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## GENERAL NOTICE

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### NOTICE 169 OF 2013

### DEPARTMENT OF WATER AFFAIRS

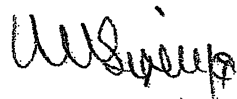
### REVISION OF GENERAL AUTHORISATIONS IN TERMS OF SECTION 39 OF THE NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)

I, Maxwell Sirenya, in my capacity as Director-General of the Department of Water Affairs and duly authorised in terms of section 63 of the National Water Act, 1998 (Act No 36 of 1998) intend to revise General Authorisations relating to sub-section 21(j) of the National Water Act, 1998 (Act No 36 of 1998) as published in section 3 of the Schedule to Notice 398, and the sub-section 21(e), 21(f), 21(g) and 21(h) of the National Water Act, 1998 (Act No 36 of 1998), as published in the Schedule to Notice 399 in Government Notice of 26 March 2004, as contained in the Schedule hereto.

Interested persons are hereby invited to submit written comments on the proposed Notice to the Director-General of the Department of Water Affairs within 60 days of the publication of this Notice in the following manner:

- (a) Post: Private Bag X313  
Pretoria  
0001
- (b) Fax: (012) 323 0321
- (c) E-mail: [MosefowaK@dwa.gov.za](mailto:MosefowaK@dwa.gov.za)

Comments must be marked for the attention of the Director: Resource Protection and Waste.



Mr M Sirenya  
DIRECTOR-GENERAL: WATER AFFAIRS

DATE: 24/01/2013

## SCHEDULE

### Explanatory Note

The use of a general authorisation does not require a licence. The existing general authorisation is now replaced with the general authorisation contained in this schedule. Those water users who exercised their entitlements under the existing general authorisation and are unable to proceed with that use under this Notice, must apply for a licence under the National Water Act, 1998 (Act 36 of 1998). Those water users whose water use falls within this Notice may continue with such use.

### Definitions and interpretation

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, 1998 (Act 36 of 1998) shall have that meaning, and -

**"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;

**"category A mine"** means -

- (a) any gold or coal mine and related activity;
- (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;

**"category B mine"** means- mines with potentially significant and/or permanent impact only on other aspects of the water environment, for example yield / availability of water, dynamics of the river, riparian rights, etc.

**"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;

**"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);

**"domestic wastewater"** means wastewater arising from domestic and commercial activities and premises, and may contain sewage;

**"domestic wastewater discharge"** means a wastewater discharge consisting of 90% or more domestic wastewater, by volume, that is collected, treated and subsequently disposed of;

**"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;

**"grey water"** refers to wastewater generated through domestic activities and premises, including washing, bathing and food preparation, but does not contain sewage;

**"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;

**"industrial wastewater discharge"** means a wastewater discharge consisting of more than 10% industrial wastewater, by volume, that is collected, treated and subsequently disposed of;

**"intake"** for the purposes of this Notice is water taken from a water resource, and excludes water taken from any source that is not a water resource;

**"irrigation"** means the application of wastewater to any land or property for the purpose of crop production, and includes the cultivation of pasture or any other suitable purpose.

**"listed water resources"** are those water resources listed in Table 3.3 and include any tributary of a listed water resource, and any water resource draining the catchment area of a listed water resource;

**"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;

**"on-site disposal"** refers to the disposal of wastewater on individual properties not permanently linked to a central waste collection, treatment and disposal systems, such as septic tank systems, conservancy tank systems, soakaway systems, french drains, pit latrines and package plants;

**"organic waste"** means waste of non-anthropogenic origin that is readily biodegradable in the environment and does not contain any toxic substances that may accumulate in the environment;

**"primary treatment"** means treatment of wastewater by a physical process, which may involve maceration, sedimentation, screening and grit removal;

**"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;

**"The Act"** means the National Water Act, 1998 (Act No. 36 of 1998);

**"wastewater"** means water containing waste, or water that has been in contact with waste material.

**"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.

**"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.

**"water found underground"** means water that enters mine workings, basement, tunnel or other construction through seepage or runoff and does not refer to water found in an aquifer.

**"water user"** means the person contemplated in paragraph 1.6, 2.6, 3.6 and 4.6 of this Notice.

This general authorisation applies to water uses contained in section 21 (e); (f); (g); (h) and (j) in terms of the Act.

