

## **PROOF OF PUBLIC PARTICIPATION**

Proposed development of a Single Residential Dwelling and Associated Infrastructure  
on Portions 125 and 126 of the Farm Hangklip No. 559, and The Remainder of the  
Farm No. 562, Caledon RD.

**May 2025**

**Consultant:**

**Michelle Naylor** | Env. Consultant | M.Sc., Pr. Sci. Nat., EAPASA  
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Lornay Environmental Consulting Pty Ltd | Reg 2015/445417/07

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## **1. INTRODUCTION**

The Public Participation Process was conducted in terms of the Environmental Impact Assessment (EIA) regulations as promulgated in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) (as amended) and the 2014 NEMA EIA Regulations promulgated in Government Gazette No. 38282 and Government Notice R983, R984 and R985 on 4 December 2014 (as amended). All potential interested and affected parties (I&APS) and applicable organs of state were notified of the DRAFT / pre-application Basic Assessment Report (BAR). The DRAFT BAR was made available for a 30-day period to I&APS and organs of state, to register and comment. Noticeboards were placed on site and a newspaper advertisement was placed in the local newspaper. All comments were recorded in a comments and response report and a register for I&APS was opened. An additional round of out of process public participation was conducted.

Three round of public participation have bene provided for as outlined in the proof below.

## 2. LIST OF INTERESTED AND AFFECTED PARTIES AND ORGANS OF STATE

In line with the requirements of NEMA, all potential Interested and Affected Parties (I&APs) were notified of the project and provided with an opportunity to comment. This included applicable organs of state. See list of I&AP's identified for the project:

<b><u>PRE-APPLICATION PUBLIC PARTICIPATION</u></b>	
<b>WC Government Env Affairs &amp; Dev Planning</b> <b>Development Management</b> N. Mabasa Registry Office 1st Floor, Utilitas Building 1 Dorp Street 8001	
<b>Cape Nature</b> Rhett Smart <a href="mailto:rsmart@capenature.co.za">rsmart@capenature.co.za</a>	<b>Overberg District Municipality</b> F. Kotze / R. Volschenk Private Bag x 22 Bredasdorp 7280 F. Kotze
<b>BGCMA</b> R. Le Roux Private Bag x3055 Worcester 6850 023 346 8000	<b>Overstrand Municipality</b> T. Zweig Kleinmond <a href="mailto:tzweig@overstrand.gov.za">tzweig@overstrand.gov.za</a>
<b>IAPS</b>	
<b>RE/562</b> <b>Overstrand Municipality</b>	<b>127/559</b> Basils Bosch Pty Ltd CO RMB PRIVATE BANK PO BOX 4919 TYGER VALLEY 7536 <a href="mailto:mfsnyman@rmbprivatebank.com">mfsnyman@rmbprivatebank.com</a>
<b>125/559</b> GF Fourie Applicant	<b>1/562</b> Overstrand Municipality
<b>121/559</b> DREYER AC, SALMON IH, ALBERTYNC, FISCHÉ 23 KOEGLEPARK BOTRIVER WEG KLEINMOND <a href="mailto:JEANETTE@MAXITEC.CO.ZA">JEANETTE@MAXITEC.CO.ZA</a>	

### **3. WRITTEN NOTICE TO I&APS AND ORGANS OF STATE OF DRAFT BAR:**

The I&AP's identified above were given written notice of the proposed development, via registered mail or courier, as appropriate. The written notice included details of the applicable legislation, the proposed expansion and means to provide comment or register as I&AP. See written notice below:



10 May 2023

DEA&DP Ref. No.: 16/3/3/6/7/1/E4/5/1495/22  
Lornay Ref. No.: 126OF559BB

**NOTICE OF PUBLIC PARTICIPATION FOR A BASIC ASSESSMENT PROCESS:  
PROPOSED RESIDENTIAL DWELLING ON PORTION 126 OF THE FARM 559, HANGKLIP, CALEDON RD**

Notice is hereby given of a Public Participation Process in terms of the Environmental Impact Assessment (EIA) regulations as promulgated in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) (as amended) and the 2014 NEMA EIA Regulations promulgated in Government Gazette No. 38282 and Government Notice R983, R984 and R985 on 4 December 2014 (as amended).

