

**CORRESPONDANCE  
RECEIVED:  
SUBMISSION OF NID's**



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia· PRETORIA

DEA Reference: 14/12/16/3/1/1/121

Enquiries: Ms Julliet Mahlangu

Telephone: 012-399-9320 E-mail: [jmmahlangu@environment.gov.za](mailto:jmmahlangu@environment.gov.za)

Ms Natalie Taft/ Mr Hein Brand  
Saldanha Tank Farm  
PO Box 117  
**SALDANHA BAY**  
7395

Tel: (022) 703 6200

Email: [nataliet@cefgroup.co.za](mailto:nataliet@cefgroup.co.za) [heinb@cefgroup.co.za](mailto:heinb@cefgroup.co.za)

### PER E-MAIL / MAIL

Dear Sir/Madam

### **APPLICABILITY OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA) ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014: PROPOSED DEVELOPMENT A LPG (LIQUID PETROLEUM GAS) IMPORT FACILITY AT THE PORT OF SALDANHA, AND LPG PIPELINE, IN THE WESTERN CAPE**

The Department confirms having received the abovementioned query dated 30 October 2017, refer.

According to the information provided by you, the proposal is for the development a LPG (Liquid Petroleum Gas) import facility at the Port of Saldanha. This will include amongst other the proposed development of an 8.3km LPG pipeline with an internal diameter of 12 inch. It is also proposed to expand the existing SFF Saldanha tank farm with an additional 6 LGP bullets to accommodate the hazardous goods storage capacity by 8000 tons. This will result in an increase of the storage capacity at the existing SFF Saldanha tank farm.

On 08 December 2014 the Minister of Water and Environmental Affairs promulgated regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), viz, the Environmental Impact Assessment (EIA) Regulations 2014 (GN R982, R983, R984 and R985 of 04 December 2014). The EIA Regulations, 2014, replaced the EIA Regulations that were promulgated in 2010 and also introduce new provisions regarding environmental impact assessments. The EIA Regulations, 2014 and listing notices, were subsequently amended on 07 April 2017 (refer to GN R324, R325, R326, R327 of 07 April 2017) and is being referred to as EIA Regulations, 2014, as amended. The same would apply to the listing notices containing the listed activities that would require Environmental Authorisation.

Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations, 2014, as amended. Please be advised that, based on the information provided, the proposed development **constitutes a listed activity/ies** as defined in terms of the NEMA EIA Regulations, 2014, as amended. Written authorisation is therefore required from the Competent Authority prior to the undertaking of the abovementioned activity.

In terms of the clarification request submitted to the Department and in terms of the NEMA EIA Regulations, 2014, as amended, the following definitions are applicable to the proposed development:

- a) **"Dangerous goods"** means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated "List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)" published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;
- b) **"Development footprint"** means any evidence of physical alteration as a result of the undertaking of any activity; and
- c) **"Expansion"** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

In addition to the abovementioned definitions please refer to the following listed and/or specified activity/ties contained in the NEMA EIA Regulations, namely GN R983 and R985 of 04 December 2014, as amended, that could be applicable to the proposed development:

#### **Activity 7 of GN R325 of 07 April 2017**

*The development and related operation of facilities or infrastructure for the bulk transportation of dangerous goods—*

- (i) *in gas form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 700 tons per day;*
- (ii) *in liquid form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 50 cubic metres per day; or*
- (iii) *in solid form, outside an industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons per day.*

- Based on the information provided Activity 7 will be triggered as it is proposed to develop an 8.3 km LPG pipeline with an internal diameter of 12 inch to transport LPG (a dangerous good). The pipeline will exceed 1 000 metres in length and it will have a throughput capacity of more than 700 tons per day.

#### **Activity 51 of GN R327 of 07 April 2017:**

*The expansion and related operation of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres.*

- Based on the information provided Activity 51 will be triggered as it is proposed to install an additional 6 LPG bullets at the existing SFF Saldanha tank farm to accommodate the hazardous goods storage capacity by 8000 tons. The expanded combined design capacity of these tanks will be expanded by more than 80 cubic metres.

