



**REFERENCE:** 16/3/3/5/F1/11/2044/22  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000661/2022  
**DATE OF ISSUE:** 04 October 2022

The Municipal Manager  
Bergvriër Municipality  
P.O. Box 60  
PIKETBERG  
7320

**Attention: Mr. Jaco Breunissen**

E-mail: [BreunissenJ@bergmun.org.za](mailto:BreunissenJ@bergmun.org.za)

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PART 1 AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 17 MAY 2018 (REFERENCE NO.: 16/3/3/1/F1/11/2051/17): PROPOSED EXPANSION OF THE PIKETBERG INDUSTRIAL AREA ON REMAINDER OF FARM GROOTE FONTEIN NO. 241, PIKETBERG.**

1. With reference to the above application, the competent authority hereby notifies you of its decision to **grant** the amended Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the amended Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached amended Environmental Authorisation.

Yours faithfully

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd.)  
(2) Ms. Angila Joubert (Bergvriër Municipality)

E-mail: [nicolaas@enviro-eap.co.za](mailto:nicolaas@enviro-eap.co.za)  
E-mail: [JoubertA@bergmun.org.za](mailto:JoubertA@bergmun.org.za)

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## **AMENDED ENVIRONMENTAL AUTHORISATION**

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 17 MAY 2018 (REFERENCE NO.: 16/3/3/1/F1/11/2051/17): PROPOSED EXPANSION OF THE PIKETBERG INDUSTRIAL AREA ON REMAINDER OF FARM GROOTE FONTEIN NO. 241, PIKETBERG.**

With reference to your application for the abovementioned, find below the amendment to the Environmental Authorisation (hereinafter referred to as an “Environmental Authorisation”) with respect to this application.

### **ADDENDUM TO ENVIRONMENTAL AUTHORISATION**

#### **A. DECISION**

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants the amendment of the Environmental Authorisation issued on 17 May 2018 (Reference No.: 16/3/3/1/F1/11/2051/17).

#### **1. The Activity Description under Section B of the Environmental Authorisation issued on 17 May 2018 reads as follows:**

*“The proposed project entails the establishment of an industrial development on the Remainder of Farm Groote Fontein No. 241, Piketberg.*

*Two sites with a combined footprint of approximately 19.99ha will be developed for industrial purposes. The two sites will be subdivided into varying erf sizes. A new access road of approximately 850m long and 12m wide will provide access to the site.*

*The non-perennial drainage line that drains through the site to the east will not be impacted on and a buffer of 32m will be established around the drainage line. A wet area along the south western most boundary will also not be impacted on and is excluded from the proposed development.*

*The R365 will be the main access road to the proposed industrial development. The current fence will be upgraded to a security fence to provide for adequate security.*

*Electricity supply is available on site and the proposed industrial businesses will link up with the existing network and infrastructure. The water supply network runs adjacent to the two sites and the proposed development will tap into the existing water network and infrastructure. Sewage and foul effluent will feed directly into the Waste Water Treatment*

Works ("WWTW") that is situated north of the proposed site. Solid waste will be collected and removed by the Bergrivier Municipality".

**This is herewith replaced with the following:**

The proposed project entails the establishment of an industrial development on the Remainder of Farm Groote Fontein No. 241, Piketberg.

Two sites with a combined footprint of approximately 19.99ha will be developed for industrial purposes. The two sites will be subdivided into varying erf sizes. A new access road of approximately 70m long and 12m wide will provide access to the site.

The non-perennial drainage line that drains through the site to the east will not be impacted on and a buffer of 32m will be established around the drainage line. A wet area along the south western most boundary will also not be impacted on and is excluded from the proposed development.

The R365 will be the main access road to the proposed industrial development. The current fence will be upgraded to a security fence to provide for adequate security.

Electricity supply is available on site and the proposed industrial businesses will link up with the existing network and infrastructure. The water supply network runs adjacent to the two sites and the proposed development will tap into the existing water network and infrastructure. Sewage and foul effluent will feed directly into the Waste Water Treatment Works ("WWTW") that is situated north of the proposed site. Solid waste will be collected and removed by the Bergrivier Municipality.

