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) 326-4472/ (012) 326-2715, www.dwa.gov.za

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

I, **Mr Moses Sipho Skosana** in my capacity as Acting Chief Director: Water Use Licence Management (CD: WULM) in the Department of Water and Sanitation and acting under the powers delegated to me by the Minister of Water and Sanitation, hereby authorises the following water use in respect of this licence.

Serial Number : 5309171668810115310
Acting Chief Director: Water Use License Management (CD: WULM)
Date: Dec 6 2022 7:38AM

NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)

LICENCE NO: 01/E21D/BCI/12065
FILE NO: 27/2/1/E421/3/1

1. Licensee: **TSR BOERDERY PTY LTD**

Postal Address: PO Box 146,
Ceres
6836

2. Water Uses

2.1 Section 21 (b) of the Act: Storing water.
2.2 Section 21 (c) of the Act: Impeding or diverting the flow of water in a watercourse.
2.3 Section 21 (i) of the Act: Altering the bed, banks, course, or characteristics of the watercourse

3. Properties in respect of which this licence is issued

3.1 Portion 1 of Land Parcel 209 of the Major Region CERES (Portion 1 of farm Kleinvlei 209)

4. Registered owners of the Properties

Table 1: Registered owners of the Properties

Property Name	Property Owner	Title deeds number
Portion 1 of Land Parcel 209 of the	TSR Boerdery (Pty) Ltd	T52028/2016

Major Region CERES (Portion 1 of farm Kleinvlei 209)		

5. Licence and Review Period

5.1 This licence is valid for a period of twenty (20) years from the date of issuance and may be reviewed at intervals of not more than five (5) years.

5.2 The Licensee must, if needed, apply for early renewal of this licence in terms of the Act within one (1) year before its expiry date.

6. Definitions

Any terms, words and expressions as defined in the National Water Act, 1998 (Act 36 of 1998) shall bear the same meaning when used in this licence.

"The Department" means the Department of Water and Sanitation (DWS).
"Minister" means the Minister of DWS.

"The Act" means the National Water Act, 1998 (Act 36 of 1998).

"Provincial Head" DWS Western Cape Province.

"The Responsible Authority" means The Provincial Head: DWS Western Cape Province Agency, Private Bag X16, SANLAMHOF, 7532.

"Licensee" means TSR Boerdery Pty Ltd

"Responsible Person" the person appointed by the Licensee to give effect to the Licence, and ensure compliance with the Licence conditions.

"Extent of the watercourse" means the outer edge of the 1:100 year floodline or the delineated riparian habitat, whichever is the greatest.

"Regulated area of a wetland" is the use of water for section 21 c and i water uses within 500m radius from the boundary of any wetland.

A wetland means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.

The characteristics of a watercourse/s mean the flow regime, water quality, habitat (including the physical structure of the watercourse/s and associated vegetation) and biota found within the extent of the watercourse/s.

"Report" refers to the following documentations and communications (emails, letters, verbal, etc.) related there to:

i. Freshwater Ecological Assessment for the proposed Kleinvlei Dam on portion 1 of the farm Kleinvlei 209, near Ceres, Western Cape Province, prepared for Enviroafrica cc, by FEN consulting (PTY) Ltd dated February 2020.
ii. Hydrological and Environmental Water requirements study for the Kleinvlei Dam & River diversion, Prepared by Gerald Howard & Bruce Paxton of Freshwater Research Centre dated January 2020.

7. Description of activity

This licence entails construction of Kleinvlei Dam instream within Houdenbek River tributary and storage of 176 843m^3/a existing lawful water use (ELU) from Houdenbek River. Only 10ha of orchards fruits is currently irrigated in the area. The proposed dam will have a total storage capacity of 176 843m^3 to store winter water and it is 510m from the irrigated area.

TSR Boerdery purchase a property in 2016, approximately 10ha of fruit orchards was established and it is proposed that the fruit orchards will be extended and developed from 10ha-27ha over the next 3-5years as the storage capacity would ensure the water use during the dry summer months. The activity is located in Portion 1 of Land Parcel 209 of the Major Region CERES (Portion 1 of farm Kleinvlei 209) and it is approximately 32km north of Ceres and 5km south of Op-die-Berg. It is situated E21D quaternary catchment within Berg-Olifants Water Management Area.

