



edtea

Department :
Economic Development, Tourism and
Environmental Affairs

PROVINCE OF KWAZULU-NATAL

Enquiries: Kim van Heerden

Reference: DC22/0003/2019

Date: 19 AUGUST 2019

Physical Address: 8 Warwick Road, Cascades

Tel: (033) 347 1820, Fax: (033) 347 1826

Postal Address: Private Bag X07, Pietermaritzburg, 3202

www.kznded.gov.za

Directorate: Environmental Services: uMgungundlovu District

uMsunduzi Municipality
Private Bag X205
Pietermaritzburg
3200

ATTENTION: Mr. Brenden Sivparsad
Telephone Number: (033) 392 2129 **Fax Number:** (033) 392 2588 **Cell Number:** (083) 577 9222
E-mail: Brenden.Sivparsad@msunduzi.gov.za

cc. ATTENTION: Dr. Rebecca Bowd/ Mrs. Roxanne Van Rooyen
Green Door Environmental
Telephone Number: (033) 343 4176 **Fax Number:** (033) 343 4201 **Cell Number:** (072) 181 4236
E-mail: rebecca@greendoorgroup.co.za /roxanne@greendoorgroup.co.za

Dear Sir/Madam/Dr

RE: DC22/0003/2019: THE PROPOSED ESTABLISHMENT OF A 12ML SATELLITE RESERVOIR AND ASSOCIATED INFRASTRUCTURE AND (PHASE 1), ON ERF 2284 OF COPEVILLE AND ERVEN 25 AND 44 OF WHISPERS, WITHIN COPEVILLE, LOCATED IN MSUNDUZI LOCAL MUNICIPALITY, PIETERMARITZBURG.

The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs has authorised the above-mentioned project. The Environmental Authorisation and reasons for the decision are attached herewith.

ENQUIRIES

Please note that:

- All queries regarding this Environmental Authorisation (including the Department's decision) must be directed to the official of this Department with contact details provided on the letterhead above.
- **Only** queries regarding appeals must be submitted to the Office of the MEC (details provided below).

NOTIFICATION OF DECISION ON APPLICATION

In accordance with regulation 4(2) of the EIA Regulations 2014 (as amended), the applicant must in writing **within 14 days** of the date of this decision ensure that:

- a. All registered interested and affected parties are provided with access to this decision and the reasons for the decision; and,

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Cover Letter for Environmental Authorisation: DC22/0003/2019	Page 1 of 2	 Initials
-------------------------------------------------------------------------------------	--------------------------------------------------------------	-------------	--------------

- b. The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations 2014, if such appeal is available in the circumstances of the decision.

APPEALS

In accordance with regulation 4(1) of the National Appeal Regulations, 2014 an appellant must submit an appeal to the appeal administrator and a copy of the appeal to the applicant, any registered interested and affected party and organ of state with interest in the matter **within 20 days** from the date of notification of this decision.

An appellant must comply with regulation 4(2) and submit the appeal in writing and in the form obtainable from the appeal administrator by post, fax, and e-mail or hand delivery to the following address:

**The Appeal Administrator,
Office of the KwaZulu-Natal MEC for Economic Development, Tourism and Environmental Affairs**


POSTAL/ FAX/ E-MAIL:	PHYSICAL:
Private Bag X 9152 Pietermaritzburg 3200 Tel: (033) 264 2651 Mobile: (081) 731 7361 E-Mail: haresh.inderall@kznedtea.gov.za (Haresh Inderall)	2 ND Floor, Room 218.23 270 Jabu Ndlovu Street Pietermaritzburg 3201

Yours sincerely



for: **Acting Head of Department:**
 Department of Economic Development, Tourism and Environmental Affairs

Signed by : Mrs. Kim van Heerden
Designation : uMgungundlovu District Manager

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Cover Letter for Environmental Authorisation: DC22/0003/2019	Page 2 of 2	 Initials
-------------------------------------------------------------------------------------	--------------------------------------------------------------	-------------	---------------------------------------------------------------------------------------------------



edtea

Department :

**Economic Development, Tourism and
Environmental Affairs**

PROVINCE OF KWAZULU-NATAL

Environmental Authorisation

**In terms of Regulation 20 of the
Environmental Impact Assessment Regulations, 2014 (as amended)**

Project Title: 12ML Satellite Reservoir and Associated Infrastructure

Local Municipality: Msunduzi Local Municipality

Application number: DC22/0003/2019

NEAS number: KZN/EIA/0001095/2019

Date of issue: ...19...AUGUST.....2019

Authorisation holder: Msunduzi Local Municipality

Location: Erf 2284 of Copesville and
Erven 25 & 44 of Whispers
Copesville
Msunduzi Local Municipality
uMgungundlovu District Municipality
DC22

