

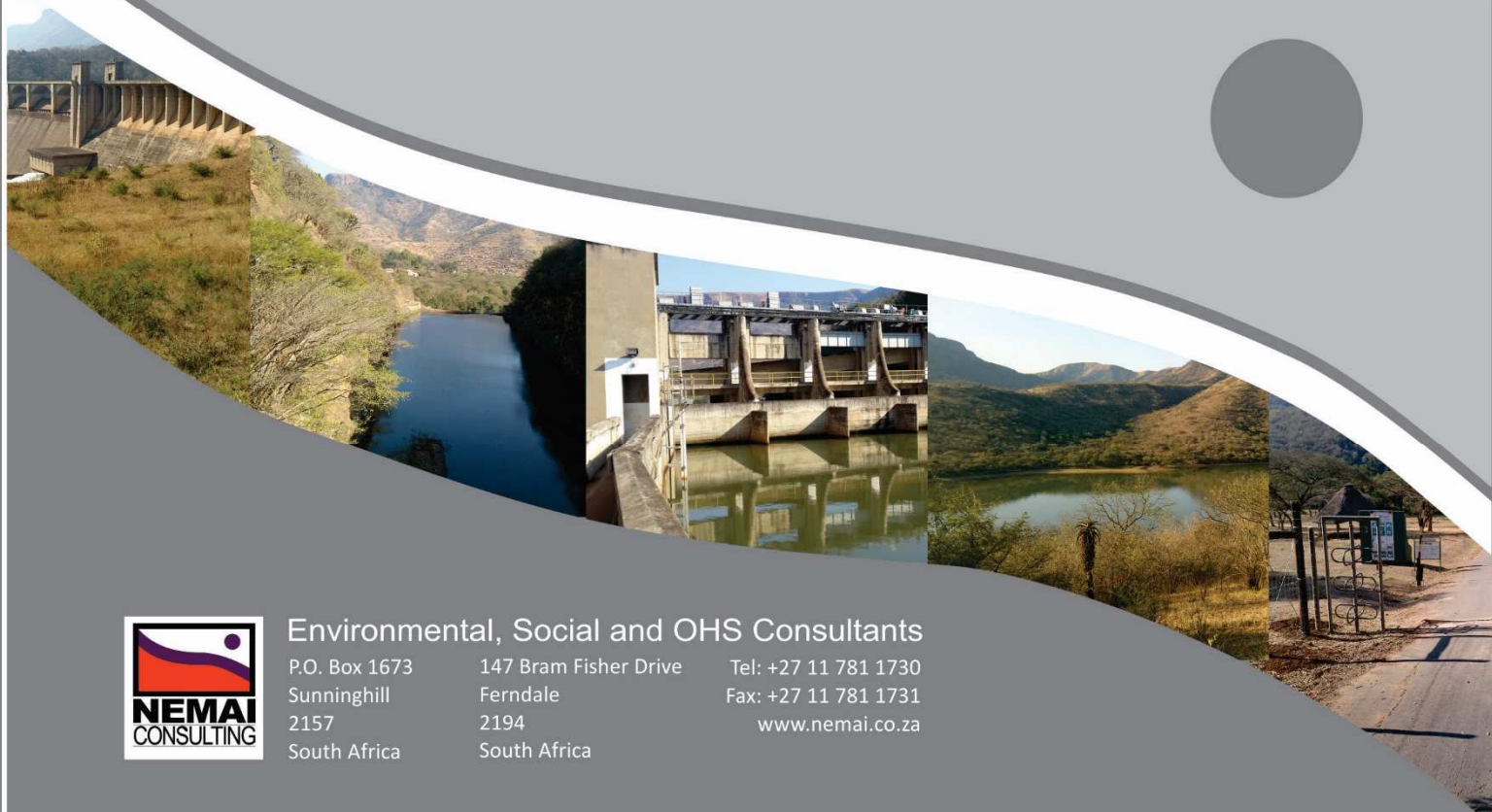
CONSTRUCTION OF TWO CULVERT BRIDGE CROSSINGS ACROSS RIVERS IN MKHONDO LOCAL MUNICIPALITY, MPUMALANGA PROVINCE

DWS Ref No. WU10664

BACKGROUND INFORMATION DOCUMENT

FEBRUARY 2021

PREPARED FOR: DOMICILE GROUP ON BEHALF OF MKHONDO LOCAL
MUNICIPALITY



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1 PURPOSE OF THE BACKGROUND INFORMATION DOCUMENT

The purpose of the Background Information Document (BID) is as follows:

1. It serves to provide an overview of the construction of two culvert bridge crossings and the upgrade of a gravel road across rivers in Mkhondo Local Municipality, Mpumalanga Province;
2. It provides an outline of the Water Use License Application (WULA) Process that will be undertaken for the project; and
3. It grants the opportunity to be registered as an Interested and Affected Party (IAP) and allows for comments to be made on the Draft WULA Technical Report for the proposed project (refer to attached Reply Form (**Annexure 1**)).