**Proposal:** Single residential dwelling and extension of access road

**Location:** Portion 126 of the Farm 559, Hangklip, Caledon RD

**Applicant:** G.F Fourie

Environmental Authorisation is required in terms of NEMA for the following Listed Activities:

***Listing Notice 3***

(12) The clearance of an area of 300 square metres or more of indigenous vegetation

A Basic Assessment Process is applicable. A copy of the Basic Assessment Report is available for download on our website or upon request. Interested and Affected Parties (I&AP's) are hereby invited to register as an Interested and Affected Party (I&AP) and / or comment on the proposed activity on / or before **09 June 2023** via the following contact details:

LORNAY ENVIRONMENTAL CONSULTING

ATT. Michelle Naylor

PO Box 1990, Hermanus, 7200

Tel. 083 245 6556

Email. [michelle@lornay.co.za](mailto:michelle@lornay.co.za) | Website. [www.lornay.co.za](http://www.lornay.co.za)

**Michelle Naylor** | Env. Consultant | M.Sc., Pr. Sci. Nat., EAPSA  
cell: 083 245 6556 | fax: 086 585 2461 | [michelle@lornay.co.za](mailto:michelle@lornay.co.za) | [www.lornay.co.za](http://www.lornay.co.za)  
PO Box 1990, Hermanus, 7200  
Lornay Environmental Consulting Pty Ltd | Reg 2015/445417/07

#### 4. PROOF OF NOTICE TO I&APS AND ORGANS OF STATE

Written notice was provided to I&APs and Organs of State via registered mail or courier, as indicated in the proofs below:

##### **Michelle Naylor**

**From:** Michelle Naylor <michelle@lornay.co.za>  
**Sent:** Tuesday, 09 May 2023 14:39  
**To:** 'Ntanganedzeni Mabasa'; 'Rafeeq le Roux'; 'Fabion Smith'; 'Tamzyn Zweig'  
**Cc:** 'Rhett Smart'; 'Rulien Volschenk'; 'info@bgcma.co.za'; 'aduffell-canham@capenature.co.za'  
**Subject:** Notice of Draft Basic Assessment 126 of 559 Hangklip, Caledon RD  
**Attachments:** Notice of Draft PPP 126 OF 559 Caledon.pdf

Dear I&AP, please see attached notice of public participation opportunity for the proposed single residential dwelling and access road on Portion 126 of the Farm 559. Hangklip, Caledon RD.  
DOWNLOAD Link: <https://we.tl/t-Xor1bVV6Vy>

Should you have no comment, please ignore this notice.  
Kind regards



Michelle Naylor  
LORNAY ENVIRONMENTAL CONSULTING  
M.Sc.; Pr.Sci.Nat. 400327/13., EAPASA. 2019/698, Cand. APHP., IAIAA  
T +27 (0) 83 245 6556 | F 086 585 2461  
E [michelle@lornay.co.za](mailto:michelle@lornay.co.za) | W [www.lornay.co.za](http://www.lornay.co.za)  
PO Box 1990, Hermanus, 7200, South Africa  
Reg No. 2015/445417/07

## Michelle Naylor

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**From:** Michelle Naylor <michelle@lornay.co.za>  
**Sent:** Tuesday, 09 May 2023 14:43  
**To:** 'JEANETTE@MAXITEC.CO.ZA'; 'mfsnyman@rmbprivatebank.com'  
**Subject:** Notice of Draft Basic Assessment 126 of 559 Hangklip, Caledon RD  
**Attachments:** Notice of Draft PPP 126 OF 559 Caledon.pdf

Dear I&AP, please see attached notice of public participation opportunity for the proposed single residential dwelling and access road on Portion 126 of the Farm 559. Hangklip, Caledon RD.

DOWNLOAD Link: <https://we.tl/t-Xor1bVV6Vy>

Should you have no comment, please ignore this notice.

Kind regards



Michelle Naylor  
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PO Box 1990, Hermanus, 7200, South Africa  
Reg No. 2015/445417/07



