



Province of the
EASTERN CAPE
 ECONOMIC DEVELOPMENT,
 ENVIRONMENTAL AFFAIRS & TOURISM

Corner Belmont Terrace and Castle Hill
 Central, Port Elizabeth 6001

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Fax Cover Sheet

To : **NELSON MANDELA BAY MUNICIPALITY**
Attention : **MR WALTER SHAI DI**
Fax No. : 041 585 2907
E-mail : wshaidi@mandelametro.gov.za

CC : **SRK CONSULTING**
Attention : **MR ROB GARDINER / MS KARISSA NEL**
Fax No. : 041 509 4850
E-mail : rgardiner@srk.co.za / knel@srk.co.za

From : **CHARMAINE STRUWIG** on behalf of Messrs Casoojee & Struwig
Tel No : 041-5085800

Date : 17 JULY 2017

Total of pages : 1 + 16 (including cover)

RE: **APPLICATION FOR AUTHORISATION: PROPOSED EXPANSION OF BULK WATER SUPPLIES IN SEAVIEW AND GREENBUSHES SUPPLY AREAS, PORT ELIZABETH, WITHIN THE NELSON MANDELA BAY MUNICIPALITY**

FILE REF > ECm1/C/LN1&3/M/51-2016

ENQUIRIES: MR RIYADH CASOOJEE / MR ANDRIES STRUWIG

Good day Shaidi

Herewith attached please find a copy of the **Environmental Authorization for the above**, for your attention.

An e-copy will also be e-mailed to your office.

Regards

17 July 2017



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Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001
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Contact Person: *Andries Struwig*

Tel: 041 5085855 Fax: 041 5085865 Email: andries.struwig@dedea.gov.za

Ref: ECm1/C/LN1&3/M/51-2016
Enq: R.Casoojee

Nelson Mandela Bay Municipality
P.O.Box 7
Port Elizabeth
6057

Attention: Mr. Elisante Walter Shaidi

E-mail: WSHAIDI@mandelametro.gov.za

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED EXPANSION OF BULK WATER SUPPLIES IN SEAVIEW AND GREENBUSHES SUPPLY AREAS, PORT ELIZABETH, NELSON MANDELA BAY MUNICIPALITY.

1. With reference to the above-mentioned application (Ref No. ECm1/C/LN1&3/M/51-2016), please be advised that the Department has decided to grant authorisation as set out in the attached Environmental Authorisation. The Authorisation Notice and reasons for the decision are attached herewith.
2. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) calendar days of the date of this letter, of the Department's decision in respect of your application as well as as well as the provisions regarding the making of appeals that are provided for in the 2014 Appeal Regulations.
3. The written notification referred to above must -
 - 3.1. Specify the date on which the Environmental Authorisation was issued;
 - 3.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998; and
 - 3.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
4. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of

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Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.


5. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 2 and 3, of the decision.

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

6. The address to which the original of such appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO, 5605
Hand delivery	Beacon Hill, Hockey Close, King Williamstown
In order to facilitate efficient administration of appeals <u>copies</u> of the notice of intention to appeal and any subsequent appeal documentation must also be submitted as follows:	
General Manager: Environmental Affairs per fax:	[043] 605 7300
Manager: Mr. S. Gqalangile - Environmental Impact Management per fax:	[043] 605 7300
It is strongly recommended that electronic copies of all appeal documentation also be e-mailed	E-mail addresses will be supplied on request

7. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.


DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION
DATE: 17/07/2017

Department of Economic Development and Environmental Affairs
Private Bag X5001
2017 -07- 17
Greenacres, Port Elizabeth 6051



Corner Belmont Terrace and Castle Hill, Central, Port Elizabeth 6001
Private Bag X5001, Greenacres, Port Elizabeth 6057 Republic of South Africa

Contact Person: *Andries Struwig* Tel: 041 508 5800 Fax: 041 508 5865 E-mail: Andries.Struwig@dceda.gov.za

Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial: ECm1/C/LN1&3/M/51-2016 NEAS: ECP/EIA/0000242/2016
LAST AMENDED	Not applicable
HOLDER OF AUTHORISATION	Nelson Mandela Bay Municipality
LOCATION OF ACTIVITY	Erf 238, Erf 240, Erf 590 Clarendon Marine Registration Division; Portion 22 of the Farm Goedemoeds Fontein No. 18, Portion 1 of Farm Seaview 28 and Portion 10 of Farm Seaview 28, Port Elizabeth Registration Division

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

"EIA regulations" – These are the 2014 Environmental Impact Assessment Regulations as amended in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998.