The purpose of the WULA Process is to identify and evaluate potential impacts, to recommend measures to avoid or reduce negative impacts and to enhance positive impacts.

2 PROJECT OVERVIEW

2.1 Project Background and Motivation

The Mkhondo Local Municipality appointed Thlaho Environmental Consultants to undertake a Basic Assessment (BA) Process for the construction of Sandbank Village main road with two box culverts across two streams within Mkhondo Local Municipality, Mpumalanga Province. The construction of the main road and two culverts are required to provide access for the community that has experienced numerous deaths of children who cross the rivers to attend school, as well as failure of emergency services to reach households due to a lack of river crossings.

On 31 March 2015, the Department of Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA) issued a positive Environmental Authorisation (EA) for the construction of the Sandbank Village main road and two culvert bridges. Thus, Mkhondo Local Municipality commenced with the construction of the two culvert bridges.

Officials from the Inkomati-Usuthu Catchment Management Agency (IUCMA) conducted an investigation of the unlawful construction activities at Sandbank Village in Mkhondo Local Municipality on 27 March 2018. After considering the findings of the investigation conducted by IUCMA, DWS stated that Mkhondo Local Municipality had contravened the provisions of the National Water Act (Act No. 36 of 1998) (NWA) because of the following:

- Section 21(c) – impeding or diverting the flow of water in a watercourse – illegally diverting the Uhluthula River and Mjani River (tributaries of the Assegaai River); and

- Section 21(i) – altering the beds, banks, course or characteristics of a watercourse – illegally constructing culverts on Uhluthula River and Mjani River.

Consequently, DWS issued a Directive dated 01 June 2018 for engaging in water use activities without an authorisation. The Directive required Mkhondo Local Municipality to undertake the following:

- Immediately cease (within 24 hours) of receipt of the final directive, with all activities associated with unlawful water use without authorisation on site.
- Kindly apply for a Water Use License on www.dws.gov.za or contact the IUCMA for assistance in lodging an application for authorisation for the water use activities identified on site, should you fail to provide proof of authorisation.

Therefore, Nema Consulting was appointed by Domicile Group on behalf of the Mkhondo Local Municipality to undertake a WULA Process in order to obtain authorisation for the two culvert bridges across two streams, as well as the associated gravel road upgrade, which has not been constructed.

2.2 Project Location

The two culvert bridge crossings and gravel road upgrade are located in Mkhondo Local Municipality within Gert Sibande District Municipality in the Mpumalanga Province (**Figure 1**). The culvert bridges form part of a main road, which will be upgraded, in Sandbank Village. The town of Piet Retief is located approximately 16km from the culvert sites (**Figure 2**).



Figure 1: Google Earth image of the locality of the two culvert bridges and gravel road