APPENDIX I

General Conditions for the Licence

1. This licence is subject to all applicable provisions of the National Water Act, 1998 (Act 36 of 1998).

2. The responsibility for complying with the provisions of the licence is vested in the Licensee and not any other person or body.

3. The Licensee must immediately inform the Responsible Authority of any change of name, address, premises and/or legal status.

4. If the property in respect of which this licence is issued is subdivided or consolidated, the Licensee must provide full details of all changes in respect of the properties to the Responsible Authority within 60 days of the said change taking place.

5. If a Water User Association is established in the area to manage the resource, membership of the Licensee to the Association is compulsory. Rules, regulations and water management stipulation of such association must be adhered to.

6. The Licensee shall be responsible for any water use charges and/or levies imposed by a Responsible Authority.

7. While effect must be given to the Reserve as determined in terms of the Act, where a lower confidence determination of the Reserve has been used in issuance of this licence, the licence conditions may be amended should a higher confidence Reserve be conducted.

8. The licence shall not be construed as exempting the Licensee from compliance with the provisions of any other applicable Act, Ordinance, Regulation or By-law.

9. The licence and amendment of this licence are also subject to all the applicable procedural requirements and other provisions of the Act, as amended from time to time.

10. The Licensee shall conduct an annual internal audit on compliance with the conditions of this licence. A report on the audit shall be submitted to the Responsible Authority within one month of the finalization of the audit. The audit may be subjected to external audit.

11. Any incident that causes or may cause water pollution must be reported to the Responsible Authority or a designated representative within 24 hours.

12. The Department accepts no liability for any damage, loss or inconvenience, of whatever nature, suffered as a result of / amongst other things.
    - 12.1 Shortage of water;
    - 12.2 Inundation of flood;
    - 12.3 Any *force majeur* event;
    - 12.4 Siltation of the river or dam basin; and
    - 12.5 Required Reserve releases.

APPENDIX II

Section 21 (b) of the Act: Storing of water

1. Storing of water

1.1 The Licensee is authorised construction of Kleinvlei Dam within Houdenbek River Tributary and storage of one hundred and seventy six eight hundred and forty three (176 843m^3) of water for irrigation purpose as detailed in Table 2.

Table 2: Water use activities

Water Use Description	Purpose	Capacity	Properties	Co-ordinates
Section 21(b)				
Construction of instream dam within Houdenbek River Tributary	Storage of raw water for irrigation	Capacity: 176 843m^3	Portion 1 of Land Parcel 209 of the Major Region CERES (Portion 1 of farm Kleinvlei 209)	S33.0673296717 E19.3327082832

1.2 The Licensee is not exempted from compliance with any applicable Dam Safety Regulations.

1.3 The Licensee must comply with Dam Safety Request dated 23/09/2020.

2. Monitoring Requirements

2.1 To compile a water balance to manage the use of water optimally, the Licensee shall monitor the quantity of water transferred into and from the dam set out in Condition 1.1 of Appendix II on a daily basis and submit this to the Provincial Head bi-annually.

2.2 A water measuring device prior commencement of the activity and must be installed from the abstraction point.

2.3 A dam level gauge must be installed prior commencement of the proposed activity.

2.2 The Licensee shall provide information on the method on the flow measurement within one year from the date of issuance of this licence.

2.3 All flow gauging devices shall be maintained in a sound state of repair or as per equipment specific design.

2.4 All flow gauging devices shall be calibrated by a competent person as per design specification.

2.5 The installation of flow meters must comply with the specifications of the manufacturer with regard to distance from obstructions in the pipeline upstream and downstream of the meter to ensure accurate measurements.

2.6 Records confirming proof of the calibration must be kept and made available to the Responsible Authority upon request and submitted with audits reports.

3. Dam Safety Requirements:

3.1 The newly proposed contruction of Kleinvlei Dam with a capacity of 176 843m^3 and a wall height of 7 m is classified as Small Category II dam with a Significant hazard potential, shall be carried out under supervision of a Professional Civil Engineer, registered and authorised by the dam Safety Office of the Department under the Engineering Profession of South Africa Act, 1990 (Act 114 of 1990). Any repair work on this dam must be done in consultation with dam safety office.