## Section 21(e)

### 1. 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

#### 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 Act provided that the irrigation is within the limits and conditions set out in this Notice.

#### Exclusion

1.2. 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 the Act and other laws

1.3. (1) This authorisation does not-

- (a) replace any existing authorisation that is recognised under the Act;  
or
- (b) exempt a person who uses water from compliance with any other provision of the 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 exempted from compliance with section 22(2)(e) of the Act.

#### Area of applicability

1.4. This authorisation is applicable throughout the Republic of South Africa.

#### Duration of authorisation

1.5. This authorisation will be applicable from the date of publication of this notice, unless-

- (a) it is amended by the Responsible Authority at any review period;
- (b) it is replaced with a General Authorisation in relation to a specific water resource or within a specific area; or
- (c) the water user is required to apply for a licence in terms of the Act.

#### Irrigation with wastewater

1.6. A person who -

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

- (c) lawfully has access to land on which the use of water takes place, may on that property or land
- (i) irrigate up to 2000 cubic metres of domestic and biodegradable industrial waste water on any given day provided the-
    - (a) faecal coliforms do not exceed 1000 per 100 ml;
    - (b) Chemical Oxygen Demand (COD) does not exceed 75 mg/l;
    - (c) pH is not less than 5,5 or more than 9,5 pH units;
    - (d) Ammonia (ionised and un-ionised) as Nitrogen does not exceed 3mg/l;
    - (e) Nitrate/Nitrite as Nitrogen does not exceed 15 mg/l;
    - (f) Chlorine as Free Chlorine does not exceed 0,25 mg/l;
    - (g) Suspended Solids does not exceed 25 mg/l;
    - (h) Electrical Conductivity does not exceed 70 milliSiemens above intake to a maximum of 150 milliSiemens per metre (mS/m);
    - (i) Ortho-Phosphate as phosphorous does not exceed 10 mg/l;
    - (j) Fluoride does not exceed 1 mg/l; and
    - (k) Soap, oil or grease does not exceed 2,5 mg/l.
  - (ii) irrigate up to 500 cubic metres of domestic or biodegradable industrial wastewater on any given day, provided the -
    - (a) electrical conductivity does not exceed 200 milliSiemens per metre (mS/m);
    - (b) pH is not less than 6 or more than 9 pH units;
    - (c) Chemical Oxygen Demand (COD) does not exceed 400 mg/l after removal of algae;
    - (d) faecal coliforms do not exceed 100 000 per 100 ml; and
    - (e) Sodium Adsorption Ratio (SAR) does not exceed 5 for biodegradable industrial wastewater;
  - (iii) irrigate up to 50 cubic metres of domestic or biodegradable industrial wastewater on any given day, provided the -
    - (a) electrical conductivity does not exceed 200 milliSiemens per metre (mS/m);
    - (b) pH is not less than 6 or more than 9 pH units;
    - (c) Chemical Oxygen Demand (COD) does not exceed 5 000 mg/l after removal of algae;
    - (d) faecal coliforms do not exceed 100 000 per 100 ml; and
    - (e) Sodium Adsorption Ratio (SAR) does not exceed 5 for biodegradable industrial wastewater, if the irrigation of wastewater-
      - (aA) does not impact on a water resource or any other person's water use, property

or land; and

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

### **Registration of irrigation with wastewater**

- 1.7.(1) A person who irrigates with wastewater in terms of this authorisation must submit to the Responsible Authority a completed registration form or any other information requested in writing by the Responsible Authority for the registration of the water use before commencement of irrigation.
- (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 any office of the Department as well as from the Departmental web-site at <http://www.dwa.gov.za>

### **Location of irrigation with wastewater**

- 1.8. 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, which ever is further ; 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**

- 1.9. (1) The water user must ensure the establishment of monitoring programmes to monitor the quantity and quality of the wastewater to be used for irrigation prior to commencement and thereafter, 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 or as agreed with the Department, at the point at which the wastewater enters the irrigation system for all parameters listed in subparagraphs 1.6.(i), (ii) and (iii).
- (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 Responsible Authority.