"The Department" – The Department of Economic Development, Environmental Affairs and Tourism, Eastern Cape Province.

"DWS" – The Department of Water and Sanitation.

"NWA" - The National Water Act, Act 36 of 1998.

"EAP" – refers to the appointed Environmental Assessment Practitioner represented by SRK Consulting.

"ECO" – Environmental Control Officer.

"FBAR" - refers to the Final Basic Assessment Report titled "Final Basic Assessment Report: Proposed Seaview and Greenbushes Bulk Water Infrastructure Expansion, Port Elizabeth" as prepared by SRK Consulting dated 27 March 2017.

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"EMPr" – refers to Annexure F of the FBAR, the Environmental Management Programme titled "Draft Environmental Management Programme for Proposed Seaview and Greenbushes Bulk Water Infrastructure Expansion, Port Elizabeth" dated 27 March 2017 as prepared by SRK Consulting.

"Commencement" – Any physical activity on site that can be viewed as associated with the proposed Seaview and Greenbushes bulk water infrastructure expansion, as described under Section 2 of this Environmental Authorisation.

1. 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, Nelson Mandela Bay Municipality, should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Sections 4 and 5 of this Environmental Authorisation.

2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998 and the NEMA Environmental Impact Assessment Regulations, 2014, the Department hereby authorises Nelson Mandela Bay Municipality being the legal or natural person who has applied for this authorisation, with the following contact details:

Name	Nelson Mandela Bay Municipality		
Address	10 th Floor, Lillian Diedericks Building, 200 Govan Mbeki Avenue, Central, 6000		
Contact Person	Mr Ellisante Walter Shaidi	E-mail	WSHAIDI@mandelametro.gov.za
Telephone	0415061332	Fax	0415857261
Cell	0735031762		

To undertake the following activities (hereafter referred to as "the activity"), in terms of the scheduled activities listed in the table below:

Detailed description of activity
The proposed development aims to expand current bulk water supply infrastructure in order to address the future provision of potable water to the Seaview and Greenbushes supply areas. Construction will entail the following (read in conjunction with Figure 1 below):

