

## **SUMMARY OF THE PUBLIC PARTICIPATION PROCESS**

### **PROPOSED CORNER FARM, FARM 466, ON PORTION 7, CALEDON**

**DEA&DP: DEVELOPMENT MANAGEMENT REFERENCE NR: 16/3/3/6/7/1/E4/5/1274/17**

This section of the report is included in compliance with the Regulations. Public participation is an integral part of the EIA process, and affords potentially interested and potentially affected parties (I&APs) an opportunity to participate in the EIA process, or to comment on any aspect of the development proposals.

Other relevant considerations regarding the public participation process being undertaken for this project are that:

- The public participation process being undertaken for this project complies with the requirements of the Regulations.
- The description of the public participation process included in Sections below itemises the steps and actions undertaken.

An Advert was placed in the following newspapers:

- Local Paper: Theewaterskloof & Kaap Agulhas Gazette, on the 19 September 2017.

The notice boards were placed on site from 13 September 2017.

Four (4) notices were sent via registered mail on 18 September 2017 to owners and occupiers of land adjacent to the site where the activity is undertaken. The notice requested them to register as Interested and Affective Parties (I&APs) and invited them to provide written comments together with the above reference number, their name, contact details and an indication of any direct business, financial, personal or other interest which they have in the application to the contact person indicated below within 30 days from the date of this notice. The notice also requested the owner to inform all persons residing on the property. The notice was provided to owners and occupiers in English.

The Pre-Application Basic Assessment Report was sent to the following key Departments on the 26 February 2018.

- BGCMA
- CapeNature
- DEA&DP: Development Management
- DEA&DP: Pollution and Chemicals Management
- DEA&DP: Waste Management
- Department of Agriculture, Western Cape: Land Use
- Heritage Western Cape
- National Department of Agriculture (Bellville)
- Overberg District Municipality
- Theewaterskloof Local Municipality
- Whale Coast Conservation (Heritage Conservation Body)

The Draft Basic Assessment Report will be sent to the following key Departments:

- BGCMA
- CapeNature
- DEA&DP: Development Management
- DEA&DP: Pollution and Chemicals Management
- DEA&DP: Waste Management
- Department of Agriculture, Western Cape: Land Use

- Heritage Western Cape
- National Department of Agriculture (Bellville)
- Overberg District Municipality
- Theewaterskloof Local Municipality
- Whale Coast Conservation (Heritage Conservation Body)

## **STEPS TAKEN TO NOTIFY POTENTIALLY INTERESTED AND AFFECTED PARTIES**

This section of the report is included in compliance with the Regulations.

Potential I&APs were notified about the project by:

1. Fixing a notice board at the boundary of the site in compliance with the Regulations. All relevant and required information was displayed on the notice board. The notice board contained the following minimum information (Size of Board 70 x 50 cm):
  - how to register as an interested and affected party;
  - the manner in which representations on the application may be made;
  - where further information on the application or activity can be obtained; and
  - the contact details of the person(s) to whom representations may be made.

The fact that the public participation process had commenced, that a basic assessment process will be followed, the dates within which they can register or send comments and what the proposed activity constituted, was displayed.

Photos of the notice board are included. The notice board was placed on site from the 13 September 2017.
2. Giving written notice to owners and occupiers of land adjacent to the site where the activity is to be undertaken, the municipal councillor of the ward within which the site is located, the local municipality and those organs of state having jurisdiction in respect of any aspect of the project as required by the Regulations.
3. Placing an advertisement in a local newspaper in compliance with the Regulations.
 

An advert was placed in the Theewaterskloof & Kaap Agulhas Gazette on the 19 September 2017; notifying the public of the development and inviting them to register as Interested and Affected Parties within 30 days.
4. Lists of Identified and Registered Interested and Affected Parties
 

This section of the report is included in compliance with the Regulations. This list includes the potential as well as the registered Interested and Affected Parties. The list of parties who were identified as potential I&APs as per the requirements of the Regulations and the list of parties who requested registration as an I&AP, and who are registered on the I&AP database for the project as required in terms of the Regulations were included. A Comments and Response Report from registered I&AP's will be included.
5. Workshop with Key Role players
 

No workshops were held.

**NOTICE SENT TO NEIGHBOURS AND ERECTED ON SITE**

**PUBLIC PARTICIPATION PROCESS**

**NEW AGRICULTURAL DEVELOPMENT: CORNER FARM (PORTION 7 OF FARM NO. 466, CALEDON)**

Notice is given of the public participation process commenced by Vacation Station (Pty) Ltd / Corner Farm for the clearing of vegetation for cultivation on Portion 7 of Farm No. 466, Caledon.

**Location:** The proposed development is situated approximately 14 km south east of Grabouw next to the Houwhoek Nature reserve.