3.2 The Operating Manual of the dam facilities shall include a water management plan that describes capacity and operating methods for the components of the water management system such as the minimum freeboard.

3.3 The Licensee shall manage and operate the facility in accordance with the design plans and specifications. Not with standing these specifications, the operator of the facility should advise the professional person on any circumstances or aspect of the facility that, according to his operating experience, might either endanger the integrity of the dam facility or present a risk to the public or the environment.

3.4 Increased runoff due to vegetation clearance and/or soil compaction must be managed, and steps must be taken to ensure that stormwater does not lead to bank instability and excessive levels of silt entering the watercourse.

3.5 Soils that have become compacted through the activities during the construction of the dam wall must be loosened to an appropriate depth to allow seed germination.

3.6 All dam facilities shall be audited as per condition 10 of Appendix I of this licence**.**

4. Special Conditions

4.1 Abstraction of water from the Houdenbek River must only take place during periods of peak flow in the river. No abstraction must take place during periods of base flow.

4.2 The dam will be provided with a bottom outlet to empty the dam within 30 days.

4.3 An “As Built” survey of the dam wall basin with a depth storage curve must be submitted on completion of the dam wall before impoundment commence.

4.4 A fixed reference peg next to the dam wall must be provided. On completion of the dam wall the difference in height between the fixed reference peg and spillway control level must be provided and indicated on the “As Built” dam basin survey.

4.5 The dam will be provided with a fixed depth measuring plate.

4.6 Water may only pumped from the Houdenbeks river during the period from 1 May until 31 October of each year at a rate not more 10l/s with the existing off take pump.

4.7 As the outcome of the verification of water use is subjected to an appeal process: - in the event that there is an appeal against the final confirmed/ declared finding of existing lawful water use and the new assessment has a new finding, the volume associated to the ELU and this Licence may be adjusted accordingly and can reduce the volume for storages.

4.8 The confirmed ELU will be subjected to compulsory licensing and when called upon, it(volume associated to the ELU) can be adjusted to the outcome of CL which can also reduce the authorisation for storage.

4.9 A signed civil engineering for the proposed dam designed by registered professional engineer must be submitted for approval to the Provincial Head prior commencement of the activity and dam design must cater for ecological reserve releases downstream.

4.10 The applicant must comply with Dam Safety Regulations Government Notice R139 OF 24 February 2012.

APPENDIX IV

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

1. GENERAL

1.1 This licence authorises construction of Kleinvlei Dam within the tributary of the Houdenbek River Tributary for Section 21(c) and (i) water uses activities for the construction facilities as set out in Table 3 within E21D quaternary catchment of Berg-Olifants Water Management Area and in the water use licence application reports submitted to the Department (refer condition 1.2):

Table 3: Summary of water Use Activities authorised

Water Use Description	Purpose	Volume (m^3/a)	Properties	Co-ordinates
Section 21(c and i)				
Construction of instream dam within Houdenbek River Tributary	Storage of raw water for irrigation	7m high 155 length crest	Portion 1 of Land Parcel 209 of the Major Region CERES (Portion 1 of farm Kleinvlei 209)	S33.0669205763 E19.3326546390 S33.0668351605 E19.3326331813

1.2. The Licensee must carry out and complete all the activities listed under condition 1.1 according to the following:

1.2.1 Freshwater Ecological Assessment for the proposed Kleinvlei Dam on portion 1 of the farm Kleinvlei 209, near Ceres, Western Cape Province, prepared for Enviroafrica cc, by FEN consulting (PTY) Ltd dated February 2020.

1.2.2 Hydrological and Environmental Water requirements study for the Kleinvlei Dam & River diversion, Prepared by Gerald Howard & Bruce Paxton of Freshwater Research Centre dated January 2020.

1.2.3 Conditions of this licence; and

1.2.4 Any other written direction issued by the Responsible Authority in relation to this licence.

1.3 No activity must take place within the 1:100 year flood line or the delineated riparian habitat, whichever is the greatest, or within 500 m radius from the boundary of any wetland unless authorised by this licence.

1.4 The conditions of this 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.

1.5 A copy of the water use licence and reports set out under condition 1.2 of this Appendix must be on site at all times.

