

 Andries Struwig
 041 5085800
 079 5031762
 andries.struwig@dedea.gov.za
Ref: EC09/C/LN1&3/M/57-2024



Nelson Mandela Bay Municipality
10th Floor Lillilan Diedericks Building
191 Govan Mbeki Street
Gqeberha
6000

Attention: Mr Joseph Tsatsire

Email: jtsatsire@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 AS AMENDED: PROPOSED TURNKEY BOREHOLE EXPLORATION AND DRILLING PROJECT IN THE NELSON MANDELA BAY MUNICIPALITY AREA = CHURCHILL DAM

1. With reference to the above-mentioned application (Ref No. EC09/C/LN1&3/M/57-2024), 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 as amended, 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 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 state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 2 and 3.
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. 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.
7. The Appellant must also submit a copy of the appeal to the regional office that processed the application.
8. The address to which the **original** of any appeal documentation 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	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administration: Mr S. Gqalangile	Siyabonga.Gqalangile@dedea.gov.za
Administrative assistant: Ms P. Gxala	Phumeza.Gxala@dedea.gov.za

9. 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
SARAH BAARTMAN/NMB REGION

DATE: 19 May 2025 _____

Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial Ref No: EC09/C/LN1&3/M/57-2024 Neas Ref No: ECP/EIA/00001673/2024
LAST AMENDED	Not applicable
HOLDER OF AUTHORISATION	Nelson Mandela Bay Municipality
LOCATION OF ACTIVITY	Nelson Mandela Bay property – Churchill Dam: Ptn 3 & 4 of Keurbos 361 and Ptn 1 of Tweefontein 362

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

Audit” as used in the context of this Environmental Authorisation refers to an audit of compliance with conditions contained in this Environmental Authorisation and the requirements / stipulations of a Construction and / or Operational Environmental Management Programme and not to an Environmental Audit undertaken in terms of an accredited environmental management system by a certified environmental management systems auditor.

“CBA” – Critical Biodiversity Area.

“Commencement” – Any physical activity on site that can be viewed as associated with the construction of the runway and associated infrastructure as described in Section 2 of this Environmental Authorisation, inclusive of initial site preparation.

“DBAR” – Draft Basic Assessment Report titled “Draft Basic Assessment report – Proposed turnkey borehole exploration and drilling project in the Nelson Mandela Bay Municipality area (BEAD) – Churchill dam” dated January 2025 as prepared by the EAP.

“EAP” – Environmental Assessment Practitioner as represented by Ms Lea Jacobs of Engineering Advice and Services (EAS).

“ECBCP” – Eastern Cape Biodiversity Conservation Plan.

“ECO” – Environmental Control Officer.

“EIA regulations” – These are the 2014 Environmental Impact Assessment Regulations as amended by GN R326 of 7 April 2017 published in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 as amended.

“EMPr” - Environmental Management Programme titled “Final Environmental Management Programme – Proposed turnkey borehole exploration and drilling project in the Nelson Mandela Bay Municipality area (BEAD) – Churchill dam” dated March 2025 attached to the FBAR as Appendix F.

“FBAR” - Final Basic Assessment Report titled “Final Basic Assessment report – Proposed turnkey borehole exploration and drilling project in the Nelson Mandela Bay Municipality area (BEAD) – Churchill dam” dated 22 March 2025 as prepared by the EAP.



“NEMA” – National Environmental Management Act, Act 107 of 1998.

“NMBM” – Nelson Mandela Bay Municipality.

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

1. Decision

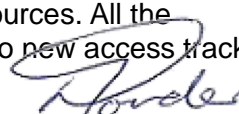
The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation that the applicant should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision 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 as amended, 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	10th Floor, Lillian Diedericks Building, 191 Govan Mbeki Street, Gqeberha		
Telephone	041 506 2257 / 041 506 2800	Cell	060 980 0485
Contact	Mr Joseph Tsatsire	E-mail	jtsatsire@mandelametro.gov.za