Should any revision of the development comprise any other activities that constitute a listed activity/ies as defined in NEMA EIA Regulations, 2014, as amended (refer to GN R324, R325, R326, R327 of 07 April 2017), an Application for Environmental Authorisation must be lodged with the relevant Competent Authority prior to the commencement with construction activities. Be reminded that the onus on applicant to determine all applicable listed activities that would require Environmental Authorisation prior to the commencement of the construction activities.

We wish to bring to your attention that the 'NEMA Applicability Form' is no longer available online as it was removed from the Departmental website. However, if there are any specific EIA queries related to the proposed development

you may email it to EIAadmin@environment.gov.za and if you have any EIA Regulation related interpretation queries you may email them to IQ@environment.gov.za.

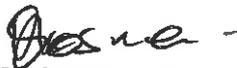
You are further reminded of your general duty of care towards the environment in terms of Section 28(1) of NEMA which states: *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

This Department reserves the right to revise or withdraw its decision or to request further information from you should new information on this matter become available.

**Kindly quote the abovementioned reference number in any future correspondence in respect of the application.**

You are hereby reminded of Section 24F of the NEMA that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours faithfully



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Environmental Affairs**

**Letter signed by: Mr Vusi Skosana**

**Designation: Director: Coordination, Strategic Planning and Support**

**Date** 24 January 2018



**ILifa leMveli leNtshona Koloni**  
**Erfenis Wes-Kaap**  
**Heritage Western Cape**

**REGISTERED POST**

**Our Ref:** HM/ SALDANHA MUNICIPALITY/ SALDANHA BAY /ERVEN 1038 & 1185  
**Case No:** 18031540SB0323E  
**Enquiries:** Stephanie-Anne Barnardt  
**E-mail:** [stephanie.barnardt@westerncape.gov.za](mailto:stephanie.barnardt@westerncape.gov.za)  
**Tel:** 021 483 9370  
**Date:** 2 May 2018

Abrahams  
PO Box 117  
Saldanha Bay  
7395

[nataliet@cefgroup.co.za](mailto:nataliet@cefgroup.co.za) / [heinb@cefgroup.co.za](mailto:heinb@cefgroup.co.za)

**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL**  
**In terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003**

**NOTIFICATION OF INTENT TO DEVELOP: PROPOSED PIPELINE ALONG JETTY TO TERMINAL OVERLAND, SALDANHA BAY, ERVEN 1038 & 1185, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

**CASE NUMBER: 18031540SB0323E**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 23 March 2018. This matter was discussed at the Heritage Officers meeting held on 9 April 2018.

You are hereby notified that, since there is no reason to believe that the proposed pipeline along jetty to terminal overland will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

.....  
Mr. Mxolisi Dlamuka

**Chief Executive Officer, Heritage Western Cape**

[www.westerncape.gov.za/cas](http://www.westerncape.gov.za/cas)

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: Private Bag 99067, Cape Town, 8000  
• Tel: +27 (0)21 483 5959 • E-mail: [coo@heritage.westerncape.gov.za](mailto:coo@heritage.westerncape.gov.za)

Straatadres: Protea Assuransiegebou, Groenemarktplein, Kaapstad, 8000 • Posadres: Privaatsak 99067, Kaapstad, 8000  
• Tel: +27 (0)21 483 5959 • E-pos: [coo@heritage.westerncape.gov.za](mailto:coo@heritage.westerncape.gov.za)

**CORRESPONDANCE**

**RECEIVED:**

**REGISTRATION PERIOD (PPP)**

## Lauren Abrahams

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**From:** Vrolick, Gerald GG <Gerald.Vrolick@arcelormittal.com>  
**Sent:** Monday, February 19, 2018 2:04 PM  
**To:** admin@ecoimpact.co.za  
**Subject:** Proposed Piping and additional LPG storage bullets on ERF 1038 Saldanha

Please register person below as I&AP.

Pipeline running over ArcelorMittal Property...

