



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 14/12/16/3/3/1/2062

Enquiries: Ms Zesipho Makhosayafana

Telephone: 012-395-8741 E-mail: zmakhosayafana@environment.gov.za

Mr I.M. Hasenjager
Sedibeng Water
Private Bag X1
DELPORSHOOP
8377

Tel: (053) 562 9300

E-mail: lhasenjager@sedibewater.co.za

PER E-MAIL / MAIL

Dear Mr Hasenjager

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/983/985, AS AMENDED: PROPOSED VAAL-GAMAGARA REGIONAL WATER SUPPLY SCHEME PHASE 2: UPGRADING OF THE EXISTING SCHEME IN THE NORTHERN CAPE PROVINCE

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

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any

organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za

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

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Vusi Skosana
Acting Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 23/03/2020

CC:	Mr D Henning	Nemai Consulting	Tel: 011 781 1730	Email: donavanh@nemai.co.za
	Ms D Moleko	Northern Cape Department of Environment and Nature Conservation	Tel: 053 807 7430	Email: dmoleko@ncpg.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

Vaal-Gamagara Regional Water Supply Scheme (VGRWSS) Phase 2: upgrading of the existing scheme in the Northern Cape Province

Frances Baard, FZ Mgcawu and John Taolo Gaetsewe District Municipalities

Authorisation register number:	<i>14/12/16/3/3/1/2062</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Sedibeng Water</i>
Location of activity:	<i>Dikgatlong Ward 6, Kgatelopele Wards 2 and 4, Tsantsabane Wards 1,3,5 and 6 and Gamagara Wards 3, 4 and 5 Local Municipalities in the Northern Cape Province</i>

This Environmental Authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

SEDIBENG WATER

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

With the following contact details –

Mr I.M. Hasenjager

Sedibeng Water

Private Bag X1

DELPORTSHOOP

8377

Tel: (053) 562 9300

Cell: 082 806 8624

E-mail: lhasenjager@sedibengwater.co.za

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notice 1, and Listing Notice 3, as amended (GN R983, R984 and R985, as amended):

Listed activities	Activity/Project description
<p><u>GN R.983, Item 9 (i):</u></p> <p><i>“The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water- (i) with an internal diameter of 0,36 metres or More”</i></p>	<p>The project entails the transportation of water in pipelines exceeding 1000 m in length and 0.36 m in internal diameter.</p>
<p><u>GN R.983; Item 12 (ii)(a)(c):</u></p> <p><i>“The development of— (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs – (a) within a watercourse; (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse”</i></p>	<p>Various infrastructure and structures with a physical footprint of 100 square metres or more within watercourse(s) / within 32 m from watercourse(s), including:</p> <ul style="list-style-type: none"> • Pipeline crossings; • Access roads’ crossings; and • Encroachments by other project infrastructure.
<p><u>GN R.983; Item 19:</u></p> <p><i>“The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse”</i></p>	<p>Various infrastructure within watercourse(s), including:</p> <ul style="list-style-type: none"> • Pipeline crossings; and • Access roads’ crossings.
<p><u>GN R.983; Item 27:</u></p> <p><i>“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”</i></p>	<p>Clearance of areas associated with the construction footprint, such as laydown areas, general site establishment and spoil sites.</p>
<p><u>GN R.983; Item 30:</u></p> <p><i>“Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)”</i></p>	<p>Potential occurrence of sensitive biodiversity features at affected areas.</p>

Listed activities	Activity/Project description
<p><u>GN R.983; Item 31 (i):</u> <i>"The decommissioning of existing facilities, structures or infrastructure for -</i> <i>(i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014"</i></p>	<p>The replacement of the existing sections of pipeline will take place within the existing servitude. The intention is for the existing pipelines to be decommissioned. These pipelines will remain in situ. Decommissioning of fuel storage areas after construction.</p>
<p><u>GN R.983; Item 45 (i) (a) & (b):</u> <i>"The expansion of infrastructure for the bulk transportation of water or storm water where the existing infrastructure -</i> <i>(i) has an internal diameter of 0,36 metres or more; or</i> <i>(a) where the facility or infrastructure is expanded by more than 1 000 metres in length; or</i> <i>(b) where the throughput capacity of the facility or infrastructure will be increased by 10% "</i></p>	<p>The project entails the replacement of existing sections of pipeline that have internal diameters exceeding 0.36 m.</p>
<p><u>GN R.983; Item 48 (i) (a) (c)</u> <i>"The expansion of—</i> <i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse"</i></p>	<p>Sections where the existing pipelines traverse watercourses will be replaced.</p>
<p><u>GN No. R.985 – Item 2(g)(ii)(bb)(dd):</u> <i>"The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.</i></p> <p>g. Northern Cape</p> <p>ii. Outside urban areas:</p> <p><i>(bb) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.</i></p> <p><i>(dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans"</i></p>	<p>Possibility to develop new storage at, Trewill, Clifton and Gloucester with capacity of $0.9+6.7+7.2 = 14.8$ MI.</p>
<p><u>GN No. R.985 – Item 10(g)(iii)(cc)(ee):</u></p>	