**Listed Activities:**

Activity No(s):	Provide the relevant <b>Basic Assessment Listed Activity(ies)</b> as set out in <b>Listing Notice 1</b> (GN No. R. 983 as amended up to and including GN. R. 327)
27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.
Activity No(s):	Provide the relevant <b>Basic Assessment Listed Activity(ies)</b> as set out in <b>Listing Notice 3</b> (GN No. R. 985 as amended up to and including GN R. 324)
12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

**Exemption:** No application for any exemption is sought.

**Opportunity to participate:** Interested and Affected Parties are invited to register interest within the process, or provide written comments to Eco Impact within 30 days of this notice. The project title, your full name, contact details, plus indication of any direct business, financial, personal or other interest you may have in this application must please be provided and fully described.

**Contact:** Lauren Abrahams  
PO Box 45070, Claremont, 7735  
Fax: 088 021 671 1660  
Tel: 021 671 1660  
Email: [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)



**PROOF OF NOTICES ERECTED ON SITE - 13 SEPTEMBER 2017**



## NOTICE PUBLISHED IN NEWSPAPERS

### PUBLIC PARTICIPATION PROCESS

#### NEW AGRICULTURAL DEVELOPMENT: CORNER FARM (PORTION 7 OF FARM NO. 466, CALEDON)

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PO Box 45070, Claremont, 7735  
Fax: 021 671 9976  
Tel: 021 671 1660  
Email: admin@ecoimpact.co.za



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## PROOF OF NEWSPAPER ADVERT

### THEEWATERSKLOOF & KAAP AGULHAS - 13 SEPTEMBER 2017

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Theewaterskloof & Kaap Agulhas Gazette

# Sport

19 September 2017

**SPERTYD**  
**VERVROEG**  
 weens vakansiedag op  
**25 September 2017**

**SMALLads**  
 Don. 21 Sept - 16:00  
**Vertoonadvertensies**  
 Don. 21 Sept - 12:00  
**Skakel 021 870 4616**

## Young dreams are made true

As part of the Tsogo Sun's SunCares initiative, The Caledon Casino, Hotel, Spa and Entertainment, treated eight young rugby enthusiasts from Swartberg Primary School to a memorable Currie Cup school rugby experience.

The Caledon gifted the scholars with five tickets to watch the live match between DHL Western Province and Golden Lions at Club Newlands on Saturday 19 August. For some, it was the first time they had watched a live rugby match and had a chance to get up close and personal with some of their favourite rugby players.

"For us, we wanted to treat the kids to a memorable day," says Paul Campbell, Director of Operations and Complex General Manager at The Caledon. "For most of them it was the first time watching a Currie Cup match live. The little smiles on their faces when they got to see their idols in action, was particularly special for us."



The eight learners from Swartberg Primary School showing their support for the Western Province.



Pieter Albertyn  
**Visier in die kol**

Hoërskool Bredasdorp is trots op een van hulre gr 12-leerders, Pieter Albertyn.

Hy het by die skietkampioenskap vir WP skole goed presteer. Pieter het twee bronsmedaljes gewen en is as die wenner in die Posliga aangewys. Hy het ongelukkig die WP-span met slegs drie punte gewin. Suid se insluiting in die span word bepaal deur hulre puntestatistiek wat hul deur die jaar verwerf het. Pieter beklee tans die vyfde posisie in die Spurter o 21. Die finale plaas van ander HS-skole wat aan die skietkampioenskap deelgeneem het, is as volg:

Spurter o 21: Johan Keyter sewe (333 punte) Spurter o 14: Kobus Smit sewende (300 punte); Leigh Preegrino agtste (2012 punte).

## Dis weer tyd vir Bredasdorp se Top10

Hoërskool Bredasdorp is bevoorreg om vanjaar die 11de Top10 atletiekbyeenkoms op internasionale vlak te kan aambeeld.

Dit vind Vrydag 20 Oktober (laerskole) en Saterdag 21 Oktober (hoërskole), by Hoërskool Bredasdorp se grasbaan plaas. Vyftig hoërskole en dertig laerskole sal na verwagting vanjaar deelneem.

Huwe deelnemers uit ander provinsies is Grey College van Bloemfontein en Hoërskool Voortrekker van Bethlehem. Uit Namibië is inskrywers van vyf skole

reeds ontvang.

Die doel van die byeenkoms is:

- Om atlete in die voorreioen kompetisie te gee.
- Om atlete blootstelling te gee aan strawwe kompetisie.
- Om kinders en onderwysers 'n leerervaring te gee van sport in totaliteit, maar meer spesifiek atletiek.
- Die aanspoek van sosial maatskaplike uitdaginge en die integrering van gemeenskappe en kulture deur gesonde

sportbedenname.