Regards

**Gerald Vrolick** | Engineer Environmental Management | Environmental & Quality Management | ArcelorMittal South Africa, Saldanha Works, Private Bag X11, Saldanha, 7395

**T** +27 (0) 22 709 4047 | **F** +27 (0) 22 709 4682 | **C** +27 (0) 73 480 9812

**E-mail:** [gerald.vrolick@arcelormittal.com](mailto:gerald.vrolick@arcelormittal.com)

'Only when the last river has been poisoned,  
the last tree been cut down, the last fish  
been caught, only then will you realise  
that money cannot be eaten'

— Indian Proverb

### **FRAUD AWARENESS**

Do you have any concerns related to possible  
fraudulent activity within ArcelorMittal?

Let us know! We're waiting 24/7

**Hotline (South Africa) : 0800 00 1672**

Email: [fraudhotlinesa@arcelormittal.com](mailto:fraudhotlinesa@arcelormittal.com)

This e-mail and its attachments, if any, are subject to the ArcelorMittal South Africa Limited e-mail disclaimer which is available on our website at <http://www.arcelormittalsa.com/e-mail-disclaimer.pdf>. By e-mailing ArcelorMittal South Africa Limited, you consent to the terms and conditions contained in the disclaimer. This email may relate to or be sent from other members of the ArcelorMittal Group. If you are unable to access the disclaimer, or should you have any queries regarding its contents, kindly send an e-mail to [disclaimer@arcelormittal.com](mailto:disclaimer@arcelormittal.com).

## Lauren Abrahams

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**From:** Yolandie Henstock <yolandie@ecoimpact.co.za>  
**Sent:** Monday, February 12, 2018 11:39 AM  
**To:** conservationoffice@capebiosphere.co.za; lizellek@capebiosphere.co.za  
**Cc:** lauren@ecoimpact.co.za  
**Subject:** Proposed LPG pipeline and additional LPG Bullets on ERF 1038 Saldanha.

### PROPOSED LPG PIPELINE AND ADDITIONAL LPG BULLETS ON ERF 1038, SALDANHA.

Good day Karin,

We acknowledge receipt of your email and confirm that you have been added to our database of registered I&APs for the project.

A link to an electronic copy of the Draft BAR will be sent to you as soon as it becomes available for comment.

Please do not hesitate to contact us should you have any questions.

Kind regards

Yolandie Henstock  
Administration



Eco Impact Legal Consulting (Pty) Ltd  
Reg: 2010/015546/07  
P.O. Box 45070 Office: +27 (0) 21 671 1660  
Claremont Fax: +27 (0)21 671 9976  
South Africa Email  
7735 [yolandie@ecoimpact.co.za](mailto:yolandie@ecoimpact.co.za)  
Web: [www.ecoimpact.co.za](http://www.ecoimpact.co.za)

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**From:** [conservationoffice@capebiosphere.co.za](mailto:conservationoffice@capebiosphere.co.za) [<mailto:conservationoffice@capebiosphere.co.za>]  
**Sent:** 12 February 2018 11:02 AM  
**To:** [yolandie@ecoimpact.co.za](mailto:yolandie@ecoimpact.co.za)  
**Cc:** [lizellek@capebiosphere.co.za](mailto:lizellek@capebiosphere.co.za)  
**Subject:** Proposed LPG pipeline and additional LPG Bullets on ERF 1038 Saldanha.

Good morning

The Cape West Coast Biosphere Reserve (CWCBR), of the UNESCO: Man and Biosphere Program, aims to implement sustainable development principles along the West Coast, in addition to integrating rapid growth with biodiversity and heritage conservation. The CWCBR extends from the Diep River in the south to the Berg River in the north and inland to Malmesbury and therefore the proposed development is located within the CWCBR. In this regard, the CWCBR would like to register as an I& AP and receive further correspondence and documentation regarding this development.

Kindly acknowledge receipt of this email.

Regards

**Karin Otto**

CONSERVATION OFFICE ADMINISTRATOR

c/o R27 & R315 Yzerfontein, P.O Box 283 Darling 7345  
Tel: 022 125 0050 | Fax: 086 662 6818  
[www.capebiosphere.co.za](http://www.capebiosphere.co.za)



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  Virus-free. [www.avast.com](http://www.avast.com)

**Lauren Abrahams**

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**From:** Arthur Martin <Arthur@mogs.co.za>  
**Sent:** Wednesday, February 14, 2018 4:23 PM  
**To:** admin@ecoimpact.co.za  
**Subject:** SFF LPG Pipeline and Bullets  
**Attachments:** IMG-20180212-WA0002.jpg

Good day Lauren,

I would like to register OiltankingMOGS Saldanha as an affected party.

