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Reference: EC04/C/LN3/M/52-2016  
Enquiries: A. Mhlaba

Makana Local Municipality  
City Hall, High Street  
Grahamstown  
6139

Email: [snomandela@makana.gov.za](mailto:snomandela@makana.gov.za)

**Attention: Sonwabile Nomandela**

Fax: 046 622 9488

**AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 AS AMENDED TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED ALICEDALE SEWERGAE INFRASTRUCTURE UPGRADE, WITHIN THE MAKANA LOCAL MUNICIPALITY, EASTERN CAPE**

1. With reference to the above-mentioned application (Reference number **EC04/C/LN3/M/52-2016**), 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) days of the date of this letter, of the Department's decision in respect of your application.
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 as amended; 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. Should you decide to appeal, you must serve a copy of the 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.

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

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

The address to which the **originals** 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, <b>BHISHO</b> , 5605
Hand deliveries at:	Beacon Hill Hockley Close King William's Town 5601
In order to facilitate efficient administration of appeals <b>copies</b> of an appeal and any supporting 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

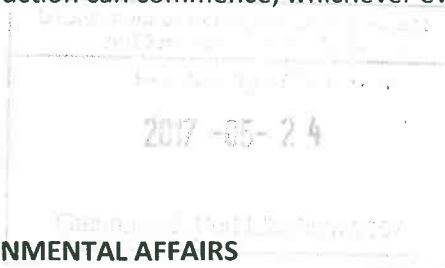
6. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction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



**DAYALAN GOVENDER**  
**DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS**

**CACADU REGION**

**DATE:** 24/05/2017





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## Environmental Authorisation

<b>AUTHORISATION NOTICE REGISTER NUMBER</b>	Provincial: EC04/C/LN3/M/52-2016 NEAS: ECP/EIA/0000243/2016
<b>LAST AMENDED</b>	Not applicable
<b>HOLDER OF AUTHORISATION</b>	Makana Local Municipality
<b>LOCATION OF ACTIVITY</b>	Alicedale via Main Road 476 from the N10 National Road between Paterson and the Olifantskop Pass

### DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

"EIA regulations" – These are the Environmental Impact Assessment Regulations in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 published in Government Notice R. 922 of 04 December 2014 as amended.

"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 GIBB Engineering & Architecture.

"ECO" – Environmental Control Officer.

"FBAR" - Refers to the Final Basic Assessment Report titled "Final Basic Assessment Report: For Sewerage Infrastructure Upgrades in Alicedale, Makana Local Municipality, Eastern Cape" as prepared by GIBB Engineering & Architecture dated 10 March 2017.

“EMPr” – Refers to the Environmental Management Programme attached to the FBAR as Appendix F titled “Alicedale Relief Rising Main Construction Environmental Management Plan dated March 2017 as prepared by GIBB Engineering and Architecture.

“Commencement” – Any physical activity on site that can be viewed as associated with the Proposed Alicedale Sewerage Infrastructure Upgrade, as described under Section 2 of this Environmental Authorisation inclusive of initial site preparation and site camp established.

“ECPHRA” – Eastern Cape Provincial Heritage Resources Agency.

## 1. Decision

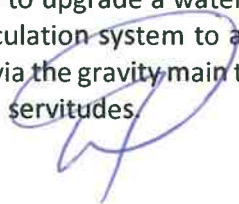
The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation that the applicant, Makana Local Municipality, should be allowed to undertake the activity specified below. Details regarding the basis on which the 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 as amended and the NEMA Environmental Impact Assessment Regulations, 2014, the Department hereby authorises Makana Local Municipality being the legal or natural person who has applied for this authorisation, with the following contact details:

<b>Name</b>	<b>Makana Local Municipality</b>		
<b>Address</b>	<b>City Hall, High Street, Grahamstown, 6139</b>		
<b>Contact Person</b>	<b>Mr. S. Nomandela</b>	<b>E-mail</b>	<a href="mailto:snomandela@makana.gov.za">snomandela@makana.gov.za</a>
<b>Telephone</b>	<b>043 603 6138</b>	<b>Fax</b>	<b>046 622 94 88</b>
<b>Cell</b>	<b>073 086 4028</b>		

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

<b>Detailed description of activity</b>
<p>Makana Local Municipality proposes to upgrade a waterborne sanitation system in Alicedale which will allow the sewage to be drained via a reticulation system to a point where it would be pumped up to the existing gravity main. It will then be directed via the gravity main to the existing waste water treatment works (WWTW). Pipelines will run in the existing road servitudes.</p> 

**Construction activities will include:**

**Pipeline Infrastructure**

There will be two types of pipes laid on this project, namely a gravity main and pressure rising main. The rising main pipeline will require the construction of two pump stations (Alternative 2).

