

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

NEIGHBOUR DETAILS - CORNER FARM NEW AGRICULTURAL DEVELOPMENT

APPLICATION PROPERTY

ERF/FARM: DE HOOP 7/466

REGISTERED OWNER: COPESTONE DEVELOPERS PTY LTD

ZONING: AGRICULTURE

ADDRESS: CORNER FARMS

NEIGHBOURS

Farm 445 & Farm 468:

Department of Public Works

Private Bag X9027

Cape Town

8000

REGISTERED LETTER
(with a domestic insurance option)

RC274859605ZA

A BOOK COPY

Farm 466/12:

Boomerang Farm Trust

Posbus 62

Grabouw

7160

REGISTERED LETTER
(with a domestic insurance option)

RC274859619ZA

A BOOK COPY

Farm 466/8:

South Hill Vineyards (Pty) Ltd

113 The Valley Road

Elgin

7180

REGISTERED LETTER
(with a domestic insurance option)

RC274859622ZA

A BOOK COPY

Farm 466/9:

Land & Veld (Pty) Ltd

Posbus 161

Elgin

7180

REGISTERED LETTER
(with a domestic insurance option)

RC274859636ZA

A BOOK COPY



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

PRE-APPLICATION BAR: CORNER FARM NEW AGRICULTURE DEVELOPMENT

MAILING LIST:

Heritage Western Cape
Att: Waseefa Dhansay
Private Bag X 9067
Cape Town
8001

REGISTERED LETTER
(with a domestic insurance option)
RC273870900ZA
A BOOK COPY

Breede-Gourtiz Municipality
Att: Mrs. P. Mahlaba
Private Bag X3055
Worcester
6849

REGISTERED LETTER
(with a domestic insurance option)
RC273870887ZA
A BOOK COPY

Cape Nature
Att: Rhett Smart
Private Bag X5014
Stellenbosch
7599

REGISTERED LETTER
(with a domestic insurance option)
RC273870737ZA
A BOOK COPY

DEA&DP: Pollution Management -BH
Att: Ms. W Kloppers
Private Bag X9086
Cape Town
8000

DEA&DP: Waste Management -BH
Att: Mr. Eddie Hankom
Private Bag X 9086
Cape Town
8000

DEA&DP: Development Management - BH
Att: Samornay Smidt
Private Bag X 9086
Cape Town
8000

Department of Agriculture
Att: Brandon Layman & Cor Van Der Walt
Private Bag X1
Elsenburg
7607

REGISTERED LETTER
(with a domestic insurance option)
RC273870860ZA
A BOOK COPY

Overberg District Municipality
Att: Municipal Manager/ Mayor & WC
Private Bag X 22
Bredasdorp
7280

REGISTERED LETTER
(with a domestic insurance option)
RC273870873ZA
A BOOK COPY

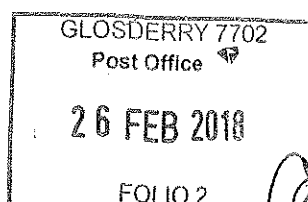
Theewaterskloof Local Municipality
Att: Municipal Manager/ Mayor & WC
P.O. Box 24
Caledon
7230


REGISTERED LETTER
(with a domestic insurance option)
RC273870745ZA
A BOOK COPY

National Department of Agriculture -Bellville
Att: The Regional Director
Private Bag X 2
Sanlamhof
7532

REGISTERED LETTER
(with a domestic insurance option)
RC273870895ZA
A BOOK COPY

Whale Coast Conservation Body
E-mail: Ingrid Du Plessis




Eco Impact
P.O. Box 45070
CLAREMONT
7735

Handwritten signature

PROOF

eco impact

Environmental Health & Safety Legal Consulting

26 February 2018

DEA&DP: Development Management
Private Bag X9086
Cape Town
8000

Att: Samornay Smidt

**PROJECT TITLE: NEW AGRICULTURAL DEVELOPMENT: CORNER FARM
(PORTION 7 OF FARM NO.466, CALEDON
DEA&DP: REF NR: 16/3/3/6/7/1/E4/5/1/1274/17**


Good day,

Enclosed please find a printed copy of the PRE-APPLICATION Basic Assessment Report for review and comment.

