



**BASIC ASSESSMENT PROCESS AND WATER USE AUTHORISATION PROCESS
FOR THE SEWAGE TREATMENT PACKAGE PLANT FOR THE PROPOSED LUSAKA
COMMUNITY HEALTHCARE FACILITY, PHUTHADITJHABA, THABO MOFUSANYANA
DISTRICT, FREE STATE PROVINCE**

NOTIFICATION LETTER, INVITATION TO COMMENT AND REGISTER AS AN INTERESTED AND AFFECTED PARTY



GA Environment

JANUARY 2022



**GA Environment**

Dear Interested and Affected Party

NOTICE OF A BASIC ASSESSMENT AND INTEGRATED WATER USE AUTHORISATION PROCESS FOR THE SEWAGE TREATMENT PACKAGE PLANT FOR THE PROPOSED LUSAKA COMMUNITY HEALTHCARE FACILITY, PHUTHADITJHABA, THABO MOFUSANYANA DISTRICT, FREE STATE PROVINCE

Notice is hereby given in terms of Chapter 5 of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), as amended that the COEGA Development Corporation (CDC) is proposing to develop a Sewage Treatment Package Plant (STP) for the Proposed Lusaka Community Healthcare Facility in Phuthaditjhaba, Thabo Mofutsanyana District Municipality, Free State Province. The Notice is also issued in terms of Section 41(4) of the National Water Act No 36 of 1998, read with Regulations 17 to 19 Regarding Procedural Requirements for Water Use Licence Applications and Appeals (GNR 267) published in Government Gazette 40713 of 24th March 2017. In line with the NEMA Environmental Impact Assessment (EIA) Regulations 2014 as amended, Ramgoolam Group has appointed GA Environment (Pty) Ltd on behalf of CDC as the Independent Environmental Assessment Practitioners to undertake Basic Assessment and Water Use Authorisation Processes for the proposed Sewage Treatment Package Plant.

1. Project Locality

CDC is proposing to develop a Sewage Treatment Package Plant (STP) in Lusaka, Phuthaditjhaba, Thabo Mofutsanyana District, Free State. The STP will be required for the treatment of sewage that will be generated from the proposed Health care facility. There is currently inadequate sewage infrastructure to treat the sewage that is generated in the area.

The site is located in close proximity to the proposed health care facility and currently has 150mm diameter pipes installed, running east and north of the site which connect to a sewer pump station. The sewer pump station has however, not been operational for a significant period of time. It is for such reasons that a sewage package plant which will discharge treated wastewater into the nearest natural watercourse known as the Metsi Matsho tributary is being proposed.

The STP Plant will have a Design flow capacity of 18 200 l/d with a peak flow of 0.6 l/s. The proposed STP will comprise a number of a gravity trunk sewer main pipe, which will feed into the pre-digestion chamber before it enters the bioreactor. The STP will consist of five main sections namely; Predigestion (septic tank), Balancing (equalisation), Bioreactor, Clarifier (Humus tank) and Disinfection tank (Chlorine contact tank).

Figure 1 is an example of the schematic diagram indicative of the treatment process that will be considered for the treatment of the sewage that will be generated and treated through proposed STP.



Figure 1: Examples of STP plants that have been used in other facilities (Inchinga Hotel and Mona Primary school) in South Africa

