



Application for **amendment of an environmental authorisation** in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2014

File Reference Number:  
NEAS Reference Number:  
Date Received:  
Responsible Official:

(For official use only)


### PROJECT TITLE

**CONSTRUCTION OF A RESERVOIR AND ASSOCIATED PIPELINES, TEKWANE SOUTH EXTENSION 2 BULK SERVICES, ON PORTION 7 OF THE FARM TEKWANE 573 JU, CITY OF MBOMBELA LOCAL MUNICIPALITY.**

### IMPORTANT INFORMATION

1. This application form is current as of 8 December 2014. It is the responsibility of the proponent to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. Only the holder of an Environmental Authorisation may apply for an amendment to the Environmental Authorisation in question.
3. An Environmental Authorisation can only be amended if the Environmental Authorisation in question is still in force/is still valid.
4. An amendment of an environmental authorisation should be applied for **at least 3 months** prior to the expiry of the validity period of the environmental authorisation.
5. A certified copy of the environmental authorisation which is the subject of the amendment application must be submitted together with this form.
6. An extension of the time period for which an environmental authorisation is valid is regarded as an amendment of a condition contained in the environmental authorisation.
7. The required information 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.
8. No faxed or e-mailed applications will be accepted.
9. **Proof of payment of the applicable fee for consideration and processing of applications must accompany the submission of this form, unless an exclusion applies.** If an exclusion applies, a **written motivation** must be attached to this application form.
10. The original signed declarations by the applicant and by the EAP and any specialist, which EAP and specialist meet all the requirements contemplated in Regulation 13, must accompany this application form. Where specialists and review specialists/EAPs are appointed after the submission of this form, the relevant declaration forms in Section 8 must be completed, and the original signed forms must accompany the draft reports to be subjected to potential interested and affected parties for review, as well as final reports to be submitted to this Department.
11. Unless protected by law, all information contained in and attached to this application, will become public information on receipt by the competent authority. Upon request during any stage of the application process, the applicant / EAP must provide any registered interested and affected party with the information contained in and attached to this application.
12. An application for the amendment of an environmental authorisation lapses if the applicant fails to meet any of the timeframes prescribed in terms of the 2014 EIA Regulations.
13. This form, and all subsequent reports, **must be submitted to the Department at the relevant DISTRICT OFFICE** given below. Should the application form not be submitted at the relevant district office, it will not be considered.

EHLANZENI DISTRICT	NKANGALA DISTRICT	GERT SIBANDE DISTRICT
Environmental Impact Management 18 Jones Street Nelspruit 1200  Tel: 013 759 4000	Environmental Impact Management Corner Rosemead and Ryan Road Witbank 1035  Tel: 013 692 5843	Environmental Impact Management 13 De Jager Street Ermelo 2351  Tel: 017 811 4830
Please note that the addresses provide above are subject to change. It is the responsibility of the applicant / EAP to verify the abovementioned details with the relevant District Offices prior to submission of all application forms and reports.		

**PROOF OF PAYMENT**

Tick the appropriate box below to indicate that either proof of payment of the prescribed fee of **R2000** is attached or that, in the applicant's view, an exclusion applies. Proof and motivations for exclusions must be attached to this application form.

Proof of payment attached:

Exclusion applies:

**An applicant is excluded from paying fees if:**

- The activity is a community based project funded by a government grant; or
- The applicant is an organ of state

TYPE OF EXCLUSION	Tick which is applicable and attach proof / motivation
The activity is a community based project funded by a government grant	
The applicant is an organ of state	√

**Details for the payment of application fees**

<p><b>Banking Details:</b>  Account name: Dept of Agric, Rural Dev &amp; Land  Bank: Standard Bank  Account number: 0303 02285  Branch Code: 052852 (Nelspruit)  Type of account: Current  Status: Tax exempt  Beneficiary reference number: <b>EIM</b></p> <p><b>Proof of payment must be attached to this application form.</b>  "Proof of payment" includes a receipt, a stamped deposit slip, electronic fund transfer copy or a payment advice.</p>
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## 1. BACKGROUND INFORMATION

### 1.1 Details relating to the environmental authorisation (EA)

Environmental EA in respect of which an amendment is applied for:

Construction of a Reservoir and Associated Pipelines for the Tekwane South Extension 2 Bulk Services.