An electronic copy of the PRE-APPLICATION BAR and appendices is available on our website at www.ecoimpact.co.za/public-participation.

Your comment would be appreciated within the regulatory 30 day commenting period or by 28 March 2018.

Kind Regards,



Yolandie Henstock
Administration



Eco Impact Legal Consulting (Pty) Ltd
Reg: 2010/015546/07
Directors: Mark Duckitt
Nicolaas Hanekom
Daniel Weber

Postal Address:
PO Box: 45070
Claremont
South Africa
7735

Office: +27 (0) 21 671 1660
Fax: +27 (0) 21 671 9976
Email: admin@ecoimpact.co.za
Web: www.ecoimpact.co.za



PROOF

eco
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Environmental Health & Safety Legal Consulting

26 February 2018

DEA&DP: Pollution Management
Private Bag X9086
Cape Town
8000

Att: W. Kloppers

**PROJECT TITLE: NEW AGRICULTURAL DEVELOPMENT: CORNER FARM
(PORTION 7 OF FARM NO.466, CALEDON
DEA&DP: REF NR: 16/3/3/6/7/1/E4/5/1/1274/17**

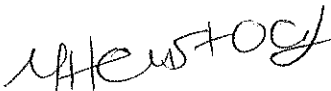
Good day,

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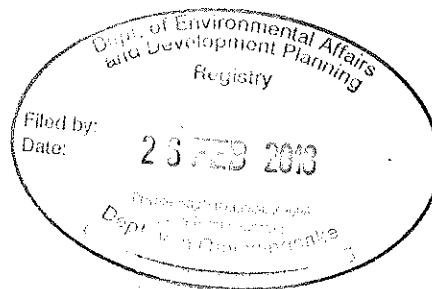
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Kind Regards,



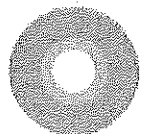
Yolandie Henstock
Administration



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Nicolaas Hanekom
Daniel Weber

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Web: www.ecoimpact.co.za



PROOF

eco impact

Environmental Health & Safety Legal Consulting

26 February 2018

DEA&DP: Waste Management
Private Bag X9086
Cape Town
8000

Att: Eddie Hanekom

**PROJECT TITLE: NEW AGRICULTURAL DEVELOPMENT: CORNER FARM
(PORTION 7 OF FARM NO.466, CALEDON
DEA&DP: REF NR: 16/3/3/6/7/1/E4/5/1/1274/17**

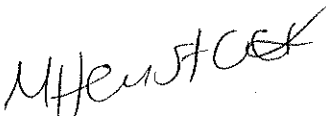
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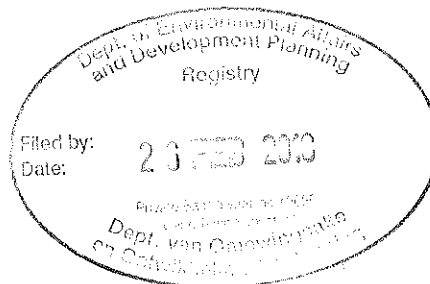
An electronic copy of the PRE-APPLICATION BAR and appendices is available on our website at www.ecoimpact.co.za/public-participation.

Your comment would be appreciated within the regulatory 30 day commenting period or by 28 March 2018.

Kind Regards,



Yolandie Henstock
Administration



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**CORRESPONDANCE
RECEIVED:
SUBMISSION OF PRE-
APPLICATION BAR**



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Directorate: Land Use and Soil Management

Private Bag x 2, Sanlamhof, 7532,
17 Strand Street, Bellville, 7530

Tel: 021 944 1423 □ Fax: 021 944 1427 e-mail: SamanthaA@daff.gov.za

Enquiries: Samantha Phologane Date: 07/03/2018

Vacation Station (Pty) Ltd

PO Box 43

Grabouw

7160

Attention: Lauren Abrahams (Eco Impact Legal Consulting (Pty) Ltd)

Reference number: 16/3/3/6/7/1/E4/5/1/1274/17

RE: COMMENTS ON THE BASIC ASSESSMENT REPORT FOR THE DEVELOPMENT OF AGRICULTURAL LAND AND UPGRADING OF DRAINAGE LINE CROSSING ON PORTION 7 OF FARM 466, CORNER FARM, CALEDON, OVERBERG DISTRICT, WESTERN CAPE PROVINCE.