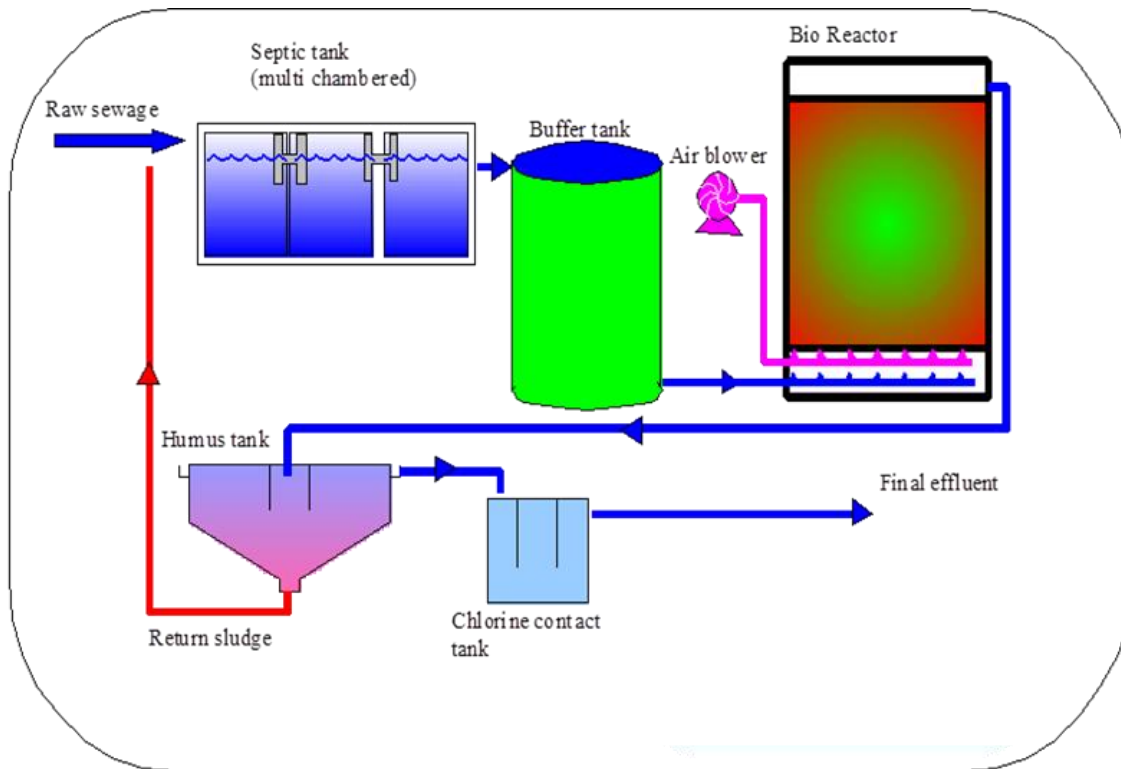


Figure 2: Sewage Treatment Package Plant Process Description (taken from Lilliput Treatment Technologies Manual)