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

Detailed description of activity
<p>The activity entails a groundwater exploration process on property surrounding the Churchill Dam and owned by the Nelson Mandela Bay Municipality as an alternative water supply to surface water. The primary objective of the project is to determine whether or not the borehole sites at Churchill Dam will be able to provide an adequate quantity and quality of groundwater and whether it would therefore be feasible to develop further infrastructure for the extraction and utilisation of the groundwater.</p> <p>The project will entail the drilling of between 20 and 30 boreholes in order to get a better understanding of the hydrogeological potential of the site for groundwater abstraction at a municipal scale. The surface area of potential disturbance at each borehole site will be approximately 10m².</p> <p>It is important to note that during the exploration phase, no infrastructure, access roads, or pumps will be constructed or installed and no abstraction of groundwater will take place, except for the insignificant volume required for quality and quantity testing.</p> <p>The borehole sites were selected taking into account their proximity to existing suitable infrastructure such as gravel/dirt roads leading to the sites and reservoirs for ease of incorporation into the water supply network, and known groundwater resources. All the potential drilling sites can be accessed via existing tracks and therefore no new access tracks will be required.</p> 

Listed Activities applied for and authorised	
GN R327 – Listing Notice 1 – Activity 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.
GN R324 - Listing Notice 3 – Activity 14	<p>The development of -</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development occurs -</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse</p> <p>a. In Eastern Cape Province</p> <p>i Outside urban areas:</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>

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

District	Sarah Bartman
Municipal Area	Koukamma
Farm Name	Twefontein and Keurbos
Farm Number and Portion	Portions 3 & 4 of Keurbos No. 361 and Portion 1 of Twefontein No. 362
Erf Number and Township Extension or Suburb	N/A
Co-ordinates	See Table 1 for the approximate coordinate positions of the boreholes give and take 5-10 metres.
Physical address	Churchill Dam near Kareedouw in the Koukamma Municipality.