Department of Agriculture, Fisheries & Forestry Directorate: Land Use and Soil Management administer and implement the Conservation of Agricultural Resources Act, (CARA) 43 of 1983). The Act is regarded as one of the principal Acts governing the protection of agricultural and other natural resources. The main aim of the Act is to control the utilization of natural agricultural resources to ensure the conservation of soil, water and vegetation, as well as the combating of alien and invasive plants. According to Section 1 of the Act, conservation of natural agricultural resources includes the protection, restoration as well as the reclamation thereof.

The objectives of CARA are to provide for the conservation of the natural agricultural resources through maintaining the production potential of the land, combating and prevention of erosion, preventing the weakening or destruction of the water resources, protecting the vegetation and combating weeds and invader plants.

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.

- The Basic Assessment Report provided does not 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.
- Regulation 2(1) of the Conservation of Agricultural Resources Act (Act 43 of 1983), "Except on authority of a written permission by the executive officer, no land user shall cultivate any virgin soil: Provided that such authority shall not be required in respect of virgin land for which an approval has been granted in terms of section 4A of the Forest Act, 1972 (Act 68 of 1972).
- 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; - a suitable soil conservation work to be constructed and thereafter be maintained in order to divert run-off water from other land or to restrict the run-off speed of run-off water, - 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, - to establishment permanent cover vegetation between orchards to prevent soil erosion, - suitable wind breaks shall be constructed or suitable vegetation to be established to serve as a wind break.
- 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 accordance with regulation 4 and 5 of the CARA regulations.
- 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. "


- The BAS report indicates the weed ***Acacia longifolia* (Long-leaved wattle)** 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 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:
 - Uprooting; felling; cutting or burning
 - 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
 - Biological control carried out in accordance with the stipulations of the Agricultural Pests Act,(Act no 36 of 1983)

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.

- Mitigation measures included in the EMP and detailed construction method statement should be in accordance with the CARA and its regulations.

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.

Yours sincerely



pp. EXECUTIVE OFFICER: Act No 43 OF 1983
Director: Land Use and Soil Management



REFERENCE: 19/2/5/7/E4/5/WL0052/18

The Owner/s
Eco Impact Legal Consulting (Pty) Ltd
PO Box 45070
CLAREMONT
7735

Tel: (021) 671 1660

Fax: (021) 671 9976

Email: admin@ecoimpact.co.za

For attention: Ms Lauren Abrahams

**COMMENTS ON THE PRE APPLICATION BASIC ASSESSMENT REPORT (BAR) RELATED TO
THE PROPOSED NEW AGRICULTURAL DEVELOPMENT: CORNER FARM PORTION 7 OF
FARM NO. 466, CALEDON**

Dear Madam,

The abovementioned pre-application BAR dated 23 February 2018 and received by the Department of Environmental Affairs and Development Planning, Directorate: Waste Management on 26 February 2018, refers.

The Directorate: Waste Management has perused the document and has no comments on this application at this point.

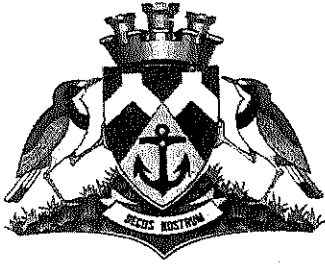
The Department reserves the right to revise initial comments and request further information based on new information received.

