



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

	(For official use only)
File Reference Number:	12/12/20/
NEAS Reference Number:	DEAT/EIA/
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010

PROJECT TITLE

The proposed upgrade of the Midmar Water Works and Pipeline, located within the uMngeni Local Municipality, Kwazulu-Natal

Kindly note that:

1. This application form is current as of 2 August 2010. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
3. Where applicable **black out** the boxes that are not applicable in the form.
4. Incomplete applications may be returned to the applicant for revision.
5. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.
6. This application must be handed in at the offices of the relevant competent authority as determined by the Act and regulations.
7. No faxed or e-mailed applications will be accepted.
8. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.
9. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report must also be submitted.

Queries must be addressed to the contact hereunder:

Departmental Details

Postal address:

Department of Environmental Affairs
Attention: Director: Environmental Impact Evaluation
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Fedsure Forum Building (corner of Pretorius and Van der Walt Streets)
2nd Floor North Tower
315 Pretorius Street
Pretoria
0002

Queries should be directed to the Directorate: Environmental Impact Evaluation at:

Tel: 012-310-3268
Fax: 012-320-7539

Please note that this form must be copied to the relevant provincial environmental department/s.

View the Department's website at <http://www.deat.gov.za/> for the latest version of the documents.

SITE IDENTIFICATION AND LINKAGE

Please indicate all the Surveyor-general 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

N	0	F	T	0	0	0	0	0	0	0	0	0	9	5	0	0	0	4	6	1
N	0	F	T	0	0	0	0	0	0	0	0	0	9	5	0	0	0	1	2	9
N	0	F	T	0	0	0	0	0	0	0	0	0	9	5	0	0	0	4	6	0
N	0	F	T	0	0	0	0	0	0	0	0	0	9	5	0	0	0	5	0	6

(if there are more that 6, please attach a list with the rest of the numbers)

(These numbers will be used to link various different applications, authorisations, permits etc. that may be connected to a specific site)

PROJECT TITLE

The proposed upgrade of the Midmar Water Works and Pipeline, located within the uMngeni Local Municipality, Kwazulu-Natal

1. BACKGROUND INFORMATION

Project applicant:	Umgeni Water		
Trading name (if any):	Umgeni Water		
Contact person:	Steve Gillham		
Physical address:	310 Burger Street		
Postal address:	P.O. Box 9, Pietermaritzburg, 3200		
Postal code:	3200	Cell:	083 453 0240
Telephone:	(033) 3411164	Fax:	033-3411177
E-mail:	steve.gillham@umgeni.co.za		

Provincial Authority:	Department of Agriculture and Environmental Affairs		
Contact person:	Kim Van heerden		
Postal address:	8 Warwick Road, Cascades		
Postal code:	3202	Cell:	082 461 7695
Telephone:	(033) 347 1820	Fax:	(033) 347 1826
E-mail:	kim.vanheerden@kzndae.gov.za		

Landowner:	Umgeni Water		
Contact person:	Steve Gillham		
Postal address:	P.O. Box 9, Pietermaritzburg, 3200		
Postal code:	3200	Cell:	0834530240
Telephone:	033-3411164	Fax:	0333411177
E-mail:	steve.gillham@umgeni.co.za		

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application.

Local authority in whose jurisdiction the proposed activity will fall:	uMngeni Local Municipality		
Nearest town or districts:	Howick		
Contact person:	Dr. M. B. Ngubane		
Postal address:	P O Box 5, Howick		
Postal code:	3290	Cell:	-
Telephone:	(033) 239 9266	Fax:	(033) 330 4183
E-mail:	manager@umngeni.co.za		

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

N/A

2. ACTIVITIES APPLIED FOR TO BE AUTHORISED

2.1 For an application for authorisation that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Indicate the number and date of the relevant notice: Activity No (s) (in terms of the relevant notice) : Describe each listed activity as per project description¹:

e.g. 544, 18 June 2010	1(a)	Construction of a 600 mW generator
544	9	<p>“The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water –</p> <p>(i) with an internal diameter of 0.36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more,</p> <p>Excluding where:</p> <p>a. Such development or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve; or</p> <p>b. Where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.”</p> <p>The proposal is to construct a raw water transfer pipeline 1600 metres in length with a flow rate of 455 litres per second, will trigger this Listed Activity.</p>
544	11	<p>“The construction of:</p> <p>(i) canals;</p> <p>(ii) channels;</p> <p>(iii) bridges;</p> <p>(iv) dams;</p> <p>(v) weirs;</p> <p>(vi) bulk storm water outlet structures;</p> <p>(vii) marinas;</p> <p>(viii) jetties exceeding 50 square metres in size;</p> <p>(ix) slipways exceeding 50 square metres in size;</p> <p>(x) buildings exceeding 50 square metres in size; or</p> <p>(xi) infrastructure or structures covering 50 square metres or more...</p> <p>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.”</p> <p>The proposal to construct the raw water delivery pipeline will be from the Midmar dam wall outlet works which is within 32 metres of the Mgeni River which flows from the Dam wall.</p>
544	18	“The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from:

