



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447- PRETORIA · 0001- Environment House · 473 Steve Biko, Arcadia- PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/2/973

Enquiries: Ms Thulisile Nyalunga

Telephone: 012-399-9405 **E-mail:** TNyalunga@environment.gov.za

Mr Menard Mugumo
Department of Water and Sanitation
Private Bag X313
PRETORIA
0001

Tel: 012 336 6838
E-mail: Mugumom@dws.gov.za

PER MAIL / EMAIL

Dear Mr Mugumo

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/984/985: SURFACE WATER DEVELOPMENTS FOR AUGMENTATION OF THE WESTERN CAPE WATER SUPPLY SYSTEM, WESTERN 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 (the 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 decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R. 993, which prescribes the appeal procedure to be followed. An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and 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.

By post:

Private Bag X447,
Pretoria, 0001; or

By hand:

Environment House
473 Steve Biko Street,
Arcadia,
Pretoria, 0083

5

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Appeals must be submitted in writing to:

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356

Email: Appealsdirector@environment.gov.za

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act 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.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website: ([https://www.environment.gov.za/documents/forms#legal authorisations](https://www.environment.gov.za/documents/forms#legal%20authorisations)).

Kindly include a copy of this document with the letter of notification to all registered interested and affected parties.

Yours faithfully



Mr Obopeng T Gaoraelwe

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

Date: 28/06/17

CC:	Mr D Henning	Nemai Consulting	Tel: 011 781 1730	Email: donavanh@nemai.co.za
	Mr A Kowalweski	Drakenstein Local Municipality	Tel: 021 807 4705	Email: andrek@drakenstein.gov.za
	Mr J Schoitz	Swartland Local Municipality	Tel: 022 487 9400	Email: joggies@swartland.org.za
	Ms A La Meyer	DEA&DP	Tel: 021 483 2887	Email: Andi.LaMeyer@westerncape.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,

Surface Water Developments for Augmentation of the Western Cape Water Supply System, Western Cape Province

Cape Winelands and West Coast District Municipalities

Authorisation register number:	<i>14/12/16/3/3/2/973</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Department of Water and Sanitation</i>
Location of activity:	<i>WESTERN CAPE PROVINCE: Within Drakenstein Local Municipality Ward 31 and Swartland Local Municipality Ward 12</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, 1998 and the EIA regulations.

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, 1998 (Act No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 as amended, the Department hereby authorises –

DEPARTMENT OF WATER AND SANITATION

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

with the following contact details –

Mr Menard Mugumo
Department of Water and Sanitation
Private Bag X313
PRETORIA
0001

Tel: 012 336 6838

Cell: 082 804 5162

E-mail: Mugumom@dws.gov.za

to undertake the following activities (hereafter referred to as "the activity") as indicated in Listing Notice 1, 2, 3 (GN R. 983, GN R. 984 and GN R. 985):

Listed activities	Activity/Project description
<p><u>GN R. 983 Item 9</u></p> <p><i>The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water-</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more.</i></p>	<p>A new rising main pipeline will be constructed in order to transfer water from the Berg River to the existing Voëlvlei Dam. The pipeline will be between 5000 and 8115m in length and will have a diameter of 1.7m.</p> <p>The servitude for the pipeline will be 50m (25m on either side) during construction. After construction the permanent servitude for maintenance would be approximately 25m (13m on either side).</p>
<p><u>GN R. 983 Item 12</u></p> <p><i>The development of-</i></p> <p><i>(iii) bridges exceeding 100 square metres in size;</i></p> <p><i>(v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres in size;</i></p> <p><i>(x) buildings exceeding 100 square metres in size;</i></p> <p><i>(xii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs-</i></p> <p><i>(a) within a watercourse.</i></p>	<p>New weir, pump station building and infrastructure more than 100m² in size within 32m of the Berg River will be constructed. The footprint of the pump station alone will be in the order of 80 x 30m (~2400m²) on the left bank (looking downstream). The weir footprint extends well onto the right bank and will also exceed 100m².</p>
<p><u>GN R. 983 Item 19</u></p> <p><i>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 of</i></p>	<p>The development will include the construction of various infrastructure within the Berg River, including:</p>

Listed activities	Activity/Project description
<p>more than 5 cubic metres from-</p> <p>(i) a watercourse.</p>	<ul style="list-style-type: none"> • Low level weir; • Pipeline; and • Pump station. <p>This will result in the excavating, dredging and infilling within a watercourse of more than 5m³. The access road is proposed to be via the existing Sonquasdrift Road which currently crosses the Berg River in the direction of Riebeeck Kasteel. That road is wide enough (6m surface and 15-20m servitude). From the existing Sonquasdrift Road to the abstraction / pump station site there may be small watercourses to cross.</p>
<p><u>GN R. 983 Item 27</u></p> <p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.</p>	<p>Clearing for the pump stations together with the weir will likely exceed 1 ha. The footprint of the pump station alone will be in the order of 80 x 30m (~2400m²) on the left bank (looking downstream). The weir footprint extends well onto the right bank and will also exceed 100m².</p>
<p><u>GN R. 983 Item 30</u></p> <p>Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p>	<p>The developments fall within the Swartland Shale Renosterveld, and the Swartland Alluvium Fynbos, both of which are categorised as Critically Endangered, according to data sourced from SANBI. The proposed developments also fall within both Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) regions.</p>
<p>GN R. 984 Item 11</p>	