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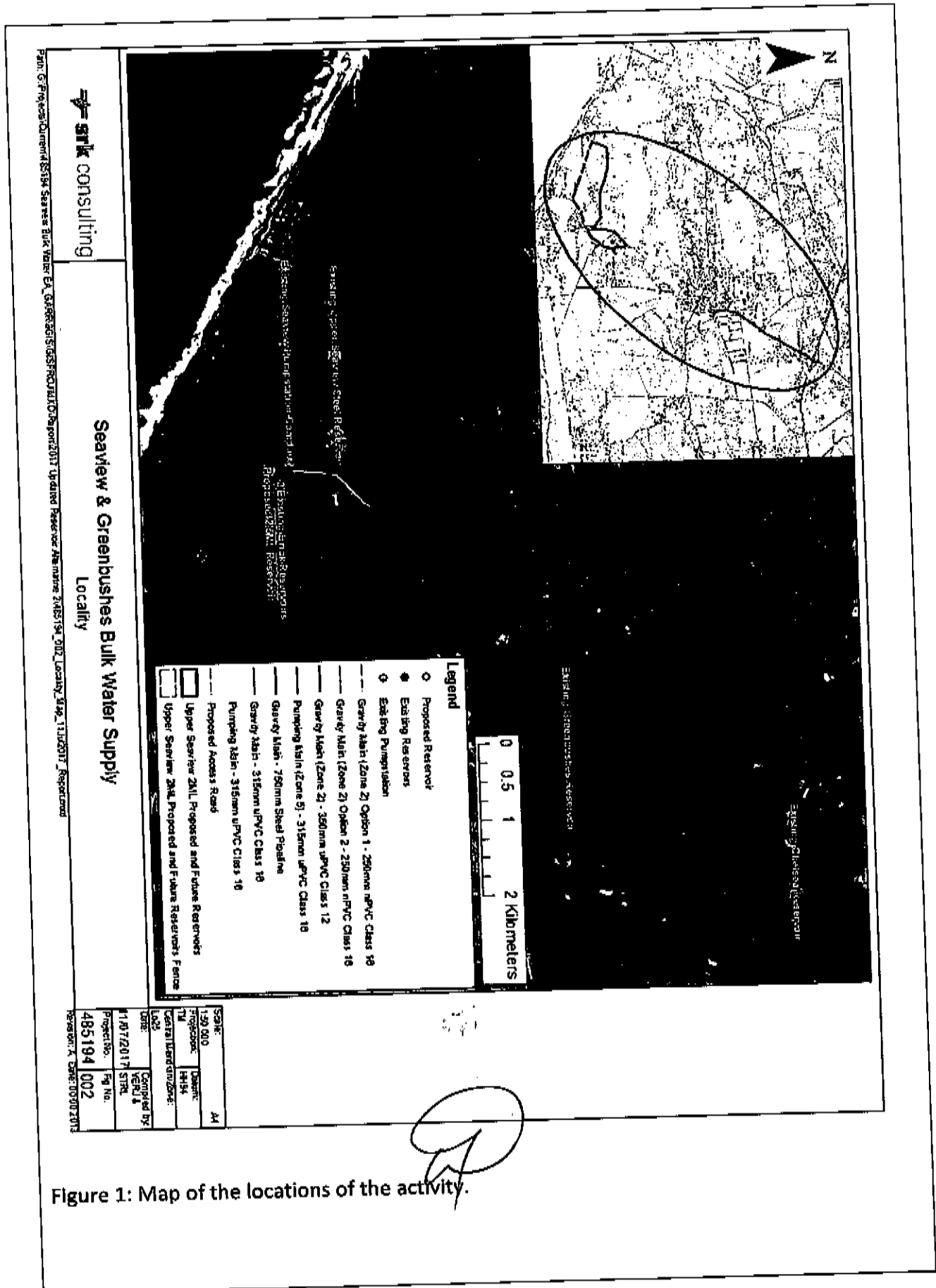


Figure 1: Map of the locations of the activity.

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Seaview:

This authorisation authorises only **Option 1** to be implemented.

- The construction of a 250 mm ϕ class 16 uPVC gravity main pipeline connecting Zones 2 & 5 from the storage reservoir at the Seaview pump station complex. Two alignment options are contemplated:
 - o Option 1 (dotted orange line)(preferred): The alignment (approximately 2900 m in length) follows the Seaview Road up to the Churchill pipeline servitude where the alignment turns towards the west and follows the existing pipeline servitude to a point where it connects to existing infrastructure at Beachview; and
 - o Option 2 (solid orange line): This alignment (approximately 2,460 m in length) follows an existing gravel road which starts just north of the Seaview pump station complex and runs in a westerly direction. At a point where the gravel road turns north, the alignment continues further westwards through forest and then turns south-westwards to a point where it connects into existing infrastructure at Beachview;
- The construction of a pumping main, 315 mm diameter class 12 and 16 uPVC pipeline (yellow line) from the Seaview pump station complex to the 2.5 ML Upper Seaview Bulk Storage Reservoir, approximately 1400 m in length within an existing 5m wide servitude;
- The construction of a gravity main 350 mm ϕ uPVC pipeline, from the Seaview pump station complex to the 2.5 ML Upper Seaview Bulk Storage Reservoir, approximately 1,300 m in length within an existing 5 m wide servitude;
- The construction of a pumping main 315 mm ϕ class 16 uPVC pipeline(light blue line) at the Seaview pump station complex, approximately 250 m in length within the footprint of the complex
- The construction of a 315 mm (70 m in length) class 16 uPVC gravity main pipeline (green line) connection to existing Seaview pipework, south of the Seaview pump station complex;
- Gravity connections from the service reservoirs to existing and proposed reticulation (inter-connections between proposed and new pipelines within the Seaview pump station complex, 150 mm, 200 mm, 250 mm, 300 mm and 450 mm via connections of not more than 20 m in length each); and
- Installation of metering at the Seaview pump station complex.
- The construction of a 2.5 ML clear water bulk storage reservoir surrounded by a fence (T.W.L =156.5 mamsl) ($25^{\circ} 22' 7.940''$ E, $33^{\circ} 59' 34.500''$ S)
- The augmentation of the pump station at the existing Seaview pump station complex to supply the proposed 2.5 ML reservoir at the Upper Seaview reservoir site at 79.5 mamsL (53 L/s)