Table of Contents


1.	Project proposal.....	3
2.	Decision.....	4
3.	Activities authorised and location of activity/activities.....	5
3.1	Description of activities and location.....	5
4.	Conditions of authorisation	8
4.1.	Period of Validity.....	8
4.2.	Notification to interested and affected parties	9
4.3.	Environmental Management Programme	9
4.4.	Written notice of commencement of the construction phase.....	9
4.5.	Site closure and decommissioning.....	11
4.6.	Monitoring and Reporting to this Department.....	12
4.7.	Environmental Audit Report	12
4.8.	Availability of this Environmental Authorisation	13
5.	General Conditions.....	13
5.1.	Compliance with the conditions of this authorisation.....	13
5.2.	Understanding the conditions of this authorisation.....	13
5.3.	Amendments to the Project/Environmental Management Programme	13
5.4.	Contact Details for this Department.....	14
	Annexure 1: Reasons for Decision.....	15
1.	Background.....	15
2.	Information considered in making the decision.....	15
3.	Key factors considered in making the decision.....	16
3.1	Basic Assessment Report.....	16
3.2	Public Participation	17
3.3	Need and Desirability	17
3.4	Alternatives	17
3.5	No-go Alternative	18
3.6	Potential Environmental Impacts/ Socio Economic Impacts	18
3.7	General	18
	Annexure 2: Locality Map.....	21
	Annexure 3: Layout Plan.....	21
	Annexure 4A: Site Facility Illustration.....	22
	Annexure: 4B Site Facility Illustration.....	23

1. Project proposal

The project entails the construction of a new 12ML satellite reservoir and the installation of water supply pipelines. A pipeline will join the existing 20ML reservoir and a scour pipeline will then be installed as a discharge pipeline which is approximately 500m in length. The pipeline will be placed in the road reserve and the diameter will be between 500/600 mm. Off-Take pipelines between 25 mm – 250 mm in diameter will be installed to feed into households required to service the Copesville area with potable water. This project forms Phase 1 of the water supply project to Copesville.

The construction of the reservoir and associated pipelines are located on Erf 2284 of Copesville and Erven 25 and 44 of Whispers, of the Msunduzi Local Municipality of the uMgungundlovu District Municipality. The location of the associated infrastructure in respect of the project is reflected on the **Locality Map** and **Layout Plan** (pipeline route) attached as **Annexure 2** and **Annexure 3** to this Environmental Authorisation respectively. The relevant **Site Facility Illustrations** are provided as **Annexure 4A and 4B** attached to this Environmental Authorisation.

The project proposal is detailed in the final Basic Assessment Report (BAR) prepared by Green Door Environmental dated 10 May 2019.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 3 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	--------------	---------------------------------------------------------------------------------------------------

2. Decision

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 (as amended), the **KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs** (hereafter referred to as "this Department")

grants Environmental Authorisation

to –

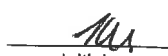
Msunduzi Local Municipality

(herein after referred to as "the authorisation holder")

Details of the contact person: Brenden Sivparsad
Private Bag X 205
Pietermaritzburg
3200

Telephone Number: (033) 392 2129
Fax Number: (033) 392 2588
Cellphone Number: (083) 577 9222
Email: Brenden.Sivparsad@msunduzi.gov.za

to undertake the following activities (hereafter referred to as "the activities") as described in Section 3 below.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 4 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	--------------	---------------------------------------------------------------------------------------------------

3. Activities authorised and location of activity/activities

The following activities in Government Notice No. R. 327 and 324 (Listing Notice 1 and Listing Notice 3 of 07 April 2017 of the Environmental Impact Assessment (EIA) Regulations as amended) were applied for and triggered by the abovementioned project as detailed below:

3.1 Description of activities and location

Component of the proposal:	Activity 19 of GNR 327 of 07 April 2017.	21 Digit Surveyor General Code
<p>The proposed development will include the removal or depositing of any material more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, pebbles or rock of more than 10 cubic metres within a watercourse. This is because the scour line discharges into a drainage channel and there will be a head wall established at the discharge point.</p>	<p>“The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;...2014 applies”.</p>	<p>NOFT006900002284000000 NOFT038200000025000000 NOFT038200000044000000</p>
Component of the proposal:	Activity 2 of GNR 324 of 07 April 2017.	21 Digit Surveyor General Code
<p>The proposed development will include a reservoir with a capacity of more than 250 cubic metres (viz. 12ML) located inside an urban area</p>	<p>“The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres - d. KwaZulu-Natal...</p>	<p>NOFT006900002284000000 NOFT038200000025000000 NOFT038200000044000000</p>

<p>which is zoned for use as public open space.</p>	<p>xi Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xiii. Inside urban areas: (aa) Areas zoned for use as public open space;...within urban protected areas”.</p>	
<p>Component of the proposal:</p>	<p>Activity 14 of GNR 324 of 07 April 2017.</p>	<p>21 Digit Surveyor General Code</p>
<p>The development will include infrastructure or structures with a physical footprint of 10 square metres or more located within a watercourse and within 32 metres of a watercourse and areas within inside urban areas zoned for use as public open space (viz. a scour pipeline discharge point).</p>	<p>“The development of— (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (a) within a watercourse;... (c) within 32m of a watercourse, measured from the edge of a watercourse;... d. KwaZulu-Natal ... (viii) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;... xi. Inside 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 ...”</p>	<p>NOFT006900002284000000 NOFT038200000025000000 NOFT038200000044000000</p>