Die onderskeie wenskole van 2016 was:

- Klein laerskole: Laerskool Niko Brummer van Beaufort West
  - Groot laerskole: Laerskool George Suid
  - Klein hoërskole: HS La Rochelle
  - Groot hoërskole: HS Outeniqua
- Plek a Pay Local en Puma is die hoofberge van die byeenkoms en Agri Mens twee as beskermerer op. Gemeentlik sal hulre vir die handelsmerke van die baan verantwoordelik wees.

## Villiersdorp se posduifnuus en wedvluguitslae

Kinderleyope 1: Saterdag 5 September  
 1ste AP: Lingenleir 130:9541  
 2de T. Jos Santes 1294:4388  
 3de T. Jos Santes 1294:2101  
 Kinderleyope 2: Saterdag 9 September  
 1ste Justin Joubert 1327:8778  
 2de T. Jos Santes 1313:1420  
 3de T. Jos Santes 1307:8582



Lede van die reëlingskomitee is van links: Dean Kleynhans, Elna Soegmiller, Alex Kleinamth, Mollie Retief, skoolhoof, De-Mari van Huissteen en Christopher van Niekerk. Foto: Alwynne Theron



### HARDLOOP GOUD LOS

Hoërskool Oosberg se o.15-seunaflosspan het Vrydagaand twee goue medaljes by die Swellendam-aflossbyeenkoms gewen. Hulre het die 4 x 100 m en die Sweedse afloss gewen. In die Sweedse afloss hardloop die eerste nalooper 100 m, die twee 200 m, die derde 300 m en die vierde 400 m wat 'n totaal van 1 km maak. Die vier lede van die span is van links: Janu Slippers, Adrian Swart, Ronaldo Pretorius en Ronaldo Abrahams.

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**PROOF OF POSTAGE / DELIVERY - NEIGHBOUR NOTICES**

**See Annexure 1 - Page 2**

**PROOF OF POSTAGE / DELIVERY - PRE-APPLICATION BAR**

**See Annexure 1 - Pages 5 - 7**

**TABLE 1: LIST OF KEY DEPARTMENTS**

<b>STAKEHOLDER</b>	<b>CONTACT PERSON</b>	<b>TELEPHONE</b>	<b>FAX NUMBER</b>	<b>EMAIL ADDRESS</b>
Breede Gouritz Catchment Management Agency Private Bag X3055 Worcester 6850	Rafeeq Le Roux	023 346 8000	023 347 2012	<a href="mailto:rleroux@bgcma.co.za">rleroux@bgcma.co.za</a>
CapeNature Private Bag X5014 Stellenbosch 7599	Rhett Smart Chanel Rampartab	021 866 8000 021 886 8017	021 866 1523	<a href="mailto:Rhett.smart@capenature.co.za">Rhett.smart@capenature.co.za</a> <a href="mailto:crampartab@capenature.co.za">crampartab@capenature.co.za</a>
DEA&DP: Development Management Private Bag X9086 Cape Town 8000	The Director Region 2 / Samornay Smidt	021 483 5829	021 483 4372	<a href="mailto:Samornay.Smidt@westerncape.gov.za">Samornay.Smidt@westerncape.gov.za</a>
DEA&DP: Pollution and Chemicals Management Private Bag X9086 Cape Town 8000	Ms. W Kloppers Att: Hassan Parker	021 483 2752	021 483 3254	<a href="mailto:Wilna.kloppers@westerncape.gov.za">Wilna.kloppers@westerncape.gov.za</a> <a href="mailto:Hassan.Parker@westerncape.gov.za">Hassan.Parker@westerncape.gov.za</a>
DEA&DP: Waste Management Private Bag X9086 Cape Town 8000	Mr. Eddie Hanekom / Mr. Gary Arendse	021 483 2728	021 483 4425	<a href="mailto:ehanekom@westerncape.gov.za">ehanekom@westerncape.gov.za</a>
Department of Agriculture, Western Cape: Land Use Private Bag X1 Elsenburg 7606	Brandon Layman / Corr van der Walt	021 808 5099	021 808 5092	<a href="mailto:brandonl@elsenburg.co.za">brandonl@elsenburg.co.za</a> <a href="mailto:LandUse.Elseburg@elsenburg.com">LandUse.Elseburg@elsenburg.com</a>
Heritage Western Cape Private Bag X9067 Cape Town 8000	Ms. Waseefa Dhansay	021 483 9533	021 483 9842	<a href="mailto:waseefa.dhansay@westerncape.gov.za">waseefa.dhansay@westerncape.gov.za</a>