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- The abandonment and demolition of the three brick reservoirs supplying the Seaview and Kini Bay areas, once the proposed reservoir at the Seaview pump station is constructed; and
- The abandonment and demolition of the existing 120 kL Upper Seaview steel reservoir off the existing Seaview rising mains pumping to Greenbushes/ Chelsea once the proposed Upper Seaview reservoir (160 mamsl) is constructed.

Green Bushes:

- Installation of a 750 mm (outside diameter) gravity main steel pipeline (purple line), approximately 3,500 m in length, connecting the Greenbushes reservoir to the existing pipework near the existing Chelsea reservoir site. It is noted that this pipeline will tie into an existing 375mm diameter pipeline that connects to the Chelsea Reservoir.

Listed Activities in terms of the NEMA EIA Regulations 2014 as amended (GN R. 326 of 07 April 2017) as contained in the amended application form:

R. 327 - 9	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; or (ii) with a peak throughput of 120 litres per second or more
R. 327 - 45	The expansion of infrastructure for the bulk transportation of water or storm water where the existing infrastructure- (i) has an internal diameter of 0,36 metres or more; or (ii) has a peak throughput of 120 litres per second or more; and (a) where the facility or infrastructure is expanded by more than 1000 metres in length; or (b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more
R. 327 - 19	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- (i) a watercourse
R. 324- 2	The development of reservoirs for bulk water supply with a capacity of more than 250 cubic metres; (b) In Eastern Cape: ii. In a protected area identified in terms of NEMPAA, excluding conservancies; iii. Outside urban areas, in: (ff) 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.

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At the locality defined in the Table below, and hereafter referred to as "the property":

District	Cacadu
Municipal Area	Nelson Mandela Bay Municipality
Farm Name	Goedemoeds Fontein, Seaview
Farm Number and Portion	Portion 22 of the Farm Goedemoeds Fontein No. 18, Portion 1 of Farm Seaview 28 and Portion 10 of Farm Seaview 28, Port Elizabeth Registration Division
Erf Number and Township Extension or Suburb	Erf 238, Erf 240, Erf 590 Clarendon Marine Registration Division
Co-ordinates: Reservoir Gravity Main (Zone 2) (Pink) (Start –End coordinates) Pumping Main (Yellow) (Start –End coordinates)	25° 22' 7.940" E, 33° 59' 34.500" S 25° 22' 8.589" E, 33° 59' 34.804" S (Start) 25° 21' 48.959" E, 34° 0' 9.889" S (End) 25° 22' 8.296" E, 33° 59' 33.775" S (Start) 25° 21' 48.228" E, 34° 0' 5.037" S (End)
Gravity Main (Zone 2) (Dotted Orange) (Start –End coordinates)	25° 21' 46.187" E, 34° 0' 2.340" S (Start) 25° 20' 9.264" E, 34° 0' 2.336" S (End)
Pumping Main (Zone 5) (light blue) (Start –End coordinates)	25° 21' 48.350" E, 34° 0' 2.710" S (Start) 25° 21' 48.959" E, 34° 0' 9.889" S (End)
Gravity Main (Green) (Start –End coordinates)	25° 21' 46.775" E, 34° 0' 9.703" S (Start) 25° 21' 46.868" E, 34° 0' 12.169" S (End)
Greenbushes Gravity Main (Purple) (Start –End coordinates)	25° 24' 28.168" E, 33° 56' 44.296" S (Start) 25° 23' 29.844" E, 33° 58' 18.884" S (End)
Physical address	Upper Seaview Reservoir: Portion 22 of the Farm Goedemoeds Fontein No. 18