- Gravity sewer

All gravity sewer pipes will be 160mm diameter class 34 U-PVC. This system will have erf connections and will drain under gravity to an existing communal conservancy tank to the west of the town. The collection sewer will cover an approximate distance of 2920m. The gravity sewers are not pressurized and use gravitational forces to transfer sewage from erven to the pump station.

- Rising main

Sewage will be pumped through the new rising main from the new pump station to the inlet of the existing gravity main. The pumped rising main will consist of 110mm diameter class 9 U-PVC pressure pipe buried at a depth of approximately 1.2m below ground level. The maximum flow rate in the rising main will be approximately 9litres/sec. Excavation for the pipeline will predominantly be by manual labour with a 2.5m (max) wide working area required along the route. A steel section will be used where the pipeline crosses the Bushmans River Bridge, and here the pipeline will be strapped to the side of the deck, next to other existing services that are presently strapped to the bridge. An access chamber (1.2m diameter precast concrete ring chamber) will be built in the shoulder of the road, at either end of the bridge, where the pipeline daylights and connects onto the bridge. The rising main will tie into the existing gravity main at an existing manhole immediately south of the old treatment ponds east of Alicedale. The rising main will cover a distance of approximately 1476m.

**Construction of Manholes and Pump stations**

The manholes would vary in depth according to the depth of the pipeline from 1.5m to 3.8m deep. All manholes and pump stations will be constructed from precast concrete rings with reducer slabs. The in-situ material is not favourable for foundations and should be over excavated to allow it to be replaced with a G7 layer. The in-situ material should then be compacted and a layer of G7 quality material or better should be placed to serve as a base for the foundations. In Alternative 2 design option, two pump stations are required.

**Bridge Crossing**

The rising main will be strapped to the bridge crossing the Bushmans River. The pipe will be a 100mm diameter flanged, steel pipe. Special steel brackets shall be fabricated in order to strap the pipe to the bridge. The brackets will be bolted to the existing bridge and the pipe will be attached to the bracket using a 16mm U-Bolt.

The pipes will be put in place from the bridge itself and will not require any disturbance to the vegetation below. There will be two chambers constructed on either side of the bridge where the pipe level will be lifted to be line with the bridge deck. The pipe also changes from U-PVC to steel at these chambers.

#### Coordinates of the activity

- Starting point                      33°18'58" S 26°4'44" E (Pump Station 1)
- Middle point                        33°18'59" S 26°5'14" E (River crossing or Bridge)
- End point                             33°19'4" S 26°5'29" E (Pump Station 2)

#### **Listed Activities in terms of the NEMA EIA Regulations 2010 (GN R. 982 of 04 December 2014) as contained in the application form:**

GN R.985 (Activity 14)	The development of: (xii) infrastructure of 10m <sup>2</sup> or more, where such development occurs c) within 32m of a watercourse, c) in the Eastern Cape, ii) outside an urban area, ff) in critical biodiversity areas.
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#### **Listed Activities in terms of the NEMA EIA Regulations 2010 (GN R. 982 of 04 December 2014) as contained in the application form that were not authorized:**

GN R.985 (Activity 12)	The clearing of 300m <sup>2</sup> or more of indigenous vegetation a) in the Eastern Cape, ii) within a critical biodiversity area identified in bioregional plans. <b>Note: There is no approved Bioregional Plan applicable for this area.</b>
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At the locality defined in the Table below, and hereafter referred to as "the property":

<b>District</b>	Sarah Baartman
<b>Municipal Area</b>	Makana Local Municipality
<b>Farm Name</b>	N/A
<b>Farm Number and Portion</b>	N/A
<b>Erf Number and Township Extension or Suburb</b>	Alicedale within the Makana Municipality Area.
<b>Co-ordinates</b>	
<b>Starting Point</b>	33°18'58" S 26°4'44" E (Pump Station 1)
<b>Middle Point</b>	33°18'59" S 26°5'14" E (River crossing or Bridge)
<b>End Point</b>	33°19'4" S 26°5'29" E (Pump Station 2)
<b>Physical address</b>	Alicedale town

**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. Construction of the Alicedale Sewerage Infrastructure Upgrade as described in Section 2 of this Environmental Authorisation is to commence within a period of 18 (eighteen) months of signature of this Environmental Authorisation and to be completed within 18 months of commencement.
- 3.1.2. If commencement and completion of the activity does not occur within the above mentioned periods, this Environmental Authorisation lapses and a new application for environmental authorisation in terms of the 2014 Regulations as amended must be made in order for the activity to be undertaken.
- 3.1.3. An application for the amendment of an Environmental Authorisation must be submitted to the relevant competent authority on condition that the Environmental Authorisation is valid on the date of receipt of such amendment application. If no request for amendment is received prior to the expiry of this Environmental Authorisation, Environmental Authorisation will be deemed to have lapsed.
- 3.1.4. On receipt of any such application for amendment, the Department reserves the right to request such information as it may deem necessary to consider the application for amendment which may include but not limited to:
  - 3.1.2.1. An updated CEMP; and
  - 3.1.2.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.3. 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 Environmental Management: Biodiversity Act, Act No. 10 of 2004;  
and
- 3.2.3.3. The National Heritage Resources Act, Act No 25 of 1999.
- 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.
- 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 12 (twelve) days of receiving this Environmental Authorisation.
- 3.2.10. **This Environmental Authorisation or a certified copy thereof 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.

