

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

# GROENFONTEIN – KLAPMUTS

## NOTICES TO NEIGHBOURS – MAILING LIST

Farm 25/716

LR Beard Tallow Products Pty Ltd

Groenfontein Annex

P.O. Box 38

Klapmuts

7625

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC273871065ZA**  
CUSTOMER COPY 301028R

Farm RE/40/716

LLB – CP Ttrust (GESL)

Groenfontein Annex

Posbus 2002

Noordeinde

6056

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC273871114ZA**  
CUSTOMER COPY 301028R

Farm 482

CJ Briers Louw Familie Trust

P.O. Box 22

Klapmuts

7625

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC273871105ZA**  
CUSTOMER COPY 301028R

Farm RE/479

EJ Starke Will Trust (GESL)

Zand Dam

Sterling

25A Highway

Fish Hoek

7975

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC273871091ZA**  
CUSTOMER COPY 301028R

RE/736

Drakenstein Municipality

Att: Spatial Planning / Land Use Planning

Berg River Boulevard

P.O. Box 1

7620

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC273871088ZA**  
CUSTOMER COPY 301028R

Groenfontein Annex 26/716

Glengall Boerdery cc

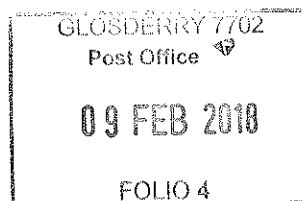
Groenfontein Annex

Vredenbergstaat 10

Stellenberg

7550

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC273871074ZA**  
CUSTOMER COPY 301028R



Eco Impact  
P.O. Box 45070  
CLAREMONT  
7735

6

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



**REFERENCE:** 19/2/5/7/B4/23/WL0091/17

The Director/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](mailto:admin@ecoimpact.co.za)

**For attention:** Ms LR Abrahams

**ACKNOWLEDGEMENT OF RECEIPT OF THE NOTICE OF INTENT (NOI) TO SUBMIT AN APPLICATION FOR THE BASIC ASSESSMENT PROCESS OF THE PROPOSED EXPANSION AND WASTE MANAGEMENT LICENCE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON GROENFONTEIN ANNEX 54/716; 56/716 AND A PORTION OF 25/716, KLAPMUTS**

1. This letter serves as an acknowledgment of receipt of the above-mentioned document dated 24 October 2017, as received by the Department of Environmental Affairs and Development Planning Directorate: Waste Management (the 'Department') on the same day.
2. Following the review of the information submitted to this Department, the following is noted:
  - The existing compost facility and proposed expansion area are situated approximately 3.2 km northwest of Klapmuts, north of the N1.
  - It is presumed that previously there was no need for a Waste Management Licence (WML) and due to the proposed expansion, the quantities of waste to be treated will trigger the need for a WML.
  - The application is for the expansion and licensing of a compost facility to treat organic waste to produce compost on approximately 14.3 ha.
  - The existing storm water cut-off channels and collection dam that contains and stores all storm water generated on site and recycles the water onto the compost rows as part of the composting process, will be expanded.

- No new infrastructure, other than what is approved and already on site, will be constructed.
- The Department notes that a water use authorisation, as well as an application for consent use on Agriculture 1 zoning for the expansion area, is required for the project.

3. This Department has reviewed the NOI Form and agrees with the Category A listed activities applied for identified in Government Notice No. 921 '*List of waste management activities that have, or are likely to have, a detrimental effect on the environment*', of 29 November 2013(GN No. 921), namely;

3(6) '*The treatment of general waste using any form of the treatment at a facility that has the capacity to process in excess of 10 tons but less than 100 tons*'

3(12) '*The construction of a facility for a waste management activity listed in Category A of this schedule (not in isolation to associated waste management activity).*'

4. You are hereby advised that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Environmental Impact Assessment (EIA) process. Should you confirm that the above activities are indeed not applicable then you need to state this in writing; and submit the corrected listed activities with the Application Form and ensure that in the Basic Assessment Report all the applicable activities are assessed.

5. The Department has the following comments on the NOI:

5.1. A detailed description of the area that will be used for the composting (geology, slope, current use, distance to water sources, distance to communities, etc.), needs to be included in the next phase of the application.

5.2. According to page 7 of the NOI, no emissions are expected. However, the odours arising from composting facilities can become a nuisance to surrounding communities. On page 20 of the NOI a map was included and the legend of the map includes a marking for "Allotement Township". Kindly clearly indicate if this is an existing township, the planned proximity of this township to the proposed composting area, as well as the major wind direction in the area.

- 5.3. Page 7 of the NOI states that a Water Use Authorisation is required for the collecting and handling of waste in a manner which may have a detrimental impact on a water resource. Kindly indicate what water resource is being referred to, as well as the proximity of the water resource in relation to the composting facility and how the water resource will be impacted on.
6. Please take note of the following advice of the nature and extent of the processes that must be followed in order to comply with the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as amended, the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM: WA), as amended, and the Environmental Impact Assessment Regulations 2014 as published in Government Notice ("GN") No. R982 of 4 December 2014 (GN R982, 2014 EIA Regulations).
7. Exemption
- 7.1. It is evident that you do not intend to apply for exemption from any provisions contained in the EIA regulations, NEM:WA or NEMA. Please note that should you fail to meet a requirement of the Regulations or NEMA and if no exemption from that provision was applied for, your Basic Assessment Report (BAR) may be rejected.
- 7.2. Should you, however wish to apply for exemption from any provisions of the EIA regulations, then you need to complete the separate Exemption Application form available on the Department's website (<http://www.westerncape.gov.za/eadp/your-resource-library>).
- 7.3. Please note further that prior to completing and submitting such application for exemption, you must first comply with Regulation 4(4) of GN No. R 994 of 8 December 2014. Regulation 4(4) requires that the applicant or Environmental Assessment Practitioner (EAP) must communicate his or her intention to apply for exemption by giving notice in the manner prescribed in sub-regulation 4, to the land owner or person in control of the land and all potential or registered interested and affected parties, as the case may be. If an application for exemption is to be applied for from a provision that needs to be met prior to a waste management licence being issued, then you may not continue with the EIA Process without having received an exemption notice from the Competent Authority exempting you from having to meet that legislative requirement.

## 8. Alternatives

- 8.1. Be advised that in terms of the EIA Regulations and NEMA the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted that the Department may grant a waste management licence for an alternative as if it has been applied for or may grant a waste management licence in respect of all or part of the activity applied for as specified in the Regulations of GN No. R. 982 of 4 December 2014.
- 8.2. Alternatives are not limited to activity alternatives, but include various locations, layout alternatives, design, activity, operational and technology alternatives. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.o.w. the "no-go" option) in addition to other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment.
- 8.3. What would, however, be required in this instance is that proof of the investigation undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist must be provided to the Department. Refer to the Department's Guideline on Alternatives available on the Department's website (<http://eadp-westerncape.gov.za/your-resource-library>).

## 9. Public Participation

- 9.1. Please be advised that according to Regulation 41 (2) of GN 982 of 4 December 2014, the person conducting a public participation process must "take into account any guidelines applicable to public participation". The Department's Guideline on Public Participation (March 2013) must therefore be studied and must be taken into account. This guideline was compiled to provide guidance on the procedure to be followed when conducting the

public participation process and includes, inter alia, notification of interested and affected parties ("I&APs").

9.2. The EAP must notify and submit reports to the following State Departments and Organs of State:

- Cape Winelands District Municipality
- Department of Water and Sanitation
- Western Cape Department of Health
- Cape Nature
- Heritage Western Cape
- DEA&DP: Air Quality Management
- DEA&DP: Pollution and Chemicals Management
- DEA&DP: Land Management
- Department of Agriculture, Western Cape
- Drakenstein Municipality

9.3. In terms of good environmental practise you are encouraged to engage with State Departments and other Organs of State in the pre-application phase or early in the EIA process to solicit their inputs on any of their requirements to be addressed in the EIA process. Please note that this does not replace the requirement of making the draft BAR available to State Departments as stipulated above.

9.4. The practitioner must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must also include a description and chronological order of the public participation process followed and this report must also be included in the public participation information to be attached to the BAR.

9.5. It must, however, be noted that the NEM: WA specifies additional requirements that must be met in addition to the requirements specified in NEMA and the EIA regulations for a Basic Assessment or Scoping and EIA process (e.g. in taking steps to bring the application to the attention of the relevant Organs of State, interested persons and the public, one of the



steps must include the publication of a notice in at least two newspapers circulating in the area in which the waste management activity applied for is to be carried out).

## 10. Environmental Management Program

10.1. In accordance with Section 24N of NEMA and the 2014 NEMA EIA Regulations, the Competent Authority hereby requires the submission of an Environmental Management Programme (EMP). The contents of such an EMP must meet the requirements outlined in section 24N (2) & (3) of the NEMA and Appendix 4 of the EIA Regulations 2014. The EMP must address the potential environmental impacts of the activity throughout the project life cycle including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The EMP must be submitted together with the BAR.

## 11. Guidelines

11.1. You are advised that when undertaking the EIA process you must take into the account the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<http://eadp-westerncape.gov.za/your-resource-library>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:

- Guideline for Environmental Management Plans (June 2005)
- Guideline on Public Participation (March 2013)
- Guideline on Alternatives (March 2013)
- Guideline on Need and Desirability (March 2013)
- Guideline on Exemption Applications (March 2013)
- Waste Management Licencing Guideline (2017)

## 12. Services

12.1. If water supply, solid waste removal, effluent discharge, storm water management and electricity services will be provided by the Municipality, you are requested to provide this office with written proof that the Municipality has sufficient capacity to provide the

necessary services to the proposed development. Confirmation of the availability of services from the service providers must be provided together with the BAR.

### 13. Climate change: Energy efficiency / Water saving

13.1. One of the objectives of the Western Cape Provincial Spatial Development Framework published by this Department is to minimise the consumption of scarce environmental resources such as water, fuel, building materials, mineral resources, electricity and land. To this effect and as part of the efforts to reduce the effects of climate change, you must as part of the waste management licence process identify energy efficient technologies (e.g. the use of low voltage or compact fluorescent lights instead of incandescent globes, maximising the use of solar heating, etc.) that could be implemented for the proposed development. Considering that South Africa is a water scarce country and that many catchments in the Western Cape are already water stressed, you must also consider implementing the use of water saving devices and technologies (e.g. dual flush toilets, low-flow shower heads and taps, etc.) for the proposed development. The above must be reported on in the BAR.

13.2. It is also recommended that you prepare a water demand management, water conservation and storm water management plan and submit this plan with the BAR. This plan must include, but not be limited to: the management of storm water; the capture and use of rainwater from gutters and roofs; use of locally indigenous vegetation during landscaping and the training of staff to implement good housekeeping techniques.

