, who will then inform the applicant. Once the decision is taken Kimopax will inform other affected parties.

APPEAL

The applicant has the right to appeal if the decision taken is not in favour of the applicant and or affected parties. An appeal must be made as prescribed in the NWA and must be commenced within 30 days after notice of the decision is sent to the applicant.

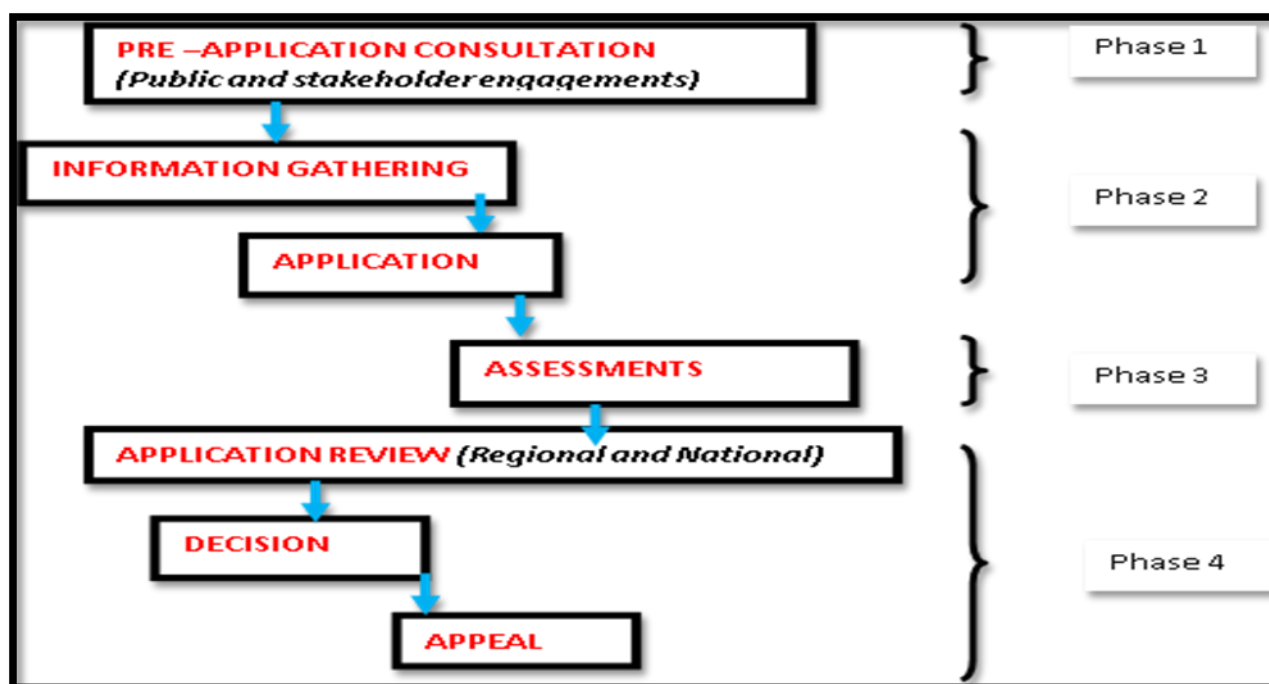


Figure 1: WULA process

PUBLIC PARTICIPATION PROCESS

The public participation process is designed to elicit a joint effort by stakeholders to produce better decisions than if they had acted independently. The primary aim of such a process is to facilitate better decision-making.

The following activities will be utilised in the public participation process towards the application of the WULA:

- Meetings with authorities to agree on a process to be followed;
- Initial public and landowner notification which includes placing of site notices, distribution of letters, the BID and an invitation to contribute to the WULA process to I&APs in the project area and beyond;
- Advertisements in local newspapers to announce opportunities to participate;
- Convening a stakeholder meeting in the project area to obtain comment on the WULA;
- Documenting all correspondence Technical Report that will be submitted with the WULA to the Department; and

- Notifying stakeholders when the Water Use License is issued.

