



REFERENCE: 16/3/3/6/7/1/B2/32/1433/19

ENQUIRIES: Ms. Saa-rah Adams

DATE: 30. 01. 2020

The Municipal Manager
Breede Valley Municipality
30 Baring Street
WORCESTER
6849

Attention: Mr. Jaco Steyn

Cell: 079 342 8123
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Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT AND COMMENT ON THE NOTICE OF INTENT TO DEVELOP
A NEW RESERVOIR ON THE REMAINDER OF ERF NO. 19909, WORCESTER**

1. The abovementioned document, dated 9 December 2019, received by this Department on the same date, refers.
2. This letter serves as acknowledgement of receipt of the above-mentioned document.
3. Following review of the information submitted to this Department, it is noted:
 - 3.1. The proposed development site is located north of the N1 highway within the town of Worcester.
 - 3.2. There is an existing Worcester Pre-Load Reservoir Reticulation system on site consisting of four 13.37 ML reservoir tanks which services the town of Worcester. However, due to the rapid growth in residential and commercial development, the Worcester Pre-Load Reservoir Reticulation system has insufficient capacity to supply the existing and future developments within the area.
 - 3.3. The proposal entails the development of a new 20.0 ML reservoir with associated pipeline infrastructure on the Remainder of Erf No.19909, Worcester.
 - 3.4. The proposed reservoir and associated pipeline will be connected to the operational system of the existing Worcester Pre-Load Reservoir Reticulation system.
 - 3.5. A large portion of the site is identified as a Critical Biodiversity Area. Available mapping information resources indicate that the site is covered in Robertson Karoo, which is an ecosystem categorised as *Least Threatened*, in terms of Section 52 of the National Environmental Management: Biodiversity Act (2008).
 - 3.6. The total area of land to be cleared for the development is approximately 4 129m².

Process

4. Having considered the information contained in the draft pre-application BAR, you are hereby advised that only those activities applied for will 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 Environmental Impact Assessment ("EIA") process. Omission of any activity may invalidate the application.
5. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only the 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.
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://www.westerncape.gov.za/eadp/resource-library>). 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 Involving Biodiversity Specialists in the EIA Process (2005);
 - Guideline for Involving a Heritage Specialist in an EIA Process (2005);
 - 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); and
 - Guideline on Need and Desirability (March 2013).
7. Please note that the pre-application process is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department. However, to avoid any issues that may arise during the application process, the Department strongly recommends that the pre-application process be brought to completion by submitting the pre-application draft BAR.
8. 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 No. 326.

Public Participation

9. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) 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.

10. 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 may also be submitted to the Department for commenting purposes. Please ensure a minimum of one printed copy of the pre-application BAR are submitted to the Department for commenting purposes.
11. Should you choose to submit an Application Form as prescribed by the EIA Regulations, 2014 (as amended). Please note that one printed copy and one electronic copy (saved on CD/DVD) of the Application Form must be submitted.
12. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014 (as amended), 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.
13. 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.
14. 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.
15. 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 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

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