13.3. This Department further wish to inform you that consideration must be given to ways to minimise waste and wastage in the design, construction and operational phase of the proposed development. Your attention is therefore drawn to the Department's Waste Minimisation Guideline for Environmental Impact Assessment Reviews (May 2003), available from the Competent Authority on request. The Guideline raises awareness to waste minimisation issues and highlights waste and wastage minimisation practices. In particular, it is recommended that Part B be considered as it covers general waste and wastage minimisation and general construction activities. It is important to remember that a recycling programme must adopt the cradle-to-grave approach. Any recyclable material

must be sent to a recycling facility and not be disposed of as general household waste at a landfill site.

#### 14. Need & desirability, including the strategic context

14.1. In terms of the NEMA EIA Regulations, when considering an application, the Competent Authority must take into account a number of specific considerations including inter alia, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability. Refer to the Department's Guideline on Need and Desirability (March 2013) available on the Department's website ([www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)).

14.2. In terms of having to consider the need and desirability, it must be noted the final environmental decision will, inter alia, be informed by town planning considerations, informed by inter alia the Provincial Urban Edge Guideline (December 2005) and the Western Cape Provincial Spatial Development Framework (2014) ("WCPSDF"). The Competent Authority requires that you demonstrate in the BAR the strategic context of the site specific proposed development in relation to the broader surrounding area. You will; need to demonstrate, amongst other, whether the proposed development is line with Departmental policies/guidelines such the Western Cape Provincial Spatial Development Framework, urban edge for the area or whether, if in the absence of an urban edge, whether it is located within the built-up edge of the town.

#### 15. General

15.1. In addition to the above, you must clearly show how the proposed development complies with the principles contain in section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

15.2. The Waste Management Additional Information Annexure must be completed and submitted together with the BAR.

- 15.3. You are hereby advised that the BAR must contain all the information outlined in Appendix 1 of GN. R 982 of 4 December 2014 and must also include the information requested in this letter; omission of any of the said information may result in the BAR being refused.
- 15.4. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- 15.5. Please note that the activity may not commence prior to a Waste Management License being issued by the Department. It is an offence in terms of section 20 (b) of the NEM: WA for a person to commence, undertake or conduct a waste management activity, except in accordance with a Waste Management License issued in respect of that activity, if a License is required. Failure to comply with the requirements of section 20 (b) of the NEM: WA will result in the matter being referred to the Directorate: Environmental Governance of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
- 15.6. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully



**LANCE MCBAIN-CHARLES**  
**DEPUTY DIRECTOR: WASTE MANAGEMENT LICENSING**

DATE: 2017/11/7

Cc: Mr Pieter Visser

Email: [pietervisser@tiptranscape.co.za](mailto:pietervisser@tiptranscape.co.za)



**REFERENCE:** 16/3/3/6/7/1/B4/23/1354/17  
**ENQUIRIES:** Bernadette Osborne  
**DATE OF ISSUE:** 2017 -11- 07

The Board of Directors  
MD&P Industries (Pty) Ltd  
PO Box 14  
**KLAPMUTS**  
7625

**Attention: Mr Pieter Visser**

Tel: (021) 971 1404  
Fax: (022) 433 1400

Dear Sir

**NOTICE OF INTENT (“NoI”) TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS (AS AMENDED) FOR THE PROPOSED EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL.**

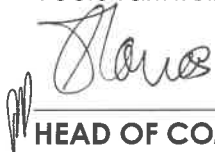
1. Your document and letter dated 24 October 2017, as received by the Department on the same day, refer.
2. Following the review of the information submitted to this Department, the following is noted:
  - The proposal entails the proposed expansion and licensing of an existing compost facility to recycle and treat organic waste to produce compost.
  - The proposed expansion of the existing storm water cut-off channels and collection dam to contain and store all storm water generated on site for reuse and recycling onto the compost rows as part of the treatment and composting process.
  - Compost that will not be used will be marketed and sold.
  - Effluent that will not be sprayed on compost heaps will be marketed and sold as compost tea.
  - The site will have a development footprint of approximately 14.3ha.
  - The existing compost facility will be expanded by approximately 3ha.
  - The expansion area is currently being used for agricultural activities.
  - Indigenous vegetation is not present on the site.

- The site is located outside the urban area of Klapmuts and zoned Agriculture Zone I.
3. Please note the following pertaining to the Nol:
    - 3.1 Having considered the information contained in the Nol, the Department concurs that the proposed development will constitute listed activities as defined in terms of the NEMA EIA Regulations, 2014 (as amended). However, since the proposal will be the expansion of an existing facility, Activity 43 of Government Notice No. 327 of 7 April 2017 will be applicable and not Activity 8 of Government Notice No. 327 of 7 April 2017.
  4. In addition to the above please note the following requirements in respect to all Nols and the NEMA EIA Regulations, 2014 (as amended):
    - 4.1 You are hereby advised that only the activity applied for will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.
    - 4.2 You are advised that when undertaking the Basic Assessment process, you must take into account the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<http://eadp-westerncape.kznshf.gov.za/your-resource-library>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:
      - Guideline for the Review of Specialist Input in the EIA process (June 2005).
      - Guideline for Environmental Management Plans (June 2005).
      - Guideline on Alternatives (March 2013).
      - Guideline on Need and Desirability (March 2013).
    - 4.3 A Public Participation Process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is at the EAP's discretion at what stage the requirements of Regulation 41 are met, whether during the Nol application process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR and Environmental Management Programme ("EMPr").
    - 4.4 Please be advised that should a PPP, which includes the circulation of the BAR in terms of the Nol application process for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the BAR in terms of the Nol application process must also be submitted to the Department for commenting purposes. Please ensure a minimum of two printed copies of the BAR in terms of the Nol application process are submitted to the Department.
    - 4.5 In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014 (as amended), any State Department that administers a law relating to a matter affecting the environment relevant to

the application must be requested to comment within 30 days. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O(2) and (3) of NEMA in the BAR, where appropriate.

- 4.6 Please ensure the BAR and EMPr contain all information requirements outlined in Appendices 1 and 4, respectively, of GN No. 326.
- 4.7 The Department awaits the submission of either the BAR in terms of the Nol process or the Application Form prescribed by Regulation 16 of the EIA Regulations, 2014 (as amended).
5. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Governance Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT**  
**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Lauren Abrahams (Eco Impact Legal Consulting (Pty) Ltd)  
(2) Etienne.Roux@westerncape.gov.za (Directorate: Waste Management)  
(3) Cindy.Winter@drakenstein.gov.za (Drakenstein Municipality)

Fax: (021) 671 9976

**Our Ref:** HM/ CAPE WINELANDS/ DRAKENSTEIN/ PAARL/  
FARM GROENFONTEIN ANNEX 25/716; 54/716 AND 56/716  
**Case No.:** 17101209WD1024E  
**Enquiries:** Waseefa Dhansay  
**E-mail:** [waseefa.dhansay@westerncape.gov.za](mailto:waseefa.dhansay@westerncape.gov.za)  
**Tel:** 021 483 9533  
**Date:** 6 November 2017



LR ABRAHAMS  
ECO IMPACT  
PO BOX 45070  
CLAREMONT  
7735

**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL**  
**In terms of Section 38(8) 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 EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY LOCATED ON FARM GROENFONTEIN ANNEX 25/716; 54/716 AND 56/716; PAARL, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

The matter above has reference.

Heritage Western Cape (HWC) is in receipt of your application for the above matter received on 24 October 2017. This matter was discussed at the Heritage Officers meeting held on 3 November 2017.

You are hereby notified that, since there is no reason to believe that the proposed expansion and waste license application for the Groenfontein Klappmuts Compost Facility located on Farm Groenfontein Annex 25/716; 54/716 and 56/716, Paarl, 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 X9067, Cape Town, 8000  
• **Tel:** +27 (0)21 483 5959 • **E-mail:** [hwc.hwc@westerncape.gov.za](mailto:hwc.hwc@westerncape.gov.za)

**Straatadres:** Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Privaatsak X9067, Kaapstad, 8001  
• **Tel:** +27 (0)21 483 5959 • **E-pos:** [hwc.hwc@westerncape.gov.za](mailto:hwc.hwc@westerncape.gov.za)





9 November 2017

Lauren Abrahams  
lauren@ecoimpact.co.za

Dear Ms Abrahams

**COMPOST FACILITY: GROENFONTEIN, KLAPMUTS**

We note that Groenfontein is an historical farm. Application should indicate position of historical buildings/ fabric.

Kind regards.

Jeanette Fisher  
**SECRETARY**

P.O. BOX 2646, PAARL 7620

E-mail address: dhfheritage@gmail.com

Tel. 021 872 9252

Registration number: HM/CB/1015/02

Drakenstein Heritage Foundation is a voluntary organisation, incorporated under the South African Heritage Foundation.

Drakenstein Erfenis Stigting is 'n vrywillige organisasie geïnkorporeer onder Erfenis Suid Afrika

**CORRESPONDANCE**

**RECEIVED:**

**REGISTRATION PERIOD (PPP)**

**Lauren Abrahams**

---

**From:** ketstarke <ketstarke@gmail.com>  
**Sent:** Friday, February 23, 2018 6:49 PM  
**To:** Abrahams Lauren Ecoimpact  
**Cc:** Starke Lars; Armitage James; Versfeld Ingie  
**Subject:** Groenfontein Compost Facility, Klapmuts

Dear Ms Abrahams

Your letter mailed to The E J Starke Will Trust dated 8 February refers.

Kindly note that the above Trust has been terminated and that the current owner of the land bordering on your proposed facility is The Starke Farm Trust. Kindly alter your records accordingly. Many thanks.

Could you kindly add the above three recipients of this email to your mailing list and email all relevant correspondence them. Mr Lars Starke and Mrs Ingrid Versfeld are Trustees of The Starke Farm Trust and Mr James Armitage is the lessee of the land owned by The Trust.

Kindly email your letter dated 8 February to Mr Starke, Mrs Versfeld and Mr Armitage as a matter of urgency as I note that your deadline for Interested and Affected Parties to register is 30 days from 8 February.

Yours sincerely

Karen Starke  
Trustee: The Starke Farm Trust

Sent from my Samsung Galaxy smartphone.

**Lauren Abrahams**

---

**From:** ketstarke <ketstarke@gmail.com>  
**Sent:** Sunday, March 04, 2018 10:10 PM  
**To:** Abrahams Lauren Ecoimpact  
**Subject:** Groenfontein Compost Facility

Dear Lauren

Your letter of 8 February refers.

Kindly register me as an Interested and Affected Party.

Project Title: Groenfontein Compost Facility

My full name: Karen Elizabeth Turpin Starke

Contact details:

Address: 25A Highway, Fish Hoek 7975.

Landline: 021 782 2947.

Cell: 083 261 7726.

Email as above.

