



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

National Register of Water Use Registration Record 22139856

Water Use Registration Record 22139856 is issued in terms of the regulations requiring that a Water Use be registered, promulgated under Section 26(1)(c) of the National Water Act(Act 36 of 1998) to:

Applicant

Applicant Type: COMPANY
Name: PINETOP ESTATE (PTY) LTD
Enterprise Type: PRIVATE COMPANY
Business Registration Number: 1970/016727/07
Postal Address: RHINO HOUSE
23 QUANTUM HOUSE TECHNOPARK
STELLENBOSCH
7600

VAT Registration Number:

Water Management Area

Name: BERG-OLIFANTS

Register Status

Status: ACTIVE

Water Uses

See attached Annexure(s)

Water Use No.	Water Use	Volume	Volume Start Date	Volume End Date
1	21(c)		2018/01/01	
2	21(l)		2018/01/01	



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Office: Western Cape Office
Regional Office: Western Cape Region

CHIEF DIRECTOR
WARMS

26 JUL 2018

PRIVATE BAG X 15, SANLAMHOF, 7532
52 VOORTREKKER ROAD, BELLVILLE 7532

Date stamp of issuing office

DISCLAIMER :

This Registration Record:

- 1 is not an acknowledgement of an entitlement to the registered water use;
- 2 may NOT be used to create the impression that it is proof of a water use entitlement. By virtue of section 22(1) of the National Water Act, the only documents that may be used as proof of a water use entitlement, are:
 - 2.1 a licence;
 - 2.2 an official document stating the extent of existing lawful water use pursuant to sections 33 or 35 of the National Water Act;
 - 2.3 a general authorisation as published in the Gazette; or
 - 2.4 Schedule 1 of the National Water Act.

Notes:

- If an entitlement for the specific water use referred to in this Registration Record has been confirmed by the Department, it may be indicated as such in this Registration Record.
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- 3 is issued without alterations or erasures and is invalid if it contains alterations not in conformity with the Department's official copy; and in substitution of any Registration Record the Department may have previously issued and the information is valid as at the date of issue.

National Register of Water Use Registration Record 22139856

Impeding or diverting the flow of water in a watercourse in terms of Section 21(c) of the National Water Act

Water Use Identification

Register Number: 22139856
Water Use Number: 1
Water Use Start Date: 2018/01/01
Water Use Status Date: 2018/04/18
Water Use Status: REGISTERED

Licence Information

NRWU Licence Number: 22139856/1
Licence Status: APPROVED
Licence Expiry Date: 2037/12/31
Review Period: 60 MONTHS

RLA Details

RLA Business Unit: ENVIRONMENT AND RECREATION
RLA Reference: 01/G21E/IC/6867

Lawfulness Authentication

Finding: LAWFUL
Finding Date: 2017/12/08
Finding Reason: LICENCE

Finding Confirmed: YES

Water Use Details for Impeding the Flow of Water

Water Resource: UNNAMED TRIBUTARY OF THE MOSSELBANK RIVER
Geographic Location: Latitude Longitude
Datum Type: 33° 47' 54" south 18° 41' 52.1" east
WGS-84
For the Purpose of: TO PROVIDE ACCESS TO THE SOUTHERN PORTION OF THE PROPERTY BY FORMALISING UPGRADING THE EXISTING LOW WATER BRIDGE
Height: 1.7 METRES
Width: 12 METRES
Length: 20 METRES
Water Use Sector: INDUSTRY (URBAN)
Quaternary Drainage Region: G21E

National Register of Water Use Registration Record 22139856

Impeding or diverting the flow of water in a watercourse in terms of Section 21(c) of the National Water Act

Water Use Identification

Register Number: 22139856
Water Use Number: 1
Water Use Start Date: 2018/01/01
Water Use Status Date: 2018/04/18
Water Use Status: REGISTERED