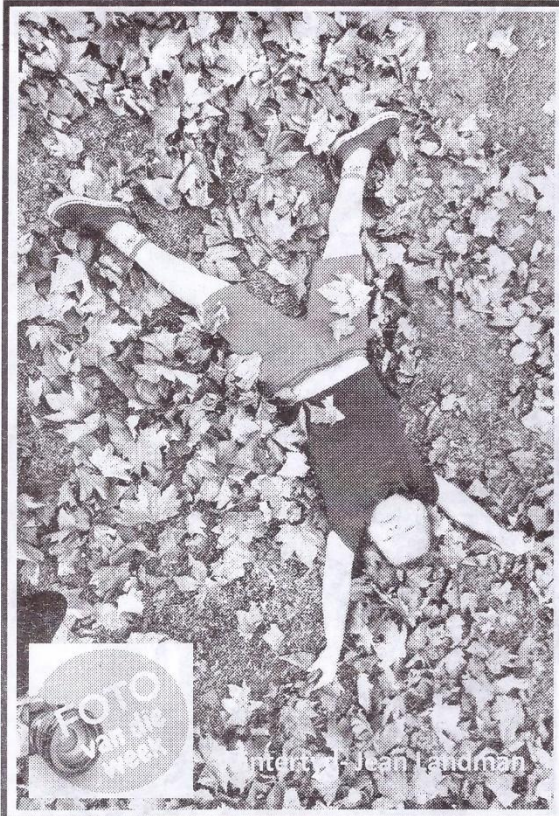
## **5. NEWSPAPER ADVERTISEMENT**

An advertisement was placed in the local newspaper, the Overstrand Herald, regarding the proposed development:

Overstrand Herald

11 Mei 2023

Bladsy 19



## LOST OR DESTROYED DEED

Notice is hereby given in terms of regulation 68 of the Deeds Registries Act, 1937, of the intention to apply for the issue of a certified copy of Deed of Transfer No. T111304/2003 passed by The Executrix in the Estate Late FREDERIK WILHELM VAN ZYL, No. 3386/2002 in favour of NICOLINE SALOME VAN ZYL, Identity Number 330513 0001 084, Unmarried in respect of certain:

ERF 4361 KLEINMOND,  
IN THE OVERSTRAND MUNICIPALITY,  
CALEDON DIVISION, WESTERN CAPE PROVINCE

which has been lost or destroyed.

All interested persons having objection to the issue of such copy are hereby required to lodge the same in writing with the Registrar of Deeds at 113 Alexandra Rd, Qonce, 5601 within two weeks from the date of the publication of this notice.

Address: c/o 104 Dorp Street, Stellenbosch, 7600

E-Mail Address: justine@smalinc.co.za

Contact Number: 021 887 1200

Reference: B8201(jm)

## NOTICE OF PUBLIC PARTICIPATION FOR A BASIC ASSESSMENT PROCESS PORTION 126 OF THE FARM 559, HANGKLIP

DEA & DP Ref.: 16/3/3/6/7/1/E4/5/1495/22

Notice is hereby given of a Public Participation Process in terms of the Environmental Impact Assessment (EIA) regulations as promulgated in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) (as amended) and the 2014 NEMA EIA Regulations promulgated in Government Gazette No. 38282 and Government Notice R983, R984 and R985 on 4 December 2014 (as amended).

**Proposal:** Single Residential Dwelling and extension of access road

**Location:** Portion 126 of the Farm 559, Hangklip, Caledon RD

**Applicant:** GF Fourie

Environmental Authorisation is required in terms of NEMA for the following Listed Activities:

### Listing Notice 3

(12) The clearance of an area of 300 square metres or more of indigenous vegetation i. Western Cape i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004

A Basic Assessment Process is applicable. A copy of the Basic Assessment Report is available for download on our website or upon request.

Interested and Affected Parties (I&AP's) are hereby invited to register as an Interested and Affected Party (I&AP) and / or comment on the proposed activity on / or before 09 June 2023 via the following contact details:



**LORNAY ENVIRONMENTAL CONSULTING**

For Att. Michelle Naylor

PO Box 1990, Hermanus, 7200

Tel. 083 245 6556

Email. michelle@lornay.co.za | www.lornay.co.za

## 6. NOTICEBOARDS

Noticeboards were placed on site, as required in terms of the legislation:

**NOTICE OF PUBLIC PARTICIPATION FOR A BASIC ASSESSMENT PROCESS  
PORTION 126 OF THE FARM 559, HANGKLIP**

DEA&DP Ref.: 16/3/3/6/7/1/E4/5/1495/22

Notice is hereby given of a Public Participation Process in terms of the Environmental Impact Assessment (EIA) regulations as promulgated in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) (as amended) and the 2014 NEMA EIA Regulations promulgated in Government Gazette No. 38282 and Government Notice R983, R984 and R985 on 4 December 2014 (as amended).

