

EIA REFERENCE NUMBER: 16/3/3/1/D2/19/0036/24  
NEAS REFERENCE NUMBER: WCP/EIA/0001564/2024  
DATE OF ISSUE: 04 June 2025

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED UPGRADE TO THE GEORGE AIRPORT BULK WATER SUPPLY PIPELINE, GEORGE

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below in respect of **the preferred alternative**, described in the Final Basic Assessment Report ("FBAR") (Ref: GEO744b/08), dated 14 February 2025, as prepared and submitted by the appointed Environmental Assessment Practitioner ("EAP"), Ms. Louise-Mari van Zyl (EAPASA No: 2021/3163) of *Cape Environmental Assessment Practitioners*.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in Section F below.

#### B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Municipal Manager  
% The Director: Civil Engineering Services  
THE GEORGE MUNICIPALITY  
PO Box 19  
GEORGE  
6530

**Attention:** Mr. Jannie Koegelenberg

E-mail: [jkoegelenberg@george.gov.za](mailto:jkoegelenberg@george.gov.za)

The abovementioned applicant is the holder of this Environmental Authorisation (hereinafter referred to as "**the Holder**").

## C. LIST OF ACTIVITY/IES AUTHORISED

Listed Activities	Activity/Project Description
<b>Environmental Impact Assessment Regulations Listing Notice 1 of 2014,</b> Government Notice No. 983 of 4 December 2014 (as amended)	
<p>Activity Number: <b>9</b>            Activity Description:</p> <p>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</p> <p>(i) with an internal diameter of 0,36 metres or more; or            (ii) with a peak throughput of 120 litres per second or more;</p> <p>excluding where —</p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or            (b) where such development will occur within an urban area.</p>	<p>The proposal entails the development of a pipeline for the bulk transportation of water which is approximately 3.8km in length and which will consist of pipes varying in size between 0.25m and 0.4m in diameter.</p>
<p>Activity Number: <b>12</b>            Activity Description:</p> <p>The development of—</p> <p>(iii) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or            (iv) infrastructure or structures with a physical footprint of 100 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse;            (b) in front of a development setback; or            (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;            (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;            (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p>	<p>The proposal includes the development of infrastructure exceeding 100m<sup>2</sup> in extent within 32m of a watercourse outside the road reserve.</p>

<p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	
<p>Activity Number: <b>19</b></p> <p>Activity Description:</p> <p>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 a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>The development of the proposed pipeline will include the excavation, removal and / or moving of soil of more than 10m<sup>3</sup> from a watercourse.</p>
<p><b>Environmental Impact Assessment Regulations Listing Notice 3 of 2014,</b> Government Notice No. 985 of 4 December 2014 (as amended)</p>	
<p>Activity Number: <b>12</b></p> <p>Activity Description:</p> <p>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.</p> <p>i. Western Cape</p> <p>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</p>	<p>The proposed pipeline will be developed in an area where the ecosystem has been mapped as Garden Route Granite Fynbos which has a conservation status of Critically Endangered. The road verges along the R102 Provincial Road are actively maintained while the areas outside the road reserve has been transformed by active agricultural activities.</p>

<p>endangered in the National Spatial Biodiversity Assessment 2004</p> <ul style="list-style-type: none"> <li>ii. Within critical biodiversity areas identified in bioregional plans;</li> <li>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas;</li> <li>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</li> <li>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</li> </ul>	
<p>Activity Number: <b>14</b> Activity Description:</p> <p>The development of—</p> <ul style="list-style-type: none"> <li>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</li> <li>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</li> </ul> <p>where such development occurs—</p> <ul style="list-style-type: none"> <li>(a) within a watercourse;</li> <li>(b) in front of a development setback; or</li> <li>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</li> </ul> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p>i. Western Cape</p> <ul style="list-style-type: none"> <li>(i) Outside urban areas: <ul style="list-style-type: none"> <li>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</li> <li>(bb) National Protected Area Expansion Strategy Focus areas;</li> <li>(cc) World Heritage Sites;</li> <li>(dd) Sensitive areas as identified in an environmental management framework as contemplated</li> </ul> </li> </ul>	<p>The proposal includes the development of infrastructure exceeding 10m<sup>2</sup> in extent within 32m of a watercourse outside the road reserve. The Gwaiing River, Norga River and headseep has been mapped as Critical Biodiversity Area in the Western Cape Biodiversity Spatial Plan (2023).</p>

<p><i>in chapter 5 of the Act and as adopted by the competent authority;</i></p> <p><i>(ee) Sites or areas listed in terms of an international convention;</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>(gg) Core areas in biosphere reserves; or</i></p> <p><i>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</i></p>	
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The abovementioned list is hereinafter referred to as **"the listed activities"**.

The Holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposed development entails the replacement-upgrade of a municipal bulk water pipeline extending from Gwaiing River Bridge to George Airport along the Trunk Road 209 (the R102 Provincial Road) corridor. The pipeline will be approximately 3,8km long and the specific section applicable for this application, will vary in diameter from 250mm to 400mm. Most of the pipeline will be installed within the 5m building line of private properties north of the R102 Provincial Road. The proposed pipeline will follow the following route:

- The pipeline connects to the scour chamber of Groeneweide Park water pipeline just east of Gwaiing River Bridge, south of the R102 Provincial Road. The water pipeline will cross the R102 Provincial Road by means of Horizontal Directional Drilling ("HDD") where it will be installed within the road reserve north of the R102 Provincial Road, before it crosses the Gwaiing River Bridge;
- The Gwaiing River Bridge crossing will involve the replacement of the existing 200mm diameter water pipeline crossing the bridge with a 400mm diameter water pipeline. A temporary pipeline will be installed on the Gwaiing River Bridge to ensure continued water supply until such time the new bulk 400mm diameter pipeline is installed, tested and commissioned;
- From the Gwaiing River Bridge the pipeline will remain within the road reserve of the R102 for approximately 250m from the bridge, from where it will then diagonally enter private property, Portion 113 of the Farm Gwayang No. 208;
- The proposed pipeline remains within the 5m building line of private properties Portion 113 of the Farm Gwayang No. 208 and Portion 113 of the Farm Gwayang No. 208, north-side of the R102 Provincial Road, up until a culvert crossing (Norga River) approximately 850m from the Gwaiing River Bridge;
- The proposed pipeline will cross the Norga River via the existing culvert, after which it will cross the R102 Provincial Road by means of HDD to be installed within the road reserve on the southern side of the R102 Provincial Road. The proposed pipeline will remain with the road reserve of the R102 Provincial Road for approximately 300m, cross the R102 Provincial Road and proceed within the 5m building line on Portion 44 of the Farm Gwayang No. 208. A temporary water pipeline will be installed aboveground and within the 10m wide construction area (as the new proposed pipeline will be placed at the same location as the existing pipeline) to ensure continued water supply until such time the new bulk pipeline is installed, tested and commissioned.

- The proposed pipeline will remain on the northern side of the R102 Provincial Road and will cross two mapped wetlands (modified from natural condition) by means of HDD and tie-in to the existing pipeline on Portion 68 of the Farm Gwayang No. 208 on the southern side of the R102 Provincial Road.

The proposed pipeline will be developed in accordance with the following plans drafted by SMEC South Africa:

- Drawing C1915-613-001 (Rev. C00) – Sheet 1 of 4
- Drawing C1915-613-002 (Rev. C00) – Sheet 2 of 4
- Drawing C1915-613-003 (Rev. C00) – Sheet 3 of 4
- Drawing C1915-613-004 (Rev. C00) – Sheet 4 of 4
- Drawing C1951-611-001 (Rev. C01) – Sheet 1 of 3
- Drawing C1951-611-002 (Rev. C01) – Sheet 1 of 3
- Drawing C1951-611-003 (Rev. C01) – Sheet 1 of 3

#### D. SITE DESCRIPTION AND LOCATION

The proposed pipeline will be installed along the R102 Provincial Road between the George and the Airports South Africa George Airport. The majority of the pipeline will be installed outside the proclaimed road reserve (but inside the 5m building line restriction) with short sections inside the proclaimed road reserve. Major watercourse crossing will be done by means of attaching the proposed pipeline to existing road infrastructure (bridges and culverts). Wetland crossing will be done by means of Horizontal Directional Drilling.

Approximate coordinates of the sites:

Point	Latitude (S)			Longitude (E)		
Start	33°	59'	16.96"	22°	25'	07.24"
+100m	33°	59'	17.88"	22°	25'	04.03"
+100m	33°	59'	18.58"	22°	25'	00.17"
+100m	33°	59'	19.58"	22°	24'	56.28"
+100m	33°	59'	20.07"	22°	24'	52.46"
+100m	33°	59'	21.05"	22°	24'	48.67"
+100m	33°	59'	21.96"	22°	24'	44.88"
+100m	33°	59'	22.92"	22°	24'	41.06"
+100m	33°	59'	23.83"	22°	24'	37.31"
+100m	33°	59'	24.75"	22°	24'	33.59"
+100m	33°	59'	26.27"	22°	24'	29.96"
+100m	33°	59'	27.17"	22°	24'	26.10"
+100m	33°	59'	28.13"	22°	24'	22.10"
+100m	33°	59'	29.54"	22°	24'	19.79"

Point	Latitude (S)			Longitude (E)		
+100m	33°	59'	30.37"	22°	24'	15.94"
+100m	33°	59'	31.22"	22°	24'	12.22"
+100m	33°	59'	30.94"	22°	24'	09.04"
+100m	33°	59'	31.83"	22°	24'	05.30"
+100m	33°	59'	32.78"	22°	24'	01.56"
+100m	33°	59'	33.61"	22°	23'	57.81"
+100m	33°	59'	34.28"	22°	23'	54.01"
+100m	33°	59'	34.77"	22°	23'	49.90"
+100m	33°	59'	35.07"	22°	23'	45.94"
+100m	33°	59'	35.20"	22°	23'	41.92"
+100m	33°	59'	35.45"	22°	23'	37.93"
+100m	33°	59'	35.60"	22°	23'	33.84"
+100m	33°	59'	35.78"	22°	23'	29.94"
+100m	33°	59'	36.08"	22°	25'	25.98"
+100m	33°	59'	36.47"	22°	23'	22.05"
+100m	33°	59'	37.11"	22°	23'	18.20"
+100m	33°	59'	37.93"	22°	23'	14.45"
+100m	33°	59'	38.88"	22°	23'	10.77"
+100m	33°	59'	39.96"	22°	23'	07.06"
+100m	33°	59'	41.26"	22°	23'	03.46"
+100m	33°	59'	42.75"	22°	22'	59.92"
+100m	33°	59'	44.33"	22°	22'	56.48"
End	33°	59'	46.57"	22°	22'	52.48"

SG digit code for the relevant properties:

Property	Surveyor General 21-digit Code
Remainder of Erf 464	C02700020000046400000
Portion 44 of the Farm Gwayang No. 208	C02700000000020800044
Portion 45 of the Farm Gwayang No. 208	C02700000000020800045
Portion 53 of the Farm Gwayang No. 208	C02700000000020800053
Portion 65 of the Farm Gwayang No. 208	C02700000000020800065
Portion 68 of the Farm Gwayang No. 208	C02700000000020800068
Portion 96 of the Farm Gwayang No. 208	C02700000000020800096



Property	Surveyor General 21-digit Code
Portion 102 of the Farm Gwayang No. 208	C02700000000020800102
Portion 112 of the Farm Gwayang No. 208	C02700000000020800112
Portion 113 of the Farm Gwayang No. 208	C02700000000020800113
Portion 131 of the Farm Gwayang No. 208	C02700000000020800131
Portion 132 of the Farm Gwayang No. 208	C02700000000020800132
Portion 139 of the Farm Gwayang No. 208	C02700000000020800139

Refer to Annexure 1 for the Locality Plan of this Environmental Authorisation.