- (3) Upon the written request of the Responsible Authority the water 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 1.9. (3) above, the water user must keep a written record of the following wastewater irrigation and related activities, for at least three years-
- (a) demarcate the location of the irrigation area on a suitable scale map and the extent of the area under irrigation on a 1: suitable scale 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**

1.10. (1) The water 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, wastewater or contaminated stormwater entering into a 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;
- (g) the unauthorised use of the wastewater by members of the public; and
- (f) people being exposed to the mist originating from the industrial wastewater.

(2) All reasonable measures must be taken for the safe 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) Guidelines for the Utilisation and Disposal of Wastewater Sludge, Volumes 1-5, Water Research Commission Reports TT 261/06, 262/06, 349/09, 350/09, 351/09, as amended from time to time; 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, as amended from time to time (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 reuse, or disposal;

### **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 Act.

### **Offences**

1.12. A 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 Act.

**[Sections 21(f) and (h)]****2 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****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 Act provided that the discharge is within the limits and conditions set out in this authorisation.

**Exclusion**

2.2. This authorisation does not apply to a person who discharges wastewater-

- (a) through sea outfalls;
- (b) to an aquifer;
- (c) any other groundwater resource; or
- (d) any water resource with a closed drainage system,
- (e) directly into an off channel dam.

**Compliance with Act and other laws**

2.3.(1) This authorisation does not-

- (a) apply to any water use under Schedule 1 of the Act;
  - (b) replace any existing authorisation that is recognised under the Act;
  - (c) exempt a person from compliance with section 7(2) of the Water Service Act, 1997 (Act No. 108 of 1997);
  - (d) exempt a person who uses water from compliance with any other provision of the Act unless stated otherwise in this notice, or any other applicable law, regulation, ordinance or by-law; or
  - (e) apply to a category A mine .
- (2) A person who uses water in terms of this authorisation is exempt from compliance with section 22(2)(e) of the Act.

**Area of applicability**

2.4 This authorisation is applicable throughout the Republic of South Africa, except as excluded in paragraph 2.2 above.

**Duration of authorisation**

2.5. This authorisation will be applicable from the date of publication of this notice, unless-

- (a) it is amended by the Responsible Authority at any review period;
- (b) it is replaced with a General Authorisation in relation to a specific water resource or within a specific area; or
- (c) the water user is required to apply for a licence in terms of the Act.

### **Discharging of domestic and industrial wastewater into water resources**

2.6. (1) A person who -

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

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

(c) lawfully has access to land on which the use of water takes place.

may on that property or land outside of the areas excluded in paragraph 2.4 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 2.3, which may be amended from time to time, provided the discharge-

(a) complies with the general wastewater limit values set out in Table 2.1, which may be amended from time to time;

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

(c) 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 2.3, which may be amended from time to time, provided the discharge -

(a) complies with the special wastewater limit values set out in Table 2.1, which may be amended from time to time;

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

(c) is not a complex industrial wastewater,

if the discharging of wastewater -

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

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

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

TABLE 2.1 : Wastewater limit values applicable to discharge of wastewater into a water resource

SUBSTANCE/PARAMETER	GENERAL LIMIT	SPECIAL LIMIT
Faecal Coliforms (per 100 ml)	1000	0
Chemical Oxygen Demand (mg/l)	75 (i)	30(i)
pH	5,5-9,5	5,5-7,5
Ammonia (ionised and un-ionised) as Nitrogen (mg/l)	6	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

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

*(Table 2.1: Above wastewater limits will be subject to review from time to time based on the outcome of the classification and resource quality objectives processes)*

### Registration of discharges into water resources

2.7. (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 and/or 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 any office of the Department, as well as from the Departmental web-site at <http://www.dwa.gov.za>

## Record-keeping and disclosure of information

2.8. (1) The water 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;
- (b) the quality of domestic wastewater discharges must be monitored monthly by grab sampling and analysed for specific substances and parameters as required by the Responsible Authority as set out in Table 2.2 and
- (c) monitoring for the quantity and quality of the discharge shall be done at the point of discharge into a water resource.