Listed activities	Activity/Project description
<p>The development of facilities or infrastructure for the transfer of 50 000 cubic metres or more water per day, from and to or between any combination of the following -</p> <p>(i) water catchments;</p> <p>(ii) water treatment works.</p>	<p>The development involves the transfer of approximately 23 million cubic metres per annum between the Berg River and the existing Voëlvlei Dam. Water from the Dam is abstracted by West Coast District Municipality and City of Cape Town, as well as releases being made for irrigation.</p>
<p><u>GN R. 985 Item 12</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>(a) In Western Cape</i></p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans.</i></p>	<p>The development will result in more than 300 square metres of indigenous vegetation being cleared. Part of the pipeline route occurs within a CBA area as well as an area indicated in the National Spatial Biodiversity Assessment (2004) as Critically Endangered.</p>
<p><u>GN R. 985 – Activity 18</u></p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>(f) In Western Cape:</i></p> <p><i>i. All areas outside urban areas:</i></p> <p><i>(aa) Areas containing indigenous vegetation.</i></p>	<p>The existing Sonquasdrift Road is proposed as the main access route, from where access would then be via existing farm roads (the farm roads would need widening). The Sonquasdrift Road itself has a current surface width of 6m and a minimum servitude of 15m and is wide enough.</p>

as described in the Environmental Impact Assessment Report (EIAR) dated April 2017 at:
Western Cape Province: Drakenstein and Swartland Local Municipalities.

Farm Names and 21 Digit SG Code:

Farm name	Portion	SG Code
Doorn Boom 199	1	C07500000000019900001
Farm 200	0	C07500000000020000000
Farm 201	2	C07500000000020100002
Farm 201	1	C07500000000020100001
Farm 392	0	C07500000000039200000
Farm 403	2	C07500000000040300002
Half Gewaagd 73	25	C07500000000007300025
Half Gewaagd 73	10	C07500000000007300010
Sonquas Doordrift 647	2	C04600000000064700002
Sonquas Doordrift 648	1	C04600000000064800001
Sonquas Doordrift 648	2	C04600000000064800002
Tulburgh Road 412	0	C07500000000041200000
Tulburgh Road 412	0	C07500000000041200000
Tulburgh Road 441	0	C07500000000044100000
Vogel Valley 207	0	C07500000000020700000
Zonquasdrijf 1129	3	C04600000000112900003
Zonquasdrijf 1129	0	C04600000000112900000
Zonquasdrijf 1129	5	C04600000000112900005
Zonquasdrijf 1129	6	C04600000000112900006

Coordinates of pipeline route:

Alternative 3 (preferred alternative)	Latitude	Longitude
Start point	33°19'41.44"S	18°58'46.67"E
Middle point	33°20'18.45"S	19°00'05.47"E
End point (alternative Discharge point 3)	33°21'35.86"S	19°01'38.67"E

Access road coordinates:

Alternative 1 (preferred alternative)	Latitude	Longitude
Start point	33°21'03.66"S	18°57'43.15"E
Middle point	33°19'48.60"S	18°57'06.29"E
End point	33°19'39.67"S	18°58'47.29"E

- for the surface water developments for augmentation of the Western Cape water supply system, Western Cape Province, hereafter referred to as "the property".

The project components include the following:

- A low level weir, abstraction works and 4 m³/s raw water pump station on the Berg River;
- A rising main pipeline from the Berg River to Voëlvlei Dam; and
- A potential new summer release connection at the existing Swartland WTW to facilitate summer releases into the Berg River for environmental requirements thus eliminating the need to utilize the existing canal from which water losses occur.

The project entails the following associated infrastructure:

- Abstraction works;
- Rising main pipeline and pump station;
- Diversion weir;
- Access roads during construction and operation (the approved 6.7km access road 1 follows an existing unnamed farm route and therefore the construction of only 300 metres of road is required);
- Power lines for construction and operation; and
- Construction camp.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred Pipeline and Discharge Point Alternative 3 and the preferred Access Road Alternative 1 for the surface water developments for augmentation of the Western Cape water supply system, Western Cape Province is approved with the above coordinates cited on page 6.
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 five (05) 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. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. 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.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the competent authority for the decision.

Commencement of the activity

12. 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, 1998 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

13. The Environmental Management Programme (EMPr) submitted as part of the Application for EA must be amended and submitted to the Department for written approval prior to commencement of the activity. Once approved, the EMPr must be implemented and adhered to. The EMPr must be amended to include:
 - 13.1 A detailed Maintenance Management Plan (MMP), to ensure that future maintenance activities associated with the development are assessed and taken into consideration.
 - 13.2 A Search, Rescue and Relocation Plan, developed in consultation with the terrestrial ecologist and CapeNature, which takes into consideration Red Data, protected and endangered fauna and flora species.
 - 13.3 A Monitoring Plan for species such as the Geometric Tortoise. The monitoring plan must be developed in consultation with CapeNature and must provide for regular walk downs of the area prior to and during the construction phase, to monitor the trenches for tortoises that may have fallen in.
 - 13.4 An Access Control Plan for access to farmer's private land during construction.
 - 13.5 An Aquatic Monitoring Programme, for implementation after construction activities have been completed.
 - 13.6 The mitigation measures of the Storm Water Management Plan dated March 2017.