Interest: the proposed facility shares a common boundary with our property and, depending on the nature of the expansion, may have a material effect on said property. I would, therefore, like to be informed of any proposals or developments relating to the proposed facility.

Many thanks.

Yours sincerely

Karen Starke  
Trustee of The Starke Farm Trust

Sent from my Samsung Galaxy smartphone.

## Lauren Abrahams

---

**From:** Lauren Abrahams <lauren@ecoimpact.co.za>  
**Sent:** Thursday, March 01, 2018 10:27 AM  
**To:** 'James Armitage'  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts  
**Attachments:** APPENDIX\_A\_LOCALITY\_MAP.PDF

Good morning James,

Please find attached a better map as requested.

Should you require any further information please feel free to contact me.  
Kind regards,

Lauren Abrahams

---



**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:** [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)

7735

**Web:** [www.ecoimpact.co.za](http://www.ecoimpact.co.za)

Disclaimer: This message may contain information which is private, privileged or confidential and is intended solely for the use of the individual or entity named in the message. If you are not the intended recipient of this message please notify the sender thereof and destroy/delete the message. Neither the sender nor Eco Impact shall incur any liability resulting directly or indirectly from accessing any of the attached files which may contain a virus file.

---

**From:** James Armitage [mailto:[james@sandownstud.co.za](mailto:james@sandownstud.co.za)]  
**Sent:** Wednesday, February 28, 2018 1:25 PM  
**To:** Lauren Abrahams  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts

Morning Lauren,

Thank you for the mail.

I cannot read the map as it has a poor resolution as to exactly which farm you are referring to. Please send me something so that I can see it more accurately.

Many Thanks

Kind Regards

James

---

**From:** Lauren Abrahams [mailto:[lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)]

**Sent:** 28 February 2018 09:55

**To:** [lars.starke@gmail.com](mailto:lars.starke@gmail.com); James Armitage <[james@sandownstud.co.za](mailto:james@sandownstud.co.za)>; [peter@mb-net.co.za](mailto:peter@mb-net.co.za)

**Cc:** [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za); [ketstarke@gmail.com](mailto:ketstarke@gmail.com)

**Subject:** RE: Groenfontein Compost Facility, Klapmuts

Good morning,

Kindly find attached for your attention the Notice by MD&P Industries (Pty) Ltd for the proposed expansion and licensing of the Groenfontein compost facility to recycle and treat organic waste to produce compost on approximately 14.3 ha. Proposed expansion of the existing storm water cut-off channels and collection dam to contain and store all storm water generated on site for reuse and recycling onto the compost rows as part of the treatment and compost making process.

**Location:** The compost facility and proposed expansion area are situated approximately 3.2km northwest of Klapmuts, north of the N1 on Remainder Farms Groenfontein Annex 716 Portion 54; Portion 56 and a Portion of Portion 25, Paarl.

**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 (08 February 2018). 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.

All registered interested and affected parties will be provided access to the Basic Assessment report once they become available for further comment and consultation.

Should you require any additional information please feel free to contact me.

Kind regards,

Lauren Abrahams

---



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**Fax:** +27 (0) 21 671 9976

South Africa  
7735

Email: [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)  
Web: [www.ecoimpact.co.za](http://www.ecoimpact.co.za)

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---

**From:** ketstarke [<mailto:ketstarke@gmail.com>]

**Sent:** 23 February 2018 06:49 PM

**To:** Abrahams Lauren Ecoimpact <[admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)>

**Cc:** Starke Lars <[lars.starke@gmail.com](mailto:lars.starke@gmail.com)>; Armitage James <[james@sandownstud.co.za](mailto:james@sandownstud.co.za)>; Versfeld Ingie <[peter@mb-net.co.za](mailto:peter@mb-net.co.za)>

**Subject:** Groenfontein Compost Facility, Klapmuts

Dear Ms Abrahams

Your letter mailed to The E J Starke Will Trust dated 8 February refers.

Kindly note that the above Trust has been terminated and that the current owner of the land bordering on your proposed facility is The Starke Farm Trust. Kindly alter your records accordingly. Many thanks.

Could you kindly add the above three recipients of this email to your mailing list and email all relevant correspondence them. Mr Lars Starke and Mrs Ingrid Versfeld are Trustees of The Starke Farm Trust and Mr James Armitage is the lessee of the land owned by The Trust.

Kindly email your letter dated 8 February to Mr Starke, Mrs Versfeld and Mr Armitage as a matter of urgency as I note that your deadline for Interested and Affected Parties to register is 30 days from 8 February.

Yours sincerely

Karen Starke  
Trustee: The Starke Farm Trust

Sent from my Samsung Galaxy smartphone.

## Lauren Abrahams

---

**From:** Lauren Abrahams <lauren@ecoimpact.co.za>  
**Sent:** Friday, March 02, 2018 12:06 PM  
**To:** 'Lars Starke'  
**Cc:** 'James Armitage'; 'Ingrid Versfeld'; 'Karen Starke'  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts

Good day Mr. Starke,

Received with thanks.

Kind regards,

Lauren Abrahams

---



**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:** [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)

7735

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---

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---

**From:** Lars Starke [<mailto:lars.starke@gmail.com>]  
**Sent:** Friday, March 02, 2018 12:04 PM  
**To:** Lauren Abrahams  
**Cc:** 'James Armitage'; 'Ingrid Versfeld'; 'Karen Starke'  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts

My apologies for getting the attachment. It is now included.

Kind regards,

Lars Starke

Sent from [Mail](#) for Windows 10

---

**From:** [Lauren Abrahams](#)  
**Sent:** Friday, 02 March 2018 12:01  
**To:** '[Lars Starke](#)'  
**Cc:** '[James Armitage](#)'; '[Ingrid Versfeld](#)'; '[Karen Starke](#)'  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts

Good day Mr. Starke,

We thank you for your email and the concern regarding access raised in your comment. This will be included in the BAR and consideration will be made as per your request.

Please be advised that your email did not contain an attachment, if you could please resend it for reference.

Kind regards,

Lauren Abrahams

---



**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:** [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)

7735

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---

**From:** Lars Starke [<mailto:lars.starke@gmail.com>]  
**Sent:** Friday, March 02, 2018 11:42 AM  
**To:** Lauren Abrahams  
**Cc:** James Armitage; Ingrid Versfeld; Karen Starke  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts

Good day,

With reference to your email of 28 February 2018, please be advised that, although not in use at the moment, Minor Road 5241 provides access to the farm Zand Dam (479). At present, the farm Zand Dam is farmed as a single entity with the farm Weltevreden ( Portion 2 of Farm Number 719), but should the property ever be sold off, access to Zand Dam via Minor Road 5241 will be required.

The location of the road, as obtained from the Department of Transport and Public Work swebsite, is shown on the attached map with the boundaries of the farm Zand Dam shown in red.

Please bear this in mind with the Groenfontein development.

Yours faithfully,

Lars Starke

Trustee: The Starke Farm Trust

Address: 5A Kiewiet Street, CERES, 6835  
Telephone: +27 23 312 2088 (home)  
Cellphone: +27 82 809 6170  
Email: [lars.starke@gmail.com](mailto:lars.starke@gmail.com)

Sent from [Mail](#) for Windows 10

---

**From:** [Lauren Abrahams](#)  
**Sent:** Wednesday, 28 February 2018 09:54  
**To:** [lars.starke@gmail.com](mailto:lars.starke@gmail.com); [james@sandownstud.co.za](mailto:james@sandownstud.co.za); [peter@mb-net.co.za](mailto:peter@mb-net.co.za)  
**Cc:** [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za); [ketstarke@gmail.com](mailto:ketstarke@gmail.com)  
**Subject:** RE: Groenfontein Compost Facility, Klapmuts

Good morning,

Kindly find attached for your attention the Notice by MD&P Industries (Pty) Ltd for the proposed expansion and licensing of the Groenfontein compost facility to recycle and treat organic waste to produce compost on approximately 14.3 ha. Proposed expansion of the existing storm water cut-off channels and collection dam to contain and store all storm water generated on site for reuse and recycling onto the compost rows as part of the treatment and compost making process.

**Location:** The compost facility and proposed expansion area are situated approximately 3.2km northwest of Klapmuts, north of the N1 on Remainder Farms Groenfontein Annex 716 Portion 54; Portion 56 and a Portion of Portion 25, Paarl.

**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 (08 February 2018). 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.

All registered interested and affected parties will be provided access to the Basic Assessment report once they become available for further comment and consultation.

Should you require any additional information please feel free to contact me.

Kind regards,

Lauren Abrahams



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Reg: 2010/015546/07

P.O. Box 45070

**Office:** +27 (0) 21 671 1660

Claremont

**Fax:** +27 (0) 21 671 9976

South Africa

**Email:** [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)

7735

**Web:** [www.ecoimpact.co.za](http://www.ecoimpact.co.za)

---

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---

**From:** ketstarke [<mailto:ketstarke@gmail.com>]  
**Sent:** 23 February 2018 06:49 PM  
**To:** Abrahams Lauren Ecoimpact <[admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)>



**Cc:** Starke Lars <[lars.starke@gmail.com](mailto:lars.starke@gmail.com)>; Armitage James <[james@sandownstud.co.za](mailto:james@sandownstud.co.za)>; Versfeld Ingie <[peter@mb-net.co.za](mailto:peter@mb-net.co.za)>