**Proposal:** Single Residential Dwelling and extension of access road

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Environmental Authorisation is required in terms of NEMA for the following Listed Activities:

***Listing Notice 3***

(12) The clearance of an area of 300 square metres or more of indigenous vegetation i. Western Cape i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004

A Basic Assessment Process is applicable. A copy of the Basic Assessment Report is available for download on our website or upon request. Interested and Affected Parties (I&AP's) are hereby invited to register as an Interested and Affected Party (I&AP) and / or comment on the proposed activity on / or before **09 June 2023** via the following contact details:



**LORNAY ENVIRONMENTAL CONSULTING**

For Att. Michelle Naylor

PO Box 1990, Hermanus, 7200

Tel. 083 245 6556

Email. [michelle@lornay.co.za](mailto:michelle@lornay.co.za) | [www.lornay.co.za](http://www.lornay.co.za)





## **7. COMMENTS AND RESPONSE REPORT AND REGISTER FOR I&APS**

A Register was opened during the first round of public participation, to list all I&APs which wished to be registered as such. The Register included contact details, date and comment made.

A Comments and Response report was also opened at the onset of the public participation. This report contains the comment made by the I&AP, as well as formal response by the Environmental Assessment Practitioner (EAP).



## COMMENTS AND RESPONSE REPORT

**PROJECT:** Portion 126 of Farm 559, Kleinmond

### DRAFT BAR / PRE APPLICATION

NAME:	COMMENT:	RESPONSE:	DATE & REF:
BGCMA Vhengani Ligudu	<p>Email dated 09/06/2023</p> <p>RE: NOTICE OF PUBLIC PARTICIPATION FOR A BASIC ASSESSMENT PROCESS: PROPOSED RESIDENTIAL DWELLING ON PORTION 126 OF THE FARM 559, HANGKLIP, CALEDON RD.</p> <p>With reference to the above-mentioned document received by this office on the 09/05/2023, requesting comments.</p> <p>The Breede-Olifants Catchment Management Agency (BOCMA) has <b>no objections</b> on the proposed development subject to the following comments:</p> <ol style="list-style-type: none"> <li>1. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered.</li> <li>2. Please note that no additional use of surface/groundwater and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998). And/or formal authorization in terms</li> </ol>	Noted – no action required	<p>09/06/2023</p> <p>4/10/2/G40B/HANGKLIP 559/126, CALEDON</p>

	<p>of General Authorizations issued under Section 39 (Government Notice 538 dated 02 September 2016), and/or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998). And/or if it is defined and declared as an existing lawful water use in terms of Section 32 &amp; 33 of the National Water Act ,1998 (Act 36 of 1998).</p> <p>3. No pollution of surface water or groundwater may occur due to any activity on the property.</p> <p>4. The minimising of waste must be promoted and alternative methods for waste management must be investigated.</p> <p>5. No storm water runoff from any premises containing waste, or water containing waste emanating from premises may be discharged into a water resource.</p> <p>6. Please note that any activity within the 1:100 year floodline or within 100 metres of a watercourse (river, spring, natural channel, a lake or dam) or within a 500 m radius from the delineated boundary (extent) of any wetland or pan triggers a water use activity in terms of Section 21 (c) &amp; (i) of the National Water Act, 1998 (Act 36 of 1998).</p> <p><b>Water for domestic use</b></p> <ul style="list-style-type: none"> <li>• Water provided for domestic use must comply with the SANS 241:2015 guidelines for drinking water.</li> </ul> <p><b>Disposal of sewage</b></p> <ul style="list-style-type: none"> <li>• The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act of 1998, (Act 36 of 1998).</li> <li>• The conservancy tanks must be located out of the 1:100 year flood line of any water resource.</li> <li>• When a conservancy tank is used for the disposal of sewerage, this office must be furnished with a signed copy of the contract between the contractor or the municipality which is appointed to pump the conservancy tank.</li> <li>• The volume of sewage needs to be metered on a monthly basis and removal programme needs to be scheduled to</li> </ul>		
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	<p>ensure that the conservancy tank is pumped well within time before overflowing. Alternatively, floating devices should be installed within the tanks that initiate an alarm of 75% full capacity for collection and disposal.</p> <ul style="list-style-type: none"> <li>The size of the conservancy tank must be determined by both the frequency of removal of its contents to the local Wastewater Treatment Works and by the quantity of sewage anticipated from the above-mentioned project.</li> </ul> <p>This office reserves the right to revise initial comments and request further information based on any additional information that may be received. The onus remains with the registered property owner to confirm adherence to any other relevant legislation that any activities might trigger and/or need authorization.</p> <p>Please do not hesitate to contact the above official should there be any queries.</p> <p>Yours faithfully</p>		
Tamzyn Zweig, Overstrand Municipality	<p>Email dated 09/06/2023</p> <p>Dear Lornay Consulting,</p> <p><b>Re: PPP Comments for Residential Development on Portion 126 of Farm 559 (DEA&amp;DP Ref. No.: 16/3/3/6/7/1/E4/5/1495/22 Lornay Ref. No.: 126OF559BB)</b></p> <p>Thank you for the opportunity to comment on this application. The proposed development of an 800m<sup>2</sup> Residential Dwelling development footprint and an extension of the existing jeep track by 200m is relatively small-scale, the Overstrand Environmental Management Section (EMS) supports the application as per the information submitted and reserves the right to submit further comments as more information becomes available.</p> <p><b>1) Removal of Critically Endangered Vegetation:</b></p> <p>Prior to clearance, please contact the Kogelberg Biosphere Botanical Society Gardening Circle Group who have formed the "Fight For</p>	<p>Noted – No action required.</p> <p>Recommendation for Search and Rescue has been added to the conditions of EA in the BAR</p>	-