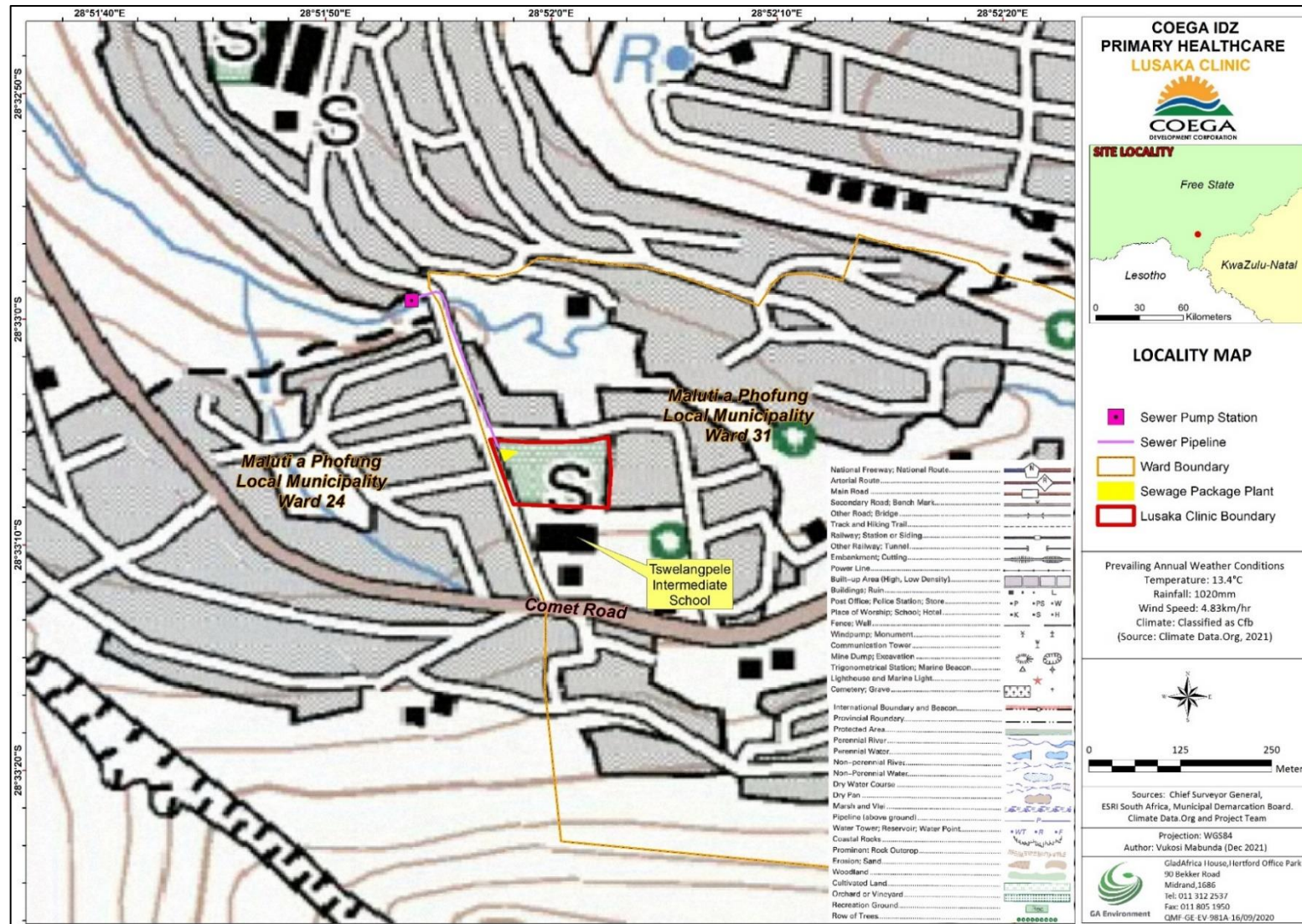


Figure 3: Project Locality (Topographic)