**Subject:** Groenfontein Compost Facility, Klapmuts

Dear Ms Abrahams

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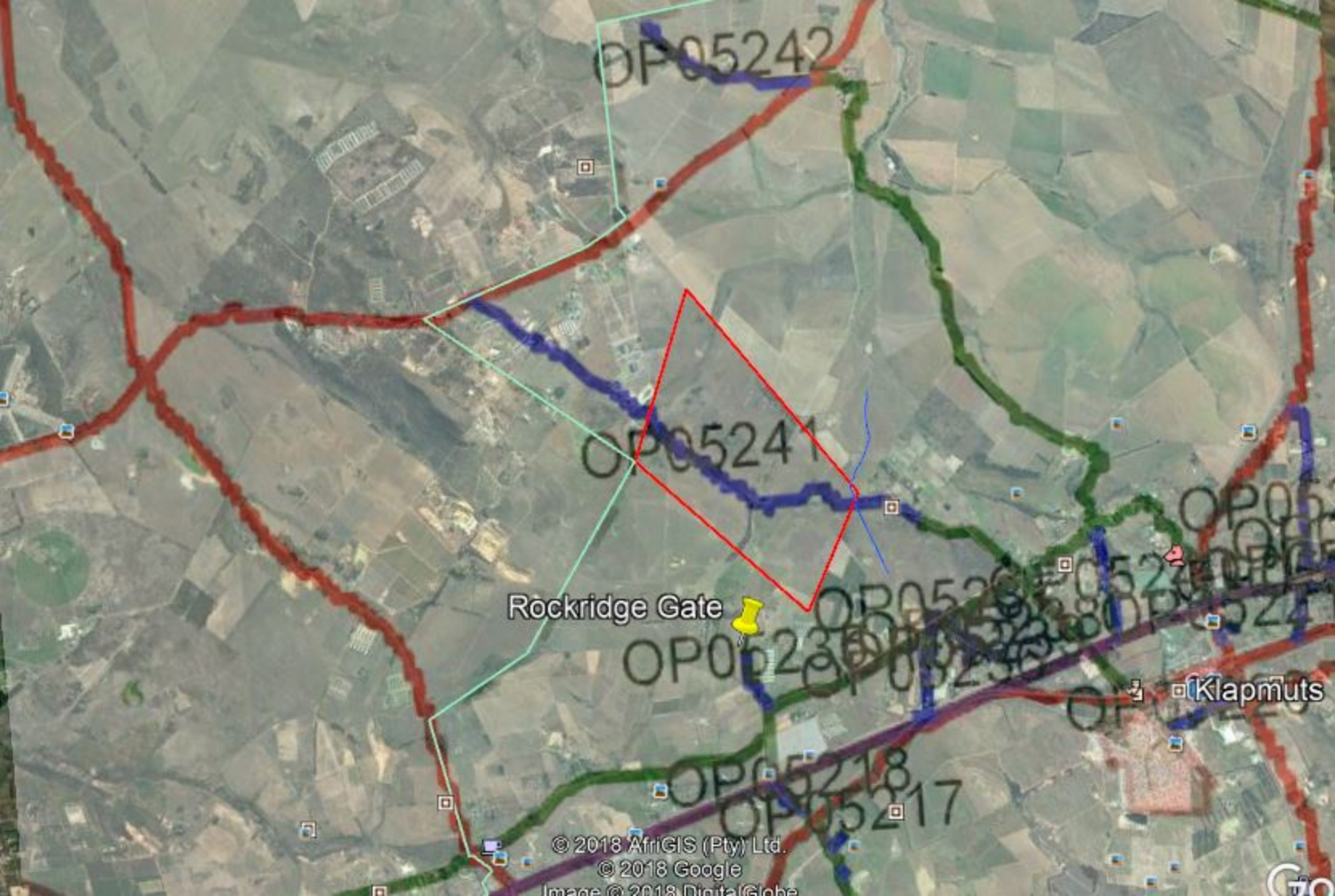
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Kindly email your letter dated 8 February to Mr Starke, Mrs Versfeld and Mr Armitage as a matter of urgency as I note that your deadline for Interested and Affected Parties to register is 30 days from 8 February.

Yours sincerely

Karen Starke  
Trustee: The Starke Farm Trust

Sent from my Samsung Galaxy smartphone.



OP05242

OP05241

Rockridge Gate

OP05238  
OP05239  
OP05240  
OP05241  
OP05242  
OP05243  
OP05244

OP05245

Klapmuts

OP05218  
OP05217



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

PK05.

# eco impact

Environmental Health & Safety Legal Consulting

08 June 2018

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

Att: Eddie Hanekom

**EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN  
KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716  
PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL  
DEADP:DM REF: 16/3/3/6/7/1/B4/23/1354/17  
DEADP:WM REF: 19/2/5/7/B4/23/WL0091/17**

Good day,

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

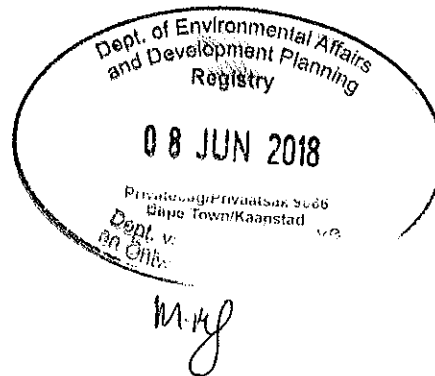
An electronic copy of the Pre-Application BAR and appendices is available on our website at [www.ecoimpact.co.za/public-participation](http://www.ecoimpact.co.za/public-participation).

Your comment would be appreciated within the regulatory 30 day commenting period or by 08 July 2018.

Kind Regards,



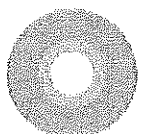
Ms. LR Abrahams  
Environmental Assessment Practitioner



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

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Claremont  
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Email: [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)  
Web: [www.ecoimpact.co.za](http://www.ecoimpact.co.za)



PROOF

eco  
impact

Environmental Health & Safety Legal Consulting

08 June 2018

DEA&DP: Air Quality Management  
Private Bag X9086  
Cape Town  
8000

Att: Dr. Joy Leaner

**EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN  
KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716  
PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL  
DEADP:DM REF: 16/3/3/6/7/1/B4/23/1354/17  
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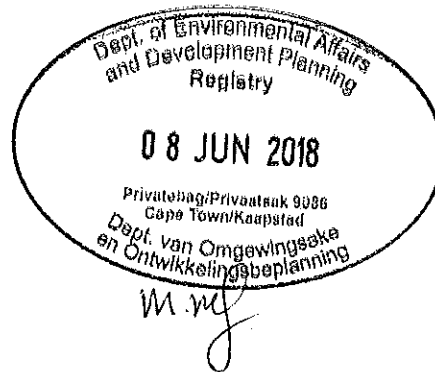
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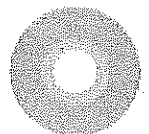
Ms. LR Abrahams  
Environmental Assessment Practitioner



Eco Impact Legal Consulting (Pty) Ltd  
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eco  
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Environmental Health & Safety Legal Consulting

08 June 2018

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

Att: W. Kloppers

**EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN  
KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716  
PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL  
DEADP:DM REF: 16/3/3/6/7/1/B4/23/1354/17  
DEADP:WM REF: 19/2/5/7/B4/23/WL0091/17**

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Kind Regards,



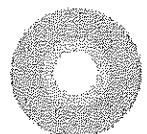
Ms. LR Abrahams  
Environmental Assessment Practitioner



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

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7735

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Email: [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)  
Web: [www.ecoimpact.co.za](http://www.ecoimpact.co.za)



PROOF

# eco impact

Environmental Health & Safety Legal Consulting

08 June 2018

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

Att: The Director Region 2 / Bernadette Osborne

**EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN  
KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716  
PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL  
DEADP:DM REF: 16/3/3/6/7/1/B4/23/1354/17  
DEADP:WM REF: 19/2/5/7/B4/23/WL0091/17**

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Your comment would be appreciated within the regulatory 30 day commenting period or by 08 July 2018.

Kind Regards,



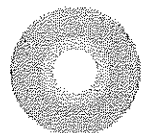
Ms. LR Abrahams  
Environmental Assessment Practitioner



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Reg: 2010/015546/07  
Directors: Mark Duckitt  
Nicoláas 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](mailto:admin@ecoimpact.co.za)  
Web: [www.ecoimpact.co.za](http://www.ecoimpact.co.za)



# GROENFONTEIN COMPOST FACILITY – KLAPMUTS

## PRE-APPLICATION BAR - MAILING LIST

The Municipal Manager / Mayor / Ward Councilors / Mr.  
M Engelbrecht (Air Quality Officer) / Mr. S. McLean

Cape Winelands District Municipality  
PO Box 10C  
Stellenbosch  
7599

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244936ZA**  
CUSTOMER COPY 301028R

Alana Duffell-Canham  
CapeNature  
Private Bag X5014  
Stellenbosch  
7599

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244922ZA**  
CUSTOMER COPY 301028R

Dr Joy Leaner / Mr. Peter Harmse -BH  
DEA&DP: Air Quality Management  
Private Bag X9086  
Cape Town  
8000

The Director Region 2 / Bernadette Osborne -BH  
DEA&DP: Development Management  
Private Bag X9086  
Cape Town  
8000

Mr. Eddie Hanekom / Mr. Etienne Roux -BH  
DEA&DP: Waste Management  
Private Bag X9086  
Cape Town  
8000

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

Corr van der Walt  
Department of Agriculture, Western Cape: Land Use

Private Bag X1  
Elsenburg  
7606

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244919ZA**  
CUSTOMER COPY 301028R

Ms. N. Ndobeni  
Department of Water & Sanitation

Private Bag X16  
Sanlamhof  
7532

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244905ZA**  
CUSTOMER COPY 301028R

The Municipal Manager / Mayor / Ward Councillors  
Drakenstein Municipality

PO Box 1  
Paarl  
7620

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244896ZA**  
CUSTOMER COPY 301028R

Ms. J. Fisher (Secretary)

Drakenstein Heritage Foundation  
[dhfheritage@gmail.com](mailto:dhfheritage@gmail.com)

*email*

Ms. Waseefa Dhansay  
Heritage Western Cape  
Private Bag X9067  
Cape Town  
8000

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283243666ZA**  
CUSTOMER COPY 301028R

The Regional Director  
National Department of Agriculture (Bellville)

Private Bag X2  
Sanlamhof  
Bellville  
7532

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244882ZA**  
CUSTOMER COPY 301028R

Johan Goosen  
Western Cape Department of Health  
Private Bag X3,  
Vredenburg,  
7380

**REGISTERED LETTER**  
(with a domestic insurance option)  
ShareCall 0860 111 502 www.sapo.co.za  
**RC283244940ZA**  
CUSTOMER COPY 301028R

**REGISTERED I&APS**

Karen Elizabeth Turpin Starke  
Trustee: Starke Family Trust  
[ketstarke@gmail.com](mailto:ketstarke@gmail.com)

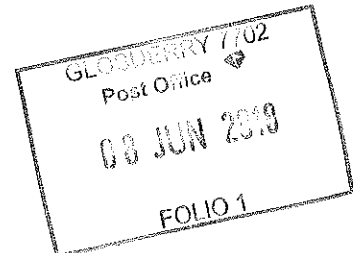
*email*

Lars Starke  
Trustee: Starke Family Trust  
[lars.starke@gmail.com](mailto:lars.starke@gmail.com)

*email*

The Starke Family Trust  
James Armitage - [james@sandownstud.co.za](mailto:james@sandownstud.co.za)  
Ingie Versfeld - [peter@mb-net.co.za](mailto:peter@mb-net.co.za)  
Lars Starke - [lars.starke@gmail.com](mailto:lars.starke@gmail.com)  
Karen Starke - [ketstarke@gmail.com](mailto:ketstarke@gmail.com)

*email*



Eco Impact  
P.O. Box 45070  
CLAREMONT  
7735

8

*MHWSTBY*



## Lauren Abrahams

---

**From:** Lauren Abrahams <lauren@ecoimpact.co.za>  
**Sent:** Friday, June 08, 2018 4:08 PM  
**To:** dhfheritage@gmail.com; lars.starke@gmail.com; james@sandownstud.co.za; peter@mb-net.co.za; ketstarke@gmail.com  
**Subject:** GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL

**Importance:** High

**EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL**

**DEADP:DM REF: 16/3/3/6/7/1/B4/23/1354/17**

**DEADP:WM REF: 19/2/5/7/B4/23/WL0091/17**

Dear Registered Interested and Affected Party,

Please be advised that the Pre-Application Basic Assessment Report and appendices is available for review and comment and can be viewed on our website at: <https://www.ecoimpact.co.za/public-participation/>

Your comment would be appreciated within the regulatory **30 days** commenting period or by **08 July 2018**.