A certified copy of the environmental authorisation must be attached to this application

Date of issue of EA:

03 June 2015

Project Title:

The Construction of a Reservoir and Associated Pipelines, Tekwane South Extension 2 Bulk Services, on Portion 7 of The Farm Tekwane 573 JU, Mbombela Local Municipality.

Specific activity/ies for which authorisation was granted:

GN R544 Activity 9  
GN R546 Activity 2

Property description:

Farm name, portion, number and registration division or Erf number etc.) Where a large number of properties are involved (e.g. linear activities), please attach a full list to this application.

Portion 7 of the Farm Tekwane 573 JU, Mbombela Local Municipality, Mpumalanga Province.

### 1.2 Details of the holder of the environmental authorisation

Name of person to whom the EA was issued:

The Department of Human Settlement

Trading name (if any):

Contact person:

K Masange

Postal address:

Private Bag X 1328, Nelspruit

Postal code:

1200

Cell:

N/A

Telephone:

013 766 6233

Fax:

c/o 013 752 6877

E-mail:

N/A

### 1.3 Details of the environmental assessment practitioner (EAP)

Name, surname and company name of EAP that undertook the process that resulted in the environmental authorisation:

Obrey Kgatle

Company name of EAP assisting applicant with this amendment application:

Wandima Environmental Services

Name and surname of EAP:

Mangoba Dlamini

Postal address:

P.O. Box 1072, Nelspruit

Postal code:

1200

Cell:

Telephone:

013 752 5452

Fax:

013 752 6877

E-mail:

mangoba@wandima.co.za

Qualifications & relevant experience

POST GRADUATE DIPLOMA (WATER RESOURCES) AND (POLICY, DEVELOPMENT STUDIES), BSC HYDROLOGY.

Professional affiliation(s) (if any)

SYWP: SACNASP: WISA: IAIA: IAHS

### 1.4 Details of landowner

Name of landowner if the person to whom the environmental authorisation was issued is not the owner:

Mbombela Local municipality

Contact person:

Mr. Ben Steyn

Postal address:

P.O Box 45, Nelspruit

Postal code:

1200

Cell:

Telephone:

013 759 2196

Fax:

086 655 4629

E-mail:

bens@mbombela.gov.za

Has the owner been informed of this application?

YES

In instances where there is more than one landowner, this section must be duplicated

## 2. VALIDITY OF THE ENVIRONMENTAL AUTHORISATION

Is the environmental authorisation still in force/still valid?	YES	
If yes, until when is the environmental authorisation valid?	03 June 2020	
Was the authorised listed activity(ies) commenced with during the validity period of the environmental authorisation? If yes, please describe the implementation of the previous environmental authorisation to date with specific reference to the authorised listed activity(ies):	YES	
<p>To date, activities that have been carried out in respect of the Environmental Authorisation are:</p> <ul style="list-style-type: none"> <li>➤ GNR 546 Activity 2 of 2010: The Construction of a 4ML reservoir at co-ordinates 25° 28' 15.45"S, 31° 07' 23.66"E (This activity was also amended from 2ML to 4ML).</li> <li>➤ GNR 544 Activity 9 of 2010: The construction of a bulk water pipeline along the D2296 road reserve commencing at co-ordinates 25° 28' 15.45"S, 31° 07' 23.66"E to the Entokozweni reservoir.</li> </ul>		