This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

3.1.1. The upgrading of existing infrastructure and construction of new infrastructure as described in Section 2 of this Environmental Authorisation is to commence within a

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- period of 24 (twenty-four) months from the date of issue of this Authorisation; and must be completed within eighteen (18) months from the date of commencement.
- 3.1.2. If commencement of the activity does not occur within the above mentioned periods, this Environmental Authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
- 3.1.3. Extension of the Environmental Authorisation may be applied for in writing prior to the expiry thereof as required in Regulation 28(1) of the 2014 EIA Regulations as amended. If no request for extension is received prior to the expiry of this Environmental Authorisation, it may result in the lapsing of the Environmental Authorisation.
- 3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
- 3.1.4.1. An updated CEMP; and
- 3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.5. Conditions relating to the operation of the project are valid in perpetuity.
- 3.2. Standard conditions**
- 3.2.1. Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.
- 3.2.2. This Environmental Authorisation applies only to the activities and property described therein.
- 3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity. In this regard specific mention must be made of:
- 3.2.3.1. The National Water Act, Act No 36 of 1998 in as far as it relates to any water use licences that may be required.
- 3.2.3.2. The National Heritage Resources Act, Act No 25 of 1999 in as far as it relates to the demolition of the existing reservoirs.
- 3.2.4. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.
- 3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.
- 3.2.6. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.

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- 3.2.7. 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 this Environmental Authorisation to apply for further authorisation in terms of the regulations.
- 3.2.8. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), then written notification of such proposed transfer must be sent to this Department a reasonable time before such transfer is proposed to take place. The Department will then consider the request and inform the applicant in writing as to whether the transfer is approved or not. Transfer may only take place if the Department has approved the transfer and issued such written approval. Conditions established in this Environmental Authorisation must be made known to and are binding on the new owner/developer.
- 3.2.9. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party including the neighbouring landowners within 14 (fourteen) days of receiving this Environmental Authorisation.
- 3.2.10. This Environmental Authorisation must be kept on site at all times during construction and produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.
- 3.2.11. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.2.12. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.2.13. 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 107 of 1998 and the regulations.
- 3.2.14. Nelson Mandela Bay Municipality will be held in their capacity liable in the event of non-compliance with any condition of this Environmental Authorisation and includes the Environmental Management Plan/s and Final Design Plan to be approved in accordance with the conditions of this environmental authorisation.

3.3. Project-specific Conditions

- 3.3.1. Fourteen days' written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site

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- preparation. The notice must include a date on which it is anticipated that the activity will commence.
- 3.3.2. Any recommendations / mitigatory measures contained in the FBAR and its appendices and not explicitly covered under the conditions contained in this Environmental Authorisation, are regarded as conditions in terms of this Environmental Authorisation. In the event that any such recommendation / mitigatory measure is contradictory to a condition contained in this Environmental Authorisation, such condition will be deemed to take precedence.
- 3.3.3. Further to Condition 3.3.2, Nelson Mandela Bay Municipality to compile a detailed record of all Conditions, inclusive of recommendations / mitigatory measures contained in the FBAR, in tabular format for inclusion in the Construction EMPr
- 3.3.4. The relevant conditions of this Environmental Authorisation shall form part of any contracts entered into between the applicant and any contractor(s) and or any sub-contractor(s).
- 3.3.5. The EMPr titled "Draft Environmental Management Programme for Proposed Seaview and Greenbushes Bulk Water Infrastructure Expansion, Port Elizabeth" as prepared by SRK Consulting dated 27 March 2017, as contained in Appendix F of the FBAR must be amended prior to the construction phase commencing. The CEMPr to include, amongst others, the following:
- 3.3.5.1. Applicable conditions of this Environmental Authorisation;
- 3.3.5.2. All recommendations, mitigation measures, responsibilities, key actions and other provisions contained in the FBAR;
- 3.3.5.3. General principles of environmental management as applicable to construction activities including environmental best practice, erosion prevention and control, and rehabilitation measures of the development footprint area etc.;
- 3.3.5.4. Copies of all permits / licences issued to Nelson Mandela Bay Municipality in relation to this project that have relevance to the environment;
- 3.3.5.5. A general code of conduct for any contractor that may be carrying out any work on the relevant development site;
- 3.3.5.6. A clear description of the construction activities to be carried out on the site;
- 3.3.5.7. Details regarding storage of construction material on site; and
- 3.3.5.8. A framework for all contracts associated with the construction phase of the development and the Environmental Method Statements that will be associated with such contracts.
- 3.3.6. General principles of environmental management as contemplated in Condition 3.3.5.3 to include amongst others the following if not already contained in the EMPr:
- 3.3.6.1. No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface;