The above is hereinafter referred to as “**the site**”.

#### E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

Ms. Louise-Mari van Zyl  
EAPASA NO: 2019/1444  
E-mail: [louise@cape-eaprac.co.za](mailto:louise@cape-eaprac.co.za)  
Assisted by: Ms. Mariska Byleveld  
EAPASA No: 2023/6593

Cape EAPrac (Pty) Ltd.  
PO Box 2070  
GEORGE  
6530

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Web: <https://www.cape-eaprac.co.za/>

#### F. CONDITIONS OF AUTHORISATION

##### **Scope and Validity Period of authorisation**

1. This Environmental Authorisation is granted for the period from date of issue until **30 June 2030** (validity period), during which period the Holder must ensure that the—
  - (a) physical implementation of the authorised listed activities is started with and concluded by 30 June 2030;
  - (b) construction monitoring and reporting requirements are undertaken and submitted to the Competent Authority in time to allow said authority to process such documents timeously;
  - (c) post construction rehabilitation and monitoring requirements is undertaken and completed; and
  - (d) environmental auditing requirements are complied with; and that such auditing is finalised in time to allow the competent authority to be able to process the environmental audits timeously within the specified validity period.

Failing which, this Environmental Authorisation shall lapse, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act no. 107 of 1998).



2. The Holder is authorised to undertake the listed activities specified in Section B above in respect of the preferred alternative described in the FBAR, dated 30 September 2024, on the site as described in Section D above.

This Environmental Authorisation is for the implementation of **the preferred alternative** which entails:

The replacement-upgrade of a municipal bulk water pipeline extending from Gwaiing River Bridge to George Airport along the Trunk Road 209 (the R102 Provincial Road) corridor. The pipeline will be approximately 3,8km long and the specific section applicable for this application, will vary in diameter from 250mm to 400mm. Most of the pipeline will be installed within the 5m building line of private properties north of the R102 Provincial Road with short sections within the road reserve. The proposed pipeline will follow the following route:

- The pipeline connects to the scour chamber of Groeneweide Park water pipeline just east of Gwaiing River Bridge, south of the R102 Provincial Road. The water pipeline will cross the R102 Provincial Road by means of Horizontal Directional Drilling ("HDD") where it will be installed within the road reserve north of the R102 Provincial Road, before it crosses the Gwaiing River Bridge;
- The Gwaiing River Bridge crossing will involve the replacement of the existing 200mm diameter water pipeline crossing the bridge with a 400mm diameter water pipeline. A temporary pipeline will be installed on the Gwaiing River Bridge to ensure continued water supply until such time the new bulk 400mm diameter pipeline is installed, tested and commissioned;
- From the Gwaiing River Bridge the pipeline will remain within the road reserve of the R102 for approximately 250m from the bridge, from where it will then diagonally enter private property, Portion 113 of the Farm Gwayang No. 208;
- The proposed pipeline remains within the 5m building line of private properties Portion 113 of the Farm Gwayang No. 208 and Portion 113 of the Farm Gwayang No. 208, north-side of the R102 Provincial Road, up until a culvert crossing (Norga River) approximately 850m from the Gwaiing River Bridge;
- The proposed pipeline will cross the Norga River via the existing culvert, after which it will cross the R102 Provincial Road by means of HDD to be installed within the road reserve on the southern side of the R102 Provincial Road. The proposed pipeline will remain with the road reserve of the R102 Provincial Road for approximately 300m, cross the R102 Provincial Road and proceed within the 5m building line on Portion 44 of the Farm Gwayang No. 208. A temporary water pipeline will be installed aboveground and within the 10m wide construction area (as the new proposed pipeline will be placed at the same location as the existing pipeline) to ensure continued water supply until such time the new bulk pipeline is installed, tested and commissioned.
- The proposed pipeline will remain on the northern side of the R102 Provincial Road and will cross two mapped wetlands (modified from natural condition) by means of HDD and tie-in to the existing pipeline on Portion 68 of the Farm Gwayang No. 208 on the southern side of the R102 Provincial Road.

