

Appendix D - Water Use Licence Approval



Physical Address:
15 Alexandra Road, Pinelands
7405
Cape Town
South Africa
Tel: [+27 21 514 5000](tel:+27215145000)

Postal Address: Private Bag X3,
Pinelands, 7405, Cape Town
Email: general@biovac.co.za
Website: [Contact Us – Biovac](#)

Copyright and disclaimer

The information contained in this communication is confidential and may be legally privileged. It is intended solely for the use of Biovac, and others authorized to receive it. You are hereby notified that any disclosure, copying, distribution or acting in reliance of the contents of this information is strictly prohibited and may be unlawful. We wish to ensure you that all your personal information in our possession or under our control is processed only for the purpose for which it is collected. This document and its contents are subject to our Privacy Notice available at [Disclaimer – Biovac](#) or contact our information officer at general@biovac.co.za.



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

Private Bag X16, Sanlamhof, 7532, 52 Spectrum Building, Voortrekker Road, Bellville., Tel: 021 941 6000 Fax: 021 941 6000. www.dwa.gov.za

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

I, **Ntombizanele Mary Bila- Mupariwa**, in my capacity as Regional Head: Western Cape, acting under authority of the powers delegated to me by the Director General of the Department of Water and Sanitation, hereby authorise the following water uses in respect of this licence.

SIGNED:

DATE: 2022/01/14

LICENCE NO: 01/G22C/A/11329
FILE NO: 27/2/2/G322/96/1

1 Licensee:

The Biologicals and Vaccines Institute of South Africa (Pty) Ltd

Postal Address:

The Biovac Institute
Alexandra Road
PINELANDS
Cape Town
7405

2 Water Uses

- 2.1 Section 21(a) of the Act: Taking of water from a water resource, subject to the conditions set out in Appendices I and II.

3 Property in respect of which the licence is issued

- 3.1 Property on which the licence is issued are shown in **Table 1** below.

B 11730

Table 1: Properties on which the licence is issued and registered owner of the property

Property Description	Title Deed Number	SG Code	Owners Detail
Erf 24277 Pinelands.	T52789/2007	C01600070002427700000	The Biologicals and Vaccines Institute of South Africa (Pty) Ltd.

4 Licence and Review Period

- 4.1 This licence is valid for a period of twenty (20) years from the date of issuance and it may be reviewed every five (5) years interval.

5 Definitions

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

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

"The Regional Head" means Chief Director: Western Cape, Department of Water and Sanitation, Private Bag X16, Sanlamhof, Bellville, 7532.

"The Department" means the Department of Water and Sanitation.

"Responsible Authority" means the Department of Water and Sanitation or Catchment Management Agency.

"External auditor" means a Geohydrologist independent of the entity being audited that is suitably qualified to verify compliance with the license conditions and provide a report on the compliance with set conditions.

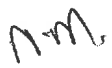
"Water Service Authority" means the City of Cape Town Municipality.

"Report" refers to the reports entitled:

- I. Biovac institute hydrogeology and groundwater development, prepared by Umvoto, dated 1st February 2021.
- II. Biovac institute water balance for section 21(a) water use licence application, prepared by Umvoto, dated 10 September 2021
- III. The Biovac Institute Section 27 Motivational Report for Section 21(a) Water Use Licence Application, prepared by Umvoto, dated August 2021

6 Description of the activity

This licence authorizes **The Biologicals and Vaccines Institute of South Africa (Pty) Ltd - Groundwater Abstraction** for the water use in terms of section 21(a) of the National Water Act, 1998 (Act 36 of 1998). The water use activities include: The manufacturing of a range of vaccines to be consumed and distributed locally. The activity is in quaternary catchment G22C which falls within Berg-Olifants Water Management Area.



APPENDIX I

General Conditions for the Licence

1. This licence is subject to all applicable provisions of the National Water Act, 1998 (Act 36 of 1998).
2. The responsibility for complying with the provisions of the licence is vested in the Licensee and not any other person or body.
3. The Licensee must immediately inform the Provincial Head of any change of name, address, premises and/or legal status.
4. If the property in respect of which this licence is issued is subdivided or consolidated, the Licensee must provide full details of all changes in respect of the properties to the Provincial Head within 60 days of the said change taking place.
5. If a Water User Association is established in the area to manage the resource, membership of the Licensee to the Association is compulsory. Rules, regulations and water management stipulation of such association must be adhered to.
6. The Licensee shall be responsible for any water use charges and/or levies imposed by a Responsible Authority.
7. While effect must be given to the Reserve as determined in terms of the Act, where a lower confidence determination of the Reserve has been used in issuance of this licence, the licence conditions may be amended should a higher confidence reserve be conducted.
8. The licence shall not be construed as exempting the Licensee from compliance with the provisions of any other applicable Act, Ordinance, Regulation or By-law.
9. The licence and amendment of this licence are also subject to all the applicable procedural requirements and other provisions of the Act, as amended from time to time.
10. The Licensee must conduct an annual internal audit on compliance with the conditions of this licence. A report on the audit shall be submitted to the Provincial Head within one month of the finalization of the audit.
11. The Licensee must appoint an independent external auditor to conduct an annual audit on compliance with the conditions of this licence. Both these audits may be subjected to external audit.
12. Any incident that causes or may cause water pollution must be reported to the Provincial Head or a designated representative within 24 hours.
13. The Department accepts no liability for any damage, loss or inconvenience, of whatever nature, suffered as a result of / amongst other things.
 - 13.1 Shortage of water;
 - 13.2 Inundation of flood;
 - 13.3 Any *force majeure* event;
 - 13.4 Siltation of the river or dam basin; and
 - 13.5 Required Reserve releases.