1.6 A suitably qualified person(s), appointed by the Licensee, and approved in writing by the Responsible Authority, must be responsible for ensuring that the activities are undertaken in compliance with the specifications as set out in reports submitted to the Department and the conditions of this licence.

1.8 The Licensee must make sure that any runoff into the dam that was suppose to flow downstream of the constructed proposed dam is released.

2. FURTHER STUDIES AND INFORMATION REQUIREMENTS

2.1 If the Licensee is not the end user/beneficiary of the water use related infrastructure and will not be responsible for long term maintenance and management of the infrastructure, the Licensee must provide a programme for hand over to the successor-in-title including a brief management/maintenance plan and the agreement for infrastructure along with allocation of responsibilities, within three (3) months of the date of issuance of this licence.

2.2 A master layout overlaying the water use activities and sensitive features (regulated area) and method statement must be submitted to the Provincial Head for approval prior commencement of the proposed activity.

2.3 An Environmental audit report must submitted prior commencement of the proposed activity.

2.4 An Environmental Management Plan (EMP) must be provided giving details of how the short and long term disturbances for approval prior commencement of the proposed activity.

2.5 A Rehabilitation Plan must be compiled and provided to guide the shaping and revegetation of the site following the construction of the new dam.

2.6 An Environmental Management Plan (EMP) and rehabilitation plan for the decommissioning of any of the water use activities listed in Table 2 & 3 must be submitted one (1) years before commencing with closure to the Provincial Head for a written approval.

2.7 Stormwater management plan should be designed in a way that aims to ensure that post-development run-off does not exceed pre-development values in:

2.7.1 Peak discharge for any given storm,
2.7.2 Total volume of run-off for any given storm,
2.7.3 Frequency of run-off volumes,
2.7.4 Pollutant and debris concentrations reaching watercourses,
2.7.5 Demonstrate minimal soil and vegetation clearance practices,
2.7.6 Demonstrate an effective re-vegetation campaign for bare areas,
2.7.7 Velocity of outgoing stormwater shall not exceed the velocities of incoming water in order to reduce erosion impacts, and
2.7.8 Increase in run-off due to a higher water table resulting from tree clearing practices.

2.8 Licensee must submit a method statement for approval prior commencement of the activity

ROTECTIVE MEASURES

3.1 Stormwater Management

3.1.1 Stormwater 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 must include but are not limited to the following:

3.1.1.1 Increased runoff due to vegetation clearance (promoting limiting vegetation clearance at all times) and/or soil compaction must be managed, and steps must be taken to ensure that stormwater does not lead to bank instability and excessive levels of silt entering the watercourse(s); and

3.1.1.2 Storm water must be diverted from construction works, access roads, linear infrastructure and reptile ponds and must be managed in such a manner as to disperse runoff and to prevent the concentration of storm water flow; and

3.1.1.3 The velocity of storm water discharges must be attenuated and the banks of the watercourses protected;

3.2 Structures and Materials

3.2.1 Necessary erosion prevention measures must be employed to ensure the sustainability of all structures.

3.2.2 The height, width and length of structures must be limited to the minimum dimension necessary to accomplish the intended function.

3.2.3 Structures must be designed to withstand 1:100 floodline.

3.2.4 Structures must be non-erosive, structurally stable and must not induce any flooding or safety hazard.

3.2.5 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.

3.2.6 Any access roads, bridges, pathways or other linear crossings should be:

3.2.6.1 Non-erosive, structurally stable and should not induce any flooding or safety hazard;
3.2.6.2 Any damage is repaired immediately to prevent further damage;
3.2.6.3 Non-polluting with respect to silt and litter that can be deposited into a watercourse;

3.2.6.4 Watercourse crossings to facilitate the movement of aquatic and non-aquatic organisms and fauna;
3.2.6.6 Crossing surfaces must be tarred, paved or concreted along the extent of the watercourse and extent at least 100m beyond the extent of the watercourse to minimise impacts on the characteristics of the watercourse;

3.2.6.7 Where any road is within the 100m buffer zone of the watercourse, this portion of the road shall be concreted, paved or tarred; and
3.2.6.8 Not consist of any polluting material.