### 3.3. 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 preparation. The notice must include a date on which it is anticipated that the activity will commence.
- 3.3.2. Construction of Alicedale Sewerage Infrastructure Upgrade must be in accordance with the specifications as contained in Site Layout and Locality Plan Option 2 with reference J35060/LP001/0 "Alicedale Sewerage Reticulation" dated October 2016, by GIBB engineering and Architecture for Makana Local Municipality as contained in Appendix C of the FBAR.
- 3.3.3. A plant "search and rescue", to be conducted by a suitably qualified botanical specialist prior to commencement of any vegetation clearing for all protected species and species of special concern that may be affected by the development, as well as other indigenous plant specimens which can be relocated. Such specimens are to be relocated and appropriately transplanted, including in rehabilitation initiatives, where applicable and practical.
- 3.3.4. Further to Condition 3.3.2 any protected species which need to be removed or relocated require the necessary permits to be obtained from DEDEAT for those species protected under the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974), as well as those species listed under NEMBA, i.e. ToPS species. The relevant permits are to be obtained from the DAFF for any species protected under the National Forests Act (Act 84 of 1998).
- 3.3.5. A suitably qualified individual is to carry out a faunal "search and rescue", which fauna are to be relocated to a suitably protected natural area prior to the commencement of vegetation clearing. Should any injured fauna be found, they are to be taken to be examined by a veterinarian and if deemed suitable for rehabilitation, these fauna are to be taken to a suitable faunal rehabilitation centre, in consultation with the Department's Biodiversity Unit. Any species protected in terms of the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974) which need to be removed or relocated require the necessary permits to be obtained from DEDEAT.
- 3.3.5 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;
- 3.3.6 To keep copies of all reports submitted to the Department on site; and
- 3.3.7 To obtain and keep record of all documentation, permits, licences and authorisations relevant to the project on site;
- 3.3.8 The proposed development must not commence without confirmation from the Department of Water & Sanitation for the need of a Water Use License.
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- 3.3.10 Further to condition 3.3.9, the following general principles of environmental management to be implemented during the construction phase of the project if not specifically contained within the CEMP:
- 3.3.10.1 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 or disposed into any water course;
  - 3.3.10.2 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;
  - 3.3.10.3 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;
  - 3.3.10.4 No servicing of vehicles and other machinery to take place on site;
  - 3.3.10.5 All excess construction material and any waste generated during construction must be removed from site on an ongoing basis and disposed of at a suitably registered waste disposal site;
  - 3.3.10.6 Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
  - 3.3.10.7 Clear stipulations as to who is responsible and accountable for what actions.
  - 3.3.10.8 Sufficient erosion control measures must be stipulated and adhered to.
  - 3.3.10.9 People must be able to access their homes safely.
- 3.3.11 Makana Local Municipality will be held liable in the event of non-compliance with any condition of this Authorisation Notice or any stipulation of the CEMP by any contractor associated with this activity.
- 3.3.12 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.
- 3.3.13 Non-compliance with any stipulation in the CEMP will be regarded as non-compliance in terms of this Environmental Authorisation
- 3.3.14 All construction activities to be restricted to normal working hours being 08:00 to 17:00 on weekdays. No construction to take place on weekends and public holidays.
- 3.3.15 The ECPHRA must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.16 All alien invasive species on site are to be removed before reaching the seed formation stage.
- 3.3.17 The construction site must be clearly demarcated and all construction activities must be strictly confined to within such demarcated area.
- 3.3.18 No stockpiles or lay down areas, construction camps or other work associated with the upgrade are to be located within the 32m buffer.
- 3.3.19 Excavated soil must not be stockpiled within a drainage line or result in damming of water or stockpiled in uncleared areas.
- 3.3.20 All excavated areas to be secured with a physical barrier that will NOT allow access to the public
- 3.3.21 Awareness must be raised within the community of the potential dangers of said excavations.
- 3.3.22 The pipes that will be used must conform to the relevant SANS standards.

