

**DEPARTMENT OF WATER AFFAIRS AND FORESTRY
DEPARTEMENT VAN WATERWESE EN BOSBOU**

No. 1227**29 August 2003**

**INVITATION TO SUBMIT WRITTEN COMMENTS ON PROPOSED REVISION OF GENERAL
AUTHORISATIONS IN TERMS OF SECTION 39 OF THE NATIONAL WATER ACT, 1998 (ACT NO. 36
OF 1998)**

The Director-General of the Department of Water Affairs and Forestry intends revising the General Authorisations of Government Notice No. 1911 promulgated in Government Gazette No. 20526 dated 8 October 1999 as contained in the Schedule hereto.

In terms of section 39(4)(a)(ii) interested parties are invited to submit written comments in connection with the proposed general authorisations by 31 October 2003. Comments must be submitted to the Director-General, Department of Water Affairs and Forestry, Private Bag X 313, Pretoria; Fax: (0120) 336-7193; email: deo@dwaf.gov.za and marked for the attention of the Dr Cornelius Ruiters, Manager: Water Use

DIRECTOR-GENERAL: WATER AFFAIRS AND FORESTRY
DATE: 19 August 2003

SCHEDULE

1. THE TAKING OF WATER FROM A WATER RESOURCE AND STORAGE OF WATER

[Section 21(a) and (b)]

Purpose of this authorisation

1.1. The authorisation permitted in terms of this Schedule replaces the need for a water user to apply for a licence in terms of the National Water Act for the abstraction or storage of water from a water resource, provided that the abstraction or storage is within the limits and conditions set out in this authorisation.

Exclusion

1.2. This authorisation does not apply-

- (a) to any determination as regards abstraction and storage in respect of a government water control area, a government water work, a catchment control area or an irrigation district as defined in the Water Act, 1956 (Act No. 54 of 1956) prior to its repeal;
- (b) to a person who does not have lawful access to any waterwork or water resource; and
- (c) to wetlands, the dewatering of mines or storage of water underground.

Compliance with National Water Act and other laws

1.3.(1) This authorisation does not-

- (a) apply to any water use under Schedule 1 of the National Water Act;
- (b) replace any existing authorisation that is recognised under the National Water Act; or

- (c) exempt a person who uses water from compliance with any other provision of the National Water Act unless stated otherwise in this notice, or any other applicable law, regulation, ordinance or by-law.

(2) In the case of the abstraction of water for industrial purposes the provisions of section 7 of the Water Services Act, 1997 (Act No. 108 of 1997), must be met.

(3) A person who uses water in terms of this authorisation is exempt from compliance with section 22(2)(e) of the National Water Act.

Area of applicability

1.4 This authorisation is applicable throughout the Republic of South Africa, except as excluded in paragraph 1.2(a) above and the areas set out in-

- (a) Table 1.1 for surface water abstraction;
- (b) Table 1.2 for groundwater abstraction; and
- (c) Table 1.3 for storage of water.

Duration of authorisation

1.5. This authorisation will be valid for a period of five years from the date of publication of this notice, unless-

- (a) it is amended at any review period, which period shall be at intervals of three years from the date of publication of this notice;
- (b) the period is extended by a further notice in the *Gazette*; or
- (c) the water user is required to apply for a licence in terms of the National Water Act.

Definitions

1.6. In this authorisation unless the context indicates otherwise, any word or expression to which a meaning has been assigned in terms of the National Water Act shall have that meaning, and-

- (i) "**abstraction**" means taking water from a water resource;
- (ii) "**monitoring programme**" means a programme for taking regular measurements of the quantity and/or quality of a water resource, waste or wastewater discharge at specified intervals and at specific locations to determine the chemical, physical and biological nature of the water resource, waste or wastewater discharge; and
- (iii) "**storage**" means storing water not containing waste, in a watercourse or off-channel storage.

Abstraction and storage

1.7. A person who-

- (a) owns or lawfully occupies property registered at the Deeds Office as at the date of this notice; or
- (b) lawfully occupies or uses land that is not registered or surveyed,

may on that property or land outside of the areas set out in paragraph 1.2.(a) above and within the areas set out in Table 1.1, Table 1.2 and Table 1.3,

- (i) abstract groundwater as set out in Table 1.4;

- (ii) abstract surface water at a rate of up to 25 litres per second-
 - (aa) for the irrigation of up to 25 hectares of land, at 6 000 cubic metres per hectare per annum; or
 - (bb) for purposes other than irrigation, up to 100 cubic metres on any given day; and
- (iii) store up to 50 000 cubic metres of water,

if the taking or storing of water-

- (aA) does not impact on any other person's water use, property or land;
- (aB) the use is not excessive in relation to the capacity of the water resource and the needs of other users; and
- (aC) is not detrimental to the health and safety of communities in the vicinity of the activity.

Registration of water use

1.8.(1) A person who uses water in terms of this authorisation must submit a registration form for the registration of the water use before commencement of-

- (a) abstracting more than 100 cubic metres from surface water or 10 cubic metres from groundwater on any given day; or
- (b) storing more than 10 000 cubic metres of water.

(2) On written receipt of a registration certificate from the Department, the person will be regarded as a registered water user.

(3) All forms for registration of water use are obtainable from the Regional offices of the Department as well as from the Departmental web-site at <http://www.dwaf.gov.za>

Precautionary practices

1.9.(1) The registered user must ensure that any dam complies with the requirements of Chapter 12 of the National Water Act.

(2) The registered user must follow acceptable construction, maintenance and operational practices to ensure the consistent, effective and safe performance of the abstraction and storage of water.

(3) Where water is stored in a watercourse, the registered user must take reasonable measures to ensure that the movement of aquatic species is not prevented, including those species which normally migrate through the watercourse.

Record-keeping and disclosure of information

1.10.(1) The registered user must ensure the establishment of monitoring programmes to measure the quantity of water abstracted and/or stored, as follows-

- (a) the quantity of groundwater or surface water abstracted must be metered or gauged and the total recorded as at the last day of each month;
- (b) in the case of irrigation and where no meter or gauge is used, the quantity of water abstracted may be calculated according to methods set by the Responsible Authority; and

- (c) the quantity of water stored recorded as at the last day of each month.
- (2) Upon the written request of the Responsible Authority the registered user must-
- (a) ensure the establishment of any additional monitoring programmes; and
- (b) appoint a competent person to assess the water use measurements made in terms of this authorisation and submit the findings to the Responsible Authority for evaluation.
- (3) Subject to paragraph 1.10.(2) above, the registered user must, for at least five years, keep a written record of all taking and storage of surface or groundwater which information must be made available upon written request to the Responsible Authority.

Inspections

1.11. Any property or land in respect of which a water use has been authorised in terms of this notice must be made available for inspection by an authorised person in terms of section 125 of the National Water Act.

Offences

1.12. Any person who contravenes any provision of this authorisation is guilty of an offence and is subject to the penalty set out in section 151(2) of the National Water Act.

NOTE: Information regarding the drainage regions referred to in Tables 1.1, 1.2, 1.3 and 1.4 can be obtained from the Department, upon written request.

