

Memorandum

To	Vumboni Manganyi	From	Deon Esterhuizen Natanya Whitehorn
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Subject	OMMP-BRWSP: Pre-Application Meeting with LEDET – Mokopane and Sekuruwe Water Treatment Works		

Good day Vumboni,

The below serves as summary of the meeting held between the Environmental Assessment Practitioners (EAPs) team and the official from the Limpopo Department of Economic Development, Environment and Tourism (LEDET), Mr Tihagala Ngoasheng, on 16 August 2023:

- Two applications have to be lodged at LEDET and two separate reports have to be submitted to the Competent Authority (CA) for evaluation and decision making since the proposed sites are not on the same property. Activities will therefore run concurrently.
- While the Mokopane WTW remains situated in an environmentally sensitive area, only two alternatives, namely the preferred site and the No-go alternative, will undergo assessment for both this site and the Sekuruwe WTW. Section 3(h)(x) of Appendix 1 in the Environmental Impact Assessment (EIA) Regulations of 2014 provides for scenarios in which other alternatives cannot be considered. The applications will thus only be processed by LEDET if the Environmental Assessment Practitioner (EAP) substantiates the applications with a compelling argument explaining why only two alternatives—the preferred site and the no-go alternative—were assessed. Potential justifications that can be presented include, but are not limited to:
 - The pipeline to the site has already received authorisation, and a certain elevation is necessary for the Mokopane site to enable gravitational water flow.
 - The proposed site is situated on a ridge directly behind the Mokopane solid waste site. Historical records indicate the presence of a quarry in the vicinity, and some residential development has occurred in the area, indicating transformative changes.
- The Waterberg District Bioregional Plan establishes guidelines for construction activities within Critical Biodiversity Areas (CBA) and Protected Areas (PA). The Mokopane site falls within a CBA as defined by the Limpopo C-plan and the Waterberg District Bioregional Plan. Moreover, it resides within a nationally designated PA, specifically the Fossil Hominid Sites of South Africa, which also holds the distinction of being a UNESCO World Heritage Site. Mr. Ngoasheng has emphasized the necessity for the EAP to incorporate the rationale for construction within the CBA and PA within the BAR. No additional justification will be required on this front. The BAR will subsequently undergo review by the Biodiversity Management Directorate within the biodiversity department. This review will encompass an evaluation of the report's alignment with construction within a CBA and PA, and any concerns or prerequisites for construction activities within these zones will be communicated by the designated case officer to both the EAP and the applicant.
- LEDET has assured a prompt response to the applications upon the submission of all final reports, associated appendices, and supporting documentation to the Department. Traditionally, the comprehensive assessment of a BA application and subsequent decision-making process takes around 107 days. Nonetheless, Mr. Ngoasheng has highlighted that LEDET typically issues a decision within a shorter timeframe, specifically 30 to 45 days from the date of receiving the final reports. For BA projects, the Department aims to process applications and reach a decision within a span of no more than 4 months. Therefore, as an example, if the EAP commits to submitting the final reports by September, the Department's response will be provided by mid-January. This timeline duly accounts for the public holidays observed in December.

5. The EAP has indicated that they will submit the FBARS early December, therefore they can expect to get a decision in early March of 2023.
6. The official's recommendation suggests that construction should commence after the appeal period has lapsed. It's worth noting that a recent provision indicates that an appeal doesn't necessarily have to result in the suspension of the EA. Mr. Ngoasheng has undertaken to validate the accuracy of the aforementioned provision. Importantly, he stressed that the applicant should wait for a period of 30 days before proceeding with any construction activities.

Sincere regards



Mr. D Esterhuizen
Environmental and Social Lead
ZNJV