The proposed pipeline will be developed in accordance with the following plans drafted by SMEC South Africa:

- Drawing C1915-613-001 (Rev. C00) – Sheet 1 of 4
- Drawing C1915-613-002 (Rev. C00) – Sheet 2 of 4
- Drawing C1915-613-003 (Rev. C00) – Sheet 3 of 4
- Drawing C1915-613-004 (Rev. C00) – Sheet 4 of 4
- Drawing C1951-611-001 (Rev. C01) – Sheet 1 of 3

- Drawing C1951-611-002 (Rev. C01) – Sheet 1 of 3
- Drawing C1951-611-003 (Rev. C01) – Sheet 1 of 3

3. This Environmental Authorisation may only be implemented in accordance with the approved Environmental Management Programme ("EMPr").
4. The Holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the Holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

#### **Notification and administration of appeal**

6. The Holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1. the decision reached on the application;
    - 6.1.2. the reasons for the decision as included in Annexure 3;
    - 6.1.3. the date of the decision; and
    - 6.1.4. the date when the decision was issued.
  - 6.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2025 detailed in Section H below;
  - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 6.4. provide the registered I&APs with the:
    - 6.4.1. name of the Holder (entity) of this Environmental Authorisation,
    - 6.4.2. name of the responsible person for this Environmental Authorisation,
    - 6.4.3. postal address of the Holder,
    - 6.4.4. telephonic and fax details of the Holder,
    - 6.4.5. e-mail address, if any, of the Holder,
    - 6.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeals Regulations, 2025.
  - 6.5. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision.
  - 6.6. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided *i.e.*, the listed activities, including site preparation, must not commence until the appeal is decided.

#### **Written notice to the Competent Authority**

7. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities on site.

7.1. The notice must make clear reference to the site details and EIA Reference number given above.

7.2. The notice must also include proof of compliance with the following conditions described herein:

**Condition no.: 6 and 14**

8. Seven calendar days' notice, in writing, must be given to the Competent Authority on completion of the construction activities.

9. The Holder must notify the competent authority if the non-operational phase (construction activities and rehabilitation measures) has been abandoned prior to completion thereof, or if the construction activities and rehabilitation process will be placed on hold for a period of six (6) months or longer.

The competent authority must be notified in writing—

9.1. within 30-calendar days of the cessation of the activities on site; and

9.2. seven calendar days' notice, must be given prior to any activities continuing on site again.

**Management of activity/activities**

10. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is herewith **approved**.

11. The requirements for the avoidance, management, mitigation, monitoring, rehabilitation and reporting of the impacts of the activity on the environment, which have been identified in this Environmental Authorisation additional to those contained in the approved EMPr, must be implemented together with the EMPr.

12. The EMPr must be updated to incorporate all the conditions contained in this Environmental Authorisation and all those measures for the avoidance, management, mitigation, monitoring, rehabilitation and reporting as identified in this Environmental Authorisation additional to those contained in the approved EMPr.

The updated EMPr must be re-submitted to the Competent Authority prior to commencement of the construction activities.

13. The approved EMPr (including the additional measures for the avoidance, management, mitigation, monitoring and reporting identified in the Environmental Authorisation) must be included in all contract documentation for all phases of implementation.

**Monitoring**

14. The Holder must appoint a suitably experienced Environmental Control Officer ("ECO") for the duration of maintenance activities at each site.

15. The ECO must—

15.1. be appointed prior to commencement of any works;

15.2. ensure compliance with the EMPr and the conditions contained herein;

15.3. keep record of all activities on the site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;

15.4. remain employed until all development activities are concluded, and the post construction rehabilitation and monitoring requirements are finalised.

16. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has website, such documents must be made available on such publicly accessible website.
17. Access to the site (referred to in Section D) must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Environmental Auditing**

18. The Holder must, for the period during which the environmental authorisation and EMPr remain valid, ensure that compliance with the conditions of the environmental authorisation and the EMPr, is audited.
19. The frequency of reporting the auditing of compliance with the conditions of the environmental authorisation and of compliance with the EMPr, must adhere to the following programme:
  - 19.1. During the non-operational phase (construction phase) the auditing of compliance with the conditions of the environmental authorisation and of compliance with the EMPr may not exceed intervals of 3-years.
  - 19.2. The Holder must undertake the first environmental audit within three (3) years from the date of issue of this Environmental Authorisation.
  - 19.3. A final Environmental Audit Report for the construction phase (non-operational component) must be submitted to the Competent Authority within three (3) months of completion of the construction phase.

**Note:** The final auditing requirements should be completed and submitted to the competent authority at least three months prior to expiry of the validity period of the environmental authorisation to ensure the Holder is able to comply with all the environmental auditing and reporting requirements and for the competent authority to be able to process it timeously.
  - 19.4. The respective Environmental Audit Reports must be submitted to the Competent Authority within 30-days of completing the audit.
20. The Environmental Audit Report, must –
  - 20.1. be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;
  - 20.2. provide verifiable findings, in a structured and systematic manner, on–
    - 20.2.1. the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and

- 20.2.2. the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
  - 20.3. identify and assess any new impacts and risks as a result of undertaking the activity;
  - 20.4. evaluate the effectiveness of the EMPr;
  - 20.5. identify shortcomings in the EMPr;
  - 20.6. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 20.7. indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
  - 20.8. indicate the date on which the operational phase was commenced with and the progress of the rehabilitation;
  - 20.9. include a photographic record of the site applicable to the audit; and
  - 20.10. be informed by the ECO reports.
21. The Holder must, within 7 calendar days of the submission of the audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

### **Specific Conditions**

22. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

## **G. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the Holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.

### **Amendment of Environmental Authorisation and EMPr**

2. If the Holder does not start with the listed activities and exceed the thresholds of the listed activities within the period referred to in Section F, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.

If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

**Note:**

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
- (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.

- 3. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

**Note:** An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially

- 4. The manner and frequency for updating the EMPr is as follows:
  - (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
  - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

- 5. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

**Compliance with Environmental Authorisation and EMPr**

- 6. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).
- 7. This Environmental Authorisation is subject to compliance with all the peremptory conditions. Failure to comply with all the peremptory conditions prior to the physical implementation of the activities (including site preparation) will render the entire EA null and void. Such physical activities shall be

regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA.

8. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.
9. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

## H. APPEALS

1. Appeals must comply with the *National Appeal Regulations, 2025* (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025). Please take note the provisions of Regulation 1(2) and 1(3) of the *National Appeal Regulations, 2025* when calculating the period of days.
2. The Holder (applicant) of this decision must submit an appeal to the Appeal Administrator, and any Interested and Affected Parties (I&AP's) and the decision maker (Competent Authority who issued the decision) within **20 calendar** days from the date this decision was sent by the decision maker.
3. The I&AP's (*NOT the holder of this decision*) must submit an appeal to the Appeal Administrator, the Holder (applicant) of the decision and the decision maker (Competent Authority who issued the decision) within **20 calendar days** from the date this decision was sent to the registered I&AP's by the Holder (applicant) of the decision.
4. The Holder (applicant) of the decision must—
  - 4.1. notify all registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within **5 calendar days** after the 20-day appeal period ends.
  - 4.2. Submit proof of this notification to the Appeal Administrator within 5 calendar days after sending the last notification.
5. All appeals submitted must:
  - 5.1. be in writing in the Appeal Form obtainable from the Departmental website;
  - 5.2. include supporting documents referred to in the appeal; and
  - 5.3. include proof of payment of the prescribed non-refundable appeal fee, if prescribed.
6. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the *National Appeal Regulations, 2025* may submit a Responding Statement within **20 calendar days** from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.
7. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:
  - 7.1. By e-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)
  - 7.2. By hand where that person submitting an appeal does not hold an electronic mail account:  
[Attention:](#) Mr Marius Venter  
Room 809, 8<sup>th</sup> Floor Utilitas Building,  
1 Dorp Street, Cape Town, 8001



**Note:**

You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via e-mail or to the address listed above.

Documents to be submitted to the decision-maker (i.e., the Competent Authority that issued the decision) at: [Gavin.Benjamin@westerncape.gov.za](mailto:Gavin.Benjamin@westerncape.gov.za); and copied to [DEADPEIAadmin.George@westerncape.gov.za](mailto:DEADPEIAadmin.George@westerncape.gov.za)

**I. DISCLAIMER**

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the Holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**

