



**REFERENCE:** 16/3/3/5/D6/21/0005/22  
**ENQUIRIES:** Shireen Pullen  
**DATE OF ISSUE:** 18 August 2022

The Municipal Manager  
Mossel Bay Municipality  
101 Marsh Street  
**MOSSSEL BAY**  
6506

**Attention: Mr. E. Louw**

Tel: (044) 606 5000

E-mail: [elouw@mosselbay.gov.za](mailto:elouw@mosselbay.gov.za)

Dear Sir

**AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION (“EA”) REF: 16/3/3/1/D6/21/0001/21 ISSUED ON 8 NOVEMBER 2021 FOR THE PROPOSED INSTALLATION OF A WATER PIPELINE FROM AN EXISTING BOREHOLE TO THE HERBERTSDALE RESERVOIR WITHIN THE R327 ROAD RESERVE AND THE REMAINDER OF ERF 24 HERBERTSDALE, MOSSSEL BAY MUNICIPALITY**

With reference to your application for the amendment of the amended Environmental Authorisation issued on 08 November 2021, Reference Number: 16/3/3/1/D6/21/0001/21, find below the amendment to the Environmental Authorisation in respect of this application.

**ADDENDUM TO ENVIRONMENTAL AUTHORISATION**

**A. DECISION**

1. By virtue of the powers conferred on it in terms of Regulation 30 of the Environmental Impact Assessment Regulations, 2014 (as amended), the Department has decided to amend the Environmental Authorization issued on 8 November 2021, Reference Number: 16/3/3/1/D6/21/0001/21, as follows –

1.1 Section B, description of the proposal must be amended to read as follows:

“The project entails the installation of a water pipeline within the road reserve of the R327 to transport or pipe water from an existing borehole for approximately 9938m before connecting to an existing pipeline within the road reserve of the R327 in the town of Herbertsdale. The pipeline diameter will be 110 mm HDPE (High Density Polyethylene) Pipes and will be located within 1 – 5 metres of the road (closest to the farm boundary fences where possible). The approximate measurements of trenches/excavations for the pipeline installation will be:

- 0.71 metre width
- 1.41 – 1.61 metre depth/height

The borehole is located alongside the road, north of Herbertsdale, and it is proposed to abstract 173m<sup>3</sup> of groundwater per day. A water treatment works (WTW) is located in close proximity and will be used

treat the groundwater prior to it being piped to Herbertsdale. The amount of space for this infrastructure is limited and it will be in close proximity to a non-perennial mountain stream tributary to the Dwars River. The water treatment plant will discharge a small volume of the impurities in the form of wastewater towards the dry channel. The proposed pipeline will cross numerous watercourses including the Langtouw River. The project requires the removal and/or reinstatement of gabions within the Langtouw River at the bridge, which is located approximately 5.1 km NNE along the R327. The following works are planned to be conducted at the Langtouw River Bridge crossing:

- attaching the proposed water pipeline along the side of the bridge
- 1.1 m x 4.0 m gabion to be removed and reinstated
- 1.1 m x 3.5 m reinforced gabion to be removed and reinstated
- 1.1 m x 15 m scour rock removed and reinstated

The proposal also includes the Maintenance Management plan for on-going maintenance of the infrastructure to be constructed.

The existing bridge spanning the Langtouw River will also undergo upgrades.

A final design plan as well as specific maintenance method statements must be submitted to this Directorate as part of the EMPr."

1.2 Section C, the site description and location, first paragraph and first table must be amended to read as follows:

"The water pipeline will be located within the road reserve of the R327 to transport or pipe water from an existing borehole for approximately 9938m before connecting to an existing pipeline within the road reserve of the R327 in the town of Herbertsdale.

Coordinates of the pipeline

<b>Position:</b>	<b>Latitude (South)</b>	<b>Longitude (East)</b>
<b>Starting point</b>	33° 57' 11,26"	21° 47' 41,89"
<b>Middle point</b>	33° 58' 48,70"	21° 46' 55,74"
<b>End point</b>	34 ° 0' 53,78"	21° 45' 45,78"

2. All other information contained in the amended Environmental Authorisation issued on 8 November 2021, Reference Number: 16/3/3/1/D6/21/0001/21, remains unchanged and is still in force.

## **B. REASONS FOR THE DECISION:**

In reaching its decision, the Department took, *inter alia*, the following into consideration:

1. The application is for a non-substantive amendment of the Environmental Authorisation.
2. The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the Environmental Authorisation.
3. The decision taken by the technical team upon commencement of construction activities and final detailed designs to amend the southernmost section of the pipeline route up to the Herbertsdale Reservoir. The approved connection point of the southern section of the pipeline was originally proposed

as part of the EA to connect to the existing Herbertsdale Reservoir. Given that an alternative connection point has become available due to recent bulk upgrades, an alternative connection point along the R327 became the preferred implementation option for the proponent.

4. The fact that from an environmental perspective, the implementation of the proposed alternative is considered more acceptable and appropriate as the preferred alternative, due to the fact that the water pipeline will be installed within an already disturbed road reserve, and this connection point is approximately 210m away from the deviation point (indicated in yellow in Appendix 1). The initially approved alternative as per the Environmental Authorization issued on 08 November 2021 would require the linear clearance of indigenous vegetation of approximately 540m in extent. This Directorate agrees that the proposed amendment will result in a much smaller disturbance footprint and from an environmental perspective the impacts will be significantly less than the original approved alternative.
5. All the relevant information presented to this Department, and which formed part of the application for amendment.

### C. CONDITIONS

1. The applicant must, in writing, within **14 (fourteen)** calendar days from the date of the Department's decision –
  - 1.1 notify all registered interested and affected parties registered in the previous EIA process of –
    - 1.1.1 the outcome of the application;
    - 1.1.2 the reasons for the decision;
    - 1.1.3 the date of the decision; and
    - 1.1.4 the date of issue of the decision;
  - 1.2 draw the attention of all registered interested and affected parties registered in the previous EIA process to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) in section D below;
  - 1.3 draw the attention of all registered interested and affected parties registered in the previous EIA process to the manner in which they may access the decision.
2. The holder of the environmental authorisation must within thirty (30) calendar days of the issue of this amendment decision, provide the competent authority with written proof of compliance with condition 1 above.
3. This changed section must be implemented approximate to the Site Development Plan ("SDP") contained in Annexure 1 of this Environmental Authorisation.

### D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–

- 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
  4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Addendum to Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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**MR. GAVIN BENJAMIN**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**  
DATE OF DECISION: 18 AUGUST 2022

Copy:  
Mr. R. Kapp

Kapp Environmental

Email: [renier@kappec.co.za](mailto:renier@kappec.co.za)

ANNEXURE 1