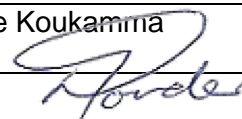


Figure 1: Approximate position of boreholes as taken from the FBAR

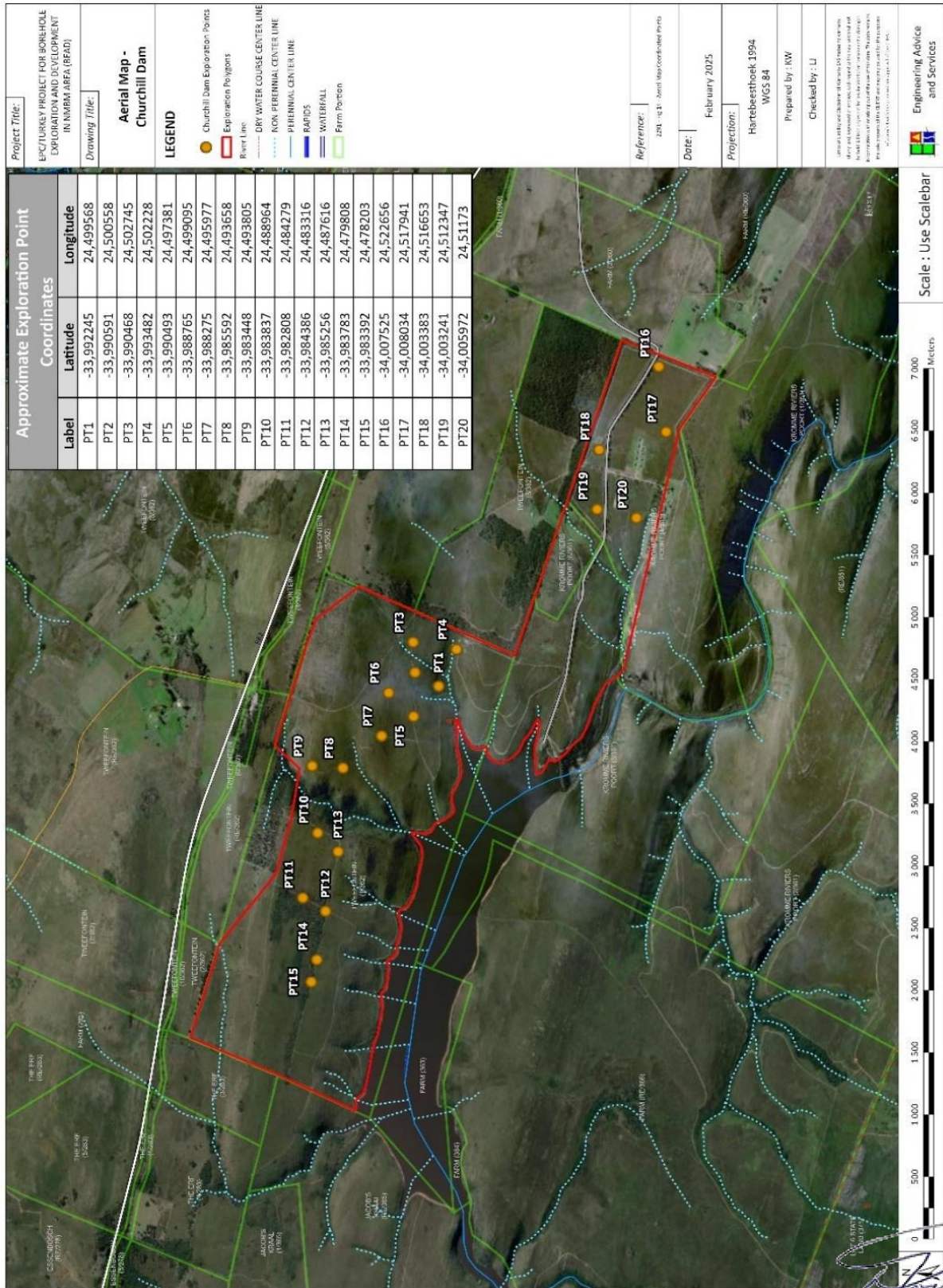


Table 1: Approximate coordinate positions of the boreholes

Point	Latitude	Longitude
PT1	33°59'32.08"S	24°29'58.45"E
PT2	33°59'26.13"S	24°30'2.01"E
PT3	33°59'25.69"S	24°30'9.88"E
PT4	33°59'36.54"S	24°30'8.02"E
PT5	33°59'25.77"S	24°29'50.57"E
PT6	33°59'19.55"S	24°29'56.74"E
PT7	33°59'17.79"S	24°29'45.52"E
PT8	33°59'8.13"S	24°29'37.17"E
PT9	33°59'0.41"S	24°29'37.70"E
PT10	33°59'1.81"S	24°29'20.27"E
PT11	33°58'58.11"S	24°29'3.41"E
PT12	33°59'3.79"S	24°28'59.94"E
PT13	33°59'6.92"S	24°29'15.42"E
PT14	33°59'1.62"S	24°28'47.31"E
PT15	33°59'0.21"S	24°28'41.53"E
PT16	34° 0'27.09"S	24°31'21.56"E
PT17	34° 0'28.92"S	24°31'4.59"E
PT18	24°31'4.59"E	24°30'59.95"E
PT19	34° 0'11.67"S	24°30'44.45"E
PT20	34° 0'21.50"S	24°30'42.23"E

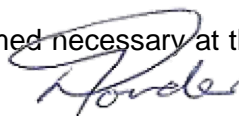
This Environmental Authorisation is granted subject to the conditions set out below.

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.

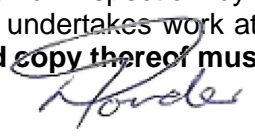
3.1. Duration of authorisation

- 3.1.1. The project as authorised in this Environmental Authorisation i.e. the exploratory drilling of boreholes must commence within a period of 24 (twenty four) months from the date of issue of this Authorisation. If commencement of the activity does not occur within this period, this Environmental Authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
- 3.1.2. The exploration phase drilling and testing to be completed within 24 (twenty four) months of commencement.
- 3.1.3. Extension of the Environmental Authorisation may be applied for in writing by means of an amendment of the Environmental Authorisation provided that the Environmental Authorisation is still valid on the date that such application is submitted to the Department. If no amendment requesting extension of the Environmental Authorisation is received prior to the expiry thereof this Environmental Authorisation will be deemed to have lapsed.
- 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. General conditions and declarations