Overberg District Municipality Private Bag X22 Bredasdorp 7280	The Municipal Manager / Mayor / Ward Councillors	028 425 1157	028 425 1014	<a href="mailto:mm@odm.gov.za">mm@odm.gov.za</a>
Theewaterskloof Local Municipality 6 Plein Street Caledon 7230	The Municipal Manager / Mayor / Ward Councillors	028 214 3300	028 214 1289	<a href="mailto:twkmun@twk.gov.za">twkmun@twk.gov.za</a>
Whale Coast Conservation (Heritage Conservation Body) PO Box 1949 Hermanus 7200	Ingrid du Plessis	028 316 2527	NA	<a href="mailto:Ingrid.wcc@gmail.com">Ingrid.wcc@gmail.com</a>
National Department of Agriculture (Bellville) Private Bag X2 Sanlamhof Bellville 7532	The Regional Director Att: Samantha Phologane	021 944 1423	021 944 1427	<a href="mailto:SamanthaA@daff.gov.za">SamanthaA@daff.gov.za</a>

**TABLE 2: NEIGHBOURS**

FARM/ERF	REGISTERED OWNER	ADDRESS
Farm 445 & 468	Department of Public Works	Private Bag X9027 Cape Town 8000
Farm 466/12	Boomerang Farm Trust	Posbus 62 Grabouw 7160
Farm 466/8	South Hill Vineyards (Pty) Ltd	113 The Valley Road Elgin 7180
Farm 466/9	Land & Veld (Pty) Ltd	Posbus 161 Elgin 7180

**TABLE 3: LIST OF KEY DEPARTMENTS AND REGSITERED INTERESTED & AFFECTED PARTIES**

<b>STAKEHOLDER</b>	<b>CONTACT PERSON</b>	<b>TELEPHONE</b>	<b>FAX NUMBER</b>	<b>EMAIL ADDRESS</b>
Breede Gouritz Catchment Management Agency Private Bag X3055 Worcester 6850	Rafeeq Le Roux	023 346 8000	023 347 2012	<a href="mailto:rleroux@bgcma.co.za">rleroux@bgcma.co.za</a>
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DEA&DP: Development Management Private Bag X9086 Cape Town 8000	The Director Region 2 / Samornay Smidt	021 483 5829	021 483 4372	<a href="mailto:Samornay.Smidt@westerncape.gov.za">Samornay.Smidt@westerncape.gov.za</a>
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Department of Agriculture, Western Cape: Land Use Private Bag X1 Elsenburg 7606	Brandon Layman / Corr van der Walt	021 808 5099	021 808 5092	<a href="mailto:brandonl@elsenburg.co.za">brandonl@elsenburg.co.za</a> <a href="mailto:LandUse.Elseburg@elsenburg.com">LandUse.Elseburg@elsenburg.com</a>
Heritage Western Cape Private Bag X9067 Cape Town 8000	Ms. Waseefa Dhansay	021 483 9533	021 483 9842	<a href="mailto:waseefa.dhansay@westerncape.gov.za">waseefa.dhansay@westerncape.gov.za</a>

Overberg District Municipality Private Bag X22 Bredasdorp 7280	The Municipal Manager / Mayor / Ward Councillors Att: Francois Kotze	028 425 1157	028 425 1014	<a href="mailto:mm@odm.gov.za">mm@odm.gov.za</a> <a href="mailto:rvolschenk@odm.org.za">rvolschenk@odm.org.za</a>
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**CORRESPONDANCE RECEIVED - SUBMISSION OF PRE-APPLICATION BAR**

See Annexure 1 - Pages 9 -23

**TABLE 4: COMMENTS AND RESPONSE REPORT - PRE-APPLICATION BAR**

STAKEHOLDER/IAP	DATE	COMMENT	RESPONSE
National Department of Agriculture (DAFF)	07/03/2018	The proposed agricultural development which includes the clearing of vegetation to establish apple orchards and the upgrading of an existing drainage line crossing will trigger activities regulated by the CARA and its regulations. Hence the land owner is advised to observe and adhere to the following requirements and recommendations before commencement of the aforementioned activities: <ul style="list-style-type: none"> <li>• The Basic Assessment Report provided does not</li> </ul>	<ul style="list-style-type: none"> <li>• Please refer to Part 6 of the Basic Assessment</li> </ul>