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- 3.3.6.2. Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;
 - 3.3.6.3. Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;
 - 3.3.6.4. No servicing of vehicles and other machinery to take place on site and no fuel or other hazardous material to be stored on site;
 - 3.3.6.5. All excess construction material and any waste generated during construction must be removed from site on an ongoing basis;
 - 3.3.6.6. Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
 - 3.3.6.7. Clear stipulations as to who is responsible and accountable for what actions.
- 3.3.7. An Environmental Control Officer (ECO) to be appointed for the duration of the construction activities to oversee implementation of the CEMPr as well as adherence to the conditions contained within this Authorisation.
- 3.3.8. The ECO is amongst others responsible for the following;
- 3.3.8.1. To keep record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;
 - 3.3.8.2. To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances and other materials) indicating how these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid re-occurrence of such incidents;
 - 3.3.8.3. To keep copies of all reports submitted to the Department on site; and
 - 3.3.8.4. To obtain and keep record of all documentation, permits, licences and authorisations relevant to the project on site.
- 3.3.9. The construction phase as well as the post construction rehabilitation phase is to be audited on an ongoing basis by the ECO. The findings of such audits are to be consolidated and submitted to this Department on a quarterly basis. A final post construction and rehabilitation audit is to be conducted and submitted to this Department within three months of the completion of construction (including rehabilitation) within the drainage line.
- 3.3.10. The disposal of any waste as provided for in Condition 3.3.6.5 to take place at a registered waste disposal site.

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- 3.3.11. The construction site and any lay down areas must be clearly demarcated and all construction activities to be confined to the area so demarcated inclusive of the storage of any construction material.
- 3.3.12. Any construction campsite that is deemed necessary is to be approved by the ECO. No construction camp site and any lay down area is allowed within the 1:100 year floodline or within 32m from a watercourse, whichever is the greater
- 3.3.13. The pipes must be tested for defects or leaks before closing trenches.
- 3.3.14. Bulk water infrastructure should be inspected and monitored regularly and repaired immediately if a problem is found.
- 3.3.15. All sand, gravel, stone or other building material to be used are to be obtained from a bona fide source and the building contractor is not allowed to source any such material from the surrounding environment.
- 3.3.16. The Eastern Cape Provincial Heritage Resources Agency (ECPHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.17. Substrate replacement after excavations must be as per original profiles, with particular attention being directed to topsoil reinstatement.
- 3.3.18. Adequate drainage measures must be implemented during construction activities to prevent soil erosion during rainfall events.
- 3.3.19. Nelson Mandela Bay Municipality will be held liable in the event of non-compliance by any contractor associated with this activity.
- 3.3.20. Compliance/non-compliance records must be kept and shall be made available on request from the authorities.
- 3.3.21. All disturbed areas must be rehabilitated in a progressive manner and vegetated where possible.
- 3.3.22. Post Construction and rehabilitation and monitoring as described in the CEMPr, for a minimum period of 24 months.
- 3.3.23. Before decommissioning takes place, a detailed report dealing with environmental impact management during decommissioning must be drawn up and submitted to the Department for approval.
- 3.3.24. All permits are to be obtained and all legislation is to be followed relating to the demolition of the existing reservoirs before commencement of demolition.

4. Reasons for Decision

4.1 Information considered in making the decision

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

- 4.1.1. The information contained in the completed application form dated 05 December 2016 and received on the same date.