- 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 the NEMBA in as far as it relates to removal of indigenous / protected plant species;
- 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 holder of this Environmental Authorisation 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. This Department reserves the right to impose additional conditions or requirements on the applicant in respect of impacts identified during the EIA process, or suspend this authorisation, in the event that such impacts exceed its significance as predicted in the EAP's FBAR and supporting documentation provided by the EAP in relation to this application.
- 3.2.8. **This authorisation applies strictly to the project description as outlined in Section 2 of this Authorisation. Should the holder of the Environmental Authorisation wish to amend any component or aspect of the project hereby authorised, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Environmental Authorisation or, if needed, for authorisation in terms of the applicable EIA regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.**
- 3.2.9. 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), such transfer is to be affected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.
- 3.2.10. 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.
- 3.2.11. This Environmental Authorisation must be 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. In this regard, **the Environmental Authorisation or a certified copy thereof must be kept on site for the duration of the construction period.**
- 

- 3.2.12. 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.
- 3.2.13. 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.
- 3.2.14. 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. The fourteen day notice contemplated in Condition 3.3.1 may only be submitted once all pre-construction conditions have been complied with and proof of such compliance to be submitted with the fourteen day notice.
- 3.3.3. Any recommendations / mitigatory measures contained in the FBAR and its appendixes 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.
- 3.3.4. Further to Condition 3.3.3, the 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 Environmental Management Programme.
- 3.3.5. The holder of this Environmental Authorisation being the Nelson Mandela Bay Municipality will be held liable in the event of non-compliance by any contractor and/or subcontractor involved in this activity.
- 3.3.6. 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).
- 3.3.7. Further to Condition 3.3.6, a performance-based requirement with regard to environmental impact management must be included in all contracts related to any activity relating to this Environmental Authorisation inclusive of incentives and penalties.
- 3.3.8. The EMP is hereby approved and is to be implemented for the duration of the project together with the conditions contained in this Environmental Authorisation.
- 3.3.8.1. Applicable conditions contained in this Environmental Authorisation;
- 3.3.8.2. All recommendations, measures, responsibilities, key actions and other provisions contained in the FBAR;
- 3.3.8.3. General principles of environmental management as applicable to construction activities including environmental best practice, erosion prevention and control, minimization of dust, etc.;
- 3.3.8.4. A general code of conduct for any contractor carrying out any work on the development site;
- 3.3.8.5. Stormwater management during construction; and
- 3.3.8.6. 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.

- 3.3.9. General principles of environmental management to be implemented during project implementation to include the following if not already contained in the EMPr:
 - 3.3.9.1. 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;
 - 3.3.9.2. 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;
 - 3.3.9.3. 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;
 - 3.3.9.4. No servicing of vehicles and other machinery to take place on site and no fuel or other hazardous material to be stored on site;
 - 3.3.9.5. All excess material and any waste generated during project implementation must be removed from site on an ongoing basis and disposed of at a suitably registered waste disposal site;
 - 3.3.9.6. The contractor must provide adequate waste disposal and sanitation facilities and must ensure that these facilities are properly used and maintained;
 - 3.3.9.7. Clear stipulations as to who is responsible and accountable for what actions; and
 - 3.3.9.8. Sufficient erosion control measures must be stipulated and adhered to.
- 3.3.10. The holder of this Environmental Authorisation shall appoint a suitably qualified ECO who must be based on site for the duration of project implementation and who will be responsible for ensuring that the EMPr together with the conditions of this Environmental Authorisation is implemented and strictly adhered to.
- 3.3.11. The ECO to be appointed prior to the commencement of the project and the name and contact details of the ECO together with the 14 day notice to commence must be submitted to the Department once appointed.
- 3.3.12. The ECO is amongst others responsible for the following:
 - 3.3.12.1. To keep record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;
 - 3.3.12.2. 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;
 - 3.3.12.3. To keep copies of all reports submitted to the Department on site; and
 - 3.3.12.4. To obtain and keep record of all documentation, permits, licences and authorisations relevant to the project on site.
- 3.3.13. Implementation of the project as well as any post project rehabilitation that may be necessary 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. Furthermore, any significant deviations from the EMPr, any major non-compliances or any imminent risk to the environment must be reported immediately to the Department.
- 3.3.14. The holder of this Environmental Authorisation must ensure that all contracting companies tendering for any work related to project implementation receive a copy of the EMPr referred to in Condition 3.3.8. Furthermore, it must be ensured that all appointed contractors have made appropriate allowance for managing the environmental aspects related to their work in accordance with the provisions of such EMPr.