		<p>explicitly indicate if sites A-D have been cultivated in the last 10 years. Thus the land owner is required to apply for a cultivation permit in terms of the CARA for the sites/areas which topsoil has not been mechanically disturbed in the last 10 years. These land/sites would be classified as virgin soil in terms of the CARA.</p> <ul style="list-style-type: none"> <li>• The land owner must protect the cultivated land before/during/after the cultivation of the proposed sites effectively against excessive soil loss as a result of erosion through the action of water and wind. Measures that may be applicable is; <ul style="list-style-type: none"> <li>○ a suitable soil conservation work to be constructed and thereafter be maintained in order to divert runoff water from other land or to restrict the run-off speed of run-off water,</li> <li>○ the land concerned or sites shall be cultivated in accordance with such methods or be laid out in such a manner that the run-off speed of run-off water is restricted and that the surface movement of soil particles be restricted,</li> <li>○ to establishment permanent cover vegetation between orchards to prevent soil erosion,</li> <li>○ suitable wind breaks shall be constructed or suitable vegetation to be established to serve as a wind break.</li> </ul> </li> <li>• This office agrees to the delineation and demarcation of all water courses prior to the commencement of proposed activities with the exemption of the higher lying drainage line crossing which will be upgraded in accordance with the required specifications approved by BGCMA. The BAS report does indicate constant monitoring, repairing/rehabilitation and management of soil erosion during the upgrading of the drainage line crossing and establishment of orchards which is in</li> </ul>	<p>Report as well as the Biodiversity Impact Assessment Report in Appendix G1 (pages 5-8) which describes each of the sites and the number of years since it was last tilled. Based on the description made by the appointed specialist it is established that the sites have been ploughed within the last 10 years and as such cannot be classified as virgin soil in terms of CARA.</p> <ul style="list-style-type: none"> <li>• These mitigation measures have been included in the EMPr.</li> <li>• Noted.</li> </ul>
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		<p>accordance with regulation 4 and 5 of the CARA regulations.</p> <ul style="list-style-type: none"> <li>• Kindly note any rehabilitation and remedial action in relation to soil erosion in the event it does occur needs to be in accordance with regulation 14 of the CARA. According to Regulation 14 (1) "If a land user disturbs or denudes any land on his farm unit for purposes other than prospecting or mining activities; (c) - such land user shall by means of as many of the following measures as are necessary in his situation, effectively restore and reclaim that disturbed or denuded land. (i) Topsoil shall be removed and kept separate with a view to replacing it later on the disturbed or denuded land. (ii) Topsoil shall be used to stabilize the sides of a hollow that has been caused by the exploitation or removal of material and, where possible, to reclaim part of the disturbed or denuded land. (iv) The flow pattern of run-off water, the topography and the slope shall, depending on the volume of material exploited or removed, be restored as closely as possible to the original condition. (v) Suitable vegetation shall be established on the land concerned in order to expedite the restoration and reclamation thereof. (vii) A suitable soil conservation work shall be constructed and thereafter be maintained in order to protect the land concerned against excessive soil loss through the action of water and wind or in order to collect sediment from run-off water. "</li> <li>• The BAS report indicates the weed <i>Acacia longifolia (Long-leaved wattle)</i> was found on the farm. According to Regulation 15 of the CARA the weed falls under category 1 which is not tolerated on land neither in rural nor urban areas. The weed and other weeds and invasive plants present on the farm need to be controlled and removed annually through continuous</li> </ul>	<ul style="list-style-type: none"> <li>• The provisions have been included in the EMPr.</li> <li>• The control of weeds and alien species has been included in the operational EMPr.</li> </ul>
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		<p>monitoring and maintenance programs as they can cause damage to the surrounding natural vegetation. According to Conservation of Agricultural Resources Act, (Act 43 of 1983), Regulation 15E methods of controlling weeds and alien plants are as follow:</p> <ul style="list-style-type: none"> <li>○ Uprooting; felling; cutting or burning</li> <li>○ Treatment with a weed killer that is registered for use in connection with such plants in accordance with the directions for the use of such</li> <li>○ Biological control carried out in accordance with the stipulations of the Agricultural Pests Act,(Act no 36 of 1983)</li> </ul> <p>Combination of one or more methods mentioned above, and any action taken to control alien plants shall be executed with caution and in a manner that will cause least possible damage to the environment.</p> <ul style="list-style-type: none"> <li>● Mitigation measures included in the EMP and detailed construction method statement should be in accordance with the CARA and its regulations.</li> </ul> <p>This office does not object to the proposed agricultural development provided the inputs/comments given in the aforementioned is taken into account. The Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.</p>	<ul style="list-style-type: none"> <li>● Noted.</li> </ul>
DEADP: Waste Management	19/03/2018	The Directorate: Waste Management has perused the document and has no comments on this application at this point.	Noted.
Overberg District Municipality Ref: 18/5/5/4	26/03/2018	According to the Western Cape Biodiversity Spatial Plan, a portion of the proposed development are categorised as Ecological Support Areas. Although these areas are not critical to meet biodiversity targets it does have conservation value. Development within these ecological	Noted.