Property Where Water Use Occurs

Property Name: FARM 168
Property Number: 168
Portion of Property: 32
SG Cadastral Code: C01600000000016800032
Deeds Office: CAPE TOWN
Registration Division: CAPE
Registration Division Province: WESTERN CAPE
Surveyor General Office: CAPE TOWN

WUN/Property Relationship Details

Relationship Start Date	Relationship End Date
2018/01/01	

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National Register of Water Use Registration Record 22139856

Altering the bed, banks, course or characteristics of a watercourse in terms of Section 21(i) of the National Water Act

Water Use Identification

Register Number: 22139856
Water Use Number: 2
Water Use Start Date: 2018/01/01
Water Use Status Date: 2018/04/18
Water Use Status: REGISTERED

Licence Information

NRWU Licence Number: 22139856/2
Licence Status: APPROVED
Licence Expiry Date: 2037/12/31
Review Period: 60 MONTHS

RLA Details

RLA Business Unit: ENVIRONMENT AND RECREATION
RLA Reference: 01/G21E/IC/6867

Lawfulness Authentication

Finding: LAWFUL
Finding Date: 2017/12/08
Finding Reason: LICENCE

Finding Confirmed: YES

Water Use Details

Type of Water Resource: RIVER/STREAM
Water Resource: UNNAMED TRIBUTARY OF THE MOSSELBANK RIVER
For the Purpose of: FORMALISATION OF THE EXISTING LOW WATER BRIDGE CROSSING.REHABILITATION WORKS WITHIN AN ECOLOGICAL STREAM CORRIDOR BELOW 1:100 YEAR FLOOD LINE

Altering of: BANKS

Start of Alteration: Latitude 33° 47' 54" south Longitude 18° 41' 52.1" east
WGS-84

Datum Type: WGS-84
End of Alteration: Latitude 33° 47' 50.9" south Longitude 18° 41' 8.9" east
WGS-84

Datum Type: WGS-84
Length of Watercourse Affected by Alteration: 20 METRES

Water Use Sectors: INDUSTRY (URBAN)

Quaternary Drainage Region: G21E

National Register of Water Use Registration Record 22139856

Altering the bed, banks, course or characteristics of a watercourse in terms of Section 21(i) of the National Water Act

Water Use Identification

Register Number: 22139856
Water Use Number: 2
Water Use Start Date: 2018/01/01
Water Use Status Date: 2018/04/18
Water Use Status: REGISTERED

Property Where Water Use Occurs

Property Name: FARM 168
Property Number: 168
Portion of Property: 32
SG Cadastral Code: C01600000000016800032
Deeds Office: CAPE TOWN
Registration Division: CAPE
Registration Division Province: WESTERN CAPE
Surveyor General Office: CAPE TOWN

WUN/Property Relationship Details

Relationship Start Date	Relationship End Date
2018/01/01	

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Addendum A: License Audit Checklist

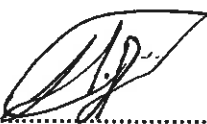
REGISTER NUMBER: 22139651.....

Authorisation	Categories	Procedure to Manage Authorisations Outcome	Compliance Checklist	Yes/No
License	Issues License	Water use registration forms	Signed registration forms	✓
		Confirmation document	Copy of signed license	✓
		Delegated authority signature	Certificate printed & signed by delegated authority	
		Volume Start Date versus signed license	Signed date (1 st Day of next billable month)	
		Volume versus signed license	Volume updated versus license	
		Manage license status and review details	License status and review details updated	✓
		Manage RLA details	RLA details updated	✓
		Lawfulness authentication	Lawfulness authentication details updated	✓
		WUN per property volume	Copy of license	N/A
		Succession in title	Signed license	N/A
			Start date	N/A

Comments:

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Checked By: 

Date: 2018/04/17



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

Private Bag X313, Pretoria, 0001, Sedibeng Building, 185 Francis Baard Street Pretoria,
Tel: (012) 336 7500 Fax (012) 323-4472 / (012) 326 2715

LICENCE IN TERMS OF CHAPTER 4 OF THE NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998) (THE ACT)

I, **Sifiso Mkhize**, in my capacity as Director-General (Acting) in the Department of Water and Sanitation and acting under authority of the powers delegated to me by the Minister of Water and Sanitation, hereby authorize the following water uses in respect of this licence.