3.2.7 Landscape maintenance plan must be submitted for approval by Provincial Head within 6 months of licence being issued.

3.3 Water Quality

3.3.1 The Licensee shall sample the water quality monthly for the mentioned variables (Table 5) at least at the monitoring points both upstream and downstream of the activities (Table 5) and report to the Provincial Head within thirty (30) days after the results of each sampling event is received: The samples must be analysed using *General Standard Conditions of Government Gazette No. 225, Regulation No. 991 dated 18 May 1984*.

Table 5: Water quality parameters relevant for sampling.

Variable	Frequency
pH	Monthly
Electrical Conductivity (EC) (mS/m)	Monthly
Chemical Oxygen Demand (COD) (mg/ℓ)	Monthly
Suspended Solids	Monthly
Total dissolved solids	Monthly

3.3.2 Monitoring must continue for three (3) years after the issuance of this licence for the activities listed in condition 1.1

3.3.3 Monitoring must be undertaken as set out in section 5.

3.3.4 Activities that lead to elevated levels of turbidity of any watercourse(s) must be prevented, reduced, or otherwise remediated. Activities must be scheduled to take place during the dry seasons when flows are lowest where reasonably possible. If this is not possible and if management measures have not been provided for in the reports submitted to the Provincial Head, the Licensee must submit such to the Provincial Head for a written approval before these activities commence. Natural in stream hydrology is to be used to determine which months constitute the low flow months.

3.3.5 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.

3.3.6 Pollution of and disposal/spillage of any material into the watercourse must be prevented, reduced, or otherwise remediated through proper operation, maintenance and effective protective measures.

3.3.7 Vehicles and other machinery must be serviced well above the 1:100-year flood line or delineated riparian habitat, whichever is the greatest. Oils and other potential pollutants must be disposed off at an appropriate licensed site, with the necessary agreement from the owner of such a site.

3.3.8 Any hazardous substances must be handled according to the relevant legislation relating to transport, storage and use of the substance and all storage facilities must be equipped with large, clearly readable Material Safety Data Sheets (MSDS).

3.3.9 All reagent storage tanks and reaction units must be supplied with a bunded area built to cater for at least 110% of the capacity of the facility and provided with sumps and pumps to return the spilled material back into the system. The system must be maintained in a state of good repair and standby pumps must be provided.

3.3.10 The Licensee shall actively participate in any Catchment Management Agency's related activity.

3.3.11 The Licensee has to indicate to the Responsible Authority within sixty (60) days after issuance of this licence, the strategic placement of bio-swale, bio-filters, silt, litter and

hydrocarbon (oil) traps to minimise the risk of pollutants entering the natural drainage system of the area.

3.4 Flow

3.4.1 The 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.

3.4.2 Appropriate design and mitigation measures must be developed to minimise impacts on the natural flow regime of the watercourse i.e. through placement of structures/supports and to minimise turbulent flow in the watercourse.

3.4.3 Structures must be designed in a way to prevent the damming of stream/river water and not impact on the flow of the water, during the construction and operational phases of all developments.

3.4.4 The development may not impede natural drainage lines.

3.4.5 The diversion structures may not restrict river flows by reducing the overall river width or obstructing river flow.

3.4.6 The characteristics of stream bed are likely to be altered locally. In particular the rock and rubble created during the construction process is likely to have sharp edges, and not smooth surfaces that are typically associated with river rocks and pebbles. All rock and rubble must be removed from the watercourse once construction has been completed. Any rock placed in the watercourse to enhance the dissolved oxygen content of the water must adhere to the same criteria, namely only smooth rock surfaces to be placed within the watercourse.

3.5 Riparian and Instream Habitat (Vegetation and Morphology)

3.5.1 Activities (including spill clean-up) must start up-stream and proceed into a down-stream direction, so that the recovery processes can start immediately, without further disturbance from upstream works.

3.5.2 Operation and storage of equipment must not take place within the 1:100 year flood line or delineated riparian habitat, whichever is the greatest unless authorised in this license.

3.5.3 Activities must not occur in sensitive riffle habitats.

3.5.4 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 according to a respective management plan as formally approved by the Responsible Authority.