TABLE 2.2 : Monitoring requirements for domestic wastewater discharges

DISCHARGE VOLUME ON ANY GIVEN DAY	MINIMUM MONITORING REQUIREMENTS
10 to 100 cubic metres	pH Electrical Conductivity (mS/m) Faecal Coliforms (per 100 ml)
100 to 1 000 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) <u>Phosphate (mg/l)</u>

DISCHARGE VOLUME ON ANY GIVEN DAY	MINIMUM MONITORING REQUIREMENTS
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)

- (d) The quality of industrial wastewater discharges must be monitored weekly as agreed to with the Department 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 2.8(1)(b) above, if the wastewater contains any domestic wastewater.
- (e) 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 Responsible Authority.
- (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 2.8 (2) above, the water user must submit the following information on a monthly basis to the Responsible Authority -
- (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. 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**

- 2.9. (1) The water 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.

- (3) The discharged water must not detrimentally impact on the water quality of the receiving water resource.

### Inspections

- 2.10. 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 Act.

### Offences

- 2.11. A 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 Act.

**TABLE 2.3 : Listed Water Resources ( This table will be subject to review from time to time based on the outcome of the classification and resource quality objectives processes)**

	<b>WATER RESOURCE</b>
1	Hout Bay River to tidal water <u>in the Western Cape</u>
2	Palmiet River from Kogelberg Dam to its estuary
3	Lourens River to tidal water <u>in the Western Cape</u>
4	Steenbras River to tidal water <u>in the Western Cape</u>
5	Berg and Dwars Rivers to their confluence <u>in the Western Cape</u>
6	Little Berg River to Vogelvlei weir <u>in the Western Cape</u>
7	Sonderend, Du Toits and Elandskloof Rivers upstream and inclusive of Thee Waterskloof Dam <u>in the Western Cape</u>
8	Witte River to confluence with Breede River <u>in the Western Cape</u>
9	Dwars River to the boundary <u>of the Breë River District Council (Ceres divisional boundary) – Witsenberg Transitional Representative Council</u>
10	Olifants River to the boundary <u>of the Breë River District Council (Ceres divisional boundary) – Witsenberg Transitional Representative Council Ceres divisional boundary</u>
11	Holsloot and Smalblaar (or Molenaars) Rivers to their confluence with Breede River <u>in the Western Cape</u>
12	Hex River to its confluence with Breede River <u>in the Western Cape</u>
13	Van Stadens River to tidal water <u>in the Eastern Cape</u>
14	Buffalo River to the boundary from its source to where it enters the King Williams Town limits
15	Klipplaat River from its source to Waterdown Dam
16	Swart Kei River to its confluence with the Klipplaat River <u>in the Eastern Cape</u>
17	Great Brak River
18	Bongola River to Bongola Dam <u>in the Eastern Cape</u>
19	Kubusi River to the boundary <u>of the Stutterheim Transitional Local Council in the Eastern Cape</u>
20	Langkloof River from its source to Barkly East limits
21	Kraai River to its confluence with the Langkloof River
22	Tsomo River to the boundary <u>of the Stormberg District Council – Queenstown Transitional Representative Council in the Eastern Cape</u>
23	Xuka River <u>to the boundary of the Drakensberg District Council – Elliot Transitional Local Council in the Eastern Cape</u>