TABLE 1.1 Areas excluded from General Authorisation for surface water abstraction

Primary drainage region	Secondary/Tertiary/Quaternary drainage region and excluded resources	Description of main river in drainage region for information purposes
A	All catchments	Limpopo River
B	All catchments	Olifants River
C	C10, C20, C40, C50, C60, C70, C80 & C90	Vaal River
D	Orange River downstream of Gariep Dam	
	D13	Kraai River
E	Olifants River	
	E10A to K	Olifants River above the confluence with the Doring River
	E21	Groot River
G	G10 G21 G22 G30 G40A to E G40L & M G70H	Berg River Diep River Eerste River Verlorevlei River Bot River Klein River, Uilkraals River Onrus River
H	H20A, B, D, E, F, G & H H30 H40 H60A, B & C H80A to E	Hex River Kingna River Breede River downstream of Brandvlei Dam to confluence with the Kingna River Tributaries of the Sonderend River upstream of the Theewaterskloof Dam Duivenhoks River
J	J12 J25 J31 to 35 J40C	Touws River Gamka River Olifants River Langtouw and Weyers Rivers
K	K10 K20 K40C K50 & K60	Little Brak River Great Brak River Karatara River Knysna, Keurbooms Rivers

Primary drainage region	Secondary/Tertiary/Quaternary drainage region and excluded resources	Description of main river in drainage region for information purposes
	K70B K80A to F K90A to G	Bloukrans River Lottering, Storms, Sandrif, Groot, Tsitsikamma, Klippedrift Rivers Kromme, Seekoei, Kabeljous Rivers
L	L81 L82 L90	Baviaanskloof River Kouga River Lower Gamtoos River
M	M10 M20 M30	Swartkops River Maitland River Van Stadens River
N	Sundays River downstream of Darlington Dam Skoenmakers River downstream of Skoenmakers Canal Outlet N11, N12 N12A, B & C	Sundays River upstream of Vanrynevelds Pass Dam Gats River
P	P10 P30 P40	Bushmans River Kowie River Kariega River
Q	Great Fish River, Little Fish River Q41A, Q41B, Q41C, Q41D, Q44A, Q44B Q42A & B Q43A & B Q44A & B	Tarka River Elands River Vlekpoort River Lake Authur
R	R20 R30A, B, C & D R30E & F	Buffels River Kwenxura, Kwelera, Gonubie Rivers Nahoon River
S	S10 A to E S20A to C S32A to C S32D & E S32F S40A, B & C S50A, B & C S60A & B S60C & D S70C	White Kei River upstream of the Xonxa Dam Indwe River upstream of the Lubisi Dam Swart Kei River upstream of the Klipplaat confluence Klipplaat River upstream of Waterdown Dam Oxkraal River upstream of the Oxkraal Dam Thorn, Thomas Rivers Tsomo, Kwa-Qokwama and Mbokotwa Rivers Kubusi River upstream of Wiggleswade Dam Toise River Xilinx River upstream of the Xilinx Dam
T	T11A & B T20A & B T35A, B, C, D, F & G	Slang, Xuka Rivers Mtata River upstream of Mtata Dam Tsitsa, Pot, Mooi, Inxu, Wildebees, Gatberg Rivers
U	U20 & U40	Mgeni, Mvoti Rivers
V	V11 V20 V60 V70	Upper Thukela River Mooi River Sundays River Bushmans River
W	W12 W21A W30	Mhlatuze River White Mfolozi River upstream of Klipfontein Dam Hluhluwe and Mkuzi Rivers
X	All catchments	Nkomati River

TABLE 1.2 Subterranean government water control areas excluded from General Authorisation for groundwater abstraction

Primary drainage region	Tertiary/ Quaternary drainage region	Description of subterranean government water control area	Government Notice No.	Government Gazette Date
H	H30	Baden	136	1967-06-16
A	A30	Bo-Molopo	1324	1963-08-30
C	C30	Bo-Molopo	1993	1965-12-17
D	D41	Bo-Molopo	R634	1966-04-29
A	A24	Crocodile River Valley	208	1981-10-23
A	A21	Crocodile River Valley	18	1963-02-18
A	A21, A22	Kroondal-Marikana	180	1963-06-17
G	G10, G30	Lower Berg River Valley/Saldanha	185	1976-09-10
A, B	A60, B50, B31	Nyl River Valley	56	1971-03-26
G	G30	Strandfontein	2463	1988-12-09

Primary drainage region	Tertiary/ Quaternary drainage region	Description of subterranean government water control area	Government Notice No.	Government Gazette Date
M	M10,M20,M30	Uitenhage	260	1957-08-23
G	G30	Wadriif	992	1990-05-11
G	G20	Yzerfontein	27	1990-02-09
G	G30	Graafwater	1423	1990-06-29
A	A70	Dendron-Vivo	813	1994-04-29
A	A60	Dorpsrivier	312	1990-02-16
C	C24	Ventersdorp	777	1995-06-02

TABLE 1.3 Areas excluded from General Authorisation for storage of water

Primary drainage region	Secondary/Tertiary/Quaternary drainage region	Description of main river in drainage region for information purposes
X	X11, X12 X21A, B, C X21F,G	Komati River Catchment upstream of Swaziland Crocodile River Catchment upstream of Kwena Dam Elands River Catchment upstream of Waterval Onder
B	B1 B2 B3 B4	Olifants and Klein-Olifants River Wilge River Elands River Steelpoort River

Table 1.4 Groundwater Abstraction Zones: Tertiary and Quaternary Drainage Regions