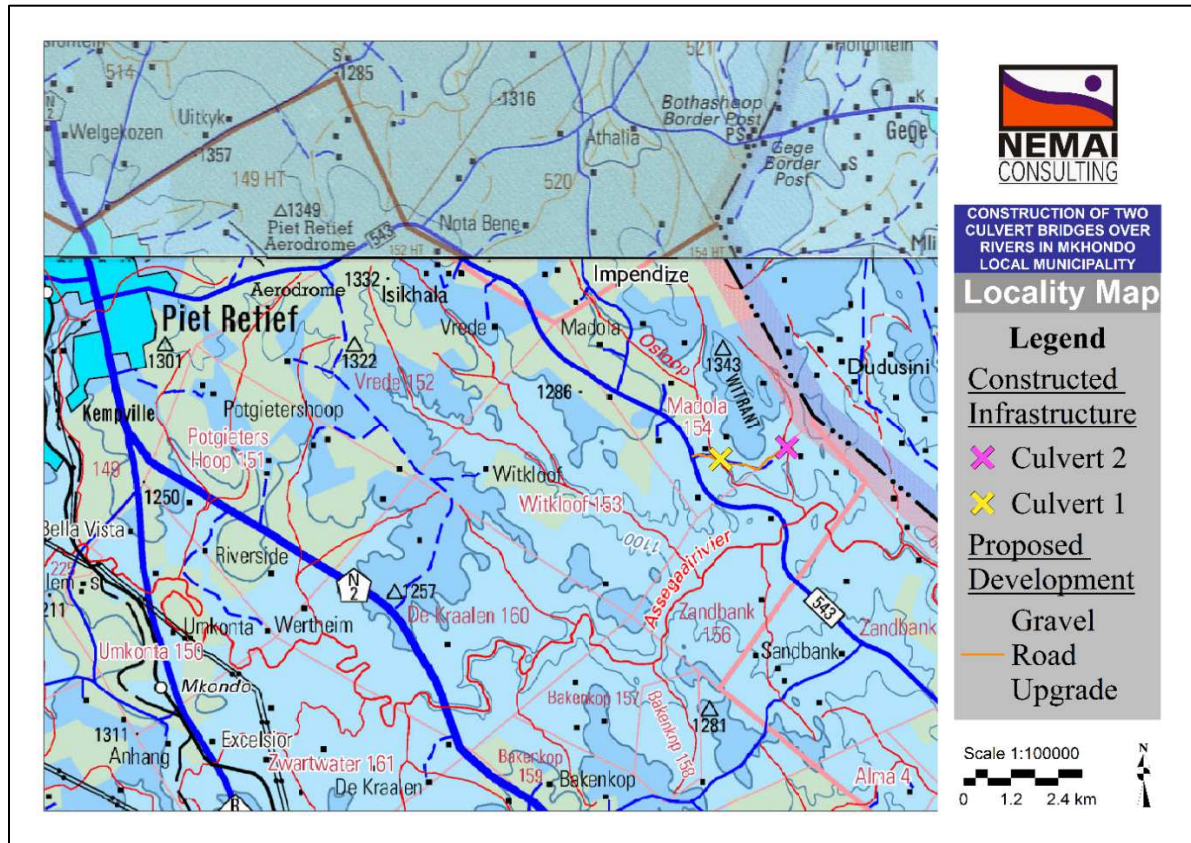


Figure 2: Regional Locality Map

2.3 Water Use License Application (WULA)

NWA aims to manage national water resources in order to achieve sustainable use of water for the benefit of all water users. This requires that the qualities of water resources are protected, and that integrated management of water resources takes place.

In terms of Section 21 (c) and (i) of the NWA, any development within 500m of a wetland or within the 1:100 year floodline / “Riparian Zone” (whichever is greatest) of a watercourse requires a WULA.

Based on the Section 21 (c) and (i) water uses that are triggered due to the culvert bridges and gravel road crossing two riparian areas, a WULA Process is required. As these water use activities can impact watercourses, the purpose of the WULA Process is to prevent degradation of watercourses and to ensure that adequate rehabilitation measures take place in the areas where watercourses may be affected.

A draft copy of the WULA Technical Report will be made available for a 60 day public review, prior to finalisation and submission to the Department of Water and Sanitation (DWS).

3 PUBLIC PARTICIPATION

A Public Participation Process will be conducted in terms of Section 41(4) of NWA and in line with Regulation 17 of GN R. 267 of NWA.

The Public Participation Process will involve the following:

- Site notices will be placed at prominent points in and around the project area to inform IAPs in the area;
- BIDs will be distributed to the identified interest groups in the area for the project;
- Notices regarding the project will be e-mailed to the councillor in the area and stakeholders (including authorities and state departments);
- The Report will be made available electronically on the Nemai Consulting website (<https://nemai.co.za/environmental/downloadable-documents/>); and
- A notice will be placed in one local newspaper.