		<p>sensitive areas should be limited in order to prevent further degradation of ecological systems.</p> <p>Based on the spatial planning categories as defined in the Kogelberg Biosphere Reserve Framework Plan, portion 7 of Farm 466 falls within the Intensive Agriculture - and Buffer 2 Spatial Planning Categories (SPC). All man-made dams are automatically categorised as Buffer 2 SPC. The management objectives for these SPCs include:</p> <ul style="list-style-type: none"> <li>• Manage sustainable development of current land use in the area;</li> <li>• Consolidating and protecting existing and potential agricultural landscapes; and</li> <li>• Facilitating sustainable agricultural development, land and agrarian reform, and food security.</li> </ul>	
<p>BGCMA 4/10/2/G40D/DE HOOP 466/7</p>	<p>28/03/2018</p>	<p><b><u>Section 21 Water Use:</u></b> The following Water Use in terms of Section 21 of the National Water Act, 1998 (Act 36 of 1998) may be applicable:</p> <ul style="list-style-type: none"> <li>• <i>Section 21 (a) - taking water from a water resource</i></li> <li>• <i>Section 21 (c) - impeding or diverting the flow of water in a watercourse</i></li> <li>• <i>Section 21 (i) - altering the bed, banks, course or characteristics of a watercourse</i></li> </ul> <p><b><u>Water Use Authorisation:</u></b> The above Water Uses require water use authorisation in terms of the National Water Act, 1998 (Act 36 of 1998). In this instance, it has been determined that a Water Use License is required.</p> <p>This office can therefore confirm that is has received a Water Use License Application which has been preliminary assessed; a site inspection as part of the assessment</p>	<p><b><u>Section 21 Water Use:</u></b> The relevant application has been made the appointed consultant.</p> <p><b><u>Water Use Authorisation:</u></b> Noted.</p>

	<p>process took place on <u>22/08/2017</u>. It was determined that Section 21 (c) &amp; (i) also need to be applied for, the initial application was only for Section 21 (a).</p> <p>The license application was amended on <u>06/03/2018</u> to include Section 21 (c) &amp; (i). Another site inspection with the BGCMA specialist will need to be conducted whereby specialist recommendations can be made to further inform the Water Use License assessment as well as recommendations that could be included in the EMP. The Water Use License Application is therefore in the process of assessment.</p> <p><b><u>General Comments</u></b></p> <ul style="list-style-type: none"> <li>• All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.</li> <li>• No use of surface water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998) and/or formal authorisation in terms of General Authorisations issued under Section 39 (Government Notice 538 dated 15 April 2016), <i>and/or</i> if it is authorised under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998) or is an Existing Lawful Water Use.</li> <li>• The registration of all water uses as defined in Section 21 of the National Water Act 36 of 1998. The relevant registration forms may be accessed on the <a href="http://www.breedegouritzcma.co.za">www.breedegouritzcma.co.za</a> website or alternatively this office may be approached for assistance.</li> <li>• No pollution of surface water or ground water resources may occur due to any activity.</li> <li>• No storm water runoff from any premises containing</li> </ul>	<p><b><u>General Comments</u></b></p> <p>All general comments are noted and have been included in the relevant sections of the EMPr.</p>
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		<p>waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted storm water must be contained.</p> <ul style="list-style-type: none"> <li>• All relevant sections and regulations of the National Environmental Management: Waste Act 2008 (Act 59 of 2008) regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorised solid waste facility in terms of abovementioned legislation.</li> <li>• No permanent structures may be constructed within the 100 year flood line or within 100 meters of any watercourse (seasonal or permanent river, stream, etc.), whichever is furthest, without the appropriate authorization in terms of the National Water Act, 1998 (Act 36 of 1998).</li> <li>• The water provided for domestic use must comply with the SANS 241-1: 2015 guidelines for drinking water (edition 1). Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it is a threat to human health, then this office and the Provincial Department of Health must be informed of the procedures to rectify the problem.</li> <li>• The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act 36, Act 36 of 1998.</li> </ul>	
DEADP: Pollution and Chemicals Management	27/03/2018	<p><b>Environmental Management Programme (EMPr):</b></p> <ul style="list-style-type: none"> <li>• In the event of a significant spill or leak of hazardous substances (petrol, diesel, etc.) used during the construction, such an incident/s must be reported to all relevant authorities, including the D:PCM in accordance to Section 30 (10) of the National Environmental Management Act (NEMA) (Act 107 of 1998), pertaining to the control of emergency</li> </ul>	<p><b>Environmental Management Programme (EMPr):</b> Mitigation measures as recommended have been included in the relevant sections of the EMPr.</p>