<b>WATER RESOURCE</b>	
	<u>Umtata River to the Kambi Falls in the Eastern Cape</u>
24	<u>Tsitsa and Inxu Rivers to their confluence in the Eastern Cape</u>
	<u>Kenegha River to its confluence with the Umzimvubu River in the Eastern Cape</u>
25	<u>Mvenyane and Mzimvubu Rivers from sources to their confluence in the Eastern Cape</u>
26	<u>Umzimhlavana River to its confluence with the Umzimhlava River in the Eastern Cape</u>
27	<u>Ingwangwana River to its confluence with Umzimkulu River in KwaZulu-Natal</u>
28	<u>Umzimkulu and Polela Rivers to their confluence in KwaZulu-Natal</u>
29	<u>Elands River to the Pietermaritzburg-Bulwer main road in KwaZulu-Natal</u>
30	<u>Umtamvuma and Weza Rivers to their confluence in KwaZulu-Natal</u>
31	<u>Umkomaas and Isinga Rivers to their confluence in KwaZulu-Natal</u>
32	<u>Lurane River to its confluence with the Umkomaas River in KwaZulu-Natal</u>
33	<u>Sitnundjwana Spruit to its confluence with the Umkomaas River in KwaZulu-Natal</u>
34	<u>Inudwini River to the Polela district boundary in KwaZulu-Natal</u>
35	<u>Inkonza River to the bridge on the Donnybrook-Creighton road in KwaZulu-Natal</u>
36	<u>Umlaas to the bridge on District Road 334 on the farm Maybole in KwaZulu-Natal</u>
37	<u>Umgeni and Lions Rivers to their confluence in KwaZulu-Natal</u>
38	<u>Mooi River to the road bridge at Rosetta in KwaZulu-Natal</u>
39	<u>Little Mooi and Hlatikula Rivers to their confluence in KwaZulu-Natal</u>
40	<u>Bushmans River to the Wagendrift Dam in KwaZulu-Natal</u>
41	<u>Little Tugela River and Sterkspruit to their confluence in KwaZulu-Natal</u>
42	<u>M'Lambonjwa and Mhlawazeni Rivers to their confluence in KwaZulu-Natal</u>
43	<u>Mnweni and Sandhlwana Rivers to their confluence in KwaZulu-Natal</u>
44	<u>Tugela River to its confluence with the Kombe Spruit in KwaZulu-Natal</u>
45	<u>Inyamvubu (or Mnyamvubu) River to the Craigie Burn Dam in KwaZulu-Natal</u>
46	<u>Umvoti River to the bridge on the Seven Oaks -Rietvei road in KwaZulu-Natal</u>
47	<u>Yarrow River to its confluence with the Karkloof River in KwaZulu-Natal</u>
48	<u>Incandu and Ncibidwane Rivers to their confluence in KwaZulu-Natal</u>
49	<u>Ingogo River to its confluence with the Harte River in KwaZulu-Natal</u>
50	<u>Pivaan River to its confluence with Soetmelkspruit in KwaZulu-Natal</u>
51	<u>Slang River and the Wakkerstroom to their confluence in Mpumalanga</u>
52	<u>Elands and Swartkoppie Spruit to their confluence in Mpumalanga</u>
53	<u>All tributaries of the Komati River between Nooitgedacht Dam and its confluence with and including Zevenfontein Spruit in Mpumalanga</u>
54	<u>Seekoespruit to its confluence with Buffelspruit in Mpumalanga</u>
55	<u>Crocodile River and Buffelskloofspruit to their confluence in Mpumalanga</u>
56	<u>All tributaries of the Steelpoort River down to its confluence with and including the Dwars River</u>
57	<u>Potspruit to its confluence with the Waterval River in Mpumalanga</u>
58	<u>Dorps River (or Spekboom River) to its confluence with the Marambanspruit in Mpumalanga</u>
59	<u>Ohrigstad River to the Ohrigstad Dam in Mpumalanga</u>
60	<u>Klein-Spekboom River to its confluence with the Spekboom River in Mpumalanga</u>
61	<u>Blyde River to the Pilgrim's Rest municipal boundary in Mpumalanga</u>
62	<u>Sabie River to the Sabie municipal boundary in Mpumalanga</u>
63	<u>Nels River to the Pilgrim's Rest district boundary in Mpumalanga</u>
64	<u>Houtbosloop River to the Lydenburg district boundary in Mpumalanga</u>
65	<u>Blinkwaterspruit to the Longmere Dam in Mpumalanga</u>
66	<u>Assegai River upstream and inclusive of the Heyshope Dam</u>
67	<u>Komati River upstream and inclusive of the Nooitgedacht Dam and the Vygeboom Dam</u>
68	<u>Ngwempisi River upstream and inclusive of Jericho Dam and Morgenstond Dam</u>
69	<u>Slang River upstream and inclusive of Zaaihoek Dam</u>
70	<u>All streams flowing into the Olifants River upstream and inclusive of Loskop Dam, Witbank Dam and Middelburg Dam</u>
71	<u>All streams flowing into Ebenezer Dam on the Great Letaba River in Limpopo</u>
72	<u>Dokolewa River to its confluence with the Politzi River in Limpopo</u>
73	<u>Ramadiepa River to the Merensky Dam on the farm Westfalia 223, Letaba in Limpopo</u>
74	<u>Harts River upstream of the Barberspan in North West</u>