Component of the proposal:	Activity 23 of GNR 324 of 07 April 2017.	21 Digit Surveyor General Code
<p>The development will include infrastructures or structures with a physical footprint of 10 square metres or more located within a watercourse and within 32 metres of a watercourse (scour discharge point) and areas within inside urban areas zoned for use as public open space.</p>	<p>“The expansion of— (i) (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs— (a) within a watercourse; ... (c) ...within 32 metres of a watercourse, measured from the edge of a watercourse d. KwaZulu-Natal... viii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; ... xi. Inside urban areas: (aa) Areas zoned for use as public open space;...”</p>	<p>NOFT006900002284000000 NOFT038200000025000000 NOFT038200000044000000</p>

3.2 Location of Authorised Activity:

Authorised activity	Latitude	Longitude
Starting Point of Pipeline:	29°32'40.64"S	30°25'12.92"E
Point 2	29°32' 40.70"S	30° 25' 17.59"E
Point 3	29°32' 38.81"S	30° 25' 17.86"E
Point 4	29°32'38.78"S	30°25'19.00"E
Point 5	29°32'40.81"S	30°25'19.04"E
Existing Reservoir	29°32'39.63"S	30°25'19.10"E
Point 6	29°32'41.59"S	30°25'19.15"E

Point 7	29°32'40.82"S	30°25'20.98"E
Point 8	29°32'34.23"S	30°25'28.82"E
Point 9	29°32'33.14"S	30°25'38.15"E
Point 10	29°32'36.48"S	30°25'53.78"E
Point 11	29°32'36.75"S	30°25'54.93"E
Point 12	29°32'38.85"S	30°25'57.34"E
Point 13	29°32'38.30"S	30°25'58.08"E
Point 14	29°32'38.30"S	30°25'58.08"E
Proposed Reservoir	29°32'37.79"S	30°25'58.97"E
Point 15	29°32'37.25"S	30°25'59.78"E
Point 16	29°32'37.75"S	30°26'00.02"E
Point 17	29°32'38.35"S	30°25'59.93"E
Point 18	29°32'37.04"S	30°26'01.06"E
End Point 19	29°32'36.14"S	30°26'17.45"E


Erf 2284 of Copesville and Erven 25 and 44 of Whispers, Msunduzi Local Municipality, uMgungundlovu District Municipality.

4. Conditions of authorisation

This Environmental Authorisation is subject to the conditions set out below:

4.1. Period of Validity

- 4.1.1. One or more of the listed activities authorised must commence within **10 (ten) years** from the date of issue. If commencement of the authorised activity does not occur within that period, the authorisation lapses and the holder of the Environmental Authorisation must reapply for an Environmental Authorisation should he or she wish to carry out the activity; unless, an application for amendment is received on the prescribed application form prior to the expiry date.
- 4.1.2. This Department must be notified in writing on the prescribed form within **thirty (30) calendar days** of any change in ownership and/or project developer. The rights and conditions as stipulated in this Environmental Authorisation must be known to the new owner and/or developer and are binding on the new owner/and or developer. As such the authorisation holder must apply for an amendment to the Environmental Authorisation on the prescribed application form to change the ownership details.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 8 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	--------------	---------------------------------------------------------------------------------------------------

4.2. Notification to interested and affected parties


- 4.2.1. The authorisation holder must ensure notification of every registered interested and affected party, in writing and within **fourteen (14) calendar days** from date of this Department's decision to authorise the activity and proof of the notification must be submitted to this Department at the address specified in condition 5.4.
- 4.2.2. The notification referred to in condition 5.2.1 must –
- 4.2.2.1. Specify the date on which the Environmental Authorisation was issued;
 - 4.2.2.2. Inform the interested and affected party of the appeal procedure provided for in the National Appeals Regulations, 2014; and,
 - 4.2.2.3. Advise the interested and affected party that a copy of the Environmental Authorisation will be furnished on request from the Environmental Assessment Practitioner.
- 4.2.3. The availability of this Environmental Authorisation must be advertised in the **Witness Newspaper** and **Echo newspaper** within **fourteen (14) calendar days** from date of this Department's decision to authorise the activity and proof of the advertisement must be provided to this Department at the address specified in condition 5.4.

4.3. Environmental Management Programme

- 4.3.1 The Environmental Management Programme (EMPr) (prepared by Green Door Environmental, dated 10 May 2019) for the pre-construction, construction, post construction and rehabilitation phases of this project as submitted for the Environmental Authorisation of this project complies with section 24N of NEMA and Appendix 4 of the EIA regulations, 2014 (as amended). This EMPr is hereby **approved** and must be implemented.
- 4.3.2 The EMPr must be kept on site during the construction phase of the development.