		<p>incidents;</p> <ul style="list-style-type: none"> <li>• Alien and invasive vegetation species must be eradicated;</li> <li>• Storm-water runoff must be controlled to ensure that on-site activities do not culminate in off-site pollution or sedimentation of the streams or water ways;</li> <li>• Ablution facilities must be provided for workers on-site during construction and must be serviced regularly for the duration of the activity to ensure safe working conditions, and that no spillages occur. Sewage is regarded as hazardous and must be disposed of in an environmentally acceptable manner which is in conformance with legislative prescripts;</li> <li>• All waste generated from this project must be disposed of in a suitable manner to prevent surface- and ground water pollution.</li> </ul> <p><b>General:</b></p> <ul style="list-style-type: none"> <li>• Once a design approval is granted by the Breede-Gouritz Catchment Management Agency (BGCMA), the specifications of the proposed drainage line crossing from Site A to B must be provided;</li> <li>• The safe storage of agro-pesticides and fertilizers must be done. Pesticides are hazardous substances and all obsolete materials must be stored within a secured area and on an impenetrable surface.</li> <li>• The disposal of the obsolete agrochemicals and containers must be done in line with prescribed environmental, water related, health and safety and associated laws and regulations.</li> <li>• No potable water is to be used for dust suppression during the construction phase;</li> <li>• The D: PCM supports the recommendations made in the Freshwater Impact Assessment report (Appendix</li> </ul>	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>• Noted - this will be submitted to the Department once approval has been obtained.</li> <li>• This has been added to the relevant sections of the EMPr.</li> <li>• This has been added to the relevant sections of the EMPr.</li> <li>• This has been added to the relevant sections of the EMPr.</li> <li>• Noted.</li> </ul>
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CapeNature	03/04/2018	<p>The pre-application BAR is for new apple orchards (19.6 ha), and for the development of a drainage line crossing in order to access one of the proposed orchard sites (site B). The water for the irrigation of the proposed orchards will be sourced from the dam on site; with an additional water use licence in progress with the Breede Gouritz Catchment Management Agency (BGCMA).</p> <p>According to the Western Cape Biodiversity Spatial Plan (WCBSP 2017), site A and B contain Ecological Support Areas with restoration potential (ESA2), with the north-easternmost borders being classified as ESA in good condition (ESA1). The preferred alternative for the drainage line crossing is the upper crossing, which falls within the ESA1. The farm shares its north-eastern, eastern and south-eastern borders with the Houwhoek Nature Reserve, which is part of the Kogelberg Nature Reserve Complex and is a World Heritage Site. The dam on site has been classified as an artificial National Freshwater Ecosystem Priority Area (NFEPA) and is bordered by smaller natural NFEPAs.</p> <p>Two vegetation types occur across sites A-D: Elgin Shale Fynbos and Kogelberg Sandstone Fynbos; both of which are critically endangered due to criterion A1 (habitat loss) and D1 (threatened plant species associations), respectively. According to the botanical specialist report, sites A and B have last been ploughed approximately three years ago; and sites C and D were last ploughed between three and five years ago. From the site photographs, it is evident that natural vegetation is re-establishing.</p> <p>CapeNature generally supports the recommendations of the botanical and freshwater ecology specialist reports;</p>	