## 3. AMENDMENTS APPLIED FOR AND RELATED INFORMATION

### 3.1 Type of amendment

Is the proposed application for a Part 1 or Part 2 Amendment (Refer to Regulations 29 and 31)?		Part 2
Will the proposed amendment change the scope of the environmental authorisation?	YES	
Will the proposed amendment increase the level or nature of the impacts, which impacts was assessed and considered when the initial application for environmental authorisation was made ?		NO
Does the proposed amendment relate to a proposed change of ownership or transfer of rights and obligations?  <b>Note:</b> If yes, a letter from the person to whom the rights and obligations are to be transferred, must be submitted with this form indicating that the person: (a) accepts the rights and obligations contained in the environmental authorisation and (b) has the ability to comply with the conditions of the environmental authorisation and the EMPr.		NO
Does the proposed change, on its own, constitute a listed activity?	YES	

### 3.2 Amendments requested

Describe the amendments that are being applied for and provide reasons/ motivation for the application for amendment.

Amendment requested	Reason / Motivation
<p>The applicant intends to amend the authorized bulk sewer pipeline route. <b>The initial authorized sewer pipeline route GPS co-ordinates are as follows:</b></p> <p><b>Starting Point: 25° 28' 42.23"S, 31° 07' 35.59"E;</b>  <b>Middle Point: 25° 28' 43.69"S, 31° 08' 44.86"E; and</b>  <b>End Point: 25° 29' 12.35"S, 31° 0' 50.38"E</b></p> <p><b>The requested amendment is for:</b></p> <ol style="list-style-type: none"> <li>1. Changing the starting point from the <i>initial authorized</i> point at GPS Co-ordinates: 25° 28' 42.23"S, 31° 07' 35.59"E (Tekwane South Extension 2) moving it in the westerly direction to GPS Co-ordinates: 25° 28' 22.58"S, 31° 06' 53.49"E.</li> </ol>	<p>Sections of the approved sewer line traverses through an existing township of Tekwane South Extension 1. The construction of the authorized sewer bulk pipeline will require relocation of some houses in Tekwane Extension 1. The amendment aims at avoiding relocation of houses which will delay the project and will be costly for the Applicant.</p>

<p>2. Diverting from <i>initial authorized mid-point</i> GPS co-ordinate: 25° 28' 43.69"S, 31° 08' 44.86"E. The proposed route will not follow the existing sewer line that traverses Tekwane South Extension 1 Township as per the initial authorized Bulk Sewer Pipeline (See Appendix 3A: Initial Authorized Layout Plan).</p> <p>The proposed amended line (See Appendix 3B: Proposed Layout Plan) will follow the edge of Tekwane South Township Extension 1 on a southeasterly direction from GPS co-ordinate: 25° 28' 43.69"S, 31° 08' 44.86"E towards GPS co-ordinate: 25° 28' 58.71"S, 31° 08' 48.58"E. The sewer line will then follow the authorized route towards the existing Sewer Treatment Plant. The new bulk sewer pipeline will cross the drainage line (Reitbokloop) at GPS co-ordinate: 25° 28' 52.66"S, 31° 09' 15.79"E.</p>	
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#### 4. ENVIRONMENTAL IMPACTS

##### 4.1 Part 1 Amendments (N/A)

<p>Explain why the proposed amendment will not change the scope of the Environmental Authorisation:</p>
<p> </p>
<p>Explain why the proposed amendment will not increase the level or nature of the impacts, which impacts were assessed and considered when the initial application for Environmental Authorisation was made:</p>
<p> </p>

##### 4.2 Part 2 Amendments

A report reflecting: an assessment of all impacts related to the proposed change; the advantages and disadvantages associated with the proposed change; measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and any proposed changes to the EMP, must be submitted to the Department within the timeframes stipulated in Regulation 32, which report:

- has been subjected to a public participation process which must be agreed to with the Department;
- reflects the incorporation of comments received, including any comments received from this Department.

<p>Describe the proposed assessments and / or specialist studies that will be undertaken:</p>
<ul style="list-style-type: none"> <li>• Ecological and Riparian Assessment;</li> <li>• Geotechnical Investigation;</li> <li>• Impact Assessment Report; and</li> <li>• Environmental Management Program (EMP).</li> </ul>

## 5. PUBLIC PARTICIPATION

For Part 2 Amendments, a public participation process is mandatory.