Kind regards

**Arthur Martin**  
**MOGS Oil and Gas Services**  
**General Manager: Commercial**  
**Office: +27 21 913 7000**  
**Mobile: +27 83 642 6423**  
**E-mail: [arthur@mogs.co.za](mailto:arthur@mogs.co.za)**

## Lauren Abrahams

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**From:** Arthur Martin <Arthur@mogs.co.za>  
**Sent:** Friday, April 13, 2018 1:54 PM  
**To:** Yolandie Henstock  
**Cc:** admin@ecoimpact.co.za; 'Lauren Abrahams'  
**Subject:** RE: SFF LPG Pipeline and Bullets - Sunrise Energy

Good day Yolandie,

I wish to enquire whether there has been any movement on this matter.

Kind regards

Arthur

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**From:** Yolandie Henstock <yolandie@ecoimpact.co.za>  
**Sent:** Wednesday, 14 February 2018 16:52  
**To:** Arthur Martin <Arthur@mogs.co.za>  
**Cc:** admin@ecoimpact.co.za; 'Lauren Abrahams' <lauren@ecoimpact.co.za>  
**Subject:** RE: SFF LPG Pipeline and Bullets - Sunrise Energy

### PROPOSED LPG (LIQUID PETROLEUM GAS) PIPELINE AND ADDITIONAL LPG STORAGE BULLETS ON ERF 1038, SALDANHA

Good day Mr Martin

We acknowledge receipt of your email and confirm that you have been added to our database of registered I&APs for the project.

A link to an electronic copy of the Draft BAR will be sent to you as soon as it becomes available for comment.

Please do not hesitate to contact us should you have any questions.

Kind regards

Yolandie Henstock  
Administration



Eco Impact Legal Consulting (Pty) Ltd  
Reg: 2010/015546/07  
P.O. Box 45070 Office: +27 (0) 21 671 1660  
Claremont Fax: +27 (0)21 671 9976  
South Africa Email  
7735 yolandie@ecoimpact.co.za  
Web: www.ecoimpact.co.za

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**From:** Arthur Martin [mailto:Arthur@mogs.co.za]  
**Sent:** 14 February 2018 04:18 PM  
**To:** admin@ecoimpact.co.za  
**Subject:** SFF LPG Pipeline and Bullets

Good day Lauren,

I would like to register Sunrise Energy as an affected party.

Kind regards



Arthur Martin  
General Manager: Commercial  
Office: +27 21 913 7000

Mobile: +27 83 642 6423  
E-mail: [arthur@sunrise-energy.co.za](mailto:arthur@sunrise-energy.co.za)

## Lauren Abrahams

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**From:** Keith <keithbharrison@lando.co.za>  
**Sent:** Saturday, February 10, 2018 11:29 AM  
**To:** admin@ecoimpact.co.za  
**Cc:** Colin de Kock; Angus & Gill Stewart; Lizelle Koen  
**Subject:** Proposed LPG pipeline and additional LPG Bullets on ERF 1038 Saldanha.

Dear Lauren Abrahams,

Please Register the West Coast Bird Club as an IAP to the above project.  
The Avian Impact Specialist is required to report upon the effects upon sea birds.  
Currently there are problems with fouling at the SFF facility on the Jetty.

Contact details:-  
Keith Harrison,  
West Coast Bird Club - Conservation .  
P.O. Box 1404,  
Vredenburg 7380.

Tel. 022 – 7133026  
Email [keithbharrison@lando.co.za](mailto:keithbharrison@lando.co.za)

Regards,

Keith Harrison.