Zone A NO WATER MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS EXCEPT AS SET OUT UNDER SCHEDULE 1.		Zone B 45 M ³ PER HECTARE PER ANNUM MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS		Zone C 75 M ³ PER HECTARE PER ANNUM MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS		Zone D 150 M ³ PER HECTARE PER ANNUM MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS		Z 4 P A T
A21C	F60A-E	A10B	E22A,B,E-G	A10A,C	K10A,B	A21A,B	K10D-F	E
A21E-G	G21E	A21D,J,K	E23A,B,E	A21H,L	K40D	A23L	K20A	G
A23A,E	G22E	A22B-D,H	E24B,C,E,F	A22A,E,G,J	L21D	A31C	K30A-D	G
A24B,C	H10C	A23D	E32C,E	A23B,C,F-H,J,K	L70A,B,E	B11D-G	K40B,C	G
A32E	H70F	A24A,J	E33G	A24D-H	L90B	B12B,D	K90E-G	L
A41E	J11F,G	A31B,F,G-J	E40B	A31A,D,E	M30B	B20A,B	L50A	H
A42D	J21A-E	A32A-C	F30C	A32D	N11A,B	B31B,F-H	L70C,F	H
A50A-C	J22D-F,J,K	A41C,D	F50B,C,E	A41A,B	N12A,B	B32G	L90A,C	H
A50G,H	J23A-D,F,G	A42A- C,E,G,H,J	H40F	A42F	N21B,D	C11A,B,D,F-H,K	M10B-D	H
A61J	J24B-F	A50E,J	H90E	A50D,F	N40A,B,D,E	C12D-G,K	M20B	H
A63A,E	J32A-D	A61A,F,G	J11A-E	A61B,C-E	P10A,B,D-G	C21B,D,E,G	M30A	H
A71A-L	J33E	A62A,E,G,J	J12C,E,J,K	A61H	P30A,B	C22A-F	N40F	J
A72A,B	L11E,G	A63B,D	J22A-C,G,H	A62B-D,F,H	P40A,B,D	C23B-E,G	P20A	J
A80A-E	L12A-D	A80F	J23H	A63C	Q11A-D	C24A,D-F	P30C	J
A80G-J	L22B,C	A91J	J24A	A91K	Q12A,B	C31A	P40C	K
A91A-H	L23A-D	A92B,C	J31D	B11A-C,H,J,K	Q14D	C33C	T35C	K
A92A,D	L30B,D	B11L	J32E	B12A,C,E	Q21A	C70J	T40E-F	K
B20C	L40B	B20D	J33C	B20E-H,J	Q41A,C,D	C92C	T52M	K
B31C,D	N14B-D	B31J	L11A-D,F	B31A,E	Q42A,B	D12E	T60A,G,H	K
B41C,F,G	N21A	B41B,D,H,J	L21A-C,E,F	B32A-F,H,J	Q60A	D13D,F	U10L,M	K
B42A,B	N22A,E	B42C,E,G,H	L22A,D	B41A,E,K	Q91C	E10E-H,J,K	U20F,G,K,L	K
B42D,F	N23B	B51C	L30A,C	B51A,B,F,H	Q92A,B,D,E,G	E21D,F-H,J,K	U30D,E	L
B51E,G	N24B-D	B52A,B,E	L40A	B52C,D,F-H,J	Q93A,C,D	E24A,L,M	U40D,G,H	L
B60E,F	N30A-C	B60G	L50B	B60A-D,H,J	Q94A-F	E40D	U50A	
B71B,D,E	N40C	B71C,F,G	L60A,B	B71A,H,J	R10C-E,G,H,I- M	G10C-E,H,K-M	U60D-F	
B72E	Q12C	B72A,F	L70D	B72B- D,G,H,J,K	R20B,D-G	G21A-D	U70B,F	
B81A,B,D	Q13B,C	B73A,H,J	N12C	B73B-G	R30A-F	G22G,H,K	U80B,E,G,J	
C51K	Q14A-C,E	B82D,E,J	N13A-C	B81C,E-H,J	R40A-C	G30A-D,F	V40D,E	
C52L	Q21B	B83A-E	N14A	B82A-C,F-H	R50A-H,J	G40F	V50A,B	
C91D	Q22B	B90A-H	N21C	C11C,E,J,L,M	S20B-D	G50B-E	W11B	
C91E	Q30B-E	C22H,J	N22B-D	C12A-C,H,J,L	S31A,D,F,G	H10L	W12A,B,D	
D31B	Q44A-C	C24H	N23A	C13A-H	S32A-C,F-H,J- M	H20A,H	W13A,B	
D33A,C-E,K	Q50A,B	C31F	N24A	C21A,C,F	S40A-F	H30A-E	W21G,H,J	
D41C,D, E,H,K,M	Q60C	C51H,J,L,M	P10C	C22G,K	S50A-C,E-H,J	H40A,C- E,G,H,J,L	W32C,F,G	
D42A-E	Q80A-C,F	C52H,K	Q13A	C23A,F,H,J,L	S60C-E	H50A	W42D,E,F	
D51C	U20H	C70D	Q22A	C24B,C,G,J	S70A-F	H60B,E,F,H,J	W51C	
D53D-H,J	V11C,D	C91A-C	Q30A	C25A-F	T11C,F-H	H70C-E,K	W52B,C	
D54A-G	V70A	D12A	Q41B	C31B-E	T12A-G	H80A,E	W53A,B	
D55L	W41G	D14C,D	Q43A,B	C32A-D	T13A-C	H90A,B	W54C-E	
D56H,J	W42G,J,L	D16F,G	Q50C	C33A,B	T31A-H	J12A,B	W55B,C,D	
D57A-E	W44D	D18L	Q60B	C41A-H,J	T33A,B,D,F-H	J13C	W56A,B	
D58A,C	W51E	D21A,D,E,H	Q70A-C	C42A-H,J,L	T34A,C,E	J25A-E	W57J	
D62A,B,E,J	W52D	D22C	Q80D,E,G	C43A-D	T40G	J25A-E	X12C-F	
D73C-F	X11D,F	D31A,D,E	Q91A,B	C51A-G	T52J	J31A-C	X23A,C,D	
D81A-G	X21A-D,F,G	D33B,F-H,J	Q92C,F	C52A-G,J	T60C,J	J33A,F		
D82A-H,J,L	X31F	D34G	Q93B	C60A-H,J	T80C	J34B,D-F		
E22D	X32B,E	D41B,F,J	R10A,B,F	C70A-C,E-H,K	T90A,D	J35B-F		
E23C,D,F-H,J,K		D51A,B	R20A,C	C81A-H,J-M	U20J	J40A,C,E		
E24D,G,H		D52A-F	R50B	C82A-H	U30B			
E31A-H		D53A-C	S20A	C83A-H,J-M	U40B			
E32A,B,D		D55A-H,J,K,M	S31B,C,E	C92A,B	U70E			
E33A-E,H		D56A-G	S32D,E	D12B-D,F	U80A,C,D,FH, K,L			
E40A		D58B	S50D	D13A- C,E,G,H,J-M	V11F,H,K,M			
F10A-C		D61A-H,J-M	S60A,B	D14A,B,E- H,J,K	V12E,G			
F20A-E		D62C,D,F-H	T11A,B,D,E	D15G,H	V13B,C,E			

Zone A NO WATER MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS EXCEPT AS SET OUT UNDER SCHEDULE 1.		Zone B 45 M ³ PER HECTARE PER ANNUM MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS		Zone C 75 M ³ PER HECTARE PER ANNUM MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS		Zone D 150 M ³ PER HECTARE PER ANNUM MAY BE ABSTRACTED FROM THESE DRAINAGE REGIONS		Z 4 P A T
F30A,B,D-G		D71C,D	T13D,E	D18K	V14A-E			
F40A-H		D72A-C	T20A-G	D21F,G	V20G,H,J			
F50A,D,F,G		D73A,B	T31J	D22A,B,D,G,H, L	V31C-G,J,K			
			T32A-H	D23A,C-H,J	V32A-H			
			T33C,E,J,K	D24A-H,J-L	V33A-D			
			T34B,D,F-H,J,K	D31C	V40A-C			
			T35A,B,D-H,J- M	D32A-H,J,K	V50D			
			T36A,B	D34A-F	V60C,E-H,J,K			
			T40A-D	D35A-H,J,K	V70F,G			
			T51A-H,J	D41A,D,G,L	W11C			
			T52A-H,K	D71A,B	W12E			
			T60B,E,F,K	E21A-C,E,L	W21A-F,L			
			T70A-G	E22C	W22A,F			
			T80A,B,D	E24J,K	W31A,G,K			
			T90B,C,E-G	E33F	W32D,E			
			U10A-H,J,K	E40C	W41D			
			U20A-E	G10F,J	W42A-C,E,F			
			U40A	G21F	W44B,C,E			
			U60A,B	G30E,G,H	W51A,B,D,F			
			U70A	G40K	W52A			
			V11A,B,E,G,J,L	G50G,H	W53C-E			
			V12A-D,F	H10A	W54A-B			
			V13A,D	H50B	W55A			
			V20A-F	H60G,K,L	X11A-C,H,J,K			
			V31A,B,H	H70A,B,G,H,J	X12A,B,H,K			
			V60A,B,D	H80D	X13H,J-L			
			V70B-E	H90D	X14H			
			W12C,G	J11H,J,K	X21H,K			
			W22B-E,G,H,J- L	J12D,F-H,L,M	X22C,D			
			W23A	J13A,B	X23B,E,F			
			W31B-F,H	J23E	X24A-H			
			W41A-C,E,F	J33B,D	X31A,K-M			
			W42H,K,M	J35A	X32C,F-H,J			
			W44A	J40D	X40C			
			X11E,G					
			X12G,J					
			X13A					
			X14A,B,D-G					
			X21E,J					
			X22A,B,E- H,J,K					
			X23G,H					
			X31B-E,G,H,J					
			X32A,D					
			X33A-D					
			X40A,B,D					

**2 ENGAGING IN A CONTROLLED ACTIVITY, IDENTIFIED AS SUCH IN SECTION 37(1):
IRRIGATION OF ANY LAND WITH WASTE OR WATER CONTAINING WASTE GENERATED
THROUGH ANY INDUSTRIAL ACTIVITY OR BY A WATERWORK**

[Section 21(e)]

Purpose of this authorisation

2.1. The authorisation permitted in terms of this Schedule replaces the need for a water user to apply for a licence in terms of the National Water Act provided that the irrigation is within the limits and conditions set out in this authorisation.

Exclusion

2.2. This authorisation does not apply to a person who is not the lawful occupier of the land on which the wastewater irrigation takes place.

Compliance with National Water Act and other laws

2.3.(1) This authorisation does not-

- (a) replace any existing authorisation that is recognised under the National Water Act; or
- (b) exempt a person who uses water from compliance with any other provision of the National Water Act unless stated otherwise in this notice, or any other applicable law, regulation, ordinance or by-law.

(2) A person who uses water in terms of this authorisation is exempt from compliance with section 22(2)(e) of the National Water Act.

Area of applicability

2.4 This authorisation is applicable throughout the Republic of South Africa, except for any subterranean government water control area as defined in the Water Act, 1956 (Act No. 54 of 1956), prior to its repeal and set out in Table 2.1.