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Listed activities	Activity/Project description
<p><i>"The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p><i>g. Northern Cape</i></p> <p><i>iii. Outside urban areas:</i></p> <p><i>(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.</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans"</i></p>	<p>"Dangerous goods" that are likely to be associated with the greater project, are fuel stores, as well as any dangerous goods to be used during the construction phase. Estimated quantity of the storage of diesel should not exceed 30 000 litres (30m³).</p>
<p><u>GN No. R.985 – Item 12(g)(ii):</u></p> <p><i>"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.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans"</i></p>	<p>Clearance of large areas associated with the construction footprint.</p>
<p><u>GN No. R.985 – Item 14 (ii)(a)(c)(g)(ii)(dd)(ff)</u></p> <p><i>"The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside urban areas:</i></p>	<p>Various infrastructure within watercourse(s) / within 32 m from watercourse(s), including:</p> <ul style="list-style-type: none"> • Pipeline crossings; and • Access roads' crossings.

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Listed activities	Activity/Project description
<p>(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.</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans”</p>	
<p><u>GN No. R.985 – Item 23 (ii)(a)(c)(g)(ii)(cc)(ee)</u></p> <p>“The expansion of -</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs -</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>g. Northern Cape</p> <p>ii. Outside urban areas:</p> <p>(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.</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans”</p>	<p>Upgrade of existing watercourse crossings along pipeline and access road(s).</p>
<p><u>GN No. R.985 – Activity no. 26:</u></p> <p>“Phased activities for all activities -</p> <p>i. listed in this Notice and as it applies to a specific geographical area, which commenced on or after the effective date of this Notice”</p>	<p>Possible phased activities that may collectively trigger this listed activity.</p>

As described in the Baisic Assessment Report (BAR) dated January 2020 at:

Geographic coordinates:

Pipeline	Latitude	Longitude
Starting Point of activity	28°24'26.3762"S	24°16'4.305"E

Middle Point of activity	28°17'40.968"S	23°19'12.2703"E
End Point of activity	27°56'32.3471"S	22°44'1.5041"E
Reservoirs, Pump Stations & Sump	Latitude	Longitude
Delportshoop Water Treatment Works	28°24'25.9924"S	24°16'6.1079"E
Kneukel	28°18'17.0978"S	24°8'48.8396"E
Trewill	28°18'32.1876"S	23°40'56.0082"E
Gloucester	28°6'24.2300"S	23°4'22.4000"E
Clifton	28°20'13.4800"S	23°24'24.7300"E

- for the construction of Vaal-Gamagara Water Supply Scheme Phase 2: Upgrading of the existing scheme in the Northern Cape Province, hereafter referred to as "the property".

The following project components are associated with the proposed upgrading of the VGRWSS- II:

- Delportshoop abstraction works and Water Treatment Works
- Replacing Pipeline from Beeshoek Connection to Roscoe
- Replacing Pipeline between Clifton and Beeshoek Connection
- Replacing Rising Main from Delportshoop to Kneukel
- Replacing Rising Main from Kneukel to Trewill
- Replacing Rising Main from Trewill to Clifton
- Refurbishment/Replacement of Gravity Main from Roscoe to Olifantshoek
- Delportshoop, Kneukel and Trewill Pump Stations
- Clifton, Gloucester Reservoirs
- Trewill Sump and Kneukel Sump
- Ancillary infrastructure (access roads, fibre optics).

Pipeline Information

Location		Existing Pipe		Decommissioned Pipe		New Pipe	
		Length (km)	Dia (mm)	Length (km)	Dia (mm)	Length (km)	Dia (mm)
Rising Mains	Delportshoop - Kneukel	20.8	687	20.8	508	20.8	813
	Kneukel – Trewill	47.8	687	47.8	&	47.8	813
	Trewill - Clifton	30.3	508	22.4	381	30.3	1016

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Gravity Mains	Clifton – Postmansburg	37.1	762	-	-	37.1	813
	Postmansburg – Gloucester	23.5	660	-	-	23.5	914
	Gloucester - Roscoe	27.1	900	-	-	27.1	914
	Roscoe - Olifantshoek	23.4	254	-	-	23.4	273

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Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed VGRWSS Phase II – upgrading the scheme from Delpportshoop to Olifantshoek, which involves the replacement of a 210 kilometre pipeline, upgrade of the Water Abstraction Works at Delpportshoop, upgrade of the pump stations and sumps, and upgrade of the reservoirs, and associated infrastructure is **approved** as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is not approved. This EMPr must be updated and submitted to the Department for approval prior to the commencement of construction. The EMPr must be subjected to at least 30 days of Public Participation Process. The following must form part of the EMPr
 - 12.1. Detailed Rehabilitation plan.
 - 12.2. Invasive Alien Plant Species management plan.
 - 12.3. The Development layout must be updated to reroute the section of the pipeline that passes through the Health Care Centre.