4.4. Written notice of commencement of the construction phase

- 4.4.1. **Not less than seven (7) calendar days** written notice must be given to this Department, at the address specified in condition 5.4 indicating when the construction phase will commence. Commencement for the purposes of this condition includes site preparation. The notice must include


KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 9 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	--------------	---------------------------------------------------------------------------------------------------

- a date on which it is anticipated that the construction will commence and the EIA reference number of this Environmental Authorisation viz. DC22/0003/2019.
- 4.4.2. The activities authorised must only be undertaken on Erf 2284 of Copesville and Erven 25 & 44 of Whispers in Copesville located in the Msunduzi Local Municipality, within the uMgungundlovu District Municipality with the geographical coordinates of the site as described in **Section 3**; and, as indicated on the **Locality Map** and **Layout Plan** attached as **Annexure 2** and **Annexure 3** respectively to this Environmental Authorisation.
- 4.4.3. The construction of the 12ML Satellite Reservoir and associated Infrastructure must substantially adhere to the, **Site Facility Illustrations** (both prepared by the Preben Naidoo & Associates dated 19 June 2019, & with Drawing number: PO 1809/001 & Drawing number PO1809/005), attached as **Annexure 4A** and attached as **4B** to this Environmental Authorisation respectively, and to the pipeline route (layout) attached as **Annexure 3** to this Environmental Authorisation.
- 4.4.4. Construction areas must be clearly demarcated with danger tape, and the authorisation holder must ensure that construction vehicles are to remain within the boundaries of the demarcated working area/s. this is restricted to the road route servitudes. All works including the project site office and laydown areas must be restricted to the pipeline route servitudes.
- 4.4.5. Erosion Control Measures and Stormwater Management must be appropriately designed to deal with high intensity summer rainfall events. A Stormwater Management Plan must be compiled and implemented in parallel to commencement of the construction phase and Storm Stormwater designs for the development must ensure the release of stormwater in a controlled manner so that post-development and pre-development volumes and flows are equitable.
- 4.4.6. The recommendations of the Wetland Impact Assessment (prepared by Malachite Ecological Services and dated January 2019) with regards to impacts on soil erosion on the steeper slopes associated with the site, sedimentation downstream of the wetland system due to the pipeline excavation and encroachment of alien invasive species must be adhered to.
- 4.1.1. Building plans for the 12ML Copesville reservoir and associated pipelines must be submitted to Msunduzi Municipality for comment and approval prior to commencement and site clearing.
- 4.1.2. The Authorisation holder must comply with the recommendations of the Geotechnical investigation for the proposed 12ML Copesville reservoir and associated pipeline (prepared by Preben Naidoo & Associates dated 18 October 2018).
- 4.1.3. The requirements of Eskom (letter dated 05 April 2019) must be adhered to.

- 4.1.4. The recommendations of the Environmental Assessment Practitioner as indicated in Section 11 (pages 64-66) of the BAR (prepared by Green Door Environmental and dated 10 May 2019) for the 12ML Satellite Reservoir and associated Infrastructure (Phase 1) must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take precedence.
- 4.1.5. All sand, stone and other building materials must be sourced from sites that have appropriate Environmental Authorisation and mining licences. A copy of proof of the source of sand, stone and other building materials must be kept by the authorisation holder and made available to any authorised official of this Department on request.
- 4.1.6. All waste generated on site that has not been re-used or recycled must be removed from the site and disposed of at an appropriate and licenced waste disposal site. The contractor responsible for the removal of the waste must supply the authorisation holder with a certificate, indicating disposal of waste at a licensed waste disposal site.
- 4.1.7. Should any heritage objects or sites of archaeological and cultural significance be discovered during the course of development, construction must cease immediately and the discovery must be reported to Amafa-aKwaZulu-Natali on the contact telephone number 033 – 394 6543 for investigation. Work on the site may only re-commence following written approval from Amafa-aKwaZulu-Natali. No structures older than sixty (60) years or parts thereof are allowed to be demolished, altered or extended without a permit from Amafa. No activities are allowed within 50m (fifty metres) of a site which contains rock art.

4.5. Site closure and decommissioning

- 4.5.1. The basis for the 12ML Copesville reservoir and associated pipelines is to improve communal access to potable water, therefore it is unlikely that decommissioning will occur. However, should the activity cease to become redundant, the authorisation holder must contact this Department to determine the required actions for the rehabilitation and closure of the site.
- 4.5.2. **Fourteen (14) calendar days** written notice must be given to this Department, at the address specified in condition 5.4, that construction has been completed. The notice must include a date on which construction ceased and the EIA reference number of this Environmental Authorisation viz. DC22/0003/2019.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 11 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