Duration of authorisation

2.5. This authorisation will be applicable for a period of five years from the date of publication of this notice, unless-

- (a) it is amended at any review period, which period shall be at intervals of three years from the date of publication of this notice;
- (b) the period is extended by a further notice in the *Gazette*; or
- (c) the water user is required to apply for a licence in terms of the National Water Act.

Definitions

2.6. In this authorisation, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in terms of the National Water Act shall have that meaning, and-

- (i) **"biodegradable industrial wastewater"** means wastewater that contains predominantly organic waste arising from industrial activities and premises including-
 - (a) milk processing;
 - (b) manufacture of fruit and vegetable products;
 - (c) sugar mills;

- (d) manufacture and bottling of soft drinks;
 - (e) water bottling;
 - (f) production of alcohol and alcoholic beverages in breweries, wineries or malt houses;
 - (g) manufacture of animal feed from plant or animal products;
 - (h) manufacture of gelatine and glue from hides, skin and bones;
 - (i) abattoirs;
 - (j) fish processing; and
 - (k) feedlots;
- (ii) **"commercial activity"** means those activities identified in the Standard Industrial Classification of All Economic Activities (5th Edition), published by the Central Statistics Service, 1993, as amended and supplemented, under the following categories-
- a) 6: wholesale and retail trade,
 - b) 7: transport, storage and communication,
 - c) 8: business services,
 - d) 9: community, social and personal services,
 - e) 0: personal and other services;
- (iii) **"domestic wastewater"** means wastewater arising from domestic and commercial activities and premises, and may contain sewage;
- (iv) **"irrigation"** means the application of wastewater for the purpose of crop production, and includes the cultivation of pasture;
- (v) **"monitoring programme"** means a programme for taking regular measurements of the quantity and/or quality of a water resource, waste or wastewater discharge at specified intervals and at specific locations to determine the chemical, physical and biological nature of the water resource, waste or wastewater discharge;
- (vi) **"organic waste"** means waste of non-anthropogenic origin that is readily biodegradable in the environment and does not contain any substances that may accumulate in the environment;
- (vii) **"primary treatment"** means treatment of wastewater by a physical process, which may involve maceration, sedimentation, screening and grit removal;
- (viii) **"secondary treatment"** means treatment of wastewater by a biological process, through solar and other energy, bacteria, algae and a variety of aquatic biota, to remove organic matter;
- (ix) **"wastewater"** means water containing waste, or water that has been in contact with waste material.

Irrigation with wastewater

2.7. A person who-

(a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice;
or

(b) lawfully occupies or uses land that is not registered or surveyed,

may on that property or land outside of the areas excluded in paragraph 2.4 above, -

(i) irrigate up to 500 cubic metres of domestic or biodegradable industrial wastewater on any given day, provided the-

(aa) electrical conductivity does not exceed 200 milliSiemens per metre (mS/m);

(bb) pH is not less than 6 or more than 9 pH units;

(cc) Chemical Oxygen Demand (COD) does not exceed 400 mg/l after removal of algae;

- (dd) faecal coliforms do not exceed 100 000 per 100 ml; and
 - (ee) Sodium Adsorption Ratio (SAR) does not exceed 5 for biodegradable industrial wastewater;
- (ii) irrigate up to 50 cubic metres of biodegradable industrial wastewater on any given day, provided the-
- (aa) electrical conductivity does not exceed 200 milliSiemens per metre (mS/m);
 - (bb) pH is not less than 6 or more than 9 pH units;
 - (cc) Chemical Oxygen Demand (COD) does not exceed 5 000 mg/l after removal of algae;
 - (dd) faecal coliforms do not exceed 100 000 per 100 ml; and
 - (ee) Sodium Adsorption Ratio (SAR) does not exceed 5 for biodegradable industrial wastewater,

if the irrigation of wastewater-

- (aA) does not impact on any other person's water use, property or land; and
- (aB) is not detrimental to the health and safety of communities in the vicinity of the activity;

Registration of irrigation with wastewater

2.8.(1) A person who irrigates with wastewater in terms of this authorisation must submit a registration form for registration of the water use before commencement of irrigation if more than **50 cubic metres** of wastewater are irrigated on any given day.

(2) On written receipt of a registration certificate by the Department, the person will be regarded as a registered water user.

(3) All forms for registration of water use are obtainable from the Regional offices of the Department as well as from the Departmental web-site at <http://www-dwaf.gov.za>

Location of irrigation with wastewater

2.9. Wastewater irrigation in terms of this authorisation is only permitted if the irrigation takes place-

- (a) above the 100 year flood line, or alternatively, more than 100 metres from the edge of a water resource or a borehole which is utilised for drinking water or stock watering; and
- (b) on land that is not or does not overlie a Major Aquifer (identification of a Major Aquifer will be provided by the Department, upon written request).

Record-keeping and disclosure of information

2.10(1) The registered user must ensure the establishment of monitoring programmes to monitor the quantity and quality of the wastewater to be irrigated prior to commencement of irrigation, as follows-

- (a) the quantity must be metered and the total recorded weekly; and
- (b) the quality must be monitored monthly as at the last day of each month by grab sampling, at the point at which the wastewater enters the irrigation system for all parameters listed in subparagraph 2.7.(1).

(2) The methods for the measurement of specific substances and parameters in any wastewater must be carried out-

- (a) by a laboratory that has been accredited under the South African National Accreditation System (SANAS) in terms of SABS Code 0259 for that method; or
- (b) as approved in writing by the Minister.

(3) Upon the written request of the Responsible Authority the registered user must-

- (a) ensure the establishment of any additional monitoring programmes; and
- (b) appoint a competent person to assess the water use measurements made in terms of this authorisation and submit the findings to the Responsible Authority for evaluation.

(4) Subject to paragraph 2.10 (3) above, the registered user must keep a written record of the following wastewater irrigation and related activities, for at least three years-

- (a) the location and extent of the area under irrigation, demarcated on a 1:50 000 topographic map;
- (b) details of the crop(s) and the area under irrigation;
- (c) the irrigation management techniques being practised;
- (d) quantity of wastewater irrigated;
- (e) quality of wastewater irrigated;
- (f) details of the monitoring programme;
- (g) details of failure and malfunctions in the irrigation system and details of measures taken; and

such information must be made available upon written request to the Responsible Authority.

(5) Any information on the occurrence of any incident that has or is likely to have a detrimental impact on the water resource quality must be reported to the Responsible Authority.

Precautionary practices

2.11.(1) The registered user must follow acceptable construction, maintenance and operational practices to ensure the consistent, effective and safe performance of the wastewater irrigation system, including the prevention of-

- (a) waterlogging of the soil and pooling of wastewater on the surface of the soil;
- (b) nuisance conditions such as flies or mosquitoes, odour or secondary pollution;
- (c) waste, or wastewater, entering any surface water resource;
- (d) the contamination of run-off water or stormwater;
- (e) the unreasonable chemical or physical deterioration of, or any other damage to, the soil of the irrigation site; and
- (f) the unauthorised use of the wastewater by members of the public.

(2) All reasonable measures must be taken for storage of the wastewater used for irrigation when irrigation cannot be undertaken.

(3) Suspended solids must be removed from any wastewater, and the resulting sludge disposed of according to the requirements of any relevant law or regulation, including-

- (a) "Permissible utilisation and disposal of sewage sludge" Edition 1, 1997. Water Research Commission Report No TT 85/97; and
- (b) "Guide: Permissible utilisation and disposal of treated sewage effluent", 1978. Department of National Health and Population Development Report No. 11/2/5/3 (obtainable from the Department upon written request).

(4) All reasonable measures must be taken to provide for mechanical, electrical, operational, or process failures and malfunctions of the wastewater irrigation system.

(5) All reasonable measures must be taken to collect stormwater runoff containing waste or wastewater emanating from the area under irrigation and to retain it for disposal.