Please send all comments to [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za) alternatively comments can be addressed to the EAP at [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za).

Please acknowledge receipt.

Kind regards,

Lauren Abrahams



**Eco Impact Legal Consulting (Pty) Ltd**

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South Africa

**Email:** [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)

7735

**Web:** [www.ecoimpact.co.za](http://www.ecoimpact.co.za)

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**PROOF OF POSTAGE /  
DELIVERY:  
APPLICATION**

PROOF

# eco impact

Environmental Health & Safety Legal Consulting

18 January 2019

DEA&DP: Development Management (Region 2)  
Private Bag X9086  
Cape Town  
8000

Attention: Bernadette Osborne

**PROJECT TITLE: EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL**  
DEA&DP REF NO: 16/3/3/6/7/1/B4/23/1354/17

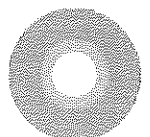
Good day,

Enclosed please find three (3) printed copies and one (1) CD copy of the Application for Environmental Authorisation for the Expansion and Waste license for the Groenfontein Klapmuts Compost Facility.

Kind regards,



Yolandie Henstock  
Administration



Proof

# eco impact

Environmental Health & Safety Legal Consulting

18 January 2019

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

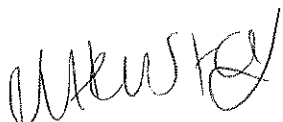
Attention: Eddie Hanekom / Etienne Roux

**PROJECT TITLE: EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL  
DEA&DP REF NO: 16/3/3/6/7/1/B4/23/1354/17**

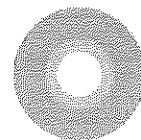
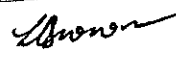
Good day,

Enclosed please find three (3) printed copies and one (1) CD copy of the Application for Environmental Authorisation for the Expansion and Waste license for the Groenfontein Klapmuts Compost Facility.

Kind regards,



Yolandie Henstock  
Administration



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



**REFERENCE:** 19/2/5/7/B4/23/WL0091/17

The Director/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](mailto:admin@ecoimpact.co.za)

**For attention:** Ms LR Abrahams

**ACKNOWLEDGEMENT OF RECEIPT OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT (BAR) OF THE PROPOSED EXPANSION AND WASTE MANAGEMENT LICENCE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON GROENFONTEIN ANNEX 54/716; 56/716 AND A PORTION OF 25/716, PAARL**

1. This letter serves as an acknowledgment of receipt of the above-mentioned document dated 8 June 2018, as received by the Department of Environmental Affairs and Development Planning, Directorate: Waste Management (the 'Department') on the same day.
2. The Department will consider the pre-application BAR in accordance with the prescribed timeframes and advise you accordingly.
3. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
4. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully

**LANCE MCBAIN-CHARLES**  
**DEPUTY DIRECTOR: WASTE MANAGEMENT LICENSING**

**DATE:** 2018/6/13

Cc: Mr Pieter Visser

Email: [pietervisser@tiptrans.co.za](mailto:pietervisser@tiptrans.co.za)



**REFERENCE:** 19/4/4/BD1- Groenfontein Klappmuts Compost

**DEADP:WM REFERENCE:** 19/2/5/7/B4/23/WL0091/17

**ENQUIRIES:** P. Harmse

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Fax: 021 671 9976

Email: [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)

**Attention:** Ms. LR Abrahams

**COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (BAR) FOR THE EXPANSION AND WASTE LICENCE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL, WESTERN CAPE.**

The Pre-Application BAR for the above-mentioned proposed development, dated 08 June 2018, which was received by the Department of Environmental Affairs and Development Planning (DEA&DP), Directorate: Air Quality Management (D: AQM), has reference.

The D: AQM carefully reviewed the above-mentioned application and has the following comments for consideration by the facility:

## **1. DUST AND NOISE CONTROL REGULATIONS**

- 1.1 Dust and noise may be generated during the construction phase of the project.
- 1.2 In this regard, the operation must comply with the following:
  - National Environmental Management: Air Quality Act (NEM: AQA), National Dust Control Regulations (Notice 827 of 2013);
  - Western Cape Noise Control Regulations (P.N. 200/2013).

## 2 ODOUR EMISSION IMPACT MANAGEMENT

2.1 The D: AQM is aware that the composting process generates a certain level of odour and this could possibly lead to complaints being received regarding alleged excessive odour emissions emanating from the composting plant. The facility must investigate best practice measures to minimise or avoid offensive odours.

*"In terms of Section 35 (2) of the NEM: AQA (Act No. 39 of 2004), the occupier of the premises must take all reasonable steps to prevent the emission of any offensive odour caused by any activity on such premises."*

## 3 ENVIRONMENTAL MANAGEMENT PROGRAMME (EMP)

3.1 The proposed Standard Operating Procedures (SOP's) mentioned in the Pre- Application BAR should be instituted and maintained in the daily operational production process. The EMP should include, but not be limited to the following considerations related to the abovementioned SOP's

- The composting facility lies 3.2 km away from the residential area of Klapmuts, therefore it is important to mitigate measures to reduce odours resulting in nuisance conditions.
- High temperatures may pose a fire risk, therefore the windrows and bulk storage areas should be monitored for temperature spikes.
- Hydrogen sulphide and ammonia ratios must be at the required level as to abate potential odour release.

Should you have any queries regarding the above comments, please do not hesitate to contact Peter Harmse on telephone number: (021) 483 8343 or email: [peter.harmse@westerncape.gov.za](mailto:peter.harmse@westerncape.gov.za)

Yours faithfully,



**PETER HARMSE**  
**ACTING DIRECTOR: AIR QUALITY MANAGEMENT**

**DATE:** 28/06/2018

Cc. Lance McBain-Charles (DEA&DP - Directorate: Waste Management) [Lance.McBain-Charles@westerncape.gov.za](mailto:Lance.McBain-Charles@westerncape.gov.za)





**Western Cape  
Government**

Environmental Affairs and  
Development Planning

Directorate: Development Management  
(Region 2)

**REFERENCE:** 16/3/3/6/7/1/B4/23/1354/17

**ENQUIRIES:** Bernadette Osborne

**DATE:** 2018 -07- 0 5

The Board of Directors  
MD&P Industries (Pty) Ltd  
PO Box 14  
**KLAPMUTS**  
7625

**Attention: Mr Pieter Visser**

Tel: (021) 971 1404  
Fax: (022) 433 1400

Dear Sir

**COMMENT ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL.**

1. The pre-application Draft BAR and letter dated 8 June 2018, received by this Department on the same day and the acknowledgement thereof dated 15 June 2018, refer.
2. This letter serves as comment on the aforementioned document by this Department.
3. According to the information submitted to this Department, the following is noted:
  - The proposed expansion and licensing of an existing compost facility to recycle and treat organic waste to produce compost.
  - The proposed expansion of the existing storm water cut-off channels and collection dam to contain and store all storm water generated on site for reuse and recycling onto the compost rows as part of the treatment and composting process.
  - Effluent that will not be sprayed on compost heaps will be marketed and sold as compost tea.
  - The site will have a development footprint of approximately 14.3ha.

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

- The existing compost facility will be expanded by approximately 3ha; this would allow the facility to treat general waste with a capacity in excess of 10 tons but less than 100 tons.
  - The expansion area is currently being used for agricultural activities.
  - Indigenous vegetation is not present on the site.
  - A non-perennial tributary of the Klappmuts River runs adjacent to the western boundary of the site.
  - The site is located outside the urban area of Klappmuts and zoned Agriculture Zone I.
4. This Department's comments are as follows:
- 4.1 Based on Google Earth imagery the composting facility has been operational since before 2005. Please confirm when the existing facility was established and what the current footprint of the composting facility is.
- 4.2 Be advised that the National Department of Environmental Affairs confirmed in a response to an enquiry that composting is not considered to fall within the ambit of an agri-industrial activity, as defined in either Activity 8 or 43 of GN No. 327 of the NEMA EIA Regulations, 2014 (as amended) and is therefore not applicable to the proposed development.
- 4.3 According to the information provided, the dam in the north-western corner of the site is classified as a wetland. If the wetland is a watercourse, as defined in terms of the NEMA EIA Regulations, 2014 (as amended), the proposed alterations to the dam will trigger the listed activities indicated below. In addition to the above, it was also indicated that a cut-off drain will be constructed along the southern boundary of the site, which will intercept runoff from the adjacent properties towards the watercourse. If the drain will be located within 32m of the watercourse or within a watercourse, it might also trigger the following listed activities:
- **Activity 12 of GN No. 327**  
The development of—
    - (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or
    - (ii) **infrastructure or structures with a physical footprint of 100 square metres or more;**
 where such development occurs—
    - (a) **within a watercourse;**
    - (b) in front of a development setback; or
    - (c) **if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —**
 excluding—
    - (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
    - (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;
    - (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;
    - (dd) where such development occurs within an urban area;

- (ee) where such development occurs within existing roads, road reserves or railway lines; or
- (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.

- **Activity 19 of GN No. 327**

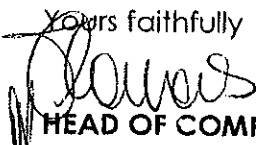
**The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;**

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- a) will occur behind a development setback;
  - b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
  - c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
  - d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbor; or
  - e) where such development is related to the development of a port or harbor, in which case activity 26 in Listing Notice 2 of 2014 applies.
- 4.4 If Activity 19 of GN No. 327 is triggered, and future maintenance related work may be required, the Department recommends that a Maintenance Management Plan ("MMP") forms a component of the Environmental Management Programme ("EMPr"). Should the Department agree to the proposed MMP, future maintenance work specified within the MMP would not require an Environmental Authorisation prior to the undertaking thereof. Please refer to the attached document. Please be advised that the MMP relates to the aforementioned listed activity only.
- 4.5 Since the proposed expansion is in close proximity to a watercourse, the distance / buffer area between the watercourse and the development must be clearly indicated on a layout plan.
- 4.6 Comment from the following key stakeholders must be included in the Final BAR:
- 4.6.1 A comment from the Department of Agriculture since the site will be expanded onto agricultural land.
  - 4.6.2 A comment from the Department of Water and Sanitation ("DWS"). Please be advised that in terms of the Standard Operating Procedure between this Department and the Department of Water and Sanitation, which came into effect on 1 July 2017, the Environmental Assessment Practitioner must submit a written water use application request to the Department of Water and Sanitation to determine whether or not a General Authorisation or WULA in terms of the National Water Act, 1998 (Act No. 36 of 1998) is required. In terms of the Agreement for the One Environmental System (section 50A of the NEMA and sections 41(5) and 163A of the NWA) the processes for a WULA and for an EIA must be aligned and integrated with respect to the fixed and synchronised timeframes, as prescribed in the EIA Regulations, 2014 (as amended), as well as the 2017 WULA Regulations.