Describe the proposed method of bringing the proposed change to the attention of the potential and registered interested and affected parties:
The proposed changes will be communicated to all Registered Interested and Affected Parties (I&AP's) through the Media (Newspaper Advert), site notices and also communicated by E-mails.
Describe the proposed process to provide the interested and affected parties with an opportunity to comment on the report:
Registered I&AP's will be notified of the amendment through the afore-mentioned communication channels. The amendment will be available for public review, for a period of 30 days, prior to submission to the Competent Authority for a decision. Registered I&APs will then be given an opportunity to appeal the decision in terms of Chapter 2 of the NEMA 2014 Regulations.

## 6. AUTHORISATION FROM OTHER GOVERNMENT DEPARTMENTS

Are any permissions, licenses or other authorisations required from any other departments before the requested amendments can be effected?		NO
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If yes, please complete the table below.

Type of amendment or approval required. (List the applicable legislation & amendment or approval required)	Name of the Competent authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

## 7. LIST OF APPENDICES

		Submitted	
Appendix 1	Proof of payment, or		N/A
	Written motivation where exclusion of payment applies	YES	
Appendix 2	Certified copy of environmental authorisation (and subsequent amendment where applicable)	YES	
Appendix 3	Written undertaking from the person to whom the rights and obligations are to be transferred		N/A

## 8. DECLARATIONS

### 8.1 The Applicant

**Note:** Duplicate this section where there is more than one applicant.

I....., in my personal capacity or duly authorised thereto hereby declare/affirm all the information submitted or to be submitted as part of the application is true and correct, and that I:

- am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”), the Environmental Impact Assessment Regulations (“EIA Regulations”) in terms of NEMA (Government Notice No. R. 982 refers) and any relevant specific environmental management act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- appointed the environmental assessment practitioner and/or specialists, where applicable, which EAP and/or specialists meet all the requirements in terms of regulation 13 of GN No. R 982 to act as independent environmental assessment practitioner for this application;
- will provide the EAP, specialists 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 NEMA EIA Regulations, 2014 and other environmental legislation 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 independent reviews in terms of regulation 13(2) of GN No. R982;
  - 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 applicable management and mitigation measures;
- am responsible for complying with conditions that may be attached to any decision(s) issued by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of the EIA Regulations, 2014;
- 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 for which the applicant or environmental assessment practitioner is responsible in terms of the NEMA EIA Regulations, 2014 and any specific environmental management act; and
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to an appeal being decided in terms of the NEMA Regulations, 2014.

**Note:** If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

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Signature of the applicant

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Name of company

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Date

## 8.2 The Environmental Assessment Practitioner (EAP)

I ....., as the appointed environmental assessment practitioner (“EAP”) hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- in terms of the general requirement to be independent (tick which is applicable):

<input checked="" type="checkbox"/>	other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
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<input type="checkbox"/>	am not independent, but another EAP that is independent and meets the general requirements set out in Regulation 13 has been appointed to review my work (Note: a declaration by the review EAP must be submitted);
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- have expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- will ensure compliance with the EIA Regulations 2014;
- will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application;
- will take into account, to the extent possible, the matters listed in regulation 18 of the regulations when preparing the application and any report, plan or document relating to the application;
- will disclose to the proponent or applicant, registered interested and affected parties and the competent authority all material information in my possession that reasonably has or may have the potential of influencing any decision to be taken with respect to the application by the competent authority or the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority (unless access to that information is protected by law, in which case I will indicate that such protected information exists and is only provided to the competent authority);
- will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- declare that all the particulars furnished by me in this form are true and correct;
- am aware that it is an offence in terms of Regulation 48 to provide incorrect or misleading information and that a person convicted of such an offence is liable to the penalties as contemplated in section 49B(2) of the National Environmental Management Act, 1998 (Act 107 of 1998).