4.6. Monitoring and Reporting to this Department

- 4.6.1. The Authorisation holder must appoint a suitably experienced Environmental Control Officer (ECO) for the construction and rehabilitation phases of the development to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.
- 4.6.2. Details of the appointed ECO must be forwarded to this Department at the address specified in condition 5.4.
- 4.6.3. Details of the appointed ECO must be forwarded to the Msunduzi Municipality.
- 4.6.4. The ECO must be appointed before commencement of any land clearing or construction activities.
- 4.6.5. The ECO must perform all tasks as stipulated in the EMPr including keeping records of all activities on site, problems identified and transgressions noted.
- 4.6.6. The ECO must be employed until all rehabilitation measures required after the construction phase(s) are completed and the site is ready for operation.
- 4.6.7. Records relating to monitoring and auditing must be kept on site and made available for inspection by this Department and other relevant authorities.
- 4.6.8. The ECO must visit the site **monthly** during the construction and installation of the associated pipeline infrastructure. Compliance monitoring reports must be produced and submitted to the Department and the Msunduzi Municipality on a monthly basis.

4.7. Environmental Audit Report

- 4.7.1. The holder of the Environmental Authorisation must submit an environmental audit report to this Department within **thirty (30) calendar days** of completion of construction. The environmental audit report must –
- 4.7.2. Be undertaken by the independent ECO appointed in terms of condition 4.6.1;
- 4.7.3. Indicate the date of the audit, the name of the author and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions and the requirements of the EMPr;
- 4.7.4. Provide copies of records relating to monitoring and auditing undertaken during the construction phase;
- 4.7.5. Be submitted to this Department at the address specified in condition 5.4; and,
- 4.7.6. Be submitted to the Msunduzi Local Municipality.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 12 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

4.8. Availability of this Environmental Authorisation

- 4.8.1. A copy of this Environmental Authorisation must be kept by the authorisation holder and made available to any official of this Department on request.

5. General Conditions

5.1. Compliance with the conditions of this authorisation

In terms of section 49(A)(1)(c) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), failure to comply with the conditions of this Environmental Authorisation constitutes an offence for which a convicted person may be liable to a fine not exceeding R10 million or imprisonment for a period not exceeding ten years or both such fine and such imprisonment.


In terms of section 24F of the NEMA, 1998 (Act No. 107 of 1998), no person may commence with an activity listed in terms of section 24 (2) (a) or (b) of the Act, unless the competent authority has granted an Environmental Authorisation.

5.2. Understanding the conditions of this authorisation

It is the responsibility of the authorisation holder to understand the conditions of this Environmental Authorisation. Any queries regarding this Environmental Authorisation must be submitted in writing to this Department at the address provided in condition 5.4.

5.3. Amendments to the Project/Environmental Management Programme

- 5.3.1. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by this Department before such changes or deviations may be effected.
- 5.3.2. Any subsequent amendments to the approved Environmental Management Programme (EMPr) must also be submitted to this Department for review. The amendments may only be implemented after being approved by this Department.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 13 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

5.4. Contact Details for this Department

The following contact details for this Department must be used for all reports and notices which must be submitted to this Department:

KZN Department of Economic Development, Tourism and Environmental Affairs

Private Bag X07

Cascades

3202

Fax Number: (033) 347 1826

Telephone Number: (033) 347 1820

Attention: Compliance Monitoring and Enforcement Component, uMgungundlovu District Office.

Please note that it is the responsibility of the authorisation holder to ensure the above details are correct at the time of submitting any documentation, and that the documentation reaches the relevant official.

Date of Environmental Authorisation: 19 - 8 - 2019




for: Acting Head of Department

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

Signed by : Mrs. Kim van Heerden

Designation : uMgungundlovu District Manager

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 14 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

Annexure 1: Reasons for Decision

1. Background

The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:


Green Door Environmental

Contact Person: Dr. Rebecca Bowd
Postal Address: P. O. Box 1170
Hilton
3245
Telephone Number: (033) 343 4176
Fax Number: (033) 343 4201
Cellphone Number: (072) 181 4236
E-mail Address: rebecca@greendoorgroup.co.za

2. Information considered in making the decision

In reaching its decision, this Department took, *inter alia*, the following into consideration –

- a) Green Door Environmental submitted an application for Environmental Authorisation subject to a Basic Assessment process for the above-mentioned activity to this Department on 27 March 2019. This Department acknowledged receipt of the application on 28 March 2019;
- b) This Department received the Basic Assessment Report (BAR) for the proposed activity on 14 May 2019 and acknowledged receipt of the Basic Assessment Report (BAR) on 20 May 2019;
- c) The findings of the site inspection undertaken by Departmental official Mr. Kraigen Govindasamy, and Mrs. Mavis Padayachee in the company of Mrs. Roxanne Van Rooyen (Green Door Environmental) on 04 June 2019; other attendees included Mr. Michael Madonsela (Ward Councillor), Ms. Ndungelo Nongolo (Secretary) and Mr. Xolani Ntshangabi (Msunduzi Municipality).
- d) A meeting was held with Mrs. Roxanne Van Rooyen (Green Door Environmental) and the Department officials Mrs. Reka Bhikraj- Kallicharan, Mrs. Mavis Padayachee and Mr. Shawn

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 15 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

Janneker on 12 June 2019 to discuss certain aspects which required clarity. The Department's correspondence dated 13 June 2019 reflects these aspects clearly.