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- 4.1.2. The Final Basic Assessment Report titled "Proposed Seaview and Greenbushes Bulk Water Infrastructure Expansion, Port Elizabeth" as prepared by SRK consulting dated 27 March 2017.
- 4.1.3. The key findings and decisions made during the meeting on 19 May 2017 between the Eastern Cape Parks and Tourism Agency (ECPTA), SRK Consulting, a consultant engineer of Bosch Stemele (Pty) Ltd and the Department.
- 4.1.4. Observations made during a site visit conducted on 09 March 2017 by Mr. A. Struwig and Mr. Riyadh Casoojee of the Department in the company of Mr. Luc Strydom of SRK consulting.
- 4.1.5. Additional information submitted to the Department by SRK Consulting submitted on 13/07/17, 12/07/17, 07/07/17, 06/06/17, 23/05/17, 19/05/17 respectively.
- 4.1.6. The EIA Regulations of 2014 and the objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998.

4.2 Key factors considered in making the decision

- 4.2.1 The Water Master Plan (2005) for the Nelson Mandela Bay Municipality identifies the need for an increase in the water availability within the Metro, particularly to allow for future expansion and development of townships. To-date the development within the Seaview and Greenbushes supply areas has been sporadic with limited formal town planning prepared. The lack of a sustainable bulk water supply has also hampered further development prospects. The proposed development aims to expand current bulk water supply infrastructure in order to address the future provision of potable water to the Seaview and Greenbushes supply areas. The Greenbushes Supply Area comprises a pipeline to increase the gravity flow inland to cater for anticipated increased demand as well as a 15 ML per day emergency supply to the Chelsea pump station.
- 4.2.2 Initially the reservoir was proposed to be placed within the Island Nature Reserve. This was deemed unsatisfactory by the Department following a registered complaint by the ECPTA. A meeting was held between all parties and an alternative site outside of the reserve, mentioned in this authorisation, was suggested and accepted. The land on which the proposed reservoir will be situated has already been transformed and thus will not be removing important vegetation. The pipelines themselves remain within the road reserve for the most part, with any of the intersections with drainage lines or requirement for vegetation removal sufficiently mitigated to a low impact.
- 4.2.3 No fatal flaws were discovered during the Basic Assessment Process and from an environmental perspective there is nothing that would preclude an authorisation being issued. In addition, a number of other measures are stipulated in the conditions contained in Section 3 of this Environmental Authorisation that are intended to

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ensure that potential impacts associated with the development are kept within limits that are compatible with the environmental character of the site. It is further believed that this development does not present any impact that could not be successfully mitigated.

- 4.2.4 Furthermore, this Environmental Authorisation required that a CEMPr must be implemented and monitored by an ECO, which will further mitigate any impacts on the environment during construction.
- 4.2.5 The project has been advertised and no objections were lodged against the proposed activity.
- 4.2.6 In general, the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation together with those conditions contained in the authorisations required in terms of any other statutory legislation (including the National Water Act), the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

5 Appeal of authorisation


- 5.1. In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of this letter, of the Department's decision in respect of your application.
- 5.2. The notification referred to in 5.1 above must -
- 5.2.1. Specify the date on which the Authorisation was issued;
- 5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN 993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
- 5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 5.3. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2, of the decision.


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- 5.4. An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office; and
- 5.5. The Appellant must also serve a copy of the appeal to the regional office that processed the application.
- 5.6. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 5.1 and 5.2 of the decision.
- 5.7. The address to which the original of any appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO, 5605
Hand Delivery	Beacon Hill, Hockey Close, King Williamstown
In order to facilitate efficient administration of appeals <u>copies</u> of application form to appeal and any subsequent appeal documentation must also be submitted as follows:	
Manager: Mr S. Gqalangile - Environmental Affairs per fax:	[043] 605 7300
It is strongly recommended that electronic copies of all appeal documentation also be e-mailed	E-mail addresses will be supplied on request

- 5.8. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.


RIYADH CASOOJEE
 INTERN ENVIRONMENTAL OFFICER: EIM
 CACADU REGION
 DATE: 17/07/2017


DAYALAN GOVENDER
 DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
 CACADU REGION
 DATE: 17/07/2017