Inspections

2.12. Any property or land in respect of which a water use has been authorised in terms of this notice must be made available for inspection by an authorised person in terms of section 125 of the National Water Act.

Offences

2.13. Any person who contravenes any provision of this authorisation is guilty of an offence and is subject to the penalty set out in section 151(2) of the National Water Act.

NOTE: Information regarding the drainage regions referred to in Table 2.1 can be obtained from the Department, upon written request.

TABLE 2.1 Subterranean government water control areas excluded from General Authorisation for irrigation with waste

Primary drainage region	Tertiary/ Quaternary drainage region	Description of subterranean government water control area	Government Notice No.	Government Gazette Date
H	H30	Baden	136	1967-06-16
A	A30	Bo-Molopo	1324	1963-08-30
C	C30	Bo-Molopo	1993	1965-12-17
D	D41	Bo-Molopo	R634	1966-04-29
A	A24	Crocodile River Valley	208	1981-10-23
A	A21	Crocodile River Valley	18	1983-02-18
A	A21, A22	Kroondal-Marikana	180	1963-06-17
G	G10, G30	Lower Berg River Valley/Saldanha	185	1976-09-10
A, B	A60, B50, B31	Nyl River Valley	56	1971-03-26
G	G30	Strandfontein	2463	1988-12-09
M	M10, M20, M30	Uitenhage	260	1957-08-23
G	G30	Wadriif	992	1990-05-11
G	G20	Yzerfontein	27	1990-02-09
G	G30	Graafwater	1423	1990-06-29
A	A70	Dendron-Vivo	813	1994-04-29
A	A60	Dorpsrivier	312	1990-02-16
C	C24	Ventersdorp	777	1995-06-02

3 DISCHARGE OF WASTE OR WATER CONTAINING WASTE INTO A WATER RESOURCE THROUGH A PIPE, CANAL, SEWER OR OTHER CONDUIT; AND DISPOSING IN ANY MANNER OF WATER WHICH CONTAINS WASTE FROM, OR WHICH HAS BEEN HEATED IN, ANY INDUSTRIAL OR POWER GENERATION PROCESS

[Section 21(f) and (h)]

Purpose of this authorisation

3.1. The authorisation permitted in terms of this Schedule replaces the need for a water user to apply for a licence in terms of the National Water Act provided that the discharge is within the limits and conditions set out in this authorisation.

Exclusion

3.2. This authorisation does not apply to a person who discharges wastewater through sea outfalls, or to an aquifer, or any other groundwater resource.

Compliance with National Water Act and other laws

3.3.(1) This authorisation does not-

- (a) apply to any water use under Schedule 1 of the National Water Act;
- (b) replace any existing authorisation that is recognised under the National Water Act;
- (c) exempt a person from compliance with section 7(2) of the Water Service Act, 1997 (Act No. 108 of 1997); or
- (d) exempt a person who uses water from compliance with any other provision of the National Water Act unless stated otherwise in this notice, or any other applicable law, regulation, ordinance or by-law.

(2) A person who uses water in terms of this authorisation is exempt from compliance with section 22(2)(e) of the National Water Act.

Area of applicability

3.4 This authorisation is applicable throughout the Republic of South Africa, except as excluded in paragraph 3.2 above.

Duration of authorisation

3.5. This authorisation will be applicable for a period of five years from the date of this notice, unless-

- (a) it is amended at any review period, which period shall be at intervals of three years from the date of publication of this notice;
- (b) the time period is extended by a further notice in the *Gazette*; or
- (c) the water user is required to apply for a licence in terms of the National Water Act.

Definitions

3.6. In this authorisation unless the context indicates otherwise, any word or expression to which a meaning has been assigned in terms of the National Water Act shall have that meaning, and-

- (i) "**commercial activity**" means those activities identified in the Standard Industrial Classification

of All Economic Activities (5th Edition), published by the Central Statistics Service, 1993, as amended and supplemented, under the following categories-

- a) 6: wholesale and retail trade,
- b) 7: transport, storage and communication,
- c) 8: business services,
- d) 9: community, social and personal services,
- e) 0: personal and other services;

- (ii) **"complex industrial wastewater"** means wastewater arising from industrial activities and premises, that contains-
 - a) a complex mixture of substances that are difficult or impractical to chemically characterise and quantify, or
 - b) one or more substances, for which a Wastewater Limit Value has not been specified, and which may be harmful or potentially harmful to human health, or to the water resource (identification of complex industrial wastewater will be provided by the Department upon written request);
- (iii) **"domestic wastewater"** means wastewater arising from domestic and commercial activities and premises, and may contain sewage;
- (iv) **"domestic wastewater discharge"** means a wastewater discharge consisting of 90% or more domestic wastewater, by volume, that is collected, treated and subsequently disposed of;
- (v) **"industrial activity"** means those activities identified in the Standard Industrial Classification of All Economic Activities (5th Edition), published by the Central Statistics Service, 1993, as amended and supplemented, under the following categories-
 - a) 2: mining and quarrying,
 - b) 3: manufacturing,
 - c) 4: electricity, gas and water supply,
 - d) 5: construction;
- (vi) **"industrial wastewater discharge"** means a wastewater discharge consisting of more than 10% industrial wastewater, by volume, that is collected, treated and subsequently disposed of;
- (vii) **"intake"** is water taken from a water resource, and excludes water taken from any source that is not a water resource;
- (viii) **"monitoring programme"** means a programme for taking regular measurements of the quantity and/or quality of a water resource, waste or wastewater discharge at specified intervals and at specific locations to determine the chemical, physical and biological nature of the water resource, waste or wastewater discharge;
- (ix) **"listed water resources"** are those water resources listed in Table 3.4 and include any tributary of a listed water resource, and any water resource draining the catchment area of a listed water resource;
- (x) **"wastewater"** means water containing waste, or water that has been in contact with waste material;
- (xi) **"wastewater limit value"** means the mass expressed in terms of the concentration and/or level of a substance which may not be exceeded at any time. Wastewater Limit Values shall apply at the last point where the discharge of wastewater enters into a water resource, dilution being disregarded when determining compliance with the Wastewater Limit Values. Where discharge of wastewater does not directly enter a water resource, the Wastewater Limit Values shall apply at the last point where the wastewater leaves the premises of collection and treatment.

Discharging of domestic and industrial wastewater into water resources

3.7(1) A person who-

- (a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice;

or

(b) lawfully occupies or uses land that is not registered or surveyed,

may on that property or land outside of the areas excluded in paragraph 3.4 above,

(i) discharge up to 2 000 cubic metres of wastewater on any given day into a water resource that is **not** a listed water resource set out in Table 3.4, provided the discharge-

(aa) complies with the General Limit Values set out in Table 3.2;

(bb) does not alter the natural ambient water temperature of the receiving water resource by more than 3 degrees Celsius; and

(cc) the discharge is not a Complex Industrial Wastewater.

(ii) discharge up to 2 000 cubic metres of wastewater on any given day into a listed water resource set out in Table 3.4, provided the discharge -

(aa) complies with the Special Limit Values set out in Table 3.2;

(bb) does not alter the natural ambient water temperature of the receiving water resource by more than 2 degrees Celsius; and

(cc) is not a Complex Industrial Wastewater,

if the discharging of wastewater-

(aA) does not impact on any other person's water use, property or land; and

(aB) is not detrimental to the health and safety of communities in the vicinity of the activity.

(2) A person may discharge stormwater runoff from any premises, not containing waste or wastewater emanating from industrial activities and premises, into a water resource.