	<p>Fynbos" group, a search and rescue initiative for Species of Conservation Concern. Alternatively, there are local members of the Custodians of Rare and Endangered Wildflowers (CREW) group. Galia Manicom (Fight For Fynbos) email: <a href="mailto:galia.manicom@gmail.com">galia.manicom@gmail.com</a> cell: 082 963 3804 Magriet Brink (Kogelberg CREW) Email: <a href="mailto:magrietb@gmail.com">magrietb@gmail.com</a> Cell: 072 921 1757</p> <p><b>2) The Overstrand Environmental Management Overlay Zones: Protected Area Buffer &amp; Coastal Protection Zone</b></p> <p>Please be aware that the Overstrand EMOZ regulations (2020) state: <i>Schedule A Prohibited Activities:</i></p> <ul style="list-style-type: none"> <li>• Development above the 120m geographical contour line.</li> </ul> <p>Should the proposed development be above this contour, a deviation from the EMOZ Regulations via the Overstrand Town Planning Department should be applied for.</p> <p><b>3) Access to proposed development via Overstrand Property (559/0)</b></p> <p>Please ensure the owners enter into a formal agreement with the Overstrand Engineering Department regarding maintenance of the access road within the Overstrand Property. It should be noted that the Hangklip-Kleinmond Administration of the Overstrand have very limited resources – especially with regard to earthmoving/road servicing machinery. For example, following the recent (end May, early June 2023) heavy rain and subsequent flood damages to infrastructure, the department's focus was naturally on the restoration of access roads within the urban area due to the larger number of residents affected, while outlying areas tend to have to wait longer for these types of service delivery.</p>		
Rhett Smart Cape Nature	<p>Email dated 09/06/2023</p> <p><b>Pre-Application Basic Assessment Report for the Proposed Dwelling on Portion 126 of the Farm Hangklip 559, Kleinmond</b></p> <p>CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments.</p>		LS14/2/6/1/7/2/559-126_residential_Kleinmond