- 4.7 It was noted that the preferred technology alternative is composting using the turned windrow method. Please indicate whether this is the Low Technology alternative or the Medium Technology alternative since both refer to the turned windrows as examples of composting methods. You are also required to provide motivations why the other technology alternatives are not preferred.
- 4.8 Further to the above, although different technology alternatives were included under Section E of the Draft BAR, these were not included in the Impact Tables attached as Appendix J. The Impacts Tables must be repeated for each identified alternative to ensure a comparative assessment.
- 4.9 Omission of any required information in terms of Appendices 1 and 4 of Government Notice No. 326 with regards to the final submission of the BAR and EMPr, respectively to the Department, may result in the application for Environmental Authorisation being refused.
- 4.10 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.
- 4.11 In addition to the above, please ensure that original signed and dated Environmental Assessment Practitioner ("EAP") declaration is also submitted with the final BAR for decision-making.
5. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
6. Please note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
7. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Lauren Abrahams (Eco Impact Legal Consulting (Pty) Ltd)

Fax: (021) 671 9976

(2) Etienne.Roux@westerncape.gov.za (Directorate: Waste Management)

(3) Shaun.Reece@drakenstein.gov.za (Drakenstein Municipality)

**REFERENCE:** 19/2/5/7/B4/23/WL0091/17

The Director/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](mailto:admin@ecoimpact.co.za)

**For attention:** Ms LR Abrahams

**COMMENTS ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (BAR) FOR THE PROPOSED EXPANSION AND WASTE MANAGEMENT LICENCE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON GROENFONTEIN ANNEX 54/716; 56/716 AND A PORTION OF 25/716, KLAPMUTS**

1. The above-mentioned document (the 'Report'), dated 25 May 2018, as received by the Department of Environmental Affairs and Development Planning, Directorate: Waste Management (the 'Department') on 8 June 2018, refers.
2. The Department has reviewed the documentation and has the following comments:
  - 2.1. Kindly provide a more detailed description of the current composting facilities occurring on site. Kindly include details on when the composting at the facility started, what is currently being composted, what is the current size of the operations in terms of quantities being composted, as well as the physical size of the operation.
  - 2.2. It is not clear from the application what types of organic waste will be composted. Kindly clarify what will be composted, the expected quantities to be composted, as well as where the materials will be sourced and how it will be transported to the Facility, in the draft BAR to be submitted.
  - 2.3. Page 14 states that the Facility is near a tributary of the non-perennial Klapmuts River. Page 31 states that there is a concern about the close proximity of the facility to this River and that a Water Use License would be required to authorise the expansion of this Facility. Kindly obtain comment from the Department of Water and Sanitation on this proposed development and include proof of submission of the Water Use License Application in the draft BAR.
  - 2.4. On page 35, it is stated that no geological investigation was carried out on site. However, on page 54, the report states that storing feedstock and compost on a bunded and hard foundation, would reduce groundwater intrusion by leachate generated by the activity. Kindly note, that the composting operation will have to take place on an impermeable surface. It will be the onus of the

applicant to prove to the Department that the ground at the Facility is suitable to prevent pollution of ground water. It is recommended that a soil specialist be appointed to provide this clarity to the Department.

- 2.5. According to the Waste Management License Application Additional Information Annexure, the site has a b+ climatic water balance, which means there is an increased probability leachate will be generated. Will groundwater be monitored? Should boreholes be installed, kindly indicate where the boreholes will be placed.
- 2.6. On various occasions in the document it is mentioned that the existing dams will be merged and the volume of the dam will increase. Are these dams lined in any way? Are there any plans to have them lined?
- 2.7. According to page 53 of the Report, there is a possibility that chipping of wood might occur on site. Kindly note, as the operational area of the facility is greater than 1000m<sup>2</sup>, the chipping of wood will need to adhere to the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM:WA) 'National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste', as contained in Government Notice (GN) No. 1093 of 11 October 2017.
- 2.8. Regarding the section on Record Keeping on page 14 of the Environmental Management Programme (EMPr), kindly include records of the amounts of incoming waste, waste processed at the Facility and waste and compost removed from Facility.
- 2.9. Kindly note that empty pesticide containers might still contain residual pesticide and as such, these empty containers are considered hazardous waste. Kindly ensure that these containers are appropriately stored, prior to its disposal at a registered licenced waste management facility, capable of handling such waste.
- 2.10. On page 5 of the Waste Management License Application Additional Information Annexure, two different waste quantities to be treated are mentioned. Kindly clarify the amount of waste expected to be treated at the Facility.
- 2.11. Page 10 of the Waste Management License Application Additional Information Annexure refers to a Soil Study that was attached to the Report as Appendix G3. No such appendix, or Soil Study has been included in the pre-application BAR received.
3. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully



**LANCE MCBAIN-CHARLES**  
**DEPUTY DIRECTOR: WASTE MANAGEMENT LICENSING**

**DATE:** 2018/7/5

Cc: Mr Pieter Visser

Email: [pietervisser@tiptranscape.co.za](mailto:pietervisser@tiptranscape.co.za)

**SCIENTIFIC SERVICES**

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**physical** Assegaaibosch Nature Reserve Jonkershoek  
**website** [www.capenature.co.za](http://www.capenature.co.za)  
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**telephone** +27 21 866 8000 **fax** +27 21 866 1523  
**email** [phuntly@capenature.co.za](mailto:phuntly@capenature.co.za)  
**reference** **SSD14/2/6/1/9/3/716\_Groenfontein\_Compost\_Paarl**  
**date** **06 July 2018**

Ms L R Abrahams  
P O Box 45070  
Claremont  
7735

*By email:* [admin@ecoimpact.co.za](mailto:admin@ecoimpact.co.za)

Dear Ms Abrahams,

**RE: CapeNature Comments on Pre-Application BAR for expansion and waste licence application for the Groenfontein Klappmuts Compost Facility on rem farm 716 Ptns 54,56 and 25, Paarl**

DEADP: DM Ref: 16/3/3/6/7/1/B4/23/1354/17

DEADP:WM Ref: 19/2/5/7/B4/23/WL0091/17

CapeNature would like to thank you for the opportunity to comment on the above pre-application BAR and wish to make the following comments:

1. According to the Western Cape Biodiversity Spatial Plan (BSP) of 2017 terrestrial Critical Biodiversity Areas (CBAs) mapped on portions 54 (north and north eastern section of the property), portion 25 (small area near the boundary with portion 54) and a thin strip along the north eastern boundary of portion 56. The desired management objective for CBAs is that they are maintained in a natural or near-natural state with no further loss of habitat. Degraded areas should be rehabilitated and only low impact biodiversity sensitive land uses are appropriate. This is correctly reflected in the report.
2. The majority of the proposed expansion area does not coincide with the mapped CBAs and thus it is not opposed. However, there is a strip of proposed expansion area which runs along the north eastern boundary of the existing development which does coincide with the CBA (as indicated in Appendix D1 in the Biodiversity Map of your report). It is recommended that this section of the proposed expansion to be omitted from the development footprint in order to allow for the CBA to remain intact.
3. The mapped vegetation for the area, if it were in a natural state, is Swartland Silcrete Renosterveld (Critically Endangered) across most of portion 56; Swartland Alluvium Fynbos (Critically Endangered) covering the north and eastern sections of portion 54 and Swartland Granite Renosterveld (Critically Endangered) which runs along the north western boundary of portion 56 and the south western boundary of portion 54. Portion 25 is mapped as a mix of these 3 Critically Endangered vegetation types. It is reflected in the report that the actual state of vegetation on site is largely transformed by previous and currently land-use however please provide clarity as to whether a botanical survey was done; given that the indigenous vegetation that would naturally occur in this area is listed as critically

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Bond-Smith, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

endangered it is important to provide more thorough information on the current status of the vegetation on site.

4. In relation to the stormwater management component of this application, it is noted that the proposed combining of the two existing dams will create a single dam with a smaller footprint. This is not opposed.
5. In relation to water runoff and the potential for water pollution, it is noted that the design layout has provided for channels along downslope boundaries and for run off to be kept separate from the natural water course. If implemented correctly this should avoid impacts on indigenous aquatic biota in the natural water course.
6. Rehabilitation of all eroded areas and regular and ongoing control of invasive alien species is required across all properties and not just limited to the immediate area of the development footprint.

Please note that our comments pertain only to the biodiversity related impacts and not to the overall desirability of the proposed application. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Huntly', with a long horizontal flourish extending to the right.

Philippa Huntly  
For: Manager (Scientific Services)





**REFERENCE:** 16/3/3/6/7/1/B4/23/1354/17

**ENQUIRIES:** Hassan Parker

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**Attention:** Lauren Abrahams

**COMMENT ON THE BASIC ASSESSMENT REPORT (BAR), PRE-APPLICATION, FOR THE PROPOSED EXPANSION AND WASTE LICENSE APPLICATION OF THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON THE REMAINDER OF FARMS GROENFONTEIN, ANNEX 716, PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL.**

The Directorate: Pollution and Chemicals Management (D: PCM) acknowledges receipt of the (pre) BAR on 08 June 2018 for the proposed expansion and waste license application of the Groenfontein Klappmuts compost facility and has the following comment:

1. The proposed mitigation measures as proposed in this application must be implemented, maintained and adhered to during construction and implementation phases to prevent soil and water contamination;
2. The following phrase is misleading and clarity is sought:

*"The existing two dams have a **combined** storage capacity of  $\pm 6\ 600\text{m}^3$ ."*

The BAR indicates a combined storage is  $\pm 13\ 200\text{m}^3$  and not  $\pm 6\ 600\text{m}^3$ . Please clarify.

Please be informed that the D: PCM reserves the right to review comments made should additional information not revealed during the review phase become available.

Please contact Hassan Parker should you need to.