	<b>LISTED WATER RESOURCES WHERE SPECIAL LIMIT FOR ORTHO-PHOSPHATE AS PHOSPHOROUS IS APPLICABLE (Crocodile (west) Marico Water Management Area)</b>
<b>75</b>	Pienaars River and tributaries as far as Klipvoor Dam
<b>76</b>	Crocodile River and tributaries as far as Roodekopjies Dam
<b>77</b>	Elands and Hex River and tributaries as far as Vaalkop Dam
<b>78</b>	Molopo River and Tributaries as far as Madimola Dam

<b>RAMSAR LISTED WETLANDS:</b>	<b>PROVINCE</b>	<b>LOCATION</b>
79 Barberspan	North -West	26°33' S 25°37' E
80 Blesbokspruit	Gauteng	26°17' S 28°30' E
81 De Hoop Vlei	Western Cape	34°27' S 20°20' E
82 De Mond (Heuningnes Estuary)	Western Cape	34°43' S 20°07' E
83 Kosi Bay	Kwazulu-Natal	27°01' S 32°48' E
84 Lake Sibaya	Kwazulu-Natal	27°20' S 32°38' E
85 Langebaan	Western Cape	33°06' S 18°01' E
86 Orange River Mouth	Northern Cape	28°40' S 16°30' E
87 St Lucia System	Kwazulu-Natal	28°00' S 32°28' E
88 Seekoeivlei Nature Reserve	Free State	27°34' S 29°35' E
89 Verlorenvlei	Western Cape	32°24' S 18°26' E
90 Verloren Valei	Mpumalanga	25°14' S 30°4' E
91 Nylsvlei	Northern	24°39' S 28°42' E
92 Wilderness Lakes	Western Cape	33°59' S 22°39' E

**[Section 21(g)]****3. DISPOSING OF WASTE IN A MANNER WHICH MAY DETRIMENTALLY IMPACT ON A WATER RESOURCE****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 Act for the disposal of waste, provided that the disposal is within the limits and conditions set out in this authorisation.

**Exclusion**

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

**Compliance with Act and other laws**

3.3 (1) This authorisation does not-

- (a) replace any existing authorisation that is recognised under the 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 section 45(1) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) for the construction, operation or maintenance of a waste management facility related to the storage, treatment or disposal of waste;
  - (d) 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
  - (e) exempt a person who uses water from compliance with any other provision of the 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 Act.

**Area of applicability**

3.4 This authorisation is applicable throughout the Republic of South Africa, except for those subterranean government water control areas set out in Table 3.1.

**Duration of authorisation**

3.5. This authorisation will be applicable from the date of publication of this notice, unless-

- (a) it is amended by the Responsible Authority at any review period;
- (b) it is replaced with a General Authorisation in relation to a specific water resource or within a specific area; or
- (c) the water user is required to apply for a licence in terms of the Act.

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

3.6. A person who -

- (a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice;
- (b) lawfully occupies or uses land that is not registered or surveyed, or
- (c) lawfully has access to land on which the use of water takes place, may on that property or land outside of the areas set out in Table 3.1, which may be amended from time to time –
  - (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 a water resource or on any other person's water use, property or land; and
- (bb) is not detrimental to the health and safety of the public in the vicinity of the activity.

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

3.7. A person who -

- (a) owns or lawfully occupies property registered in the Deeds Office as at the date of this notice;
- (b) lawfully occupies or uses land that is not registered or surveyed, or
- (c) lawfully has access to land on which the use of water takes place,

may on that property or land outside of the areas set out in Table 3.1 -

- (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 a water resource or on any other person's water use, property or land; and

(aB) is not detrimental to the health and safety of the public in the vicinity of the activity;

**Disposal of domestic and/or biodegradable industrial wastewater**

3.8. A person who -

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

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

(c) lawfully has access to land on which the use of water takes place,

may on that property or land, outside of the areas set out in Table 3.1, 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 1 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; or

(cc) domestic wastewater to a communal conservancy 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 a water resource or on any other person's water use, property or land; and

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

### **Disposal of mine waste or residue**

3.9. 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, as amended from time to time.

### **Registration of wastewater storage**

3.10.(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 communication and or 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 any office of the Department as well as from the Departmental web-site at <http://www.dwa.gov.za>

### **Registration of wastewater disposal**

3.11 (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 communication and or registration certificate from the Department, the person will be regarded as a water user.