- 3.3.23 The pipes must be tested for defects and leaks before the closing of trenches.
- 3.3.24 Pump station equipment must be regularly serviced and pipes checked for operational functionality annually.
- 3.3.25 All activities on site must be conducted in accordance with the Occupational Health and Safety Plan approved in terms of the Occupational Health and Safety Act, Act No. 88 of 1993.
- 3.3.26 During the operational phase of the project, the following must be done;
- 3.3.25.1 Any leaks which may arise in the pipelines must be attended to immediately upon detection.
  - 3.3.25.2 Pump stations must be properly maintained and kept in good condition.
  - 3.3.25.3 Standby pump stations must be provided
- 3.3.26 Substrate replacement after excavations must be as per original profiles, with particular attention being directed to topsoil reinstatement.
- 3.3.27 Any areas disturbed as a result of construction activities to be rehabilitated immediately using vegetation indigenous to the area.
- 3.3.28 Notwithstanding the provisions of any of these conditions, all recommendations, guidelines and standard conditions contained in the FBAR must be adhered to.
- 3.3.29 Adequate drainage measures must be implemented during construction activities to prevent soil erosion during rainfall events.
- 3.3.30 Compliance/non-compliance records must be kept and shall be made available on request from the authorities.
- 3.3.31 All disturbed areas must be rehabilitated in a progressive manner and vegetated where possible.
- 3.3.32 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.

## 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 following documentation:
- Application form dated 22 November 2016 and received on 05 December 2016.
  - FBAR dated 10 March 2017 and received on 10 March 2017.

The Final Basic Assessment Report titled "Final Basic Assessment Report: Proposed Alicedale Sewerage Infrastructure Upgrade, Alicedale within Makana Local Municipality" as prepared by GIBB Engineer & Architecture dated March 2017;

- 4.1.2 Observations made during a site visit conducted on 15 March 2017 by Mr Andries Struwig and Ms Andiswa Mhlaba from this office together with Ms Anna Collett, Mr Walter Fyvie, Mr Craig Hendricks and Mr Aphelele Nokwe of GIBB Engineering & Architecture.

- 4.1.3 The EIA Regulations of 2010 and the objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998 and the Transitional Arrangements provided for in terms of Chapter 8 of GN R. 982 (Section 53) of the EIA Regulations of 2014.

## 4.2 Key factors considered in making the decision

- 4.2.1 The application is for the construction of Alicedale Sewerage Infrastructure Upgrade it involves the construction of a new waterborne sanitation system in Alicedale to link all erven in Alicedale to the existing Waste Water Treatment Works (WWTW) located on the western side of the Bushmans River. A pump station and rising main pipeline will be required to transport the waterborne sewerage from the collecting reticulation system connected to the erven in Alicedale.
- 4.2.2 Sewerage from Alicedale discharges into various conservancy tanks around the town. There is one main conservancy tank opposite the Water Treatment Works (WTW). The sewerage is transported with tankers from the conservancy tanks to a gravity main north of Kwanonzwakazi which gravitates down to the recently built WWTW. This is an outdated system which is cost intensive and relies heavily on onsite personnel to transport the sewage before it overflows. It also poses health risk as spills from tankers that are transporting them.
- 4.2.3 Excavation of the sewerage pipeline will be predominantly by manual labour, there won't be deep excavations.
- 4.2.4 The construction of a chamber and the strapping of the sewerage pipeline will be located within existing road reserves.
- 4.2.5 The project will have little physical impact on functioning of riparian systems provided that no stockpiles or lay down areas, construction camps or other work associated with upgrade are located within 32m of buffer.
- 4.2.6 A Water Use License Application (WULA) has been submitted to DWS.
- 4.2.7 It is believed that project implementation will not result in unacceptable environmental impacts.
- 4.2.8 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 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.
- 4.2.9 Furthermore, this Environmental Authorisation required that a CEMPr must be implemented, which will further mitigate any impacts on the watercourse during construction.
- 4.2.10 The project has been advertised and no objections were lodged against the proposed activity.
- 4.2.11 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, 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.

5.4 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 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.

The address to which the **originals** of any such a notice of intention to 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 and Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, <b>BHISHO</b> , 5605
By Hand	Beacon Hill, Hockey Close, King Williams Town
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, Mr Albert Mfenyana: Environmental Affairs per fax:	[043] 605 7300
Manager Environmental Affairs: Mr S. Gqalangile 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

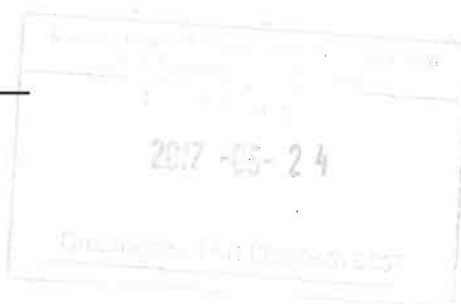
In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction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



**ANDISWA MHLABA**  
**ENVIRONMENTAL OFFICER: EIM**

**CACADU REGION**

**DATE:** 24 May 2017




**DAYALAN GOVENDER**  
**DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS**

**CACADU REGION**

**DATE:** 24/05/2017