Frequency and process of updating the EMPr

14. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 21 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.
15. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
16. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. 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.

17. 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 R.982. 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.
18. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

Monitoring

19. 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.
- 19.1. The ECO must be appointed before commencement of any authorised activities.
- 19.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
- 19.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 19.4. 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

20. 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.

21. 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.
22. 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 R. 982.
23. The holder of the authorisation must, in addition, submit an environmental audit report 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.
24. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 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.
25. 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

26. 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 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

27. 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

28. 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

29. No activities, which require a water use authorisation, will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
30. Baseline monitoring must be undertaken as per the requirements of the EMP, to determine the pre-construction state of the receiving environment and to serve as a reference against which to measure the residual impacts of the project.
31. A baseline noise survey must be conducted prior to the commencement of site activities in accordance with the requirements of the Noise Induced Hearing Loss Regulations (OHS Act 85 of 1993) and SANS 10083:2004.
32. A walk-through of the final pipeline route must be conducted prior to construction in late winter/early spring by a qualified botanist who is highly familiar with vegetation of this region.
33. Should Species of Conservation Concern be encountered, they must be avoided and only if this is completely impossible, then search and rescue must be undertaken by a qualified botanist or horticulturist into Voelvlei Nature Reserve.
34. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
35. Prior to construction, animal species of conservation importance (such as the Geometric Tortoise and Blue Crane) must be rescued and relocated. An experienced person, who is highly familiar with the fauna in the region, must identify any possible Red Data fauna on site and acquire the necessary permits to relocate fauna if avoidance is not possible.
36. Any incidents of poaching, wilful disturbance or damage to wild animals as well as accidental damage to or death of wild animals must be reported to the ECO and recorded.
37. Photographs of sensitive animals (Greater White Pelican, Jackal Buzzard, Geometric Tortoise, and Blue Crane) must be displayed in the construction camp to heighten awareness of these species.
38. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.

39. The footprint area of the weir must be clearly demarcated to avoid unnecessary disturbances to adjacent areas.
40. Laydown yards, camps and storage areas must be beyond the aquatic and wetland areas.
41. An aquatic ecologist with fishway experience must monitor the construction phase of the project, in order to assess compliance and to also provide guidance for riparian and fishway related matters that arise.
42. A survey must be undertaken to document all pump stations and infrastructure that may be lost during the event of a flood. The survey must account for directly affected properties as well as downstream users. In the event of flooding, the survey must be used as a basis for compensation claims against the holder of the authorisation.
43. A buffer zone of 15m (for the construction phase) and 21m (for the operational phase) must be maintained as a barrier between the development and wetland systems, apart from those aspects of the development authorised within the vicinity of the watercourses.
44. Farmers and landowners must be consulted in the design of the road to ensure that there is minimal impact on landowners.
45. Landowners must be afforded the opportunity to comment on the access control plan. Compliance of contractors and sub-contractors with the access control plan must be enforced.
46. Construction must take place during the dry season to reduce the erosion potential of the exposed surfaces.
47. Where sensitive crops are affected by dust, a feasibility study must be conducted to tar the roads, particularly during the operational phase where roads will be used for maintenance of the pipeline.
48. Should any archaeological or cultural heritage resources, including human remains / graves as defined and protected under the National Heritage Resources Act, 1999, be identified during the construction phase, construction activities within the vicinity of the findings must immediately cease and be reported to Heritage Western Cape (Tel: 021 483 9685) and should human remains be found on site, the South African Police Service must also be notified.
49. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste, which will not be recycled, must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

50. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
- 50.1. at the site of the authorised activity;
 - 50.2. to anyone on request; and
 - 50.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
51. 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 authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 20 June 2017.



Mr Obopeng T Gaoraelwe

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 EIAr dated April 2017;
- b) The comments received from interested and affected parties as included in the EIAr dated April 2017;
- c) Mitigation measures as proposed in the EIAr dated April 2017 and the EMPr;
- d) The information contained in the specialist studies; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No.107 of 1998).

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 project need was sufficiently addressed. The surrounding agricultural areas, WTWs, and the two District Municipalities receive water from the dam and there is currently an increased demand for water that becomes more difficult to address due to water shortages, therefore an increase in the amount of water supplied is needed in the area. There is an urgent need to provide water services to communities within South Africa.
- c) The EIAr dated April 2017 identified all relevant environmental legislation and guidelines that have been considered in the preparation of the EIAr dated April 2017.
- d) The methodology used in assessing the potential impacts identified in the EIAr dated April 2017 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 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 EIAr dated April 2017 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) According to the independent Environmental Assessment Practitioner (EAP), the information contained in the EIAr dated April 2017 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr 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, 1998 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