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

### **Location of wastewater storage dams and wastewater disposal sites**

3.12. 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, which ever is further; 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**

3.13. (1) The water user 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 water 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 to submit the findings to the responsible authority for evaluation.
- (3) Subject to paragraph 3.13 (2) above, the water user 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**

- 3.14.(1) The water 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) Guidelines for the Utilisation and Disposal of Wastewater Sludge, Volumes 1-5, Water Research Commission Reports TT 261/06, 262/06, 349/09, 350/09, 351/09, as amended from time to time; 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, as amended from time to time (obtainable from the Department upon written request).

### Inspections

3.15. 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 Act.

### Offences

3.16. A 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 Act.

**NOTE:** Information regarding the drainage regions referred to in Table 3.1 can be obtained from the Department, upon written request.

**TABLE 3.1 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 are	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	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

### **Section 21(j)**

#### **4. REMOVING, DISCHARGING OR DISPOSING OF WATER FOUND UNDERGROUND IF IT IS NECESSARY FOR THE EFFICIENT CONTINUATION OF AN ACTIVITY OR FOR THE SAFETY OF PEOPLE**

##### **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 Act provided that the water use is within the limits and conditions set out in this authorisation.

##### **Exclusion**

4.2. This authorisation does not –

- (a) replace or limit any existing authorisation that is recognised under the Act; or
- (b) allow for water storage.

##### **Compliance with Act and other laws**

- 4.3. (1) This authorisation does not exempt a person who uses water from compliance with any provision of the Act unless stated otherwise, 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 Act.

##### **Area of applicability**

4.4 This authorisation is applicable throughout the Republic of South Africa.

##### **Duration of authorisation**

- 4.5. This authorisation will be applicable from the date of publication of this notice, unless-
- (a) it is amended by the Responsible Authority at any review period;
  - (b) it is replaced with a General Authorisation in relation to a specific water resource or within a specific area; or
  - (c) the water user is required to apply for a licence in terms of the Act.

##### **Removing water found underground**

4.6. (1) A person who-

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



this notice;

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

(c) lawfully has access to land on which the use of water takes place, may on that property or land remove up to 100 cubic metres of water found underground on any given day, if-

(i) the removing of water-

(aa) does not impact on a water resource or on any other person's water use, property or land;

(bb) is not detrimental to the health and safety of the public in the vicinity of the activity; and

(cc) does not detrimentally impact the stability of the surrounding or ecological functioning of any linked water bodies.

(ii) the removal of water is not harmful or potentially harmful to human health, or to any water resource.

(2) The water found underground must be-

(a) discharged to-

(i) a waste collection network such as a sewer or stormwater drainage system; or

(ii) a water resource in terms of General Authorisation No. 3 of Government Notice No. 399 promulgated in Government Gazette No. 26187 dated 26 March 2004 and as may be amended from time to time; or

(b) disposed of in terms of General Authorisation Notice No. 4 of Government Notice No. 399 promulgated in Government Gazette No. 26187 dated 26 March 2004 and as may be amended from time to time.

### **Registration of removal of underground water**

4.7. (1) A person who uses water in terms of this authorisation must submit a registration form for the registration of the water use if more than 50 cubic metres of water are removed on any given day.

(2) On 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 any office of the Department as well as from the Departmental web-site at <http://www.dwa.gov.za>

### **Monitoring requirements**

4.8. (1) Where it is deemed necessary, or upon the written request of the responsible authority, the water registered user must ensure the establishment of any monitoring programmes for monitoring the water use.

(2) Upon the written request of the responsible authority the registered user must appoint an

external auditor to assess the water use in terms of this General Authorisation, and to submit the findings to the responsible authority for evaluation.

### **Precautionary practices**

4.9.(1) The water user must follow acceptable construction, maintenance and operational practises to ensure the consistent, effective and safe performance of the underground water removal system.

(2) Reasonable measures must be taken to provide for mechanical, electrical, or operational failures and malfunctions of the underground water removal system.

(3) The discharged water must not detrimentally impact on the water quality of the receiving water resource.

### **Inspections**

4.10. 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 Act.

### **Offence**

4.11. A 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 Act.

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