Yours faithfully,

LANCE MCBAIN-CHARLES
DEPUTY DIRECTOR: WASTE MANAGEMENT LICENSING

DATE: 2018/3/19

OVERBERG DISTRIKSMUNISIPALITEIT DISTRICT MUNICIPALITY UMASIPALA WESITHILI



MELD ASB/PLEASE QUOTE

Ons Verw./Our Ref.: 18/5/5/4

Navrae/Enquiries: Francois Kotze

Bylyn/Ext.:

Privaatsak: X22

Private Bag:
BREDASDORP
7280

Tel.: (028) 4251157

Faks/Fax: (028) 4251014

E-mail/E-pos: rvolschenk@odm.org.za

26 March 2018

ECO IMPACT

PO Box 45070
CLAREMONT
7735

For attention: Yolandie Henstock

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

DEA&DP REF NO.: 16/3/3/6/7/1/E4/5/1/1274/17

The Environmental Management Services Department of the Overberg District Municipality take cognisance of the proposed development as proposed in the Pre-application Basic Assessment Report.

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 sensitive areas should be limited in order to prevent further degradation of ecological systems.

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:

- Manage sustainable development of current land use in the area;
- Consolidating and protecting existing and potential agricultural landscapes; and
- Facilitating sustainable agricultural development, land and agrarian reform, and food security.

Yours sincerely

**D P BERETTI
MUNICIPAL MANAGER**

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word.
All correspondence must be addressed to the Municipal Manager

BREEDE-GOURITZ

Catchment Management Agency
Opvanggebied Bestuursagentskap
I-Arhente yoLawulo lomMandla nokungqongileyo
51 Baring Street Worcester 6850, Private Bag X3055 Worcester 6850

Enquiries: Rafeeq Le Roux
Date: 28th March 2018

Tel: 023-346 8000

Fax: 023-347 2012

E-mail: rleroux@bgcma.co.za
Reference Number: 4/10/2/G40D/DE HOOP 466/7

Eco Impact
P.O. Box 45070
Claremont
7735
admin@ecoimpact.co.za

Attention: Yolandie Henstock

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT: NEW AGRICULTURAL DEVELOPMENT: CORNER FARM (PORTION 7 OF FARM NO 466, CALEDON). DEA&DP REFERENCE NUMBER 16/3/3/6/7/1/E4/5/1/1274/17.

With reference to the above mentioned *Pre-Application Basic Assessment Report* received by this office on 28/02/2018.

This office has reviewed the document and has the following comments:

1. Section 21 Water Use:

The following Water Use in terms of Section 21 of the National Water Act, 1998 (Act 36 of 1998) may be applicable:

Section 21 (a) – taking water from a water resource

Section 21 (c) – impeding or diverting the flow of water in a watercourse

Section 21 (i) - altering the bed, banks, course or characteristics of a watercourse

2. Water Use Authorisation:

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.

This office can therefore confirm that it has received a Water Use License Application which has been preliminary assessed; a site inspection as part of the assessment process took place on 22/08/2017. It was determined that Section 21 (c) & (i) also need to be applied for, the initial application was only for Section 21 (a).

The license application was amended on 06/03/2018 to include Section 21 (c) & (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.

General Comments

3. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
4. 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), and/or if it is authorised under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998) or is an Existing Lawful Water Use.
5. 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 www.breedegouritzcma.co.za website or alternatively this office may be approached for assistance.
6. No pollution of surface water or ground water resources may occur due to any activity.
7. No storm water runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted storm water must be contained.
8. 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.
9. 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).
10. 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.
11. 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.

This office reserves the right to amend and revise its comments as well as to request any further information.

The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorization for. Please do not hesitate to contact this office if you have any further queries.

Please ensure to quote the above reference in doing so.

Yours Faithfully



MR. JAN VAN STADEN

CHIEF EXECUTIVE OFFICER (ACTING)



REFERENCE: 16/3/3/6/7/1/E4/5/1/1274/17

ENQUIRIES: Hassan Parker

Eco Impact Legal Consulting (Pty) Ltd
PO Box 45070
Claremont
7735

Tel.: (021) 671 1660
Fax: (021) 671 9976
Email: admin@ecoimpact.co.za

Attention: Lauren Abrahams

COMMENT ON THE BASIC ASSESSMENT REPORT (BAR), PRE-APPLICATION, FOR A NEW AGRICULTURAL DEVELOPMENT: CORNER FARM, PORTION 7 OF FARM NO. 466, CALEDON.

