



20463 ~ NO1 ~ Comment



Western Cape Government
Environmental Affairs and
Development Planning

BETTER TOGETHER

Development Management
(Region 3)

REFERENCE: 16/3//6/7/1/D6/29/0176/17
ENQUIRIES: Ms Jessica Christie
DATE OF ISSUE: 09 NOV 2017

The Managing Director
SSK – Sentraal-Suid Koöperasie Bpk.
P.O. Box 12
SWELLENDAM
6740

Attention: Mr. H. Gale

Tel: 028 514 8600

Fax: 086 665 3819

Dear Sir

COMMENT ON THE NOTICE OF INTENT TO SUBMIT AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE PROPOSED GRAIN SILO BAG AREA ON A PORTION OF PORTION 8 OF THE FARM PATRYSFONTEIN 228, MOSSEL BAY

1. The abovementioned document dated 05 October 2017 and received by this Department on 12 October 2017 refers.
2. This letter serves as an acknowledgment of receipt of the abovementioned document.
3. From the information provided in the document, the following is understood:
 - 3.1. The proposal is to develop an area for the storage of grain silo bags on the abovementioned property.
 - 3.2. The grain silo bags are noted to serve the agricultural industry in the form of storage of various grains for different farmers (i.e. commercial land-use).
 - 3.3. The size of the proposed area is approximately 10 ha.

Process

4. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.
5. The Department reminds you that an application fee is applicable to the application for Environmental Authorisation and such fee must be paid prior to submitting the application form to the competent authority. The necessary *Request for a Specific Fee Reference Number* form must still be completed and submitted to this Directorate prior to submission of the formal application for the abovementioned proposed development. Your specific fee reference number **must** be

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Private Bag X6509, George, 6530

www.westerncape.gov.za/eadp

used as a deposit reference when making the payment. The specific fee reference number must be inserted into the Application Form and proof of payment of the applicable fee attached when the Application Form is submitted to the Department.

6. You are advised that when undertaking the Basic Assessment process, you must take into account applicable guidelines, including the guidelines developed by the Department. These can be downloaded from the Department's website, (<http://eadp-westerncape.kznshf.gov.za/your-resource-library/policies-guidelines>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:
 - Circular EADP 0028/2014: One Environmental Management System
 - Guideline for the Review of Specialist Input in the EIA process (June 2005).
 - Guideline for Environmental Management Plans (June 2005).
 - Guideline on Alternatives (March 2013).
 - Guideline on Need and Desirability (March 2013).
 - Guideline for determining the scope of specialist involvement in EIA processes (June 2005).
 - Guideline for the review of specialist input in the EIA process, (June 2005).
 - Guideline for involving biodiversity specialists in the EIA process, (June 2005).
 - Guideline for involving heritage specialists in the EIA process, (June 2005).
 - Guideline for involving economists in the EIA process, (June 2005).
7. Please ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendices 1 and 4 respectively of GN R. 982.

Public Participation

8. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR and EMPr.
9. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR **must** also be submitted to the Department for commenting purposes. Please ensure a minimum of one printed copy and one electronic copy of the pre-application BAR is submitted to the Department for commenting purposes.
10. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. **Please note that the Environmental Assessment Practitioner ("EAP") is responsible for such consultation.** Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.

The following organs of state should be added to the list of state Departments to be consulted, namely:

- ❖ The relevant roads authority for MR342, DR1553 and OP5005 respectively;
- ❖ Breede Gouritz Catchment Management Agency (BGCMA) must be contacted in addition to the Department of Water and Sanitation as a relevant organ of state.

11. The Department awaits the submission of the Application Form and/or pre-application BAR prescribed by the EIA Regulations, 2014. Please note that one printed copy and one electronic copy (saved on CD/DVD) of the Application Form must be submitted.
12. Please note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
13. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department.

No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:

- that additional information or documents will not be requested
- of the outcome of the application

14. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: Mr Dietmar de Klerk

(EAP)

Fax: (021) 870 1873



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Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE NOTICE OF INTENT TO SUBMIT AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE PROPOSED GRAIN SILO BAG AREA ON A PORTION OF PORTION 8 OF THE FARM PATRYSFONTEIN 228, MOSSEL BAY

1. The abovementioned document dated 05 October 2017 and received by this Department on 12 October 2017 refers.
2. This letter serves as an acknowledgment of receipt of the abovementioned document.
3. This Directorate will provide advice on the "Notice of Intent" form in due course.
4. Please note that the proposed activities may not commence prior to an Environmental Authorisation being granted by the Department.
5. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

HEAD OF COMPONENT**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3****DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: Mr Dietmar de Klerk

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