Yours faithfully,

PP   
\_\_\_\_\_

**Wilna Kloppers (Mrs.)**

**Director: Pollution and Chemicals Management**

Date: 11 July 2018



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

### WESTERN CAPE PROVINCE

Private Bag X 16, Sanlamhof, 7532 / 52 Voortrekker Road, Bellville 7530  
Tel #: (021) 941 6000 Fax #: (021) 941 6077

**Enquiries** : B. Mtandana  
**Tel #** : (021) 941 6136  
**Email** : [MtandanaB@dws.gov.za](mailto:MtandanaB@dws.gov.za)  
**Reference** : 16/27/G21E/A/11

Attention: Lauren Abrahams

Eco Impact Legal Consulting (Pty) Ltd  
P O Box 45707  
**CLAREMONT**  
7735

Dear Madam

**PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54: PORTION 56 AND A PORTION OF PORTION 25, PAARL**

Reference is made to the above-mentioned document dated 08 June 2018 with DEADP DM REF: 16/3/3/6/7/1/B4/23/1354/17 and DEADP: WM REF: 19/2/5/7/B4/23/WL0091/17.

This Department has perused the abovementioned document and has the following comments:

- A Section 21 (g) disposing of waste in a manner which may detrimentally impact on a water resource; water use authorisation must be obtained prior to the proposed compositing activity.
- A Section 21 (e) engaging in a controlled activity identified as such in section 37(1) or declared under section 38(1); water use activity must be applied for should the waste (dirty storm water) water be used on the property for irrigation purposes on the farm or on neighbouring farms. This authorisation must be approved prior to the activity going ahead.
- The proposed activity will happen within the 500 m from the boundary of a wetland. It therefore triggers water uses in terms of Section 21 (c) impeding or diverting the flow of water in a watercourse AND (i) altering the bed, banks, course and characteristics of a water course" of the National Water Act, 1998 (Act 36 of 1998).
- The Risk Matrix (Appendix A) submitted by yourselves indicates that the impact of the activity will not be low but Medium. Therefore kindly advise your client to apply for and obtain a Water Use Authorisation from this Department prior to commencing with any of the activities, as per Government Gazette No. 40229 in Government Notice 509 dated 28 August 2016.
- You are hereby advised to arrange for a water use authorisation pre-application meeting with the Department to advise on the water use authorisation process. Please note that as from January 2018, this Department **ONLY** accepts electronic water use applications.



**NATIONAL DEVELOPMENT PLAN**  
*Our Future - make it work*



## **water & sanitation**

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

- Water use applications can be submitted by following <http://www.dwa.gov.za/projects.aspx> and then click on e-wulaas.

Please do not hesitate to contact the above office should there be any queries.

Yours sincerely

*M. Lintnaar-Strauss*

AA CHIEF DIRECTOR:  
Signed by:  
Designation:  
Date:

WESTERN CAPE  
M. Lintnaar-Strauss  
Control Environmental Officer  
*23 October 2018*



**NATIONAL DEVELOPMENT PLAN**  
*Our Future - make it work*



**Western Cape  
Government**

Agriculture

Cor Van Der Walt  
LandUse Management  
Email: LandUse.Elsenburg@elsenburg.com  
tel: +27 21 808 5099 fax: +27 21 808 5092

**OUR REFERENCE : 20/9/2/5/4/106**  
**YOUR REFERENCE : -**  
**ENQUIRIES : Cor van der Walt**

Eco Impact  
PO Box 45070  
CLAREMONT  
7735

Att: Ms LR Abrahams

**APPLICATION FOR EXPANSION AND WASTE LICENSE FOR THE KLAPMUTS COMPOST  
FACILITY: DIVISION PAARL  
PORTION 25 OF THE FARM GROENFONTEIN ANNEX NO 716  
PORTION 54 OF THE FARM GROENFONTEIN ANNEX NO 716  
PORTION 56 OF THE FARM GROENFONTEIN ANNEX NO 716**

Your application of 08 June 2018 has reference.

In principle the Western Cape Department of Agriculture has no objection against the proposed application.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

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

Yours sincerely



**Mr. CJ van der Walt**

**LANDUSE MANAGER: LANDUSE MANAGEMENT**

**2018-10-05**

Copies:

Department of Environmental Affairs & Development Planning  
1 Dorp Street  
CAPE TOWN  
8001

Drakenstein Municipality  
PO Box 1  
PAARL  
7622

**CORRESPONDANCE**

**RECEIVED:**

**SUBMISSION OF**

**APPLICATION**



**REFERENCE:** 16/3/3/1/B4/23/1005/19

**ENQUIRIES:** Bernadette Osborne

**DATE:** 01.02.2019

The Board of Directors  
Boland Organic Supplies (Pty) Ltd  
PO Box 272  
**MOORREESBURG**  
7310

**Attention: Mr Simon Pieter Visser**

Tel: (021) 971 1404  
E-mail: pietervisser@tiptrans.co.za

Dear Sir

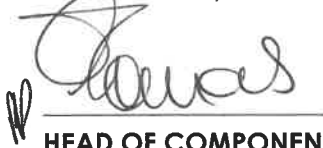
**ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM FOR BASIC ASSESSMENT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014, FOR THE PROPOSED EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARM GROENFONTEIN ANNEX 716 PORTIONS 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL.**

1. The Application Form and letter dated 18 January 2019, as received by this Department on 23 January 2019, refer.
2. This letter serves as an acknowledgement of receipt of the abovementioned document.
3. According to the information submitted to this Department, the following is noted:
  - The proposed expansion and licensing of an existing compost facility to recycle and treat organic waste to produce compost.
  - The proposed expansion of the existing storm water cut-off channels and collection dam to contain and store all storm water generated on site for reuse and recycling onto the compost rows as part of the treatment and composting process.
  - Effluent that will not be sprayed on compost heaps will be marketed and sold as compost tea.
  - The site will have a development footprint of approximately 14.3ha.
  - The existing compost facility will be expanded by approximately 3ha.
  - The expansion area is currently being used for agricultural activities.



- Indigenous vegetation is not present on the site.
  - A non-perennial tributary of the Klapmuts River runs adjacent to the western boundary of portions 176/54 and 716/56.
  - The site is located outside the urban area of Klapmuts and zoned Agricultural I.
4. Please note that paragraph 4.1 of this Department's comment on the pre-application draft Basic Assessment Report, indicated that based on Google Earth imagery the composting facility has been operational since before 2005. Confirmation was therefore required regarding the date the existing facility was established and what the current footprint of the composting facility was. The required information was never provided to the Department.
  5. If the existing composting development facility required Environmental Authorisation before development, the matter will be referred to this Department's Environmental Law Enforcement for further investigation.
  6. Alternatively, if the composting facility was established prior to requiring an Environmental Authorisation before commencement, this Basic Assessment process may continue.
  7. Please provide the required information (including proof to substantiate the information provided) to determine the appropriate way forward.
  8. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT ASSESSMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Yolandi Henstock (Eco Impact Legal Consulting Pty Ltd)  
(2) Cindy.Winter@drakenstein.gov.za (Drakenstein Municipality)

Fax: (021) 671 9976



**REFERENCE:** 19/2/5/3/B4/23/WL0008/19

Lauren Abrahams  
Eco Impact Legal Consulting (Pty) Ltd  
PO Box 45070  
**CLAREMONT**  
7735

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

**For attention:** Ms Lauren Abrahams

**ACKNOWLEDGEMENT OF RECEIPT OF THE WASTE MANAGEMENT LICENCE APPLICATION FORM FOR THE PROPOSED EXPANSION AND WASTE LICENCE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54, PORTION 56 AND A PORTION OF PORTION 25, PAARL**

1. This letter serves as an acknowledgement of receipt of the aforementioned document, dated 18 January 2019, as received by the Department of Environmental Affairs and Development Planning, Directorate: Waste Management on 23 January 2019.
2. The Sub-Directorate: Waste Management Licensing (hereafter 'the Department') has the following comments:
  - 2.1. Based on the aforementioned documents, the Department understands that the proposed expansion of the Groenfontein Klappmuts Compost Facility (hereafter "the Facility") will consist of the following:
    - Expansion of the existing composting facility to recycle and treat organic waste with a capacity in excess of 10 tons but less than 100 tons.
    - The existing footprint of the composting activity is to be expanded by 3 ha, to produce compost on approximately 14.3 ha.
    - The two existing dams will be combined and have a capacity of 13 800 m<sup>3</sup>.
    - A cut-off drain will be constructed on the southern boundary of Portion 56 in order to limit runoff to the dam.

2.2. This Department has reviewed the Waste Management Application Form and agrees with the Category A listed activities applied for in Government Notice (GN) No. 921 of 29 November 2013 (GN No. 921), as contained in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)(NEM:WA), "*List of waste management activities that have, or are likely to have, a detrimental effect on the environment*", namely,

- Category A 3(6): "*The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tons but less than 100 tons.*"
- Category A 3(12): "*The construction of a facility for a waste management activity listed in Category A of this schedule (not in isolation to associated waste management activity).*"

2.3. The following requirements must be complied with in respect to all applications for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 as contained in GN R 982 of 4 December 2014 (NEMA EIA Regulations), as amended:

#### 2.3.1. Exemption

It is evident that you do not intend to apply for an exemption from any provisions contained in the NEMA EIA Regulations, NEMA, or NEM:WA. Please note that should you fail to meet a requirement of the NEMA EIA Regulations or NEMA and if no exemption from that provision was applied for, your Basic Assessment Report (BAR) may be rejected.

Should you therefore still wish to apply for exemption from any provisions of the NEMA EIA Regulations, then you need to complete the separate Exemption Application form available on the Department's website (<https://www.westerncape.gov.za/eadp/content/application-form-exemption>).

Please note further that prior to completing and submitting such application for exemption you must first comply with Regulation 4(4) of GN No. R 994 of 8 December 2014. Regulation 4(4) requires that the applicant or Environmental Assessment Practitioner ("EAP") must communicate his or her intention to apply for exemption by giving notice in the manner prescribed in sub-regulation 4, to the land owner or person in control of the land and all potential or registered interested and affected parties, as the case may be. If an application for exemption is to be applied for from a

provision that needs to be met prior to a waste management licence being issued, then you may not continue with the Basic Assessment Process without having received an exemption notice from the Competent Authority exempting you from having to meet that legislative requirement.

### 2.3.2. Alternatives

In terms of the EIA Regulations and NEMA, the investigation of alternatives is mandatory. This includes the option of not proceeding with the proposed activity (the "no-go" option). All alternatives identified must first be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it had been applied for, or grant authorisation in respect of the whole or part of the project in the application. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives. You are reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option) in addition to the other alternatives identified.

If, after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no reasonable or feasible alternatives other than the preferred option and the no-go option exist. Refer to the Department's Guideline on Alternatives available on the Department's website (<http://eadp-westerncape.gov.za/your-resource-library>).

### 2.3.3. Public Participation

When notifying Interested and Affected Parties ("I&APs") of the application, the minimum information to be provided in a notice, which includes placing an advertisement or fixing a notice board, must contain, *inter alia*, whether a Basic Assessment or Scoping and EIR process is to be followed and information on how to register as an I&AP. A register of I&APs must be opened, maintained and made available to any person requesting access to the register in writing. The register must also be submitted together with the BARs.