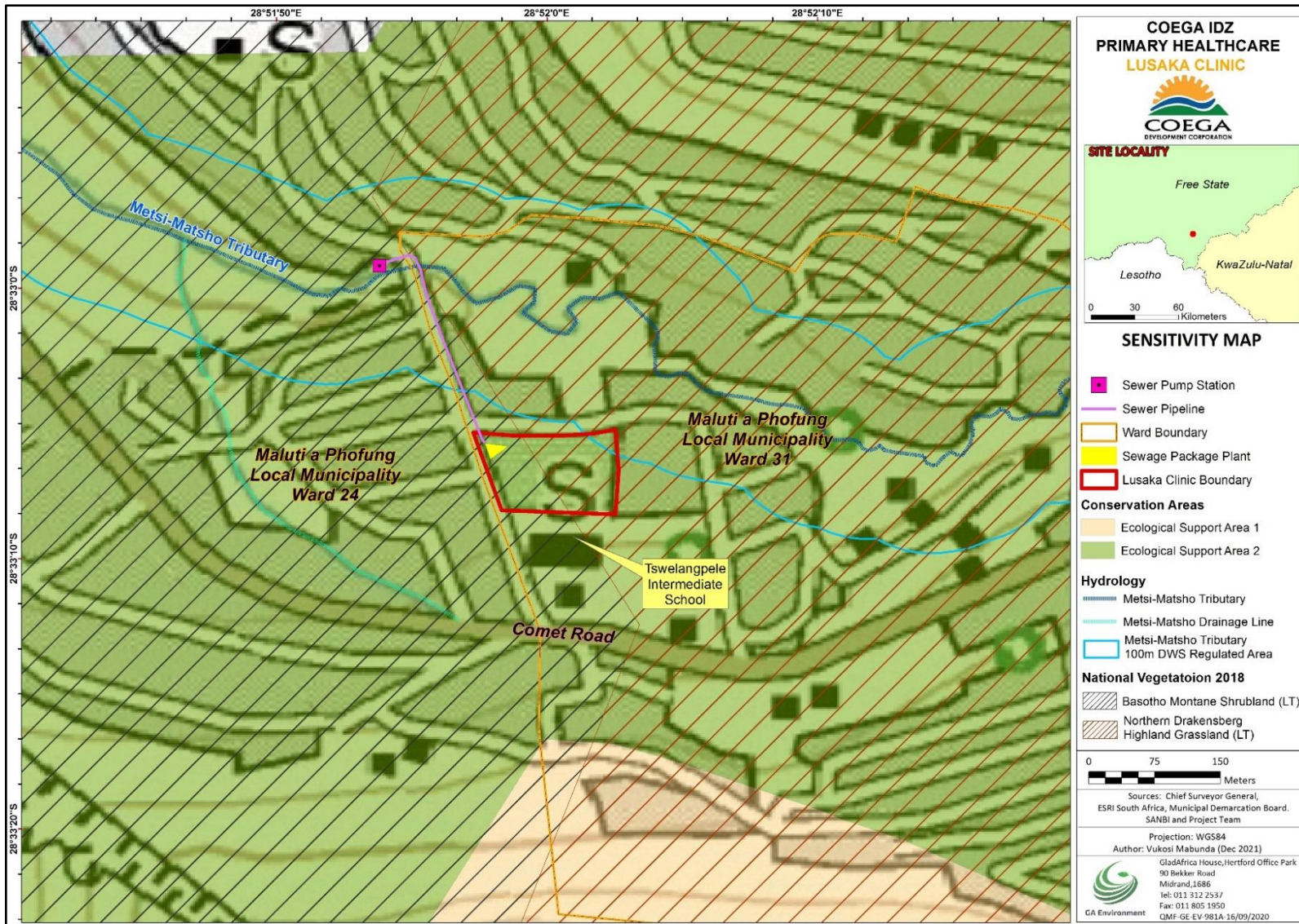


Figure 4: Sensitivity Map (Topographic)

2. Legislative Requirements for the Proposed Development

The National Environmental Management Act, 1998 (NEMA) (Act No. 107 of 1998) is a national legislation that provides for the authorisation of certain controlled activities known as listed activities. Environmental impact assessments are required for all proposals that trigger listed activities in terms of Government Notices No. R.983 (Listing Notice 1), No. R.984 (Listing Notice 2) and No. R.985 (Listing Notice 3) of the 2014 EIA Regulations of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998) as amended. In order to bring Section 24 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) into realisation, NEMA (Act No. 107 of 1998) was promulgated to *‘provide for co-operative environmental governance by establishing principles for decision-making on matters affecting the environment, institutions that will promote cooperative governance and procedures for co-ordinating environmental functions exercised by organs of state; to provide for certain aspects of the administration and enforcement of other environmental management laws; and to provide for matters connected therewith’*.

a) Objective of the Environmental Impact Assessment Process

The main objective of the process is to obtain the required Environmental Authorisation from the Competent Authority (i.e. Department of Forestry, Fisheries and the Environment) before construction commences. The Environmental Assessment Process aims to identify and assess potential environmental impacts associated with the proposed Sewage Treatment Package Plant as well as any alternatives to the improvement / activity and compile appropriate mitigation measures.

b) Environmental Authorisation

According to NEMA (Act No. 107 of 1998), a Basic Assessment process is required for listed activities in Listing Notice 1 and Listing Notice 3, while a Scoping and EIA process is required for triggered listed activities in terms of Listing Notice 2. According to the National Environmental Management Act (Act No. 107 of 1998) as amended, the proposed development of a Sewage Treatment Package Plant requires that a Basic Assessment process be conducted prior to the commencement of the activities. The applicable listed activities as per NEMA EIA Regulations, 2014 as amended are indicated in **Table 1**.