¹ Please note that this description should not be a verbatim repetition of the listed activity as contained in the relevant Government Notice, but should be a brief description of activities to be undertaken as per the project description

		<p>(i) a watercourse;</p> <p>The proposal to construct the raw water delivery pipeline will be from the Midmar dam wall outlet works, which is within the Mgeni River watercourse, and through a wetland area. This will trigger the listed activity.</p>
544	28	<p><i>"The expansion of or changes to existing facilities for any purpose or activity where the expansion or changes to will require the need for a permit or license in terms of national or provincial legislation governing the release of emissions or pollution, excluding where the facility, process or activity is included in the list of waste management activities published in terms of the NEMA Waste Act, 2008 (Act No. 59 of 2008) in which case that Act will apply.</i></p> <p>An existing Water-Use permit is in place. This will be re-applied for in line with the upgrade.</p>
544	37	<p><i>"The expansion of facilities or infrastructure for the bulk transportation of water, sewage or stormwater where:</i></p> <p>(a) <i>The facility or infrastructure is expanded by more than 1000 metres in length; or</i></p> <p>(b) <i>Where the throughput capacity of the facility or infrastructure will be increased by 10% or more -</i></p> <p>The proposal is to construct a raw water transfer pipeline 1600 metres in length and the upgrade to the Midmar WW from 250 ML/day to 393 ML/day which constitutes an increase of 36%, thus this activity is triggered.</p>
546	13	<p><i>"The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.....</i></p> <p><i>ii. Outside urban areas, the following:</i></p> <p>(ff) <i>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of MEMPA or from the core area of a biosphere reserve.</i></p> <p>The pipeline will require a clearance of an area which totals in excess of 1 hectare of vegetation where 75% or more constitutes indigenous vegetation within 5km of both the Midmar and Umgeni Nature reserves.</p>
546	16	<p><i>'The construction of:</i></p> <p>(iii) <i>buildings with a footprint exceeding 10 square metres in size; or</i></p> <p>(iv) <i>infrastructure covering 10 square metres or more</i></p> <p><i>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i></p> <p><i>ii. Outside urban areas, in:</i></p> <p>(hh) <i>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</i></p> <p>The proposal to construct the raw water delivery pipeline will be from the Midmar dam wall outlet works which is within 32 metres of the Mgeni River which flows from the Dam wall. The proposed development occurs within 5km of both the Midmar and Umgeni Nature Reserves.</p>

Please note that any authorisation that may result from this application will only cover activities specifically applied for.

2.2 A project schedule, indicating the different phases and timelines of the project, must be attached to this application form.

3. OTHER AUTHORISATIONS REQUIRED

3.1 DO YOU NEED ANY AUTHORISATIONS IN TERMS OF ANY OF THE FOLLOWING LAWS?

- | | | |
|--|-------------------------------------|------|
| 3.1.1 National Environmental Management: Waste Act | <input type="checkbox"/> | /No |
| 3.1.2 National Environmental Management: Air Quality Act | <input type="checkbox"/> | /No |
| 3.1.3 National Environmental Management: Protected Areas Act | <input type="checkbox"/> | /No |
| 3.1.4 National Environmental Management: Biodiversity Act | <input type="checkbox"/> | /No |
| 3.1.5 Mineral Petroleum Development Resources Act | <input type="checkbox"/> | /No |
| 3.1.6 National Water Act | <input checked="" type="checkbox"/> | Yes/ |
| 3.1.7 National Heritage Resources Act | <input type="checkbox"/> | /No |
| 3.1.8 Other (please specify) | <input type="checkbox"/> | /No |

3.2 Have such applications been lodged already? No

4. DECLARATIONS

4.1 The Applicant

I, **Steve Gilham**, declare that I -

- am, or represent², the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application / will obtain exemption from the requirement to obtain an environmental assessment practitioner³;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2010, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of these Regulations and will take reasonable steps to verify whether the EAP complies with the Regulations;
- will inform all registered interested and affected parties of any suspension of the application as well as of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action which the applicant or environmental assessment practitioner is responsible for in terms of these Regulations;
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;

² If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

³ If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.

- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

Original Submitted

Signature of the applicant⁴/ Signature on behalf of the applicant:

Umgeni Water

Name of company (if applicable):

09/04/2013

Date:

⁴ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. An EAP may not sign on behalf of an applicant.