N.M.

APPENDIX II

Section 21(a) of the Act: Taking water from a water resource

1. This licence authorizes the Biologicals and Vaccines Institute of South Africa (Pty) Ltd - Groundwater Abstraction to abstract a maximum volume of forty-eight thousand cubic meters per annum (48 000) m³/a water from a single borehole for the manufacturing of vaccines detailed in Table 2 below.

Table 2: Section 21(a) water uses (Groundwater)

Water Activity	Use	Purpose	Volume(s) m ³ /annum	Properties	Co-ordinates
Water use: Section 21(a)					
Abstraction of groundwater from Vinpro_Bh1	of	To produce vaccines and other pharmaceuticals (Industrial)	48 000	Erf 24277 Portion 0 SG Code: C01600070002427700000	Lat: -33.93757 Lon: 18.48994

2. The quantity (volume) of water authorised to be taken in terms of this licence may not be exceeded without prior authorisation by the Responsible Authority.
3. This licence does not imply any guarantee that the said quantities and qualities of water will be available at present or at any time in the future.
4. The above-mentioned volume may be reduced when the licence is reviewed.
5. No water taken may be pumped, stored, diverted, or alienated for purposes other than intended in this licence, without written approval by the Regional Head or his/her delegated nominee.
6. A monitoring report on the quantity, quality of groundwater and comments on the operational rules by a qualified Hydrogeologist must be submitted to the Department on an annual basis.
7. Any changes to the monitoring programme should be kept and submitted to the Regional Head or Responsible Authority as soon as possible. The Regional Head or Responsible Authority could review and comment on the changes.
8. The production boreholes must be installed with piezometer (dipper tube), flow meter and take off tap in the riser pipe for groundwater sampling by the licensee and/or the Department and/or its delegated authority and/or person.
9. To mitigate against contaminants percolating to the water table along the borehole casings and down the boreholes, including exploration boreholes, must be sealed with lockable caps and concrete collars installed around the standpipes.
10. All measuring, recording and integrating devices shall be maintained in a sound state of repair and calibrated by a competent person at intervals as specified and required according to the device specifications.

The following list of special licence conditions is applicable to this licence

11. Groundwater may only be used in accordance with the terms and conditions set out by the Water Services Authority in terms of the Water By-law, 2010. Proof of agreement with the municipality must be made available to the Department upon request.
12. The Licensee must obtain prior consent from the Water Services Authority to supply potable water as a Water Services Intermediary. A copy of such a consent letter obtained from the Water services Authority must be included in the internal and external audit reports.
13. The Licensee must get approval from the Water Services Authority (WSA) before discharging brine and other waste generated from the treatment plant into the municipal drainage system.
14. The borehole could be pumped for not more than 1.5 l/s for 24 hours without a recovery period.
15. Groundwater quality sampling must be conducted bi-annually (April and October), recorded and reported to the provincial Head; to identify impacts that may result from the activity.
16. The analysis should be done for at least the parameters listed in Table 3 below and must be submitted to a SANS accredited laboratory for analysis.

Table 3: List of groundwater parameters to be monitored

Parameter	Reference Value ⁽¹⁾	Recorded Value
pH		
Electrical Conductivity at 25 °C		
Turbidity (NTU)		
Total Dissolved Solids		
Nitrate and Nitrite as N		
Calcium as Ca		
Chloride as Cl		
Fluoride as F		
Magnesium as Mg		
Sodium as Na		
Sulphate as SO ₄		
Iron as Fe		
Manganese (Mn)		
Arsenic (As)		
Alkalinity (HCO ₃)		

¹Reference values (reference values before any abstraction activity)

17. Should any of the recorded values increase more than 20% above the reference values, except for the pH value for which a decrease of 20% applies, another set of samples should be sent to another accredited laboratory for analysis within one month. Should the second set of results confirm the constituents of the first set, all operations should be stopped immediately to identify the cause of the pollution and implement mitigation measures. Such

N.M.

incidents should be reported to the Regional Head of the Department within 48 hours of the analysis results becoming available to the Licensee.

18. The current BBBEE Level (Level 1) and its strategy must be maintained, monitored and or transformed and a copy of such document must always be available for accessibility.
19. Biovac must keep a portfolio of evidence for all black-owned businesses that the company has helped to develop as stipulated in Section 27(1) (b) and a copy of such must be available during Water Use Licence auditing and monitoring.

END OF LICENCE



n.m.