Table 1: Applicable NEMA EIA Regulations, 2014 as amended

Government Notice & Activity No	Activity in writing as per Listing Notices 1,2 & 3 (GN No 983, 984 & 985)	Applicability
Listing Notice 1 – GNR No. 983 (Basic Assessment Process)		
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 a watercourse.	The proposed construction of the Sewage Treatment Package Plant, and the associated sewage pipelines and other infrastructure will result in construction activities such as dredging, excavation, infilling of material within or in close proximity to identified watercourses.
Listing Notice 3 – GNR No. 985 (Basic Assessment Process)		
Activity 12	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. a. In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces: 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 endangered in the National Spatial Biodiversity Assessment 2004 ii) Within critical biodiversity areas identified in bioregional plans	The clearing of indigenous vegetation will be required in some areas identified as endangered and/or important ecosystems and biodiversity areas (Ecological Support Areas). Indigenous vegetation located within the Metsi Matsho Tributary will be cleared to accommodate the pipeline infrastructure
Activity 14	The development of - xii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs— a) within a watercourse; or c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse a. Free State ii) Outside urban areas: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans	The proposed Sewage Treatment Package Plant is proposed in areas identified as endangered and/or important ecosystems and biodiversity areas. (Ecological support areas) and construction activities will occur within 32 meter of watercourses.

c) Water Use Authorisation

The National Water Act, 1998 (Act No. 36 of 1998, NWA) aims to provide for management of the national water resources in order to achieve sustainable use of water for the benefit of all water users. This Act requires that the quality of water resources be protected as well as the integrated management of water resources with the delegation of powers to institutions at the regional or catchment level. The purpose of the Act is to ensure that the nation's water resources are protected, used, developed, conserved and managed. Chapter 4 of the Act regulates water use, while Section 21 lists eleven water use types that are regulated [Section 21 (a) – (k)]. Watercourses and wetlands are protected in terms of this section, as both are regarded as water resources. Should there be any wetlands located within 500m of the watercourse or with the flood line, a Water Use License Application (WUL) will be undertaken in terms of this Act.

Any activity that occurs within an identified regulated area requires an application for a WUA in the form of a Water Use License (WUL) or a General Authorisation with the Department of Water and Sanitation (DWS). An assessment of the site's hydrological conditions indicated that the Sewage Treatment Plant and the associated sewage pipelines is located within the 500 m regulated area of the identified watercourse (Metsi Matsho tributary). The proposed development of the STP will

therefore trigger Section 21 (c), (f), (g) and (i) of the National Water Act, 1998 (Act 36 of 1998) as per the following water uses:

- *Section 21 (c) Impeding or diverting the flow of water in a watercourse;*
- *Section 21 (f) Discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit;*
- *Section 21 (g) Disposing of waste in a manner which may detrimentally impact on a water resource; and*
- *Section 21 (i) Altering the bed, banks, course or characteristics of a watercourse*

The proposed STP has the potential to pose a risk to the resource quality characteristics.

3. Public Participation Process

In terms of the NEMA, 2014 Regulations, a Public Participation Process (PPP) forms an integral part of the Basic Assessment Process. The public participation process provides Interested and Affected parties who may be affected by the proposed activity(ies) with an opportunity to provide comment and to raise issues of concern about the project or to make suggestions that will be beneficial to the project and register on the project database and/or obtaining more information on the project.

The compilation of PPP documents such as this Notification Letter is one of the requirements of Chapter 6 of the NEMA Environmental Impact Assessment (EIA) Regulations, 2014, as amended. Other documents that has been drafted as part of the project notification phase include a Site Notice that will be placed on site and its immediate surrounding areas, and an advertisement that will be placed in a local newspaper. The process also requires the use of any other PPP methods such as Focus Group and/or Public Meetings where the need for these arises.

The PPP is therefore included as a minimum requirement of this Basic Assessment process. All written submissions will be submitted to the Department of Forestry, Fisheries and the Environment by the Environmental Assessment Practitioner (GA Environment) for decision making purposes. On the 5th of June 2020, the Minister of DEFF issued directions regarding the measures to address, prevent and combat the spread of the COVID-19 relating to the National Environmental Management Permits and Licenses. One of the requirements provided in the directions is that a PP Plan shall be submitted to the Competent Authority for approval by the allocated case officer. This notification letter is in line with the approved PP Plan.

