

**13 September 2022**

**GNEC Code: 20761**

**DEA&DP REF: 16/3/3/1/B2/32/1010/22**

Dear Interested and Affected Party

**NOTIFICATION OF ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) (“NEMA”) AND ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014, (AS AMENDED) FOR THE PROPOSED UPGRADE OF DIVISIONAL ROAD DR1400 FROM KM 8.2 TO KM 10.21, NUY STATION, WORCESTER.**

Guillaume Nel Environmental Consultants (GNEC) was appointed by the Western Cape Government: Department of Transport and Public Works (applicant) to facilitate the Environmental Impact Assessment (EIA) process in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998) EIA Regulations (2014, as amended) for the proposed upgrade of Divisional Road 1400 from Km 8.20 to Km 10.21, Nuy Station, Western Cape.

The proposed development site is located within the Breede Valley Municipality area of jurisdiction. The proposed site is currently an existing gravel road. Divisional Road (DR) 1400 spans from the R60 through the Nuy Station until the N1 highway. The road is mainly used for agricultural and tourism purposes. It should be noted that the majority of the road is an existing surfaced road, with a small section (approximately 2 Kilometres) of the road still consisting of gravel.

The gravel road spans through an area primarily used for agricultural activities, with some of the properties also being used for tourism as well as recreation activities. It should be noted that approximately 2 km of the road will be upgraded and therefore this application will focus on Km 8.20 to Km 10.21 as only this section of the road is an existing gravel road. It is important to note that the proposed upgrading of the gravel road will remain within the existing registered road reserve. This has been confirmed by the Western Cape Government: Department of Transport and Public Works Road. The reserve/proclaimed width of the roadway is determined according to the Road Ordinance 19/1975 Section 5.

Some of the crops adjacent to the road were not positioned according to the proclaimed road reserve width. Note should therefore be made that a small section of crops will be impacted, however, the

proposed development will transpire within the existing road reserve. The entirety of the proposed road upgrade will therefore be located within the statutory 20m road reserve. Therefore, no expropriation will be required.

The existing gravel road be will widened, kindly refer to the specifications below:

- Km 8.230 to Km 8.400 - 7.1m (2 x 3.1m lanes + 0.3m shoulder + 0.6m shoulder)
- Km 8.400 to Km 10.207 - 8m (2 x 3.4m lanes + 0.6m shoulder + 0.6m shoulder)

Additionally, as part of the proposed development, new stormwater structures will be constructed as well as the upgrading of existing culverts. These culverts will consist of both access culverts and crossing culverts.

*Table 1: Culverts that will be constructed as part of the proposed development.*

No.	Km	Diameter Size (mm)	No. of culverts	Comments	Type	Coordinates of Culvert
1	8.428	600	1	Access	Pipe	33°38'20.82"S 19°37'49.78"E
2	8.526	600	1	Access	Pipe	33°38'19.25"S 19°37'46.39"E
3	8.745	450	1	Access	Box	33°38'15.81"S 19°37'38.92"E
4	8.810	450	1	Access	Box	33°38'15.06"S 19°37'36.52"E
5	9.136	600	1	Crossing	Pipe	33°38'11.82"S 19°37'24.55"E
6	9.68	600	2	Crossing	Pipe	33°38'09.18"S 19°37'03.84"E
7	9.67	450	1	Access	Box	33°38'09.03"S 19°37'04.44"E
8	10.18	600	1	Access	Pipe	33°37'59.23"S 19°36'49.15"E

At present, there is an existing 450mm culvert at Km 9.136. However, this culvert is completely blocked and effectively not functional. This will be removed and a new 600mm culvert will be placed at Km 9.136. A 2 x 600mm culvert will also be placed at Km 9.68. It should be noted that all access culverts will result in the construction of new structures.

Flow from the upstream reach of one of the episodic drainage lines is intercepted by a borrow pit located upgradient of the DR 1400 which has interrupted/diverted the original flow path of the episodic drainage line. A crossing culvert is therefore proposed at the access point to the borrow pit (at km marker 9.68) where runoff from the episodic drainage line has been noted to pond. The side drains that will be constructed on both the eastern and western edges of the roadway, will serve to also channel runoff into the culvert.

Additionally, the crossing culvert proposed at km marker 9.136 is located downgradient of an episodic drainage line. The proposed culvert will convey surface runoff from the northern catchment area including from the upgradient episodic drainage line to the downgradient areas.

Both of the abovementioned culverts will therefore be located within episodic drainage lines.

The proposed upgrade will result in the road being widened to the North of the existing road. Cut & fill will take place as indicated on the layout.

This letter serves to inform you that the Department of Environmental Affairs and Development Planning (DEA&DP) has issued the Western Cape Government: Department of Transport and Public Works with an Environmental Authorisation (EA) in order for the holder of the EA to continue with the proposed upgrade of Divisional Road 1400 from Km 8.20 to Km 10.21, Nuy Station, Western Cape. The date of the decision and issue is 12 September 2022 (and received by GNEC on the same day).

Please note that the holder of the Environmental Authorisation is:

- The Western Cape Government: Department of Transport and Public Works
- Responsible Person: Mr. Azni November
- Private Bag X9185, Cape Town, 8000
- Tell: (021) 483 0536
- Email: [Azni.November@westerncape.gov.za](mailto:Azni.November@westerncape.gov.za)

Additionally, please also see the contact details of the decision-maker below:

- Department of Environmental Affairs and Development Planning (DEA&DP)
- Directorate: Development Management (Region 1)
- Enquiries: Ndivhuho Mudau
- Private Bag X9086, Cape Town, 8000
- Tel: 021 483 2881

- Fax: (021) 483 3633
- Email: [Ndivhuho.Mudau@westerncape.gov.za](mailto:Ndivhuho.Mudau@westerncape.gov.za)

Should you as an Interested and Affected Party (I&AP) not agree with the DEA&DP's decision herewith attached, and would like to lodge an appeal, the appeal procedure in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended), detailed in Section G of the EA, needs to be followed.

Should you wish to appeal, an appeal must be lodged with the Appeal Administrator **within 20 calendar days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant (i.e., this letter)**. The prescribed appeal form as well as assistance regarding the appeal process 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 via the URL <http://www.westerncape.gov.za/eadp>.

The appeal form must be submitted by means of one of the following methods:

- By Post:                   Attention: 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)

Herewith please find attached a copy of the Environmental Authorisation which was issued to the Western Cape Government: Department of Transport and Public Works. Additional information regarding the appeal procedure is available in the attached Environmental Authorisation. Please note that a copy of the

Interested and Affected Party Database is also appended to this letter for your perusal. Additional information regarding the reasons for the decision is available in the attached Environmental Authorisation (please refer to Annexure 3). A copy of the Environmental Authorisation will also be uploaded onto GNEC's website ([www.gnec.co.za](http://www.gnec.co.za)) under Documents on Review.

Meanwhile, should you have any queries, please feel free to contact myself, at:

**Tel:** (021) 870 1874

**Fax:** (021) 870 1873

**E-mail:** [hdp@gnec.co.za](mailto:hdp@gnec.co.za)

Yours sincerely,

**Heloïse Groenewald**

For GNEC

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