- e) The comments received from the organs of state and interested and affected parties as included in the Basic Assessment Report (BAR) dated 10 May 2019 and received separately including comments from:

Document	Compiled by	Date
Correspondence: Additional Information	Green Door Environmental	26 June 2019
Correspondence: Layout Plan	Green Door Environmental	19 July 2019


- f) Mitigation measures as proposed in the BAR and as incorporated in the EMP, both prepared by Green Door Environmental and dated 10 May 2019 respectively;
- g) The comments raised by various stakeholders and other Departments; and,
- h) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

3. Key factors considered in making the decision

All information presented to this Department was taken into account in this Department's consideration of the application. A summary of the issues which, in this Department's view, were of the most significance is set out below.

3.1 Basic Assessment Report

- 3.1.1 The Basic Assessment Report (BAR) (prepared by Green Door Environmental, dated 10 May 2019) complies with the requirements of the EIA Regulations, 2014 (as amended).
- 3.1.2 The BAR (prepared by Green Door Environmental, dated 10 May 2019) included a description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity.
- 3.1.3 The development will adhere to an Environmental Management Programme (prepared by Green Door Environmental, dated 10 May 2019) and site specific mitigation measures that will ensure that the environmental impacts are managed throughout all phases of the development.
- 3.1.4 The methodology used in assessing the potential impacts identified in the BAR (prepared by Green Door Environmental, dated 10 May 2019) and the specialist studies have been adequately indicated.

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 16 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

3.1.5 All requirements of the EIA Regulations, 2014 (as amended) and other relevant legislation and guidelines have been considered in the BAR (prepared by Green Door Environmental, dated 10 May 2019).

3.2 Public Participation

Public participation involved the placement of a site notice board in English and isiZulu on 20 November 2018; a public meeting was held at Umsilinga Primary School on Wednesday 30 January 2019; written notices were emailed to Interested and Affected Parties and various identified and potential stakeholders on 24 January 2019; the placing of a newspaper advertisement in the Witness in English and in the Echo newspaper in isiZulu on 15 November 2018; and, the provision of reports and information to Interested and Affected Parties to satisfy the requirements of Chapter 6 of the NEMA EIA Regulations, 2014 (as amended).

All issues/comments raised have been sufficiently addressed within the Basic Assessment Report and the Environmental Management Programme both prepared by Green Door Environmental and dated 10 May 2019, respectively. This Department is satisfied that the public participation process undertaken, adhered to the minimum requirements of Chapter 6 of the NEMA EIA Regulations, 2014 (as amended).

3.3 Need and Desirability


The 12ML Copesville reservoir and associated pipeline is a project identified in the Integrated Development Plan (IDP), and forms an integral part of the water plan for provision to disadvantaged communities. Presently the Copesville residents do not have access to clean potable water which is a basic human right. Copesville is a highly impoverished area and has a large number of informal settlements and this development will provide the community with adequate, safe, reliable water service resulting in an improved quality of life. Local job opportunities during the construction phase of the development are likely to be created.

3.4 Alternatives

Design or layout alternative

The preferred pipeline route follows existing road servitudes for the most part in order to minimise the potential for detrimental impacts to occur. The location of the proposed reservoir was positioned from an engineering and topographical perspective; hence alternative layouts were not assessed.

The location alternative

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 17 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

The properties applicable to the preferred proposed reservoir and pipeline cannot be altered, and alternative properties were not considered.

The type of activity alternative

The need for a reservoir and associated pipeline infrastructure has been identified in the Municipal IDP, therefore an alternative activity had not been considered.

Technology alternatives

No technology and operational alternatives were assessed for the establishment of the reservoir and associated pipeline infrastructure.

3.5 No-go Alternative


Retaining the status quo and establishing the reservoir and its associated pipeline infrastructure would mean that the community would not have access to potable water and that the water provision requirement would not be accounted for in the Municipal IDP. Additionally, there would be lost opportunity for job creation and skills transfer during the construction phase of the development.

3.6 Potential Environmental Impacts/ Socio Economic Impacts

The key potential environmental impacts associated with the proposed development are: soil erosion sedimentation deposition downstream of the wetland systems; pollution as a result of construction activities; encroachment of alien invasive species, increase in noise with heavy machinery during construction; increased traffic and dust on the surrounding residents; and, the positive impact is essential access to basic water service of provision. These environmental aspects have been adequately addressed in the BAR (prepared by Green Door Environmental, dated 10 May 2019; the Environmental Management Programme (prepared by Green Door Environmental, dated 10 May 2019); and, through conditions of this Environmental Authorisation.