**ECO IMPACT****Date:**

18 - 4 - 2018

**Enquires:**

Phumeza Qwashu

Tel: 021 980 3269

Fax: 021 980 3053

**SIR / MADAM****PROPOSED CONSTRUCTION: PROPOSED LPG PIPE LINE AND ADDITIONAL LPG STORAGE, ERF 1038, SALDANHA.****OUR REF: 00871 - 18**

Please note that the owner needs to comply with the following conditions:

- No building, any structures or trees may be erected within **18 (EIGHTEEN)** metres from any Eskom **132 kV power line** or within 6 (SIX) metres from any structure supporting mechanism.
  - No building, any structures or trees may be erected within **11 (ELEVEN)** metres from the centre of Eskom **66 kV power line** or within 6 (SIX) metres from any structure supporting mechanism.
  - No building may be erected within **3 (THREE) metres** from any **Eskom underground cable**.
  - No building may be erected within **9 (NINE) metres** from either side of the centre line from any Eskom **11 / 22kV power line** crossing the property involved or within **6 (SIX) metres** from any structure supporting mechanism.
  - No work may take place closer than **5 (FIVE)** meters from any overhead power line.
- I. The location of the cable from the Eskom transformer to the distribution box must be pointed out to the contractor by the owner and is the **owner's responsibility**.
  - II. A copy of this letter / documentation must be handed to the contractor who must have it available on site.
  - III. That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.

That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:

- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above.
- ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules.

**Western Region**  
Eskom Road, Brackenfell, 7560  
PO Box 222, Brackenfell, 7561

- iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom.
- iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- v. Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- vi. The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- vii. Eskom shall at all times have unobstructed access to and egress from its services.
- viii. Any development which necessitates the relocation of Eskom's services will be to the account of the developer.

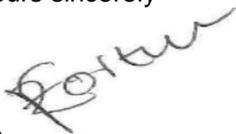
**PLEASE CONTACT AND MAKE APPOINTMENT: VREDENBURG CNC - GUSTAV KOTZE - 022 713 5208 BEFORE WORKING IN CLOSE PROXIMITY TO ANY ESKOM OVERHEAD POWER LINES**

The above is a requirement under the **Occupational Health and Safety Act (Act No. 85 of 1993)** to ensure safety.

Please apply to your local Eskom office (Sales and Customers) for a new electricity connection or an increase in your supply.

Should it be necessary to move any of the Eskom services a written request must be given to the local Eskom office. It must be noted that it will take 3 month or longer to move any power line and that the cost of moving a power line will be for the applicant's account.

Yours sincerely



pp

**PHUMEZA QWASHU  
LAND DEVELOPMENT**



NOTE: Cables were damaged by in concrete when Eskom

**LEGEND**

- CADASTRAL BOUNDARY
- ESKOM MV 11kV MV OVERHEAD LINE
- ESKOM MV 11kV UNDERGROUND CABLE
- AREA OF INTEREST

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

**Eskom Distribution**

**VREDENBURG CNC**  
**SALDANHA**  
**FROM ERF 1185 TO ERF 1038**  
**PROPOSED PIPELINE**  
**WESTERN CAPE GOVERNMENT**  
**WAYLEAVE REQUEST**