SIGNED: 

DATE: 08/12/2017

LICENCE NO: 01/G21E/IC/6867
FILE NO: 27/2/1/G521/331/1

1. **Licensee:** **Pinetop Estate (Pty) Ltd**
Postal Address: Rhino House
23 Quantum House
TECHNOPARK
7600
2. **Water Uses:**
 - 2.1 Section 21(c) of the Act: Impeding or diverting the flow of water in a watercourse subject to the conditions set out in Appendices I and II
 - 2.2 Section 21 (i) of the Act: Altering the bed, banks course or characteristics of a watercourse, subject to the conditions set out in Appendices I and II
3. **Property in respect of which this licence is issued.**
 - 3.1 Portion 32 and a portion of portion 33 of Farm No. 168, Cape Division, Western Cape
4. **Licence and Review Period**
 - 4.1 This licence is valid for a period of twenty (20) years from the date of issuance and it may be reviewed in every five (5) years.

B11241

5. Definitions

"Any word or term defined under the Act shall have the same meaning as defined in the Act, unless otherwise specifically stated."

"The Provincial Head" means the Provincial Head: Western Cape Provincial Operations, Department of Water and Sanitation, Private Bag X 16; Sanlamhof, 7532

7. Description of activity

Withers Environmental Consultants was appointed by Pinetop (Pty) Ltd to facilitate the water use authorization application for sections 21 (c) & (i) in terms of Section 40 of the National Water Act (Act 36 of 1998). Pinetop (Pty) Ltd wants to undertake a light industrial development which includes: the building of storage units within the 1: 100 year flood line, the upgrading of an existing low level crossing and associated gravel road across an unknown tributary of the Mosselbank River, as well as the development of infiltration swales for storm water management. This application falls within the Berg- Olifants Water Management Area in quaternary drainage area G21E.

APPENDIX I

CONDITIONS FOR ALL WATER USES

1. The responsibility for complying with the provisions of the licence is vested in the Licensee and not any other person or body.
2. This licence is subject to all the provisions contained in the National Water Act.
3. In terms of section 148(1)(f) of the Act, any person who has timeously lodged a written objection against the application for a license may appeal to the Water Tribunal and the Tribunal may confirm, amend or withdraw the license or make any other order as it deems appropriate.
4. The licence shall not be construed as exempting the Licensee from compliance with the provisions of the National Environment Management Act, 1998 (Act 107 of 1998), the Health Act, 2003 (Act 61 of 2003), the Environment Conservation Act, 1989 (Act 73 of 1989), the Occupational Health and Safety Act, 1993 (Act 85 of 1993) or any other applicable Act, Ordinance, Regulation or By-law.
5. The Licensee shall immediately inform the Regional Director of any change of name, address, premises and/or legal status.
6. This licence and any amendment to this license are also subject to all the applicable procedural requirements and other applicable provisions of the Act, as amended from time to time.
10. If the property mentioned in Clause 3 above is subdivided, sold or consolidated, the owner(s) of the new property(ies) must enter into a written mutual agreement and notify this Department or the responsible authority within 60 days after the said transaction took place.
11. If a water user association is established in the area to manage the resource, membership of the Licensee to this association is compulsory and rules, regulations and water management stipulations of the association must be adhered to.
12. The Licensee shall be responsible for any water use charges or levies imposed from time to time by a responsible authority or Department in terms of the Raw Water Pricing Strategy, Waste Discharge Charges, Water Resource Management Charge of the Department, or any other water charge or levies that might be imposed in terms of the appropriate legislation.
13. The Licensee must inform the Department at least 90 days before the expiring date of the licence whether the licence must be considered for another term.
14. The Licensee shall be responsible for appointment of a Responsible Person(s) who will give effect to the various licence conditions and to ensure compliance thereof.
15. The Licensee shall conduct an annual internal audit on compliance with the conditions this licence. A report on the audit shall be submitted to the Regional Director within one month of the finalisation of the audit.