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Signature of the environmental assessment practitioner

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Name of company

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Date



### 8.3 The Review Environmental Assessment Practitioner (REAP)

I ....., as the appointed review environmental assessment practitioner (“REAP”) hereby declare/affirm the correctness of the information provided as part of the application, and that I:

- am independent, and other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity;
- am fully aware of and meet all of the requirements of Regulation 13, and that failure to comply with any the requirements may result in disqualification;
- have reviewed/will review all the work undertaken by the EAP;
- have disclosed/will disclose, to the applicant, the EAP, the specialist (if any), the Department and interested and affected parties, all material information that have or may have the potential to influence the decision of the Department or the objectivity of any report, plan or document prepared or to be prepared as part of the application; and
- am aware that a false declaration is an offence in terms of regulation 48 of the 2014 NEMA EIA Regulations.

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Signature of the review environmental assessment practitioner

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Name of company

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Date

#### 8.4 The Specialist (SEE ATTACHED)

**Note:** Duplicate this section where there is more than one specialist.

I ....., as the appointed specialist hereby declare/affirm the correctness of the information provided as part of the application, and that I:

- in terms of the general requirement to be independent (tick which is applicable):

<input type="checkbox"/>	other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
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<input type="checkbox"/>	am not independent, but another EAP that is independent and meets the general requirements set out in Regulation 13 has been appointed to review my work (Note: a declaration by the review specialist must be submitted);
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- have expertise in conducting specialist work as required, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- will ensure compliance with the EIA Regulations 2014;
- will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application;
- will take into account, to the extent possible, the matters listed in regulation 18 of the regulations when preparing the application and any report, plan or document relating to the application;
- will disclose to the proponent or applicant, registered interested and affected parties and the competent authority all material information in my possession that reasonably has or may have the potential of influencing any decision to be taken with respect to the application by the competent authority or the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority (unless access to that information is protected by law, in which case I will indicate that such protected information exists and is only provided to the competent authority);
- declare that all the particulars furnished by me in this form are true and correct;
- am aware that it is an offence in terms of Regulation 48 to provide incorrect or misleading information and that a person convicted of such an offence is liable to the penalties as contemplated in section 49B(2) of the National Environmental Management Act, 1998 (Act 107 of 1998).

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Signature of the specialist

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Name of company

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Date

## 8.5 The Review Specialist (N/A)

I ....., as the appointed review specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- am independent, and other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity;
- am fully aware of and meet all of the requirements of Regulation 13, and that failure to comply with any the requirements may result in disqualification;
- have reviewed/will review all the work undertaken by the specialist;
- have disclosed/will disclose, to the applicant, the EAP, other specialist (if any), the Department and interested and affected parties, all material information that have or may have the potential to influence the decision of the Department or the objectivity of any report, plan or document prepared or to be prepared as part of the application; and
- am aware that a false declaration is an offence in terms of regulation 48 of the 2014 NEMA EIA Regulations.

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Signature of the review specialist

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Name of company

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Date

**APPENDIX 1**  
**WRITTEN MOTIVATION FOR EXCLUSION OF PAYMENT**

**APPENDIX 2**  
**CERTIFIED COPY OF ENVIRONMENTAL AUTHORISATION**

**APPENDIX 3A**  
**AUTHORIZED BULK SEWER PIPELINE ROUTE - MAPS**

**APPENDIX 3B**  
**PROPOSED AMENDED BULK SEWER PIPELINE ROUTE - MAPS**

**APPENDIX 4**  
**ECOLOGICAL AND RIPARIAN ASSESSMENT**



**APPENDIX 5**  
**GEOTECHNICAL INVESTIGATION**

**APPENDIX 6**  
**IMPACT ASSESSMENT REPORT**

**APPENDIX 7**  
**ENVIRONMENTAL MANAGEMENT PROGRAM**

**APPENDIX 8**  
**PUBLIC PARTICIPATION REPORT**

**APPENDIX 9**  
**EXEMPTION FROM SAHRA**