**WESTERN CAPE GOVERNMENT: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

DATE OF DECISION: **04 JUNE 2025**

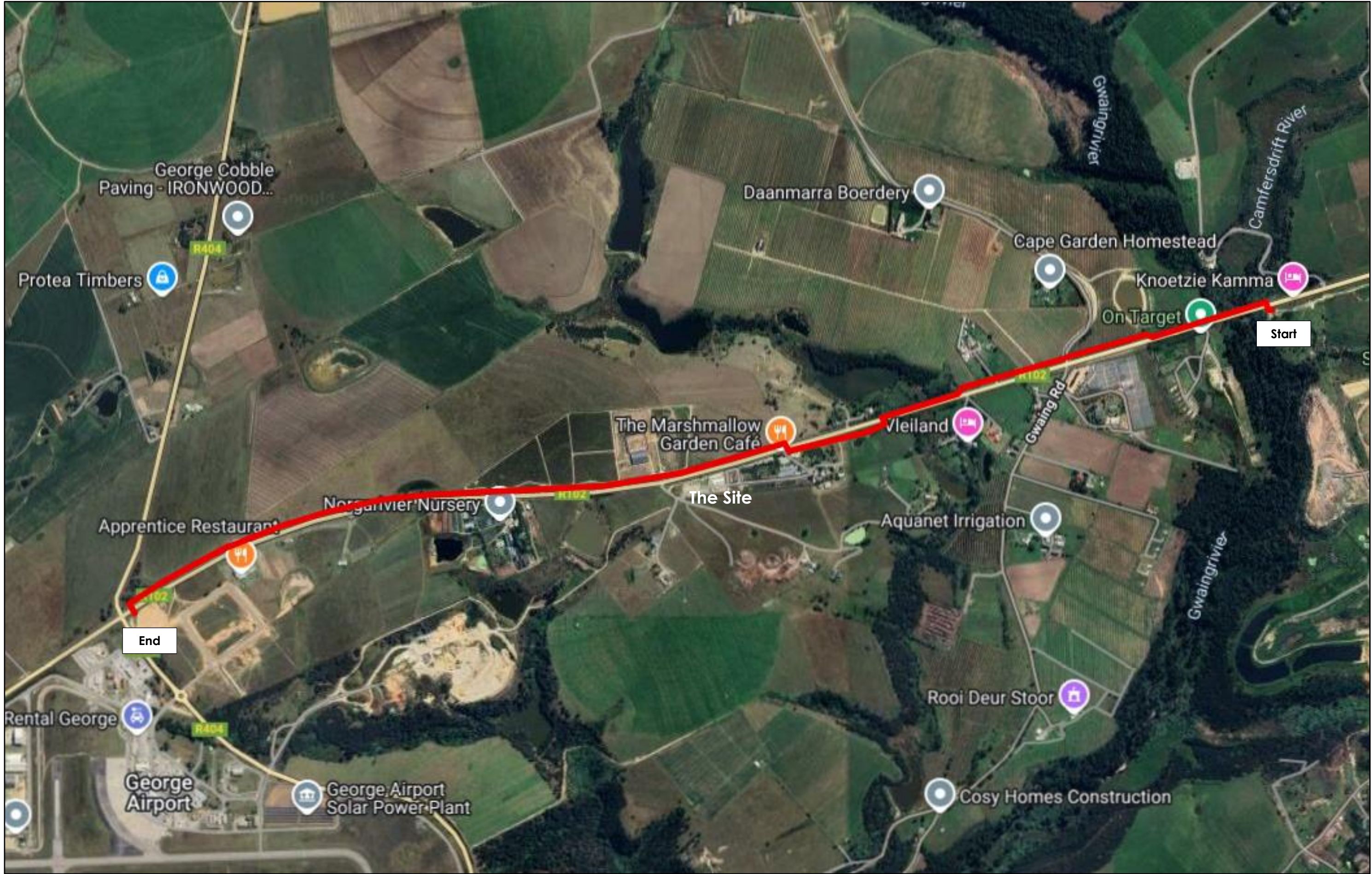
**FOR OFFICIAL USE ONLY:**

**EIA REFERENCE NUMBER:** 16/3/3/1/D2/19/0036/24

**NEAS REFERENCE NUMBER:** WCP/EIA/0001564/2024



ANNEXURE 1: LOCALITY MAP





## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form, received on 24 October 2024, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 14 February 2025;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) 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);
- d) The comments received from I&APs and responses to these, included in the FBAR submitted on 14 February 2025;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) Appropriate information was made available in the report to understand the environmental and spatial context.

No site visits were conducted during the course of this application process. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

### 1. Other relevant legislative considerations

#### ■ *National Water Act, 1998 (Act No. 36 of 1998)*

The proposed pipeline requires a Water Use Authorisation ("WUL") for water use activities Section 21(c) and (i) of the National Water Act, 1998 (Act 36 of 1998) ("NWA") as the proposed pipeline is located within the regulated area of a watercourse. In this regard the National Environmental Management Laws Amendment Act, Act 2 of 2022 (NEMLAA), came into effect on 30 June 2023. This Act added sub-section 24C(11) to the National Environmental Management Act, Act 107 of 1998, as amended (NEMA) which requires that *"a person who requires an environmental authorisation which also involves an activity that requires a licence or permit in terms of any of the specific environmental management Acts (i.e., NWA), must simultaneously submit those applications to the relevant competent authority or licensing authority, as the case may be, indicating in each application all other licences, authorisations and permits applied for"*.

In order to address the above, a pre-application enquiry was submitted via the Electronic Water Use Licence Application and Authorisation System ("e-WULAAS"). The information was assessed by the Breede-Gouritz Catchment Management Agency ("BOCMA") which confirmed on 3 December 2024 (Ref: WU39177) that the proposed water uses fall within the ambit of the General Authorisation. According to the information included in the BAR, the relevant application / registration was submitted on 14 February 2025.

In light of the above, the decision-maker is satisfied that the applicant has adequately complied with the prescripts of the relevant legislation.

### 2. Public Participation

The public participation process included:

- (i) identification of and engagement with interested and affected parties (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- (ii) placement of numerous site notices along the R102 Provincial Road i.e. the proposed pipeline route;
- (iii) written notice by the George Municipality to the affected landowners along the proposed pipeline route on 12 April 2024;
- (iv) giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 5 November 2024 regarding the availability of the of the Draft BAR;
- (v) the placing of a newspaper advertisement in the "George Herald" on 14 November 2024; and
- (vi) making the Draft BAR available to I&APs for public review and comment from 15 November 2024 to 6 January 2025. The report was made available on the EAP's company website at URL: <https://www.cape-eaprac.co.za/>.

Interested and Affected Parties raised the following concerns:

- damage to existing infrastructure (paved driveways, electronic access gates, etc.) on private property;

Comments / issues raised by Organs of State:

- *Western Cape Government: Department of Infrastructure, inter alia:*
  - the redundant asbestos cement pipeline within the road reserve must be removed and disposed of in the appropriate manner;
  - it is preferred that the proposed pipeline is constructed outside of the road reserve, but consideration will be given to install partial sections within the road reserve, but not more than 1 000mm from the road reserve boundary; and
  - all crossings must be done by trenchless method.
  - Notwithstanding the above, the Department of Infrastructure offers no objection to the proposed pipeline, provided that the are obtained and adhered to prior to any construction activities commencing within the road reserve of TR00209 and / or within the 5m Building Lines (Roads Ordinance 19 of 1976) adjacent to the road reserve of TR00209.

All the comments and issues raised by the respective *Organs of State* and *Interested and Affected Parties (I&APs)* that were captured in the Basic Assessment Report were responded to by the EAP. The Competent Authority is satisfied with the responses provided by the EAP to the organs of state and I&APs.

### 3. Alternatives

#### Preferred alternative (Herewith approved)

The replacement-upgrade of a municipal bulk water pipeline extending from Gwaing River Bridge to George Airport along the Trunk Road 209 (the R102 Provincial Road) corridor. The pipeline will be approximately 3,8km long and the specific section applicable for this application, will vary in diameter from 250mm to 400mm. Most of the pipeline will be installed within the 5m building line of private properties north of the R102 Provincial Road with short sections within the road reserve. The proposed pipeline will follow the following route:

- The pipeline connects to the scour chamber of Groeneweide Park water pipeline just east of Gwaing River Bridge, south of the R102 Provincial Road. The water pipeline will cross the R102 Provincial Road by means of Horizontal Directional Drilling ("HDD") where it will be installed

within the road reserve north of the R102 Provincial Road, before it crosses the Gwaiing River Bridge;