		<p>however, the following recommendations should also be included:</p> <ul style="list-style-type: none"> <li>• Throughout the BAR, Kogelberg Sandstone Fynbos has been referred to as least threatened, which is incorrect and must be rectified.</li> <li>• In addition to the alien clearing proposed during the operational phase, the stands of long-leaved wattle <i>Acacia longifolia</i> should be cleared during the construction phase to prevent further spread and densification.</li> <li>• As per the recommendations in the specialist reports, the ESA2 and NFEPA's will be demarcated as no-go areas (preferred alternative). However, the ESA1 that buffers the Houwhoek Nature Reserve should also be included as a no-go area during construction and operation.</li> <li>• Two historical drainage line crossings exist between site A and B. If either crossing is rebuilt, CapeNature suggests that the rubble at the remaining crossing is removed and the site is rehabilitated to its natural riparian vegetation. This is consistent with the desired management objective of ESA2.</li> <li>• Due to the sensitivity of the proposed drainage line crossing; the no-go area; the border with a World Heritage Site; and the ESA1, the applicant should consider excluding site B as an orchard area. This would result in approximately five less hectares than proposed, but would allow for ecological integrity to be maintained.</li> </ul> <p>Further to these recommendations, more information is needed on the drainage line crossing construction and design; erosion mitigation measures (repair and prevention); vegetation rehabilitation; and stormwater</p>	<ul style="list-style-type: none"> <li>• The status has been amended in the Draft BAR, I am awaiting the amended Botanical Impact Assessment has not been received from the specialist as yet.</li> <li>• This has been added to the EMPr.</li> <li>• The erection of a boundary fence which together with the required fire break should provide sufficient buffer between the proposed development and the Nature Reserve.</li> <li>• Noted, this is to be included in the EMPr.</li> <li>• CapeNature's concerns are noted; however the development sites and areas have been proposed base on the recommendations of appointed specialists and specialist reports.</li> </ul>
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		management.	
DEADP: Development Management	04/04/2018	<p>Please find herewith the Department's comment on the draft BAR:</p> <ul style="list-style-type: none"> <li>• Listing Notice 1. Activity 12 is included as the listed activity triggered by the proposed upgrades required for the drainage line crossing. If the proposed works entails upgrades to existing infrastructure as opposed to the development of new infrastructure, Listing Notice 1. Activity 48 may be triggered. Please clarify and confirm which activity is applicable.</li> <li>• Further to the above, it is indicated that the "upper crossing must be upgraded to the required specifications as approved by BGCMA". This level of detail must be included in the description of the proposal assessed as part of the Basic Assessment process, since it is a portion of the development that relates to a listed activity requiring an Environmental Authorisation.</li> <li>• Since the above component entails work within a watercourse, Listing Notice 1, Activity 19 may be triggered. If applicable, this listing activity must be included and this aspect of the proposal be assessed/addressed.</li> <li>• The incorrect geographical trigger is listed for Listing Notice 3, Activity 12 and must be rectified.</li> <li>• It is indicated throughout the BAR and specialist studies that Sites A-D was previously ploughed (3-5years ago). Indigenous vegetation is defined in terms of the NEMA EIA Regulations, 2014 (as amended) as "vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years". Considering this and the reference to ploughing within</li> </ul>	<ul style="list-style-type: none"> <li>• Listing Notice 1 Activity 48 has been added as the proposed works is for the upgrading of existing infrastructure. Listing Notice 1 Activity 12 has been removed from the BAR.</li> <li>• Please see attached correspondence with BGCMA in Appendix F and Annexure 1 of Appendix F. Please note that details regarding the drainage line crossing upgrade will be decided through consultation with BGCMA and the relevant WULA submitted to them in terms of section 21 c and i.</li> <li>• Listing Notice 1, Activity 19 has been included in the application for the upgrading of the upper drainage line crossing. An MMP has been included as part of the EMPr.</li> <li>• The geographical trigger has been amended.</li> <li>• The proposal is for the clearing of indigenous vegetation on sites A, B, C, and D with a <b>collective area</b> of <b>approximately 16.5ha</b> for the establishment of apple orchards. As such the vegetation is defined as indigenous vegetation as defined in the NEMA EIA Regulations, 2014 as amended. Please refer to section 6 of the BAR and the Botanical Impact Assessment for details regarding the current state of the vegetation.</li> </ul>

		<p>the last 3-5 years, please clarify the extent of the areas within Sites A-D that falls within the ambit of indigenous vegetation as defined above.</p> <ul style="list-style-type: none"> <li>• It is unclear from the information provided in the BAR whether the 19.6ha proposed for cultivation is the initial preferred development footprint or remaining extent that incorporates the specialist input (i.e. no-go areas). Similarly, the alternatives listed on page 37 of the draft BAR do not include sufficient detail with regards to the components of the development. There is no indication of the size of the areas proposed for the cultivation, before and after specialist input, and no description of what the upgrade to the drainage line crossing will entail. There is also no description of the extent of the no-go area. It is important that the alternatives include a detailed description of the components of the development that relates to the applicable listed activities.</li> <li>• The layout plans included is not adequately labelled and does not sufficiently demonstrate which areas will be cultivated or not.</li> <li>• Please be advised that an original signed and dated applicant declaration is required to be submitted with the final BAR to this Department for decision making.</li> <li>• It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making. Furthermore, through signing this declaration, the applicant is making a commitment that they are both willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application.</li> <li>• In addition to the above, please ensure that original</li> </ul>	<ul style="list-style-type: none"> <li>• Additional descriptions have been included to define the proposed development and alternatives.</li> <li>• Layout plans have been amended.</li> <li>• Original signed documents for the applicant, EAP and specialists to be included in the Final BAR to the Department for decision making.</li> <li>• Noted.</li> <li>• Original signed documents for the applicant, EAP</li> </ul>
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		<p>signed and dated EAP and specialist declarations are also submitted with the final BAR for decision-making.</p> <ul style="list-style-type: none"> <li>• Please note that omission of any required information in terms of Appendices 1 &amp;4 of GN No. 326 with respect to the final submission to the Department of the BAR and EMPr respectively, may result in the application for environmental authorisation being refused.</li> </ul>	<p>and specialists to be included in the Final BAR to the Department for decision making.</p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul>
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