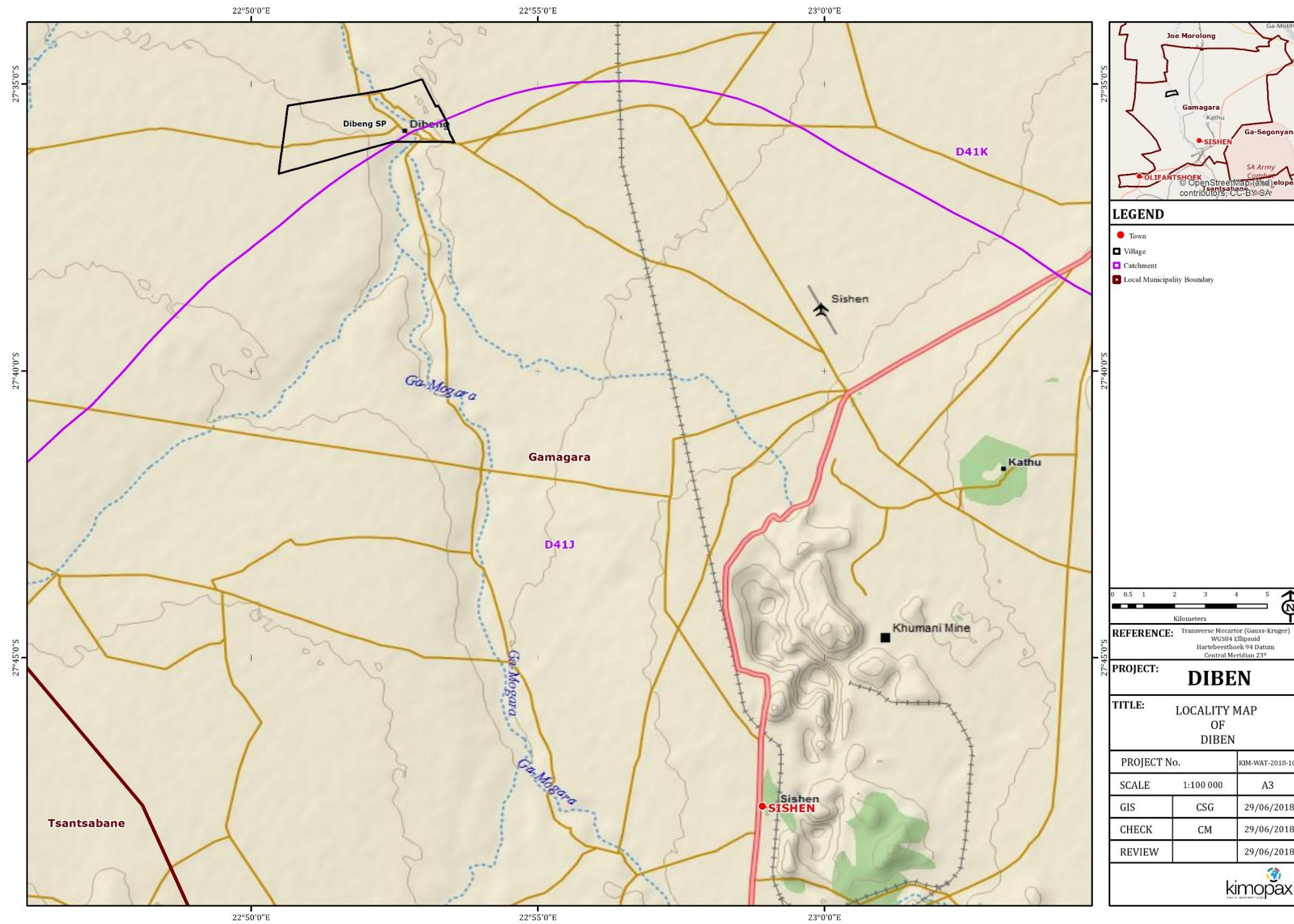


Figure 2: Locality Map

<i>Please fill in your contact details below for the project database:</i>			
<i>Title:(Dr/Prof/Mr/Mrs/Miss)</i>		<i>First Name</i>	
<i>Surname</i>			
<i>Capacity (e.g. Director, secretary etc)</i>			
<i>Organization</i>			
<i>Telephone</i>		<i>Fax</i>	
<i>Cellphone</i>		<i>Email</i>	
<i>Postal Address</i>		<i>Postal Code</i>	
PUBLIC MEETINGS			
<i>Please indicate if you would be interested in attending Public Meetings</i>	YES	NO	

Please add the following particulars of my colleagues/friends/neighbours on your mailing list:

Name:		Organization:	
Address:			
Tel:	Fax:	Cell:	
Email:			

PLEASE ADD MORE PAGES IF NECESSARY



Head Office: 546 16th Road, Constantia Park, Midrand, 1685

Tel: +27 11 312 9765 Fax: +27 11 312 9768/ +27 86 219 8717

Eastern Cape: 62 Bonza Bay Road, Beacon Bay, East London, 5247

Tel: +27 43 721 0178 Fax: +27 86 558 7022

Limpopo: 17 A Plein Street, Polokwane, 0700

Tel: +27 15 295 4849 Fax: +27 86 218 2757

Mpumalanga: 40 John Magagula Street, Middelburg, 1050

Tel: +27 13 243 0680 Fax: +27 86 219 8717

www.kimopax.com