TABLE 3.2: Wastewater limit values applicable to discharge of wastewater into a water resource

SUBSTANCE/PARAMETER	GENERAL LIMIT	SPECIAL LIMIT
Faecal Coliforms (per 100 ml)	1 000	0
Chemical Oxygen Demand (mg/l)	75*	30*
PH	5,5-9,5	5,5-7,5
Ammonia (ionised and un-ionised) as Nitrogen (mg/l)	3	2
Nitrate/Nitrite as Nitrogen (mg/l)	15	1,5
Chlorine as Free Chlorine (mg/l)	0,25	0
Suspended Solids (mg/l)	25	10
Electrical Conductivity (mS/m)	70 mS/m above intake to a maximum of 150 mS/m	50 mS/m above background receiving water, to a maximum of 100 mS/m
Ortho-Phosphate as phosphorous (mg/l)	10	1 (median) and 2,5 (maximum)
Fluoride (mg/l)	1	1
Soap, oil or grease (mg/l)	2,5	0
Dissolved Arsenic (mg/l)	0,02	0,01
Dissolved Cadmium (mg/l)	0,005	0,001
Dissolved Chromium (VI) (mg/l)	0,05	0,02
Dissolved Copper (mg/l)	0,01	0,002
Dissolved Cyanide (mg/l)	0,02	0,01
Dissolved Iron (mg/l)	0,3	0,3
Dissolved Lead (mg/l)	0,01	0,006
Dissolved Manganese (mg/l)	0,1	0,1
Mercury and its compounds (mg/l)	0,005	0,001
Dissolved Selenium (mg/l)	0,02	0,02

SUBSTANCE/PARAMETER	GENERAL LIMIT	SPECIAL LIMIT
Dissolved Zinc (mg/l)	0,1	0,04
Boron (mg/l)	1	0,5

* After removal of algae

Registration of discharges into water resources

3.8.(1) A person who discharges wastewater into a water resource in terms of this authorisation must submit a registration form for registration of the water use before commencement of the discharge.

(2) On written receipt of a registration certificate by the Department, the person will be regarded as a registered water user.

(3) All forms for registration of water use are obtainable from the Regional offices of the Department as well as from the Departmental web-site at <http://www.dwaf.gov.za>

Record-keeping and disclosure of information

3.9.(1) The registered user must ensure the establishment of monitoring programmes to monitor the quantity and quality of the discharge prior to the commencement of the discharge, as follows-

- (a) the quantity of the discharge must be metered and the total recorded weekly; and
- (b) the quality of domestic wastewater discharges must be monitored monthly by grab sampling as set out in Table 3.3.

TABLE 3.3: Monitoring requirements for domestic wastewater discharges

DISCHARGE VOLUME ON ANY GIVEN DAY	MONITORING REQUIREMENTS
< 10 cubic metres	None
10 to 100 cubic metres	pH Electrical Conductivity (mS/m) Faecal Coliforms (per 100 ml)
100 to 1000 cubic metres	pH Electrical Conductivity (mS/m) Faecal Coliforms (per 100 ml) Chemical Oxygen Demand (mg/l) Ammonia as Nitrogen (mg/l) Suspended Solids (mg/l)
1 000 to 2 000 cubic metres	pH Electrical Conductivity (mS/m) Faecal Coliforms (per 100 ml) Chemical Oxygen Demand (mg/l) Ammonia as Nitrogen (mg/l) Nitrate/Nitrite as Nitrogen (mg/l) Free Chlorine (mg/l) Suspended Solids (mg/l) Ortho-Phosphate as Phosphorous (mg/l)

- (c) the quality of industrial wastewater discharges must be monitored weekly by grab sampling-
 - (i) for all substances which have been added to the water through any industrial activity;
 - (ii) for all substances which have been concentrated in the water through any industrial activity;
 - (iii) for all substances which may be harmful or potentially harmful to human health or to the water resource quality; and
 - (iv) as set out in paragraph 3.9(1)(b) above, if the wastewater contains any domestic wastewater.
- (d) The methods for the measurement of specific substances and parameters in any wastewater must be carried out-

- (i) by a laboratory that has been accredited under the South African National Accreditation System (SANAS) in terms of SABS Code 0259 for that method; or
 - (ii) as approved in writing by the Minister or delegate.
- (2) Upon the written request of the Responsible Authority the registered user must-
- (a) ensure the establishment of any additional monitoring programmes; and
 - (b) appoint a competent person to assess the water use measurements made in terms of this authorisation and submit the findings to the Responsible Authority for evaluation.
- (3) Subject to paragraph 3.10(2) above, the registered user must, for at least five years, keep a written record of the following wastewater discharge and related activities-
- (a) the quantity of wastewater discharged;
 - (b) the quality of wastewater discharged;
 - (c) details of the monitoring programme/s;
 - (d) details of failures and malfunctions in the discharge system and details of measures taken, and
- such information must be made available upon written request to the Responsible Authority.
- (4) Any information on the occurrence of any incident that has or is likely to have a detrimental impact on the water resource quality must be reported to the Responsible Authority.

Precautionary practices

- 3.10.(1) The registered user must follow acceptable construction, maintenance and operational practices to ensure the consistent, effective and safe performance of the discharge.
- (2) All reasonable measures must be taken to provide for mechanical, electrical, operational, or process failures and malfunctions of the discharge system.

Inspections

3.11. Any property or land in respect of which a water use has been authorised in terms of this notice must be made available for inspection by an authorised person in terms of section 125 of the National Water Act.

Offences

3.12. Any person who contravenes any provision of this authorisation is guilty of an offence and is subject to the penalty set out in section 151(2) of the National Water Act.

TABLE 3.4: Listed Water Resources

	WATER RESOURCE
1	Hout Bay River to tidal water
2	Eerste River to tidal water
3	Lourens River to tidal water
4	Steenbras River to tidal water
5	Berg and Dwars Rivers to their confluence
6	Little Berg River to Vogelvllei weir
7	Sonderend, Du Toits and Elandskloof Rivers upstream and inclusive of Thee Waterskloof Dam
8	Witte River to confluence with Breede River
9	Dwars River to Ceres divisional boundary
10	Olifants River to the Ceres divisional boundary
11	Helsloot and Smalblaar (or Molenaars) Rivers to their confluence with Breede River
12	Hex River to its confluence with Breede River
13	Van Stadens River to tidal water
14	Buffalo River from its source to where it enters the King Williams Town municipal area
15	Klipplaat River from its source to Waterdown Dam
16	Swart Kei River to its confluence with the Klipplaat River