The Directorate: Pollution and Chemicals Management (D: PCM) acknowledges receipt of the pre-application BAR on 26 February 2018 for the proposed agricultural development and after review have the following comments:

1. Environmental Management Programme (EMPr):

- 1.1 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 incidents;
- 1.2 Alien and invasive vegetation species must be eradicated;
- 1.3 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;
- 1.4 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;
- 1.5 All waste generated from this project must be disposed of in a suitable manner to prevent surface- and ground water pollution.


2. General:

- 2.1 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;
- 2.2 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.
- 2.3 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.
- 2.4 No potable water is to be used for dust suppression during the construction phase;
- 2.5 The D: PCM supports the recommendations made in the Freshwater Impact Assessment report (Appendix G2).

Kindly be informed that the D: PCM reserves the right to review the comments made should additional information become available.

Please contact Hassan Parker should you need to.

Yours faithfully,

PP 

Wilna Kloppers (Mrs.)

Director: Pollution and Chemicals Management

Date: 27 March 2018

postal Private Bag X5014 Stellenbosch 7599
physical Assegaaibosch Nature Reserve Jonkershoek
website www.capenature.co.za
enquiries Chanel Rampartab
telephone +27 21 866 8017 **fax** +27 21 866 1523
email crampartab@capenature.co.za
reference SSD14/2/5/1/7/4/466-7_AppleOrchard_Grabouw
date 3 April 2018

Eco Impact Legal Consulting
P.O. Box 45070
Claremont
7735

Attention: Yolandie Henstock

Dear Ms. Henstock

Application for new apple orchards and drainage line crossing on FA 466/7, Corner Farm, Grabouw

(DEA&DP Ref No: 16/3/3/6/7/1/E4/5/1/1274/17)

CapeNature would like to thank you for the opportunity to comment on the pre-application Basic Assessment Report (BAR) and would like to make the following comments. Please note that our comments only pertain to the biodiversity-related impacts and not to the overall desirability of the application.

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).

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.

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.

CapeNature generally supports the recommendations of the botanical and freshwater ecology specialist reports; however, the following recommendations should also be included:

1. Throughout the BAR, Kogelberg Sandstone Fynbos has been referred to as least threatened, which is incorrect and must be rectified.
2. In addition to the alien clearing proposed during the operational phase, the stands of long-leaved wattle *Acacia longifolia* should be cleared during the construction phase to prevent further spread and densification.

3. As per the recommendations in the specialist reports, the ESA2 and NFEPAs 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.
4. 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.
5. 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.

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 management.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely



Chanel Rampartab
For: Manager (Scientific Services)

cc: Lauren Abrahams



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management
Region 2

REFERENCE: 16/3/3/6/7/1/E4/5/1274/17
ENQUIRIES: Samornay Smidt
DATE: 2018 -04- 04

The Board of Directors
Vacation Station (Pty) Ltd
PO Box 43
GRABOUW
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Attention: Wilmer Ferreira

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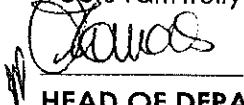
Dear Sir

**COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED REMOVAL OF
NATURAL VEGETATION FOR CULTIVATION OF PORTION 7 OF CORNER FARM NO. 466,
CALEDON**

1. Your document dated 26 February 2018, as received by the Department on the same day, refers.
2. Please find herewith the Department's comment on the draft BAR:
 - 2.1. 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.
 - 2.2. 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.
 - 2.3. 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.
 - 2.4. The incorrect geographical trigger is listed for Listing Notice 3, Activity 12 and must be rectified.

- 2.5. 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 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.
- 2.6. 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.
- 2.7. The layout plans included is not adequately labelled and does not sufficiently demonstrate which areas will be cultivated or not.
- 2.8. 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. 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.
- 2.9. In addition to the above, please ensure that original signed and dated EAP and specialist declarations are also submitted with the final BAR for decision-making.
- 2.10. Please note that omission of any required information in terms of Appendices 1 & 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.
3. Kindly quote the above-mentioned reference number in any future correspondence in respect of this application.
4. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



HEAD OF DEPARTMENT

DEPARTMENT OF ENVIRONMENTAL AND DEVELOPMENT PLANNING

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