3.7 General

3.7.1 The Wetland Assessment (prepared by Malachite Ecological Services and dated January 2019) identified a seep wetland system and the Hydro geomorphic units (HGM) were delineated within the study area (viz. HGM1, HGM3, HGM4, HGM5, and HGM6) and a Channelled Valley Bottom system (viz.HGM2). The study concluded that the installation of the pipelines and the construction of the reservoir will not have a direct impact on any of the wetlands and/or watercourses delineated within the study area. However, indirect impacts such as soil erosion and sedimentation, pollution and encroachment of alien invasive species associated with the development may need to be addressed

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 18 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

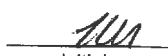
due to the downstream location of wetlands. Conditions to address these indirect aspects have been included as a condition of this Environmental Authorisation.

- 3.7.2 The Biodiversity Assessment (prepared by Peter le Roux and dated February 2019) concluded that the vegetation on the site was of a transformed nature and no longer representative of the original vegetation type and that the faunal diversity was poor and would not be affected by the proposed development in either the construction or operational phase of the development.
- 3.7.3 A Geotechnical Assessment (prepared by GeoZone GeoServices and dated 18 October 2018) stated that the site is stable for development, no ground water was encountered due to its elevated nature and stated that the platform should be graded to allow for easy run-off so that stormwater does not lead to erosion downslopes of the reservoir. Periodic inspections of the site during construction occur was recommended to ensure that any variation in the ground condition can be assessed and revised.
- 3.7.4 The Heritage Impact Assessment (prepared by Active Heritage cc and dated 16 January 2019) concluded that no heritage sites, features or graves occur near the proposed pipeline. Any exposing of fossils, graves and archaeological and historical residues should cease immediately pending an evaluation by heritage authorities and this has been included as a condition of this Environmental Authorisation.
- 3.7.5 Eskom (letter dated 05 April 2019) commented that there are no HV and MV lines/cables depicted on Eskom's systems that traverse over the properties and has no objection to the proposed development. Should there be any conductors and/or underground cables located on the property the relevant municipality should be contacted immediately. Adherence to Eskom's requirements has been included as a condition of this Environmental Authorisation.
- 3.7.6 Ezemvelo KZN Wildlife: (EKZNW) IEM Planning Committee (letter dated 11 April 2019) indicated that EKZNW will not be providing comments and the Department is satisfied that due to the transformed nature of the pipeline route and reservoir site there will be no adverse biodiversity impacts as a result of this project.
- 3.7.7 The Department of Agriculture, Forestry and Fisheries (letter dated 12 April 2019) has no objection to the proposed development as the site consists of grassland, degraded by invasive alien species and there is no indigenous or protected tree present.

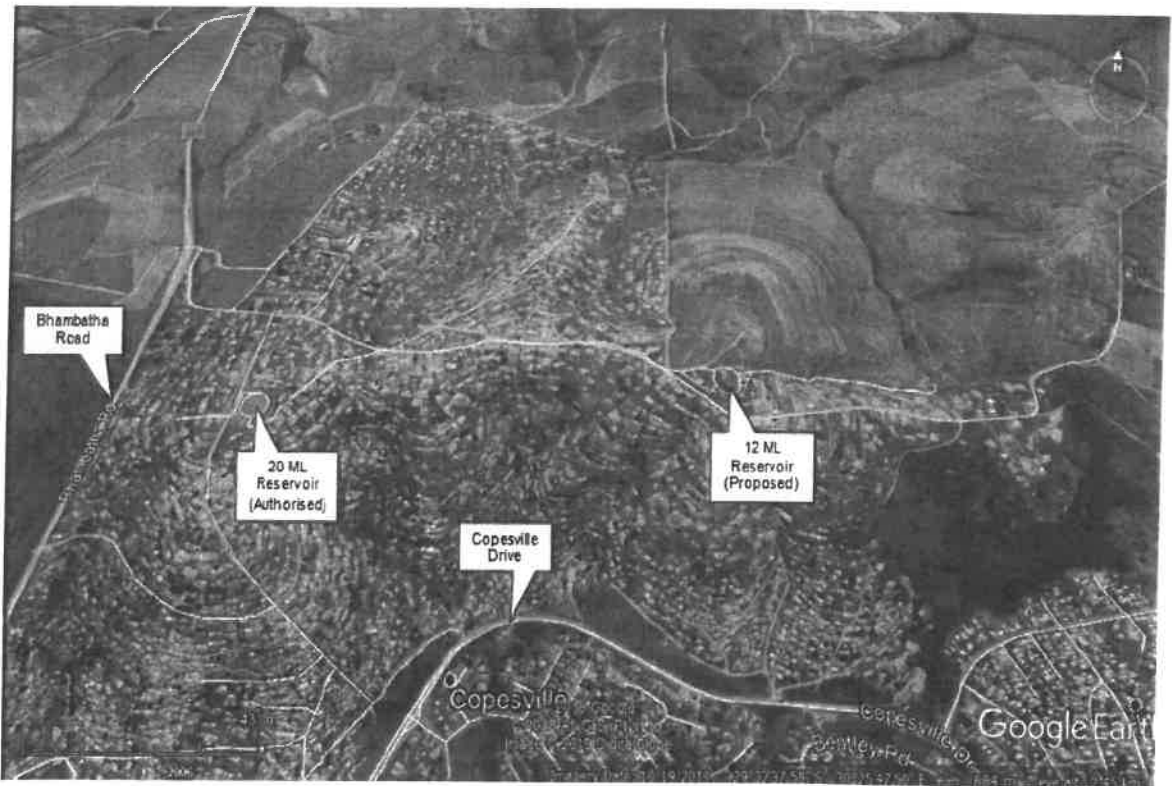
KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 19 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