- The Gwaiing River Bridge crossing will involve the replacement of the existing 200mm diameter water pipeline crossing the bridge with a 400mm diameter water pipeline. A temporary pipeline will be installed on the Gwaiing River Bridge to ensure continued water supply until such time the new bulk 400mm diameter pipeline is installed, tested and commissioned;
- From the Gwaiing River Bridge the pipeline will remain within the road reserve of the R102 for approximately 250m from the bridge, from where it will then diagonally enter private property, Portion 113 of the Farm Gwayang No. 208;
- The proposed pipeline remains within the 5m building line of private properties Portion 113 of the Farm Gwayang No. 208 and Portion 113 of the Farm Gwayang No. 208, north-side of the R102 Provincial Road, up until a culvert crossing (Norga River) approximately 850m from the Gwaiing River Bridge;
- The proposed pipeline will cross the Norga River via the existing culvert, after which it will cross the R102 Provincial Road by means of HDD to be installed within the road reserve on the southern side of the R102 Provincial Road. The proposed pipeline will remain within the road reserve of the R102 Provincial Road for approximately 300m, cross the R102 Provincial Road and proceed within the 5m building line on Portion 44 of the Farm Gwayang No. 208. A temporary water pipeline will be installed aboveground and within the 10m wide construction area (as the new proposed pipeline will be placed at the same location as the existing pipeline) to ensure continued water supply until such time the new bulk pipeline is installed, tested and commissioned.
- The proposed pipeline will remain on the northern side of the R102 Provincial Road and will cross two mapped wetlands (modified from natural condition) by means of HDD and tie-in to the existing pipeline on Portion 68 of the Farm Gwayang No. 208 on the southern side of the R102 Provincial Road.

#### Route alternatives considered

- At Gwaiing River Bridge:
  - Option 1: Straight from the bridge diagonally into private property.
  - Option 3: The pipeline will remain within the road reserve for approximately 50m from the bridge.

These alternatives are not preferred as they have the long sections on private property.

- At Norga River Bridge:
  - Option 1: The water pipeline (proposed 355mm diameter pipe) will remain within the 5m building line of the private property on the northern side of the R102 Provincial Road. The pipeline will be installed within the culvert just north of the existing fibre cables.
  - Option 2: Proposed 355mm diameter steel pipe within the road reserve over the culvert after which it will return to the 5m building line of the private property.

This is not the applicant's preferred alternatives as they do not avoid the existing infrastructure (septic tank, stepped garden walls, stepped garden terraces, etc.) on private property.

#### "No-Go" Alternative

The No-Go alternative entails that the proposed pipeline is not installed. The existing pipeline is a 200mm diameter asbestos cement pipeline which is passed its design life and often bursts, which leads to frequent maintenance and repair work. Furthermore, growing demand in the pipeline's area of service has prompted the need for increased capacity in the pipe network.

With due consideration of the above, the No-Go Alternative is not the applicant's preferred alternative.

#### **4. Impact Assessment and Mitigation Measures**

##### *4.1 Activity need and desirability*

According to the applicant, the Airport Precinct in George, existing users along the R102 Provincial Road and additional areas such as Herold's Bay are serviced by the pipeline along the R102 Provincial Road. The existing water supply pipeline is a 200mm diameter asbestos cement pipeline which is old and passed its design lifespan. Due to the age of the pipeline, it bursts frequently which leads to frequent maintenance and repair work. Additionally, there is growing demand for potable water in the areas of service. Therefore, to address the aforementioned issues, the George Municipality proposes to replace the current supply pipeline with a new proposed pipeline, with sections varying between 250mm and 400mm diameter pipes. This upgrade aims to ensure an adequate and reliable water supply for current properties and to provide enough water supply to future developments along the R102 heading eastwards the N2, as well as future demands towards Herold's Bay, Oubaai, and the Airport Precinct.

In light of the above, the Department is satisfied that the applicant has adequately motivated the need and desirability of the proposed pipeline.

##### *4.2 Aquatic impacts*

A description of the aquatic related issues and risks that were identified during the environmental impact assessment process, as well as an assessment of the significance of each issue and risk, cumulative impacts of the proposed development and levels of acceptable change have been considered. In this regard, the BAR was informed by a specialist Aquatic Biodiversity Assessment. According to the BAR the proposed pipeline will cross four watercourses namely the Gwaiing River, Norga River and two wetlands.

##### ● Gwaiing River

According to the information provided to this Department, the Present Ecological State ("PES") of the Gwaiing River was classified as Category E: Seriously Modified. According to the Aquatic Biodiversity Assessment, the Gwaiing River at the bridge crossing has an extensive area of wetland outside the main channel which has a high abundance of indigenous wetland vegetation, interspersed with alien vegetation with varying degrees of severity.

According to the information in the BAR, the proposed pipeline will be attached to the existing R102 Provincial Road bridge structure. Therefore, no significant construction work is expected within the Gwaiing River and associated wetland area.

##### ● Norga River

According to information in the BAR the PES of the Norga River at this point has been assessed as Highly Modified as a result of an upstream dam, the embankment of which is no more than 40m from the road. The Norga River at this point has been classified as a valley-bottom wetland. It has been reported that the vegetation in the footprint of the crossing is a mixture of indigenous and numerous invasive species.

According to the BAR, the crossing of the Norga River will be by means of attaching a steel pipe to the existing culvert structure over the Norga River. Therefore, no significant construction work is expected to occur within the aquatic environment of the Norga River.

##### ● Wetland crossings

Two wetlands were identified along the route of the proposed pipeline, namely a seep wetland between chainages 2 200 and 2 260, and a small dam (which was most likely a headwater seep) between chainages 2 660 and 2 860. The seep wetland is very minor with no vegetation present, but soil auger results confirming the presence of the wetland. At the headwater seep (current dam) there is extensive wetland vegetation around the dam.

According to the BAR, HDD (along the toe of the dam) will be implemented at both wetlands to minimise any structural / ecological risk to the dam.

According to the BAR, the impacts on the aquatic environment can be mitigated to negligible negative ratings, and the Risk Matrix determines that the impacts were of a Low Risk to potentially affected watercourses.