WATER RESOURCE		
17	Great Brak River	
18	Bongola River to Bongola Dam	
19	Kubusi River to the Stutterheim municipal boundary	
20	Langkloof River from its source to Barkly East municipal boundary	
21	Kraai River to its confluence with the Langkloof River	
22	Little Tsomo River	
23	Xuka River to the Elliot district boundary	
24	Tsitsa and Inxu Rivers to their confluence	
25	Mvenyane and Mzimvubu Rivers from sources to their confluence	
26	Mzintlava River to its confluence with the Mvalweni River	
27	Ingwangwana River to its confluence with Umzimkulu River	
28	Umzimkulu and Polela Rivers to their confluence	
29	Elands River to the Pietermaritzburg-Bulwer main road	
30	Umtamvuma and Weza Rivers to their confluence	
31	Umkomaas and Isinga Rivers to their confluence	
32	Lurane River to its confluence with the Umkomaas River	
33	Sitnundjwana Spruit to its confluence with the Umkomaas River	
34	Inudwini River to the Polela district boundary	
35	Inkonza River to the bridge on the Donnybrook-Creighton road	
36	Umlaas to the bridge on District Road 334 on the farm Maybole	
37	Umgeni and Lions River to their confluence	
38	Mooi River to the road bridge at Rosetta	
39	Little Mooi and Hlatikula Rivers to their confluence	
40	Bushmans River to Wagendrift Dam	
41	Little Tugela River and Sterkspruit to their confluence	
42	M'Lambonjwa and Mhlawazeni Rivers to their confluence	
43	Mnweni and Sandhlwana Rivers to their confluence	
44	Tugela River to its confluence with the Kombe Spruit	
45	Inyamvubu (or Mnyamvubu) River to Craigie Burn Dam	
46	Umvoti River to the bridge on the Seven Oaks-Rietvlei road	
47	Yarrow River to its confluence with the Karkloof River	
48	Incandu and Ncibidwane Rivers to their confluence	
49	Ingogo River to its confluence with the Harte River	
50	Pivaan River to its confluence with Soetmelkspruit	
51	Slang River and the Wakkerstroom to their confluence	
52	Elands and Swartkoppie Spruit to their confluence	
53	All tributaries of the Komati River between Nooitgedacht Dam and its confluence with and including Zevenfontein Spruit	
54	Seekoeispruit to its confluence with Buffelspruit	
55	Crocodile River and Buffelskloofspruit to their confluence	
56	All tributaries of the Steelpoort River down to its confluence with and including the Dwars River	
57	Potspruit to its confluence with the Waterval River	
58	Dorps River (or Spekboom River) to its confluence with the Marambanspruit	
59	Ohrigstad River to the Ohrigstad Dam	
60	Klein-Spekboom River to its confluence with the Spekboom River	
61	Blyde River to the Pilgrim's Rest municipal boundary	
62	Sabie River to the Sabie municipal boundary	
63	Nels River to the Pilgrim's Rest district boundary	
64	Houtbosloop River to the Lydenburg district boundary	
65	Blinkwaterspruit to Longmere Dam	
66	Assegaa River upstream and inclusive of the Heyshope Dam	
67	Komati River upstream and inclusive of the Nooitgedacht Dam and the Vygeboom Dam	
68	Ngwempisi River upstream and inclusive of Jericho Dam and Morgenstond Dam	
69	Slang River upstream and inclusive of Zaaihoek Dam	
70	All streams flowing into the Olifants River upstream and inclusive of Loskop Dam, Witbank Dam and Middelburg Dam	
71	All streams flowing into Ebenezer Dam on the Great Letaba River	
72	Dokolewa River to its confluence with the Politzi River	
73	Ramadipea River to the Merensky Dam on the farm Westfalia 223, Letaba	
74	Pienaars River and tributaries as far as Klipvoor Dam	
RAMSAR LISTED WETLANDS:		
75	Barberspan	North-West 26°33 S 25°37 E

WATER RESOURCE			
76	Blesbokspruit	Gauteng	26°17 S 28°30 E
77	De Hoop Vlei	Western Cape	34°27 S 20°20 E
78	De Mond (Heuningnes Estuary)	Western Cape	34°43 S 20°07 E
79	Kosi Bay	Kwazulu-Natal	27°01 S 32°48 E
80	Lake Sibaya	Kwazulu-Natal	27°20 S 32°38 E
81	Langebaan	Western Cape	33°06 S 18°01 E
82	Orange River Mouth	Northern Cape	28°40 S 16°30 E
83	St Lucia System	Kwazulu-Natal	28°00 S 32°28 E
84	Seekoeivlei Nature Reserve	Free State	27°34 S 29°35 E
85	Verlorenvlei	Western Cape	32°24 S 18°26 E
86	Verloren Valei	Mpumalanga	25°14 S 30°4 E
87	Nylsvlei	Northern	24°39 S 28°42 E
88	Wilderness Lakes	Western Cape	33°59 S 22°39 E

4 DISPOSING OF WASTE IN A MANNER WHICH MAY DETRIMENTALLY IMPACT ON A WATER RESOURCE

[Section 21(g)]

Purpose of this authorisation

4.1. The authorisation permitted in terms of this Schedule replaces the need for a water user to apply for a licence in terms of the National Water Act for the disposal of waste, provided that the disposal is within the limits and conditions set out in this authorisation.

Exclusion

4.2. This authorisation does not apply to a person who is not the lawful occupier of the land on which the disposal takes place.

Compliance with National Water Act and other laws

4.3(1) This authorisation does not-

- (a) replace any existing authorisation that is recognised under the National Water Act;
- (b) exempt a person from compliance with section 7(2) of the Water Services Act, 1997 (Act No. 108 of 1997);
- (c) exempt a person from compliance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) for construction, operation and maintenance of any structure used for the collection, treatment or disposal of waste; or
- (d) exempt a person who uses water from compliance with any other provision of the National Water Act unless stated otherwise in this notice, or any other applicable law, regulation, ordinance or by-law.

(2) A person who uses water in terms of this authorisation is exempt from compliance with section 22(2)(e) of the National Water Act.

Area of applicability

4.4 This authorisation is applicable throughout the Republic of South Africa, except for those subterranean government water control areas set out in Table 4.1.

Duration of authorisation

4.5. This authorisation will be applicable for a period of five years from the date of publication of this notice, unless-

- (a) it is amended at any review period, which period shall be at intervals of two years from the date of publication of this notice;
- (b) the period is extended by a further notice in the *Gazette*; or
- (c) the water user is required to apply for a licence in terms of the National Water Act.

Definitions

4.6. In this authorisation, unless the context otherwise indicates, any expression to which a meaning has been assigned in terms of the National Water Act shall have that meaning, and-

- (i) **"biodegradable industrial wastewater"** means wastewater that contains predominantly organic waste arising from industrial activities and premises, including-
 - (a) milk processing;
 - (b) manufacture of fruit and vegetable products;
 - (c) sugar mills;
 - (d) manufacture and bottling of soft drinks;
 - (e) water bottling;
 - (f) production of alcohol and alcoholic beverages in breweries, wineries or malt houses;
 - (g) manufacture of animal feed from plant or animal products;
 - (h) manufacture of gelatine and glue from hides, skin and bones;
 - (i) abattoirs;
 - (j) fish processing; and
 - (k) feedlots;
- (ii) **"category A mine"** means-
 - (a) any gold or coal mine;
 - (b) any mine with an extractive metallurgical process, including heap leaching; or
 - (c) any mine where sulphate producing or acid generating material occurs in the mineral deposit;
- (iii) **"complex industrial wastewater"** means wastewater arising from industrial activities and premises, that contains-
 - a) a complex mixture of substances that are difficult or impractical to chemically characterise and quantify; or
 - b) one or more substances, for which a wastewater limit value has not been specified, and which may be harmful or potentially harmful to human health, or to the water resource- (identification of complex industrial wastewater will be provided by the Department upon written request);
- (iv) **"domestic wastewater"** means wastewater arising from domestic and commercial activities and premises, and may contain sewage;
- (v) **"evaporation pond"** means a dam designed to collect and dispose of wastewater through evaporation, from which any concentrated waste or sludge must be removed and disposed of according to the requirements of any relevant laws and regulations;
- (vi) **"grey water"** refers to wastewater generated through domestic activities and premises, including washing, bathing and food preparation, but does not contain sewage;
- (vii) **"monitoring programme"** means a programme for taking regular measurements of the quantity and/or quality of a water resource, waste or wastewater discharge at specified intervals and at specific locations to determine the chemical, physical and biological nature of the water resource, waste or wastewater discharge;
- (viii) **"organic waste"** means waste of non-anthropogenic origin that is readily biodegradable in the

environment and does not contain any substances that may accumulate in the environment;

- (ix) **"on-site disposal"** refers to the disposal of wastewater on individual properties not permanently linked to a central waste collection, treatment and disposal system, such as septic tank systems, conservancy tank systems, soakaway systems, French Drains and pit latrines;
- (x) **"primary treatment"** means the treatment of wastewater by a physical process, which may involve maceration, sedimentation, screening and grit removal;
- (xi) **"secondary treatment"** means the treatment of wastewater by a biological process, through solar energy, bacteria, algae and a variety of aquatic biota, to remove organic matter;
- (xii) **"wastewater"** means water containing waste, or water that has been in contact with waste material;
- (xiii) **"wastewater pond system"** means a dam or system of dams designed to collect wastewater and to conduct primary and secondary treatment, from which treated wastewater is disposed of.

Storage of domestic and/or biodegradable industrial wastewater for the purpose of re-use

4.7. A person who-

(a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice;
or

(b) lawfully occupies or uses land that is not registered or surveyed,

may on that property or land outside of the areas set out in Table 4.1-

(i) store up to 5 000 cubic metres of domestic and/or biodegradable industrial wastewater for the purpose of re-use,

if the storing of the wastewater-

(aa) does not impact on any other persons water use, property or land; and

(bb) is not detrimental to the health and safety of communities in the vicinity of the activity.