IAPs are encouraged to participate in the process in order for concerns to be addressed and included in the WULA Technical Report. IAPs are to review and comment on the draft documents which will be lodged at the following places for review from **12 February 2021 to 19 April 2021**:

No.	Location	Address	Telephone No.
1.	Piet Retief Public Library	Corner of Retief and Market Street, Piet Retief	072 932 9945

Please fill in the attached Reply Form (**Annexure 1**) and return by means of e-mail, fax or post to the Consultant below at Nemai Consulting:



Contact Person: Jacqui Davis
Tel: (011) 781 1730
Fax: (011) 781 1731
Email: jacquid@nemai.co.za
Postal Address: PO Box 1673, Sunninghill, 2157

ANNEXURE 1 - REPLY FORM:

NOTICE OF A WATER USE LICENSE APPLICATION FOR THE CONSTRUCTION OF TWO CULVERT BRIDGE CROSSINGS ACROSS RIVERS IN MKHONDO LOCAL MUNICIPALITY, MPUMALANGA PROVINCE

The construction of two culvert bridge crossings across rivers and the upgrade of a gravel road in Mkhondo Local Municipality, Mpumalanga Province requires authorisation from the Inkomati-Usuthu Catchment Management Agency (IUCMA). Domicile Group, on behalf of Mkhondo Local Municipality, have appointed Nema Consulting as the independent Environmental Consultant to undertake a Water Use License Application (WULA) in terms of the National Water Act (Act No. 36 of 1998) (NWA) for the water use associated with the proposed development.

This notice serves to notify all Interested and Affected Parties (IAPs) of the 60-Day Review Period of the WULA Technical Report from **12 February 2021 to 19 April 2021**, which is available for review at the **Piet Retief Public Library (Corner of Retief and Market Street, Piet Retief; 072 932 9945)**. Any comments or concerns must be submitted to Jacqui Davis by **19 April 2021** via telephone (0117811730), fax (0117811731), email (jacquid@nema.co.za) or post (PO Box 1673 Sunninghill, 2157).

Date:		
Name of Organisation:		
Name of Interested and Affected Party (IAP):		
Address:	Postal:	Physical:
Tel No:		
Fax No:		
E-mail:		
Registration as an IAP:	<i>YES</i>	<i>NO</i>
Comments:		

ISITHASISELO 1 - IFOMU LOKUPHENDULA:

ISAZISO SOKUSETSHENZISWA KWAMANZI ISICELO SELAYISENSI SOKWAKHA KWEZIKHATHI ZAMABHILIZI AMABILI AMABHODLELA EMIPHUMLWENI KUMASIPALA WAKWAMKHONDO, ESIFUNDAZWENI SASEMPUMALANGA

Ukwakhiwa kweziphambano ezimbili zamabhuloho onqenqema oluwela imifula nokuvuselelwa komgwaqo owubhuqu kuMasipala Wendawo yaseMkhondo, esifundazweni saseMpumalanga kudinga ukugunyazwa yi-Inkomati-Usuthu Catchment Management Agency (IUCMA). IDomicile Group, egameni likaMasipala Wendawo yaseMkhondo, iqoke abakwaNemai Consulting njengoMxhumanisi Ozimele Wezemvelo ukwenza Isicelo Selayisense Lokusebenzisa Amanzi (WULA) ngokoMthetho Kazwelonke Wamanzi (Umthetho No. 36 ka 1998) (NWA) wamanzi ukusetshenziswa okuhambisana nentuthuko ehlongozwayo.

Lesi saziso sisebenza ukwazisa bonke abantu abanentshisekelo nabathintekile (IAPs) ngeSikhathi Sokubukeza Sezinsuku Ezingama-60 soMbiko Wezobuchwepheshe WULA kusukela ngomhla **ziyi-12 kuNhlolanja 2021 kuya kumhla ziiyi-19 Umbasa 2021**, otholakala ukuze ubuyezwe **ePiet Retief Public Library (Corner of Retief and EMarket Street, ePiet Retief; 072 932 9945)**. Noma yikuphi ukuphawula noma ukukhathazeka kufanele kuthunyelwe kuJacqui Davis ungakashayi **umhla ka-19 Umbasa 2021** ngocingo (0117811730), ngefeksi (0117811731), nge-imeyili (jacquid@nemai.co.za) noma ngeposi (PO Box 1673 Sunninghill, 2157).

Usuku:		
Igama Lenhlangano:		
Igama Lenkampani Enentshisekelo Naleyo Ethintekayo (IAP):		
Ikheli:	Iposi:	Ikheli lendawo:
Inombolo yocingo:		
Inombolo Yesikhahlamezi/fekisi:		
I-imeyili:		
Ukubhaliswa njenge-IAP:	<i>YEBO</i>	<i>CHA</i>
Amazwana:		