In light of the above, the decision-maker is satisfied that the applicant has adequately considered the impact of the proposal on the aquatic environment. The recommendations and mitigation measures identified during the process must as far as possible be implemented and adhered to.

#### 4.3 *Agricultural impacts*

The properties along the R102 Provincial Road are mostly used for agricultural purposes. According to the information in the BAR, the WCG: DoI prefers that the proposed pipeline be placed outside the road reserve; however, it has been indicated that consideration will be given for short sections of the pipeline to be placed inside the proclaimed road reserve. As such, the majority of the pipeline route is proposed within the 5m building line restriction on the private properties. Some of these areas consist of dryland pastures and cultivated fields.

According to the Agricultural Compliance Statement the main impact is the loss of productive agricultural land. In this regard, the impact duration is confined to the construction period only as the proposed pipeline will be buried underground, and the affected land will therefore not be permanently lost to agriculture. The Agricultural Compliance Statement indicates that the footprint that will be excluded from agricultural production, even during construction, is extremely limited as the pipeline route is along the existing R102 Provincial Road, on the edge of the existing croplands, with minimal impingement on agricultural land. With due consideration of the above, it has been reported that the proposed pipeline will cause no long-term loss of agricultural production potential, and the agricultural impact is therefore assessed as being of very low significance, although there will be some minor disturbance to agricultural activities during the construction phase.

Considering the above, the decision-maker is satisfied that the applicant has adequately considered the impact of the proposal on the agricultural activities and loss of production potential. It must be ensured that the mitigation measures stipulated in Section 10 of the Agricultural Compliance Statement are implemented and adhered to.

#### 4.4 *Terrestrial Biodiversity related aspects*

##### ● Vegetation

The ecosystem mapped along the pipeline route has been mapped as Garden Route Granite Fynbos. According to the Revised National List of Ecosystems that are threatened and in need of protection (Government Notice No. 2747 of 18 November 2022), the ecosystem has a gazetted conservation status of Critically Endangered. However, according to the information provided in the BAR, the vegetation along the entire section of the R102 Provincial Road is currently being used for agricultural purposes, at least a century old. Furthermore, it has been reported that no remaining Garden Route Granite Fynbos exists in the project area of influence ("PAOI"), and the vegetation is not consistent with the ecosystem.



#### ● Faunal impacts

It has been reported that the majority of the project area consists of highly transformed habitat due to its proximity to the R102 Provincial Road verge, which is actively mowed / maintained. Other habitat modifications observed are due to dense alien plant invasion and agriculture. As a result of the transformed nature of the site, there is very little natural vegetation and habitat for the identified Species of Conservation Concern. Furthermore, the temporary nature of the excavation and HDD activities associated with the proposed pipeline, as well as its proximity to existing infrastructure and disturbance regimes (i.e. busy R102 Provincial Road), is unlikely to cause additional or significant disturbance to terrestrial animal species.

#### ● Western Cape Biodiversity Spatial Plan

The BAR included a description of the Western Cape Biodiversity Spatial Plan (2017) (WCBSP, 2017) features. In this regard, the proposed pipeline traverses the Gwaiing River which has been mapped as an aquatic Critical Biodiversity Area ("CBA"), while the Norga River has been mapped as an Ecological Support Area ("ESA"). On 13 December 2024 the Provincial Minister of Local Government, Environmental Affairs and Development Planning adopted the Western Cape Biodiversity Spatial Plan (WCBSP, 2023) in terms Section 34(3)(c) of the Western Cape Biodiversity Act, Act 6 of 2021. According to the WCBSP, 2023 the Gwaiing River as well as the Norga River are mapped as CBA. Furthermore, the headwater seep (farm dam) has also been mapped as CBA.

However, based on the information in the report, the proposed pipeline will not impact on these CBA areas as the pipes will be attached to the existing bridge and culvert structures over the Gwaiing and Norga Rivers respectively and HDD will be implemented at the headwater seep to minimise the impact.

#### 4.5 *Asbestos cement pipeline*

The existing bulk water supply pipeline is a 200mm diameter asbestos cement ("AC") pipeline. The new proposed pipeline will replace the AC pipeline. The requirement from the WCG: Dol stipulates that the AC pipeline within the road reserve must be removed and disposed of in the appropriate manner. Notwithstanding the above, the WCG: Dol offers no objection to the proposed new pipeline.

According to the information the requirement stems from the costs and possible delays (to roads projects) associated with the removal and disposal of asbestos products. It is understood that the applicant and the WCG: Dol will enter into an agreement regarding the removal and disposal of the asbestos pipeline which will be done prior to the approval of the construction drawings by the WCG: Dol.

#### 4.6 *Other impacts*

No other significant visual dust, noise and odour impacts have been identified.

### 5. **Scope and Validity of the Environmental Authorisation**

This environmental authorisation does not define specific operational aspects. The environmental authorisation's validity period has been granted for a period of ca. five (5) years, during which period the construction activities must commence and be concluded, including the post-construction rehabilitation and monitoring and submission of the final environmental audit reports for the construction phase. In light of the proposed implementation programme, the monitoring and post-construction rehabilitation can be adequately incorporated in the construction phase.

Where the activity has been commenced with, the EIA Regulations, 2014 allow that (upon application) the period for which the environmental authorisation is granted may be extended for a further period of 5-years.

## 6. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- development must be socially, environmentally and economically sustainable;
- the selection of the best practicable environmental option; and
- equitable access to environmental resources, benefits and services to meet basic human needs and ensure human well-being must be pursued and special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination.

## 7. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMPr, the Competent Authority is satisfied that, except for the activity that has been refused, the proposed listed activities, will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

----- **END** -----