Frequency and process of updating the EMPr

13. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 20 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
14. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
15. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 2014, as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
16. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R982 of 04 December 2014, as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
17. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, as amended.

Monitoring

18. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 18.1. The ECO must be appointed before commencement of any authorised activities.
 - 18.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 18.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 18.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

19. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
20. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
21. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R982 of 04 December 2014, as amended.
22. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
23. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended, and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.
24. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and Competent Authority in respect of this development.

Notification to authorities

25. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition

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includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

26. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

27. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

28. The final pipeline route must avoid passing through the Olifantshoek Community Health Care Centre.

29. Baseline Monitoring must be undertaken to determine to the pre-construction state of the receiving environment, and which will serve as a reference to measure the residual impacts of the project by evaluating the deviation from the baseline conditions and the associated significance of the adverse effect. The findings must form part of the amended EMPr as per Condition 12 above.

30. A 30 metre buffer for the graves must be maintained and the buffer be demarcated as a no-go area.

31. Should fossil remains are discovered during any phase of construction, either on the surface or exposed by new excavations the Chance Find Protocol must be implemented by the ECO in charge of these developments. These discoveries ought to be protected (in situ if possible) and the ECO must report to South African Heritage Resource Agency. Preceding any collection of fossil material, the specialist would need to apply for a collection permit from SAHRA.

32. In the case where the graves cannot be avoided, a permit must be obtained from SAHRA

33. An ecological, aquatic and heritage specialist must conduct a walk-through of the entire project footprint before commencement of construction activities. Findings of the walkthrough must inform the final EMPr, final design and pegging of the pipeline. The final layout of the pipeline and associated infrastructure and the EMPr must to be submitted to the Department for approval before commencement of construction activities.

34. Before site clearance, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
35. The temporary laydown areas and construction camps must be located away from sensitive areas. A minimum distance of 100 metres must be kept from all water bodies.
36. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
37. No encroachment into the watercourses is permitted without the Water Use License.
38. Limit construction activities to the dry season when storms are least likely to wash concrete and sand into wetlands.
39. Entrances to affected farms must be managed in consultation with the farmer and fencing of farms must be maintained where construction is taking place to ensure that animals do not escape and/or fall into the trench at the construction site
40. No discharge of effluents or polluted water must be allowed into any wetland areas.
41. Workers must be made aware of the importance of not polluting rivers or wetlands and of not undertaking activities that could result in such pollution, and this awareness must be promoted throughout the construction phase.
42. Disturbed areas must be rehabilitated as soon as possible after construction with locally indigenous plants to enhance the conservation of existing natural vegetation on site.

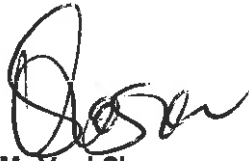
General

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 43.1. at the site of the authorised activity;
 - 43.2. to anyone on request; and
 - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
44. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of

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authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 23/03/2020



Mr Vusi Skosana

**Acting Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs**

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the BAR dated January 2020;
- b) The comments received from South African Heritage Resources Agency, Department of Water and Sanitation and Department of Agriculture, Forestry and Fisheries and the interested and affected parties as included in the BAR dated January 2020;
- c) Mitigation measures as proposed in the BAR dated January 2020 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix H of the BAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act No.107 of 1998, as amended.

2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project to upgrade the existing infrastructure for the aging and nearing end of life Vaal-Gamagara Water Supply Scheme Phase 2.
- c) The replacement of the above sections of pipelines will take place within the existing servitude (approximately 10 m – 15 m wide). It is anticipated that the construction servitude will be 40 m wide, and the permanent servitude will thus need to be widened temporarily. The existing pipeline will remain operational during the upgrading of the scheme and will then be decommissioned thereafter.
- d) The BAR dated January 2020 identified all legislation and guidelines that have been considered in the preparation of BAR dated January 2020.

- e) The methodology used in assessing the potential impacts identified in the BAR dated January 2020 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended, for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the BAR dated January 2020 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the BAR dated January 2020 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

Annexure 2: Locality Plan