- 3.3.15. The exact location of any construction camp site that may be necessary, to be approved by the ECO and such area to be located in an already developed area at the existing municipal infrastructure at Churchill Dam.
- 3.3.16. The principle of Best Practicable Environmental Option to be applied to all technologies used/implemented during project implementation.
- 3.3.17. Existing access tracks / gravel roads to be used to access the individual boreholes sites and no new access tracks are to be established.
- 3.3.18. No blanket clearing of vegetation to take place on the site. Vegetation only to be cleared to facilitate the drilling of individual boreholes on the individual borehole sites.
- 3.3.19. The individual footprint sites for each individual borehole clearly demarcated with pegs and drilling activities on individual borehole sites to be restricted to within the demarcated areas.
- 3.3.20. Prior to the commencement of any site clearing, a suitably qualified botanist is to survey the demarcated areas and is to identify any protected species or species of special concern. If any protected species are found within any of the demarcated areas they need to be removed or relocated to other suitable areas. The necessary permits must be obtained from DEDEAT for those species protected under the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974) or NEMBA. For those species protected under the National Forest Act (Act 84 of 1998), the relevant permits are to be obtained from the Forestry Branch of DFFE.
- 3.3.21. Any spoil material that may remain after the drilling of individual boreholes to be used in rehabilitation initiatives afterwards if deemed suitable for such or removed from site and disposed of at a suitable waste disposal site.
- 3.3.22. Any areas disturbed on individual sites due to project implementation must be rehabilitated with indigenous vegetation immediately after completion of the project.
- 3.3.23. Vegetation removed during project implementation and not used in site specific rehabilitation initiatives to be incorporated into rehabilitation of other suitable areas within the subject properties.
- 3.3.24. All alien invasive species and declared weeds, in terms of the Conservation of Agricultural Resources Act, Act 43 of 1983, are to be systematically eradicated, and any of these species colonizing disturbed ground after the completion of construction are to be eradicated and destroyed prior to attaining the seed formation phase.
- 3.3.25. In the event that any archaeological findings or fossils are uncovered during project implementation, all work to cease immediately and the South African Heritage Resources Agency (SAHRA) to be contacted immediately to provide the necessary guidance in terms of how to proceed.
- 3.3.26. An environmental audit to be carried out once the project has been completed and the report submitted to this Department. This audit to, as a minimum, consider adherence to the relevant conditions contained in this Environmental Authorisation and the stipulations of the EMPr as well as the success of any rehabilitation measures that may have been implemented.

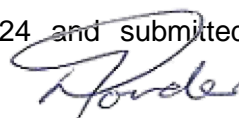
Reasons for Decision

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:

- 4.1.1.1 Completed application form dated 2 December 2024 and submitted to the Department on 5 December 2024;



- 4.1.1.2 The DBAR as submitted to the Department electronically on 14 January 2025; and
- 4.1.1.3 The FBAR as submitted to the Department electronically on 7 March 2025.
- 4.1.2 Observations made during a site visit conducted on 5 February 2025 by Andries Struwig of the Department in the company of Mr Kurth Wicht and Ms Mongikazi Gxilishe of EAS and Messrs Madyibi and Maweni of the Coega Development Corporation.
- 4.1.3 Comments made by I&AP's and other regulatory authorities and the EAP's response thereto as included in Appendix E of the FBAR.
- 4.1.4 The EIA regulations of 2014 as amended 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 NMBM's water supply network is predominantly reliant on surface water sources, particularly from local rivers, dams, and the Orange River/ Gariep Dam. Managing these resources is crucial for ensuring a sustainable and reliable water supply for the metro's population. This is essential for sustaining the municipal's population and supporting local industries for current and future needs.

In an effort to increase the Metro's overall water supply and provide a key alternative to surface water, the NMBM is embarking on a groundwater exploration process to determine the feasibility of augmenting the water supply to the Metro via groundwater sources. One of the areas identified as potentially suitable is the municipal land surrounding the Churchill Dam near Kareedouw in the Koukamma Municipality.