**2. The co-ordinates of the new access road under Section C of the Environmental Authorisation issued on 17 May 2018 read as follows:**

***“Proposed new access road***

Starting point:

Latitude: 32° 54' 13.00" S

Longitude: 18° 46' 22.60" E

Middle point:

Latitude: 32° 54' 01.11" S

Longitude: 18° 46' 30.62" E

End point:

Latitude: 32° 54' 12.63" S

Longitude: 18° 46' 34.39" E"

**This is herewith replaced with the following:**

Starting point:

Latitude: 32° 54' 31.55" S

Longitude: 18° 46' 12.29" E

Middle point:

Latitude: 32° 54' 30.38" S

Longitude: 18° 46' 12.14" E

End point:

Latitude: 32° 54' 29.35" S

Longitude: 18° 46' 11.82" E

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

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

- (a) The information contained in the application form received by the competent authority via electronic mail correspondence on 16 September 2022 and the additional information received by the competent authority via electronic mail correspondence on 30 September 2022.
- (b) The application is for a non-substantive amendment to the Environmental Authorisation and will not change the scope of the Environmental Authorisation issued on 17 May 2018.
- (c) No additional impacts are anticipated due to the proposed amendment. This can be justified as follows:
  - i. The proposed amendment will not result in a change in the nature of the impacts nor an increase in the nature of the impacts.
  - ii. The access road of 850m long and 12 wide will no longer be constructed.
  - iii. The existing road servitude which is incorrectly aligned across Erf No. 957 will be realigned from the R365 inside the road reserve directly to the Piketberg industrial area.
  - iv. The impacts of the new access road on the non-perennial river will be significantly less since the river is channelised and in a poor ecological state at the new crossing. The authorised crossing is wider and the river is not channelised and in a better ecological state. The proposed amendment will therefore result in less ecological impacts.
- (d) The amendment is administrative in nature and no impacts are associated with the application for amendment.
- (e) The environment and the rights and interests of interested and affected parties ("I&APs") are not likely to be affected.
- (f) The conditions contained in the Environmental Authorisation issued on 17 May 2018 still remain unchanged and in force.

## **C. CONDITION:**

1. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 1.1 notify all registered I&APs of –
    - 1.1.1 the outcome of the application;
    - 1.1.2 the reasons for the decision as included in Section B;
    - 1.1.3 the date of the decision; and
    - 1.1.4 the date when the decision was issued.

- 1.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section D below;
- 1.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
- 1.4 provide the registered I&APs with:
  - 1.4.1 the name of the holder (entity) of this Environmental Authorisation;
  - 1.4.2 name of the responsible person for this Environmental Authorisation;
  - 1.4.3 postal address of the holder;
  - 1.4.4 telephonic and fax details of the holder;
  - 1.4.5 e-mail address, if any, of the holder; and
  - 1.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

#### **D. APPEALS:**

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

An appellant must –

- 1.1 Submit an appeal in accordance with Regulation 4 to the appeal administrator, within 20 (twenty) calendar days from the date the applicant notified registered I&APs of this decision;
- 1.2 If the appellant is the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
- 1.3 If the appellant is a person other than the applicant, provide the applicant, any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
- 1.4 The applicant (if not the appellant), the decision-maker, I&APs and Organs of State must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.
- 1.5 The appeal form/s must be submitted by means of one of the following methods:

By post:                    Attention: Mr. Marius Venter  
 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

By e-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

- 1.6 An electronic copy (word document format) of the appeal and supporting documents must also be submitted.
- 1.7 A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the 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 Amended 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 greatly appreciated.

Yours faithfully

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**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

**DATE OF DECISION: 04 OCTOBER 2022**

CC: (1) Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd.)  
(2) Ms. Angila Joubert (Bergrivier Municipality)

E-mail: [nicolaas@enviro-eap.co.za](mailto:nicolaas@enviro-eap.co.za)  
E-mail: [JoubertA@bergmun.org.za](mailto:JoubertA@bergmun.org.za)