APPENDIX II

Section 21(c) of the Act: Impeding or diverting the flow of water in a watercourse;
Section 21(i) of the Act: Altering the bed, banks, course or characteristic of a watercourse

1. GENERAL

- 1.1 This licence authorises Pinetop Estate (Pty) Ltd for a light industrial development with associated infrastructure within the 1 in 100 year flood line of an unknown tributary of the Mosselbank River in terms of sections 21 (c) and (i) water use activities as set out below in Table 1.

Table 1: Water Use Activities

Activity	Watercourse/s	Coordinates
- Storage units (including associated infrastructure),	An unknown tributary of the Mosselbank River	S 33° 47' 54.02"
- Upgrading of an existing low level water bridge and associated gravel road, and		E 18° 41' 52.12"
- Infiltration swales for storm water management.		S 33° 47' 50.95"
		E 18° 41' 08.95"

- 1.2 The Licensee must carry out and complete all the activities listed under condition 1.1 according to the reports submitted to the Department or Provincial Head specifically:
- 1.2.1 Storm water Management Report by Bart Senekal Inc. Dated June 2016,
- 1.2.2 A Freshwater Assessment Report by Blue Science dated June 2016, and
- 1.2.3 Environmental Management Programme by Withers Environmental Consultants dated September 2016.
- 1.3 All the conditions of this licence; and
- 1.4 Any other written direction issued by the responsible authority in relation to this licence.
- 1.5 No activity must take place within the extent of a watercourse/s, unless authorised by this licence.
- 1.6 The conditions of the authorisation must be brought to the attention of all persons (employees, sub-consultants, contractors etc.) associated with the undertaking of these activities and the Licensee must take such measures that are necessary to bind such persons to the conditions of this licence.
- 1.7 No fundamental alterations of the work method statements, site plan/s and drawings are allowed, unless a modification is requested and granted by the responsible authority in writing.

2. FURTHER REQUIREMENTS

- 2.1 An Environmental Management Plan (EMP) for the decommissioning of any of the water use activities listed in Table 1 must be submitted five (5) years before commencing with closure to the Responsible authority for written approval.

3. PROTECTIVE MEASURES

3.1 Storm Water Management

- 3.1.1 Storm water management practices must be constructed, operated and maintained in a sustainable manner throughout the project and for the water use activities set out in condition 1.1 and as detailed in the Storm Water Management Plan;
- 3.1.2 Increased runoff due to vegetation clearance and/or soil compaction must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering any watercourse/s;
- 3.1.3 The velocity of storm water discharges must be attenuated and the banks of the watercourse/s protected; and
- 3.1.4 Storm water leaving the Licensee's premises must in no way be contaminated by any substance, whether such substance is a solid, liquid, vapour or gas or a combination thereof which is produced, used, stored, dumped or spilled on the premises.

3.2 Structures, Construction Plant and Materials

- 3.2.1 Structures must not be damaged by floods exceeding the magnitude of floods occurring on average once in every 100 years.
- 3.2.2 Structures must be non-erosive, structurally stable and must not induce any flooding or safety hazard.
- 3.2.3 Structures must be inspected regularly for accumulation of debris, blockage, erosion of abutments and overflow areas - debris must be removed and damages must be repaired and reinforced immediately.