3.5.6 Existing vegetation composition must be maintained or improved by maintaining the natural variability in flow fluctuations. Rehabilitated areas shall have vegetation basal cover of at least 15% at all times.

3.5.7 Recruitment and maintaining of a range of size classes of dominant riparian species in perennial channels must be stimulated.

3.5.8 Encroachment of additional exotic species and terrestrial species in riparian zones must be discouraged.

3.5.9 Accumulation of woody debris on terraces by periodic flooding must be discouraged.

3.5.10 Existing flood terraces and deposition of sediments on these terraces to ensure optimum growth, spread and recruitment of these species must be maintained.

3.5.11 Run-off from paved/hardened/compacted surfaces should be slowed down by the strategic placement of berms.

3.5.12 The Licensee shall protect the banks of the watercourse against instability and erosion and ensure a healthy and sufficient bank side vegetation cover.

3.6 **Biota**

3.6.1 All reasonable steps must be taken not to disturb the breeding, nesting and/or feeding habitats and natural movement patterns of aquatic biota.

3.6.2 The current level of diversity of biotopes and communities of animals, plants and microorganisms must be maintained.

4 REHABILITATION AND MANAGEMENT

4.1 The Licensee must embark on a systematic long-term rehabilitation programme to restore the watercourse to environmentally acceptable and sustainable conditions, which must include, but not be limited to the rehabilitation of disturbed and degraded riparian areas to restore and upgrade the riparian habitat integrity to sustain a bio-diverse riparian ecosystem.

4.2 All disturbed areas must be re-vegetated with an indigenous seed mix in consultation with an indigenous plant expert, ensuring that during rehabilitation only indigenous shrubs, trees and grasses are used in restoring the biodiversity.

4.3 An active campaign for controlling invasive species must be implemented within disturbed zones to ensure that it does not become a conduit for the propagation and spread of invasive exotic plants.

4.4 Rehabilitation must be concurrent with construction.

4.5 Topsoil must be stripped and redistributed.

4.6 A photographic record must be kept as follows and submitted with reports as set out in section 5:

4.7.1 Dated photographs of all the sites to be impacted before construction commences;

4.7.2 Dated photographs of all the sites during construction on a monthly basis; and

4.7.3 Dated photographs of all the sites after completion of construction, seasonally.

4.8 Rehabilitation structures must be inspected regularly for the accumulation of debris, blockages instabilities and erosion with concomitant remedial and maintenance actions.

4.9 Experienced environmental rehabilitation personnel as well as the correct equipment for environmental rehabilitation must be available and used.

5 MONITORING AND REPORTING

5.1 A comprehensive and appropriate environmental assessment and monitoring programme (including bio-monitoring and eco-toxicology) to determine the impact, change, deterioration and improvement of the aquatic system associated with the activities listed under condition 1.1 and other existing activities as well as compliance to these water use licence conditions must be developed and submitted to the Responsible Authority for a written approval before commencement and must subsequently be implemented

5.2 Six (6) monthly monitoring reports for surface water must be submitted to the Responsible Authority until otherwise agreed in writing with the Provincial Head.

5.3 The Licensee must apply in writing to the Responsible Authority for alternative reporting arrangements for which written approval must be provided.

6. OTHER WATER USERS

The Licensee must attempt to prevent adverse affect 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.

7. POLLUTION PREVENTION, INCIDENTS AND MALFUNCTIONS

7.1 If surface and/or groundwater pollution has occurred or may possibly occur, the Licensee must conduct, and/or appoint specialists to conduct necessary investigations and implement additional monitoring, pollution prevention and remediation measures to the satisfaction of the Responsible Authority.

7.2 The Licensee shall keep all records relating to the compliance or non-compliance with the conditions of this licence in good order. Such records shall be made available to the Responsible Authority within 14 (fourteen) days of receipt of a written request by the Department for such records.

7.3 The Licensee shall keep an incident report and complaints register, which must be made available to any external auditors and the Department.

8 BUDGETARY PROVISIONS

8.1 The water user must ensure that there is a budget sufficient to complete and maintain the water uses and for successful implementation of the rehabilitation programme as set out in this licence.

8.2 The Department may at any stage of the process request proof of budgetary provisions for rehabilitation and closure of project.

[END OF LICENCE]