The project as authorised in this Environmental Authorisation represents the first phase of this process being the exploration phase. This phase entails the drilling of individual boreholes (between 20-30) and the undertaking of the required feasibility studies (including yield and quality testing) to determine the viability of abstracting groundwater from these boreholes to augment the water supply to the NMBM.

If it is found that it will be viable to develop the wellfield to supply water to the NMBM, the necessary environmental assessment and specialist studies will be undertaken for a subsequent EIA application as well as the necessary Water Use License Application (WULA) for the identified wellfields. It must be noted that this subsequent phase (phase 2) does not form part of this application and was thus not considered in the granting of this Environmental Authorisation.

- 4.2.2. The environmental sensitivities associated with the general area in which the boreholes will be drilled is linked to the occurrence of the endangered Langkloof Shale Renosterveld vegetation as well as number of drainage lines that drains into the Churchill Dam. None of the identified boreholes however occur within this vegetation type but in the Kouga Grassy Sandstone Fynbos vegetation type which is of least concern.

With regard to the drainage lines, it must be noted that the aquatic compliance statement has identified and delineated the freshwater footprints. This compliance statement supports the project on condition that no boreholes are to be situated within any of these footprints where no previous disturbance is evident.

- 4.2.3. The coordinates provided and quoted in this Environmental Authorisation represents an approximate position which may change during project implementation. Any changes to individual borehole sites will however be limited to within 5 to 10 meters of the identified coordinate. Furthermore, the disturbance associated with drilling activities on each individual borehole site will be restricted to approximately 10m². Access to individual borehole sites will also be via existing gravel / jeep tracks. Where a borehole site is not immediate adjacent to an existing road / track, the drill rig will drive over the vegetation within creating a new road. It

is however foreseen that in instances where this may be necessary, that the distance so travelled will not exceed 20m.

Impacts on biodiversity will thus be of low significance.

- 4.2.4. The Environmental Impact Assessment process undertaken satisfies the procedural requirements of the EIA Regulations and the National Environmental Management Act, Act 107 of 1998 including the requirements for public participation.
- 4.2.5. Issues and concerns raised by interested and affected parties were adequately addressed in the FBAR.
- 4.2.6. The FBAR provided adequate information on which to base an informed decision on the environmental implications of the various elements of the proposed project.
- 4.2.7. The Department is satisfied that, the risks to the natural environment and to humans can be adequately managed if all the conditions contained within this Environmental Authorisation are adhered to.
- 4.2.8. The Department is of the opinion that after implementation of the mitigation measures described in the FBAR together with the conditions contained within this Authorisation, that the residual impacts and risks to the environment are acceptable.
- 4.2.9. The conditions set out in this Environmental Authorisation have been designed to ensure that the negative impacts and risks associated with the project are identified, addressed and/or managed effectively.
- 4.2.10. Impacts during project implementation will be managed through the implementation of a comprehensive EMP as required in terms of Condition 3.3.8. Implementation of and adherence to this EMP as well as compliance with the conditions of this Authorisation are to be overseen by a dedicated Environmental Control Officer (ECO) as provided for in Condition 3.3.10.
- 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, the proposed activity will not conflict with the general objectives of integrated environmental management as 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 fourteen (14) calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the 2014 Appeal Regulations.
- 5.2 The notification referred to in 5.1 must:
 - 5.2.1 Specify the date on which the Environmental Authorisation was issued;
 - 5.2.2 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
 - 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.



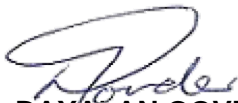
- 5.3 Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after 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.
- Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.***
- 5.5 An Appeal Submission must be made on a form obtainable from the Departmental Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.
- 5.6 The Appellant must also submit a copy of the appeal to the regional office that processed the application.
- 5.7 The address to which the **original** of any 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	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administration: Mr S. Gqalangile	Siyabonga.Gqalangile@dedea.gov.za
Administrative assistant: Ms P. Gxala	Phumeza.Gxala@dedea.gov.za

- 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.



ANDRIES STRUWIG
MANAGER: EQM
SARAH BAARTMAN/NMB REGION
DATE: 19 May 2025



DAYALAN GOVENDER
REGIONAL MANAGER: ENVIRONMENTAL AFFAIRS
SARAH BAARTMAN/NMB REGION
DATE: 19 May 2025