3.3 Water Quality

- 3.3.1 The Licensee must ensure that the quality of the water to downstream water users does not decrease because of the of the water use activities listed under condition 1.1.
- 3.3.2 Pollution of and disposal/spillage of any material into the watercourse/s must be prevented, reduced, or otherwise remediated through proper operation, maintenance and effective protective measures.

3.4 Flow

- 3.4.1 The diversion activities must be conducted in a manner that does not negatively affect catchment yield, hydrology and hydraulics. The Licensee must ensure that the overall magnitude and frequency of flow in the watercourse/s does not decrease, other than for natural evaporative losses and authorised attenuation volumes.

3.5 Riparian and Instream Habitat (Vegetation and Physical Structure)

- 3.5.1 Activities must start up-stream and proceed into a down-stream direction where feasible, so that the recovery processes can start immediately, without further disturbance from upstream works.
- 3.5.2 Operation and storage of equipment within the riparian habitat must only take place within the approved limits of disturbance indicated in the site plans and work method statements.
- 3.5.3 Activities must not occur in sensitive riffle habitats unless authorised by this licence.
- 3.5.4 Indigenous riparian vegetation, including dead trees, outside the limits of disturbance indicated in the site plans must not be removed from the area.
- 3.5.5 Alien and invader vegetation must not be allowed to further colonise the area, and all new alien vegetation recruitment must be sustainably eradicated or controlled.

3.5.6 Biota

- 3.5.7 The Licensee must allow movement of aquatic species, including migratory species where applicable.
- 3.5.8 Ensure implementation of all mitigation measures not to disturb the breeding, nesting and/or feeding habitats and natural movement patterns of aquatic biota.

3.6 Other Water Users

- 3.6.1 The Licensee must attempt to prevent adverse affects on other water users. All complaints must be recorded in complaints register and be investigated by a suitable qualified person and if investigations prove that the Licensee has impaired the rights of other water users, the Licensee must initiate suitable compensative measures.

3.7 Rehabilitation and Management

- 3.7.1 The Licensee must implement the rehabilitation programme to restore the watercourse/s to environmentally acceptable and sustainable conditions after completion of the activities as outlined in the rehabilitation plan.
- 3.7.2 All disturbed areas must be re-vegetated with indigenous plants in consultation with an indigenous plant expert, ensuring that during rehabilitation only indigenous shrubs, trees and grasses are used in restoring the biodiversity.

4. MONITORING AND REPORTING

- 4.1 The Responsible authority must be notified in writing one week prior to commencement of the licenced activity/ies and again upon completion of the activity/ies.
- 4.2 A qualified environmental management specialist must be retained by the Licensee who must give effect to the various licence conditions and to ensure compliance thereof pertaining to all activities impeding and/or diverting flow of watercourse/s as well as alternations to watercourse/s on the property/ies as set out in condition 1.1 of Apendix II.

5. OTHER WATER USERS

- 5.1 The Licensee must attempt to prevent adverse effect on other water users. All complaints must be investigated by a suitable qualified person and if investigations prove that the Licensee has impaired the rights of other water users, the Licensee must initiate suitable compensative measures.

6. POLLUTION PREVENTION, INCIDENTS AND MALFUNCTIONS

- 6.1 Pollution incidents must be dealt with in accordance with the National Water Act of 1998, section 19 and 20.
- 6.2 Any incident that results in pollution of any water resource in the vicinity of the property must immediately be reported to the Provincial Head.
- 6.3 If surface and/or groundwater pollution has occurred or may possibly occur, the Licensee must conduct, and/or appoint specialists to conduct the necessary investigations and implement additional monitoring, pollution prevention and remediation measures to the satisfaction of the Provincial Head.
- 6.4 The Licensee must keep all records relating to the compliance or non-compliance with the conditions of this licence in good order. Such records must be made available to the Provincial Head within fourteen (14) days of receipt of a written request by the Department for such records.
- 6.5 The Licensee must keep an incident report and complaints register, which must be made available to any external auditors and the Department.

[END OF LICENCE]