Storage of domestic and/or biodegradable industrial wastewater for the purpose of disposal

4.8. A person who-

(a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice;
or

(b) lawfully occupies or uses land that is not registered or surveyed,

may on that property or land outside of the areas set out in Table 4.1-

(i) store domestic and/or biodegradable industrial wastewater for the purpose of disposal of-

(aa) up to 10 000 cubic metres per property or land; or

(bb) up to 50 000 cubic metres in a wastewater pond system per property or land,

if the storing of the wastewater-

(aA) does not impact on any other person's water use, property or land; and

(aB) is not detrimental to the health and safety of communities in the vicinity of the

activity;

Disposal of domestic and/or biodegradable industrial wastewater

4.9. A person who-

(a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice; or

(b) lawfully occupies or uses land that is not registered or surveyed,

may on that property or land outside of the areas set out in Table 4.1, dispose of -

(i) up to 1 000 cubic metres of domestic and/or biodegradable industrial wastewater, on any given day-

(aa) into a wastewater pond system; or

(bb) into an evaporation pond system;

(ii) domestic wastewater or biodegradable wastewater into a wastewater irrigation system as set out under General Authorisation 2 above;

(iii) wastewater to an on-site disposal facility -

(aa) for grey water generated by a single household;

(bb) up to one cubic metre of biodegradable industrial wastewater on any given day; and

(cc) domestic wastewater to a communal septic tank serving no more than 50 households;

(iv) domestic wastewater generated by a single household not permanently linked to a central waste collection, treatment and disposal system to an on-site disposal facility; and

(v) stormwater runoff from any premises not containing waste or wastewater from industrial activities and premises;

if the disposing of wastewater-

(aA) does not impact on any other person's water use, property or land; and

(bB) is not detrimental to the health and safety of communities in the vicinity of the activity.

Disposal of mine waste or residue

4.10. A person may dispose of mine residue into mine residue deposits provided that-

(a) the mine residue is not from a Category A mine;

(b) the disposal is in accordance with Government Notice No. 704, dated 4 June 1999; and

(c) the disposal is in accordance with SABS Code 0286.

Registration of wastewater storage

4.11.(1) A person who stores wastewater in terms of this authorisation must submit a registration form for registration of the water use before commencement of storage if more than 1 000 cubic metres are stored for disposal or if more than 500 cubic metres are stored for re-use.

(2) On written receipt of a registration certificate from the Department, the person will be regarded as a registered water user.

(3) All forms for registration of water use are obtainable from the Regional offices of the Department as well as from the Departmental web-site at <http://www.dwaf.gov.za>

Registration of wastewater disposal

4.12(1) A person who disposes of wastewater in terms of this authorisation must submit a registration form for registration of the water use before the commencement of the disposal if more than 50 cubic metres of domestic wastewater or biodegradable industrial wastewater is disposed of on any given day.

(2) The responsible local authority must submit a registration form obtained from the Department, to register the water use for disposal of domestic wastewater in-

(a) areas where more than 5 000 households are served by on-site disposal sites;

(b) areas where the density of on-site disposal sites exceeds 10 per hectare; or

(c) areas served by communal septic tanks.

(3) On written receipt of a registration certificate from the Department, the person will be regarded as a registered water user.

(4) All forms for registration of water use are obtainable from the Regional offices of the Department as well as from the Departmental web-site at <http://www.dwaf.gov.za>

Location of wastewater storage dams and wastewater disposal sites

4.13. Wastewater storage dams and wastewater disposal sites must be located-

(a) outside of a watercourse;

(b) above the 100 year flood line, or alternatively, more than 100 metres from the edge of a water resource or a borehole which is utilised for drinking water or stock watering; and

(c) on land that is not, or does not overlie, a Major Aquifer (identification of a Major Aquifer will be provided by the Department upon written request).

Record-keeping and disclosure of information

4.14.(1) The registered user, with the exception of a local authority, must ensure the establishment of monitoring programmes to monitor the quantity and quality of the wastewater prior to storage or disposal, as follows-

(a) for the storage of wastewater, the quantity must be recorded monthly; or

(b) for the disposal of wastewater, the quantity must be gauged or metered and recorded monthly.

(2) Upon the written request of the Responsible Authority, the registered user with the exception of a local authority, must-

(a) ensure the establishment of any additional monitoring programmes; and

(b) appoint a competent person to assess the water use measurements made in terms of this authorisation, and to submit the findings to the Responsible Authority for evaluation.

(3) Subject to paragraph 4.14(2) above, the registered user with the exception of a local authority must, for at least five years, keep a written record of the following wastewater storage or wastewater disposal and related activities-

- (a) the location of the storage dam or wastewater disposal site;
- (b) the quantity of wastewater stored or disposed of or re-used;
- (c) the quality of wastewater stored or disposed of, where applicable;
- (d) details of the monitoring programme;
- (e) details of failures and malfunctions of any wastewater disposal system or wastewater storage dam that the registered user is responsible for, and

such information must be made available upon written request to the Responsible Authority.

(4) Any information on the occurrence of any incident that has or is likely to have a detrimental impact on the water resource quality must be reported to the Responsible Authority.

Precautionary practices

4.15.(1) The registered user must follow acceptable construction, maintenance and operational practices to ensure the consistent, effective and safe performance of any wastewater disposal system or wastewater storage dam.

(2) All reasonable measures must be taken to prevent wastewater overflowing from any wastewater disposal system or wastewater storage dam.

(3) All reasonable measures must be taken to provide for mechanical, electrical or operational failures and malfunctions of any wastewater disposal system or wastewater storage dam.

(4) Sewage sludge must be removed from any wastewater and the resulting sludge disposed of according to the requirements of any relevant law and regulation, including-

- (a) "Permissible utilisation and disposal of sewage sludge" Edition 1, 1997. Water Research Commission Report No TT 85/97; and
- (b) "Guide: Permissible utilisation and disposal of treated sewage effluent", 1978. Department of National Health and Population Development Report No. 11/2/5/3 (obtainable from the Department upon written request).

Inspections

4.16. Any property or land in respect of which a water use has been authorised in terms of this notice must be made available for inspection by an authorised person in terms of section 125 of the National Water Act.

Offences

4.17. Any person who contravenes any provision of this authorisation is guilty of an offence and is subject to the penalty set out in section 151(2) of the National Water Act.

NOTE: Information regarding the drainage regions referred to in Table 4.1 can be obtained from the Department, upon written request.

TABLE 4.1 Subterranean government water control areas excluded from General Authorisation for disposal of waste

Primary drainage region	Tertiary/ Quaternary drainage region	Description of subterranean government water control area	Government Notice No.	Government Gazette Date
H	H30	Baden	136	1967-06-16
A	A30	Bo-Molopo	1324	1963-08-30
C	C30	Bo-Molopo	1993	1965-12-17
D	D41	Bo-Molopo	R634	1966-04-29
A	A24	Crocodile River Valley	208	1981-10-23
A	A21	Crocodile River Valley	18	1983-02-18
A	A21, A22	Kroondal-Marikana	180	1963-06-17
G	G10, G30	Lower Berg River Valley/Saldanha	185	1976-09-10
A, B	A60, B50, B31	Nyl River Valley	56	1971-03-26
G	G30	Strandfontein	2463	1988-12-09

Primary drainage region	Tertiary/ Quaternary drainage region	Description of subterranean government water control area	Government Notice No.	Government Gazette Date
M	M10,M20,M30	Uitenhage	260	1957-08-23
G	G30	Wadrif	992	1990-05-11
G	G20	Yzerfontein	27	1990-02-09
G	G30	Graafwater	1423	1990-06-29
A	A70	Dendron-Vivo	813	1994-04-29
A	A60	Dorpsrivier	312	1990-02-16
C	C24	Ventersdorp	777	1995-06-02