- 3.7.8 The Department of Agriculture and Rural Development (DARD, 25 January 2019) commented on the Background Information Document (BID) and indicated that there is a limited agricultural resource in the area. Following the circulation of the Final Basic Assessment (FBAR) to DARD no further comments were received.
- 3.7.9 Msunduzi Municipality: Sustainable Development & City Enterprises Department: Environmental Management Unit (letter dated 12 April 2019) had no objection to the proposed reservoir and pipeline infrastructure provided that infrastructure is in line with Msunduzi Water Master Plan. The Msunduzi Environmental Management Framework (EMF) was considered in the assessment process; and no adverse environmental impacts are likely to occur if the conditions of the Environmental Authorisation and Environmental Management Programme are adhered to.
- 3.7.10 The Department of Water and Sanitation (letter dated 06 May 2019) stated that the proposed 12 ML satellite reservoir and associated infrastructure (phase 1) does not require a Water Use Licence as the HGM units are hydrologically separated from the proposed project area and there will be no impact to the delineated HGM units.
- 3.7.11 The development of the 12ML reservoir and pipeline infrastructure will enable safe and reliable potable water for the residents and broader local communities, and will improve service delivery of an essential service to the area. There will also be temporary employment opportunities during the construction period.

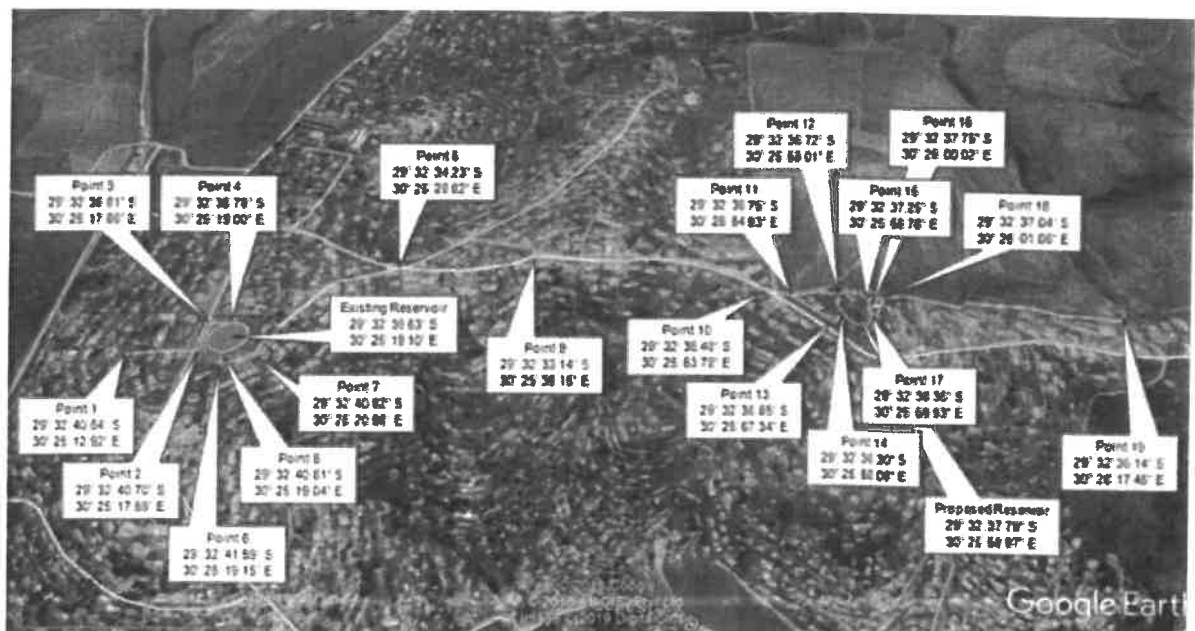
In view of the above, this Department is satisfied that subject to compliance with the conditions contained in the Environmental Authorisation and upon adherence to the mitigation measures contained in the Environmental Management Programme that the proposed activity will not conflict with the general objectives of Integrated Environmental Management as laid down in Chapter 5 of the National Environmental Management Act, 1998; and, that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. **The application is accordingly granted.**

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Environmental Authorisation: DC22/0003/2019	Page 20 of 23	 Initials
-------------------------------------------------------------------------------------	------------------------------------------------	---------------	---------------------------------------------------------------------------------------------------

Annexure 2: Locality Map



Annexure 3: Layout Plan



Annexure: 4B Site Facility Illustration