A copy of the draft BAR must be submitted to the Department for comment and must be made available to all relevant State Departments that administer laws relating to a matter affecting the environment, for a 30-day comment period. The applicant/

EAP must notify the Department in writing of the date the draft BAR was submitted to the relevant State Department/Organs of State and clearly indicate whether or not such State Department/Organs of State were notified of the 30-day comment period in terms of Section 24O of NEMA. It is imperative that State Departments are in possession of the draft Reports when the EAP issues them with the notice in terms of Section 24O of NEMA. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O(2) and (3) of NEMA in the BAR, where appropriate.

In terms of good environmental practice you are encouraged to engage with State Departments and other Organs of State in the pre-application phase or early in the EIA process to solicit their inputs on any of their requirements to be addressed in the EIA process. Please note that this does not replace the requirement of making the draft BAR available to State Departments/Organs of State as stipulated above.

The practitioner must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must also include a description of the public participation process followed. This report must also be included in the public participation information to be attached to the BAR to be submitted for decision.

#### 2.3.4. Guidelines

When undertaking the Basic Assessment process, you must take into account applicable guidelines, including the guidelines developed by this Department. These can be downloaded from the Department's website (<https://www.westerncape.gov.za/eadp/your-resource-library/policies-guidelines>). In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:

- Guideline for the Review of Specialist Input in the EIA process (June 2005)
- Guideline for Environmental Management Plans (June 2005)
- Guideline for Involving Biodiversity Specialists in the EIA process (June 2005)
- Guideline on Alternatives (March 2013)
- Guideline on Need and Desirability (March 2013)
- Waste Management Licencing Guideline (2017)

### 2.3.5. Need & Desirability

In terms of the NEMA EIA Regulations, when considering an application, the Department must take into account a number of specific considerations including *inter alia*, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BARs.

### 2.3.6. NEMA Principles

In addition to the above, you must clearly show how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

### 2.3.7. Basic Assessment Report Requirements

The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 and must also include the information requested in this letter. Failure to submit any information prescribed in Appendix 1 of GN No. R. 982 may result in Environmental Authorisation being refused.

The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, GN No. R. 982 of 4 December 2014. In accordance with Regulation 19 of GN No. R. 982 of 4 December 2014, the Department hereby stipulates that the BAR must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department.

If the BAR is not submitted within 90 days the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted and the prescribed application fee would have to be paid.

### 2.3.8. General

Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

Please note that the activity may not commence prior to a Waste Management License being issued by the Department. It is an offence in terms of Section 20 (b) of the NEM: WA for a person to commence, undertake or conduct a waste management activity, except in accordance with a Waste Management License issued in respect of that activity, if a License is required. Failure to comply with the requirements of Section 20 (b) of the NEM: WA will result in the matter being referred

to the Directorate: Environmental Governance of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

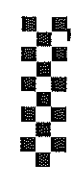
3. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully,



**LANCE MCBAIN CHARLES**  
**DEPUTY DIRECTOR: WASTE MANAGEMENT LICENSING**

DATE: 2019/02/01



Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/6/7/1/B4/23/1354/17  
**ENQUIRIES:** Bernadette Osborne  
**DATE:** 31. 01. 2019

The Board of Directors  
MD&P Industries (Pty) Ltd  
PO Box 14  
**KLAPMUTS**  
7625

**Attention: Mr Pieter Visser**

Tel: (021) 971 1404  
Fax: (022) 433 1400

Dear Sir

**RE: THE NOTICE OF INTENT FOR THE PROPOSED EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARMS GROENFONTEIN ANNEX 716 PORTION 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL.**

1. The Notice of Intent received by the Department on 24 October 2017, refers.
2. Please note that since an application for Basic Assessment has been lodged with the Department (DEA&DP Reference: 16/3/3/1/B4/23/1005/19), the pre-application file has been closed for administrative purposes.
3. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Lauren Abrahams (Eco Impact Legal Consulting Pty Ltd)  
(2) Cindy.Winter@drakenstein.gov.za (Drakenstein Municipality)

Fax: (021) 671 9976



**From:** lauren@ecoimpact.co.za  
**Sent:** Wednesday, February 6, 2019 1:09 PM  
**To:** bernadette.osborne@westerncape.gov.za  
**Subject:** 16/3/3/1/B4/23/1005/19  
**Attachments:** 1..pdf

**Importance:** High

**PROJECT: PROPOSED EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER ANNEX 716 PORTIONS 54, 56 AND A PORTION OF PORTION 25**

**REFERENCE: 16/3/3/1/B4/23/1005/19**

Good day Bernadette,

The Departments acknowledgement of receipt, dated 01 February 2019, refers.

Please be advised that the existing composting facility is operating with an existing authorization, attached hereto.

The facility is currently operating in terms of the following:

- Current extent of the composting area (in hectares or m<sup>2</sup>):  
+/- 1.36ha currently being used
- Tonnage of compost produced (per month / annum):  
Figures are based on sales for the period from Jan 2018 – Jan 2019
  - Chicken manure : 1,267 m<sup>3</sup>/month
  - Compost : 538 m<sup>3</sup>/month
  - Waste Manure : 426 m<sup>3</sup>/month

Please be advised that a hard copy of this correspondence together with the existing Authorisation will be delivered to the Department on Friday 08<sup>th</sup> February 2019.

I trust the above is in order and I await the Department's response in light of the information provided.

Kind regards,

**Lauren Abrahams**  
Environmental Assessment Practitioner  
Cand.Sci.Nat. 100126/12



**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: [lauren@ecoimpact.co.za](mailto:lauren@ecoimpact.co.za)**

7735

**Web: [www.ecoimpact.co.za](http://www.ecoimpact.co.za)**

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**Disclaimer:** This message may contain information which is private, privileged or confidential and is intended solely for the use of the individual



Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/1/B4/23/1005/19  
**ENQUIRIES:** Bernadette Osborne  
**DATE:** 2019-02-19

The Board of Directors  
Boland Organic Supplies (Pty) Ltd  
PO Box 272  
**MOORREESBURG**  
7310

**Attention: Mr Simon Pieter Visser**

Tel: (021) 971 1404  
E-mail: [pietervisser@tiptrans.co.za](mailto:pietervisser@tiptrans.co.za)

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE ADDITIONAL INFORMATION FOR THE APPLICATION FORM FOR BASIC ASSESSMENT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014, FOR THE PROPOSED EXPANSION AND WASTE LICENSE APPLICATION FOR THE GROENFONTEIN KLAPMUTS COMPOST FACILITY ON REMAINDER FARM GROENFONTEIN ANNEX 716 PORTIONS 54; PORTION 56 AND A PORTION OF PORTION 25, PAARL.**

1. The Application Form and letter dated 18 January 2019, as received by this Department on 23 January 2019, this Department's response issued on 1 February 2019 and the additional information received by the Department on 11 February 2019, refer.
2. This letter serves as an acknowledgement of receipt additional information and acceptance of the Application Form.
3. This application may continue and please take note of the following advice pertaining to the application:
  - 3.1 You are reminded that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the EIA process.

4. Please note the following requirements to be complied with in respect to all applications for Environmental Authorisation in terms of the National Environmental Management Act (Act No. 107 of 1998) ("NEMA") and the EIA Regulations, 2014:

#### 4.1 Alternatives

Be advised that in terms of the EIA Regulations and NEMA, the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted, that the Department may grant authorisation for an alternative as if it has been applied for or may grant authorisation in respect of all or part of the activity applied for. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option) in addition to the other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed.

If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is that proof of the investigation undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist must be provided to the Department. Refer to the Department's Guideline on Alternatives available on the Department's website <http://eadp-westerncape.kznshf.gov.za/your-resource-library>).

#### 4.2 Public participation

When notifying Interested and Affected Parties ("I&APs") of the application, the minimum information to be provided in a notice, which includes placing an advertisement or fixing a notice board, must contain, inter alia, whether a Basic Assessment or Scoping and EIR process is to be followed and information on how to register as an I&AP. A register of I&APs must be opened, maintained and made available to any person requesting access to the register in writing. The register must also be submitted together with the BAR.

Please be advised that the EAP must submit a copy of the draft BAR to the Department for comment, which must also be made available to all relevant State Departments/Organs of State that administer laws relating to a matter affecting the environment, for a 30-day comment period. The Environmental Assessment Practitioner ("EAP") must notify the Department in writing of the date the draft BAR was submitted to the relevant State Departments/Organs of State and clearly indicate whether or not such State Departments/Organs of State were notified of the 30-day comment period in terms of Section 24O of NEMA. It is imperative that State Departments/Organs of State are in possession of the draft Reports when the EAP issues them with the notice in terms of Section 24O of NEMA. Please note that the EAP is responsible for such consultation. The draft BAR must also be made available to I&APs for a minimum 30 days.

In terms of good environmental practise you are encouraged to engage with State Departments and other Organs of State in the pre-application phase or early in the EIA process to solicit their inputs on any of their requirements to be addressed in the EIA process. Please note that this does not replace the requirement of making the draft BAR available to State Departments/Organs of State as stipulated above.

The practitioner must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must also include a description of the public participation process followed. This report must also be included in the public participation information to be attached to the BAR to be submitted for decision.

#### 4.3 Environmental Management Programme ("EMPr")

In accordance with Section 24N of NEMA and Regulation 19 of the EIA Regulations 2014, the Department hereby requires the submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA and Appendix 4 of the EIA Regulations 2014. The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The EMPr must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005), available on the Department's website <http://eadp-westerncape.kznsshf.gov.za/your-resource-library> must be taken into account.

#### 4.4 Guidelines

When undertaking the EIA process, you must take into account the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<http://eadp-westerncape.kznsshf.gov.za/your-resource-library>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:

- Guideline for the Review of Specialist Input in the EIA process (June 2005).
- Guideline for Environmental Management Plans (June 2005).
- Guideline on Alternatives (March 2013).
- Guideline on Need and Desirability (March 2013).

#### 4.5 Need & desirability

In terms of the NEMA EIA Regulations, when considering an application, the Department must take into account a number of specific considerations including inter alia, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability. Refer to the Department's Guideline on Need and Desirability (March 2013).

#### 4.6 NEMA Principles

In addition to the above, you must clearly show how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

#### 4.7 BAR Requirements

The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations 2014 and must also include the information requested in this letter. Omission of any of the said information may result in the application for Environmental Authorisation being refused.

The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014. In accordance with Regulation 19 of the EIA Regulations 2014, the

Department hereby stipulates that the BAR must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department, calculated from 23 January 2019. If however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

If the BAR is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of the EIA Regulations 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted and the prescribed application fee would have to be paid.

Please note that two printed copies as well as two electronic copies (saved on CD/DVD) of the BAR must be submitted to the Department.

#### 4.8 General

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

Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless the Department has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

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

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT ASSESSMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

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