4. Promotion of Access to Information Act (PAIA) and Protection of Personal Information Act (POPIA)

Section 32(1)(a) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) determines that everyone has a right of access to any information held by the state. Section 32(2) of the Constitution provides for the enactment of national legislation to give effect to this fundamental right. The Promotion of Access to Information Act (PAIA), 2000 (Act No. 2 of 2000) is the national legislation contemplated in section 32(2) of the Constitution. Section 9 of PAIA recognizes that the right of access to information is subject to certain justifiable limitations aimed at, amongst others:

- the reasonable protection of privacy;

- commercial confidentiality; and
- effective, efficient and good governance.

Section 14 of the Constitution provides for the right to privacy. Protection of Personal Information Act (POPIA), 2013 (Act No. 04 of 2013) gives effect to the constitutional right to privacy provided in section 14 of the Constitution:

- by safeguarding a person's personal information when processed by public and private bodies;
- in a manner which balances the right to privacy with any other rights, including the rights in the Bill of Rights in chapter 2 of the Constitution, particularly the right to access to information; and
- subject to justifiable limitations, including, but not limited to effective, efficient and good governance and the free flow of personal information, particularly trans-border transfers.

Section 3(3)(b) of POPIA provides that the POPIA must be interpreted in a manner that does not prevent any public or private body from exercising or performing its powers, duties and functions in terms of the law as far as such powers, duties and functions relate to the processing of personal information and such processing is in accordance with the POPIA or any other legislation, as referred to in section 3(2), that regulates the processing of personal information. The EAP and applicant have a legal duty to perform a function in terms of the NEMA EIA Regulations, which requires the preparation of reports, that include comments made by registered I&APs.

All personal information collected will be processed lawfully and in a reasonable manner that does not infringe the privacy of the I&APs. Section 11(1)(c) provides that personal information may only be processed if processing complies with an obligation imposed by law on the responsible party (CDC). The comments and names of commenting parties will be included in the Basic Assessment Reports as per the requirements of the NEMA EIA Regulations and submitted to DFFE to enable informed decision-making.

5. Opportunity to participate

Should you wish to make suggestions and/or comments on this proposal, kindly provide these together with your name, contact details (preferred method of communication, e.g. e-mail address or telephone number) and an indication of any interest which you (or the organization you represent) have in the application to:

Name: Matshego Keikelame	Tel: 051 430 0430/0441	Fax: 011 805 1950;
Cell: 073 036 1385	E-mail: environment@gaenvironment.com or matshegok@gaenvironment.com	Post: P. O Box 6723 Halfway House 1685.

Please register your interest in the project by the 4th of March 2022.

We look forward to receiving your comments!

NOTICE OF A BASIC ASSESSMENT AND INTEGRATED WATER USE AUTHORISATION PROCESS FOR THE SEWAGE TREATMENT PACKAGE PLANT FOR THE PROPOSED LUSAKA COMMUNITY HEALTHCARE FACILITY, PHUTHADITJHABA, THABO MOFUSANYANA DISTRICT, FREE STATE PROVINCE
REGISTRATION AND COMMENT SHEET
JANUARY 2022

Section 11(1)(a) of POPIA, provides that personal information may only be processed if the data subject consents to the processing unless mandated by law in terms of Section 11(1)(c). Kindly provide consent to the processing of personal information expressly for the Integrated Water Use License Application for the Proposed Lusaka Healthcare Facility Sewage Treatment Package Plant infrastructure.

Do you provide consent for the processing of your personal information?

YES

NO

Name:

Surname:

Organisation:

Postal or Residential Address:

Post Code:

Tel number:

Fax number:

Cell phone number:

E-mail address:

Would like to be registered on the Project database? Yes / No

COMMENTS

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OTHER INTERESTED AND AFFECTED PARTIES

Please add the following neighbours / interested or affected parties to your mailing list (please provide their names, surnames, and telephone numbers):

- 1).....
.....
- 2).....

Please complete and return to GA Environment for:

Attention: Matshego Keikelame

Fax: (011) 805 1950/57, **Email:** environment@gaenvironment.com or matshegok@gaenvironment.com

Post: PO Box 6723, Halfway House, Midrand, 1685

You may also call us on **Tel:** (051) 430 0430 or **Cell:** (073) 036 1385