00871/18

SCALE: 1:6000	DATE: 2018/03/27	SET	SHEET	REVISION
LAND DEVELOPMENT SECTION	THIS DRAWING IS THE PROPERTY OF ESKOM	01	0	0

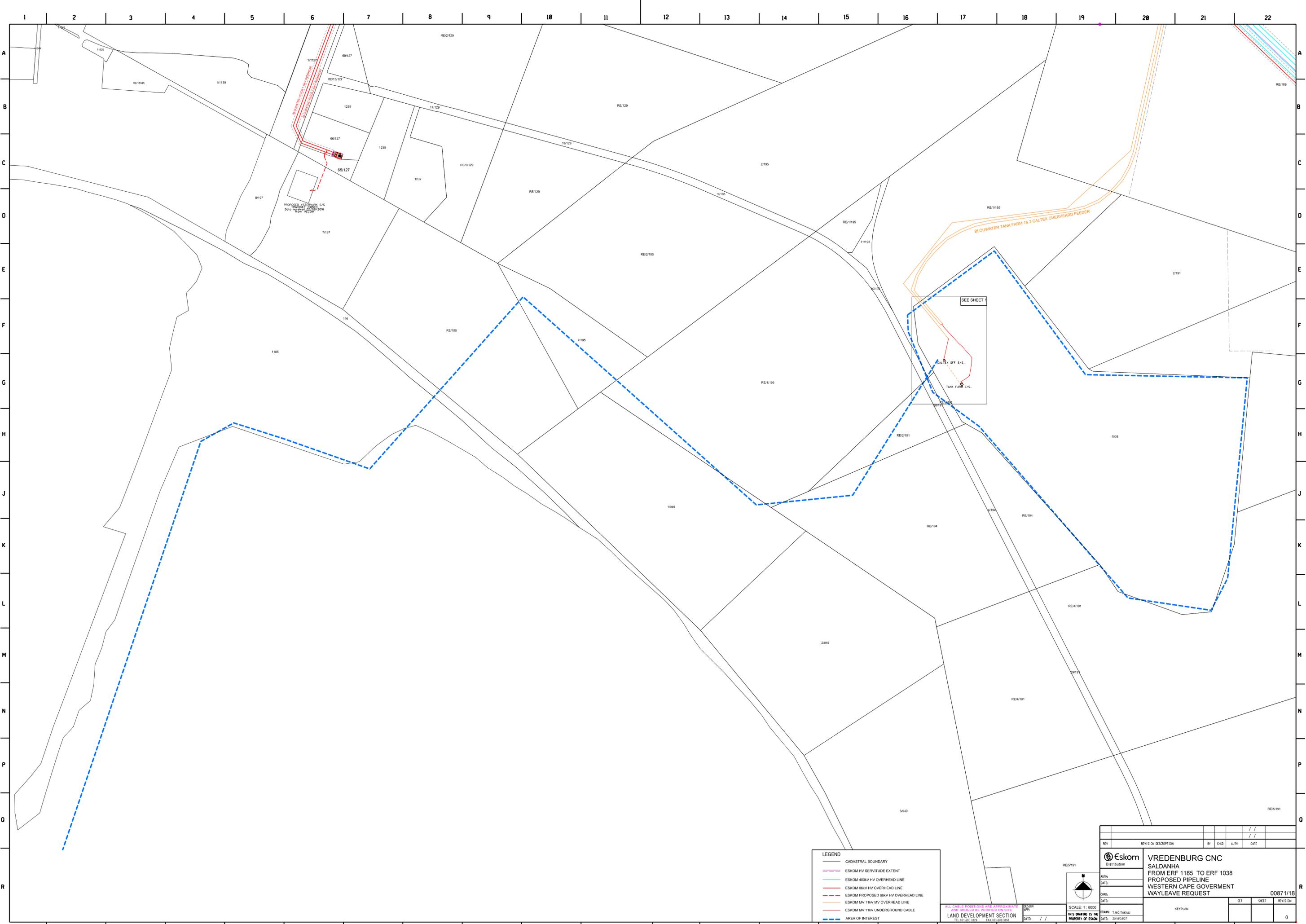
ALL CABLE POSITIONS ARE APPROXIMATE AND TO BE CHECKED BY THE CLIENT

SCALE: 1:6000

DATE: 2018/03/27

LAND DEVELOPMENT SECTION

THIS DRAWING IS THE PROPERTY OF ESKOM



**LEGEND**

- CADASTRAL BOUNDARY
- ESKOM HV SERVITUDE EXTENT
- ESKOM 400kV HV OVERHEAD LINE
- ESKOM 66kV HV OVERHEAD LINE
- ESKOM PROPOSED 66kV HV OVERHEAD LINE
- ESKOM MV 11kV MV OVERHEAD LINE
- ESKOM MV 11kV MV UNDERGROUND CABLE
- - - AREA OF INTEREST

ALL CABLE PORTIONS ARE APPROXIMATE AND SHOULD BE VERIFIED ON SITE.  
 LAND DEVELOPMENT SECTION  
 TEL: 021 980 3129 FAX: 021 980 3053

DESIGN APP: / /  
 DATE: / /



SCALE: 1 : 6000  
 DRAWN: T.MACITAKALI  
 DATE: 2018/03/27

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

		<b>VREDENBURG CNC</b> SALDANHA FROM ERF 1185 TO ERF 1038 PROPOSED PIPELINE WESTERN CAPE GOVERNMENT WAYLEAVE REQUEST		00871/18
SET: / / SHEET: / / REVISION: 0	KEYPLAN			