	<p>Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.</p> <p>The subject property mainly consists of Critical Biodiversity Area 1 (CBA) across the entire extent according to the Western Cape Biodiversity Spatial Plan. The natural vegetation occurring on the site is Kogelberg Sandstone Fynbos, listed as critically endangered. According to the National Geo-spatial Information mapping there two non-perennial rivers in the north of the property which converge before exiting to the east. According to the National Wetland Mapping (NWM) for the 2018 National Biodiversity Assessment (NBA) there is a seep wetland in the east of the property adjacent to the non-perennial river. The property borders the Kleinmond Local Authority Nature Reserve.</p> <p>The development proposal consists of a single dwelling with an access road from the adjacent property. The screening tool results for the site are presented which indicate a very high sensitivity for terrestrial biodiversity and aquatic biodiversity and high sensitivity for plant species and animal species. The site sensitivity verification (SSV) report motivates that no specialist studies are required despite the results from the screening tool. In this regard:</p> <p>For terrestrial biodiversity, it is motivated that the development is small scale with large areas remaining for conservation. The site is however located within a CBA 1. In this regard, the specific guidelines for development within a CBA indicate: "Ideally, development should be avoided in these areas. If they cannot be avoided, it must be shown that the mitigation hierarchy has been applied if there is a proposal within a CBA" (Pool-Stanvliet et al, 2017). As mentioned Kogelberg Sandstone Fynbos is a critically endangered ecosystem. CapeNature does acknowledge primary rights of landowners however if the entire property is a CBA and essentially not suitable for development, the best practicable option must be selected in terms of scale, design and location of the primary rights.</p>	<p>The applicant owns both Portions 125 and 126. The proposal, relative to the size of these properties, is small and only serves to create a single residential dwelling for the landowner. Whilst it is acknowledged that the site is located within a CBA and highly sensitive, a disturbed quarry site which is in an area rated as Medium sensitive does not host plant species of conservation concern and was thus preferred and supported by the botanical specialist. Refer to Section I, subsection 8 of the BAR for mitigation hierarchy.</p> <p>With the small scale of development proposed, within the owners developmental rights, the location as close as possible to an existing access road from the adjacent property, a small scale informal 'twee-spoor' jeep track extension to the house site, we feel that the appointment of a terrestrial biodiversity specialist is unjust. Any shifting of the location currently proposed will lead to increasing the length of the access road and possible developing an entirely new access road. We feel that given the scale of</p>	
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	<p>We therefore do not accept the motivation and recommend that a terrestrial biodiversity assessment is required to inform the application.</p> <ul style="list-style-type: none"> <li>For aquatic biodiversity it is motivated that the development is located more than 32 m from the watercourse. Freshwater ecological and hydrogeological assessments were undertaken for the development to the east of the property which revealed that the extent of the wetland is much larger than the NWM mapping with subsurface water flow playing an important role. It is therefore likely/possible that the extent of the wetland which extends on to 126/559 differs from the NWM mapping. The road additionally traverses the non-perennial river. We therefore do not accept the motivation and recommend that an aquatic biodiversity assessment is required to inform the application, which must as a minimum include wetland delineation according to standard methodology.</li> <li>For plant species it is motivated that the site is in good condition except for the existing access road on the adjacent property. This is not a motivation for not undertaking a plant species assessment. Kogelberg Sandstone Fynbos is the most species rich ecosystem in South Africa with regards to plant species, and 162 potential</li> </ul>	<p>development and the limiting factor of access roads, the location on site is preferred and will not benefit from a terrestrial impact assessment.</p> <p>The aquatic biodiversity assessment was undertaken, which included the delineation of the wetlands and drainage lines identified adjacent to the proposed development.</p> <p>An Aquatic Biodiversity Assessment has been undertaken for the proposed development, which included the delineation of seep wetlands, a uvb wetland, and associated drainage lines within and surrounding the site. The proposed single residential dwelling is situated more than 32 metres away from any delineated watercourse or wetland located near or adjacent to the property. However, an access road will pass within a few metres of parts of the hillslope seep wetland that occurs on the municipality land between the site and the R44 road. All of the proposed development-related activities that would potentially generate negative impacts were found to be associated with a LOW-risk class. Therefore, the proposed development qualifies for a General Authorisation, according to freshwater specialist.</p> <p>The plants species theme was undertaken and assessed under the Terrestrial Biodiversity Assessment. The</p>	
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	<p>species of conservation concern were flagged in the screening tool for this site. We therefore recommend that the plant species theme must also be assessed and can be combined in a specialist study with the terrestrial biodiversity assessment (or a separate study).</p> <ul style="list-style-type: none"> <li>For animal species it is motivated that “the site is located within the built-up urban area of Vermont and Hermanus. Only very limited areas on the property will be developed, open space retained.” It is assumed that this is an error which refers to another project. The five faunal species which were flagged for high sensitivity are bird species and the scale of the development is unlikely to have a significant effect on any bird species. Further, there is highly unlikely any breeding habitat for these five species within the development footprint. An overview of the faunal species and potential impacts can however be included within the terrestrial biodiversity assessment.</li> <li>The conclusion of the SSV report states “The Screening Tool Report, which was generated for the proposed activities on the subject property, identified a number of specialist assessments to be undertaken prior to development on site. However the area proposed for development is disturbed and located within the built up urban area.” The site is not within an urban area and is located within CBA consisting of good condition fynbos.</li> </ul> <p>An important consideration for the development is the fire risk, as it consists of a single dwelling surrounded by fynbos which is fire-prone and is dependent on fire for ecological function. There are numerous precedents in the surrounding area of damage to buildings as a result of vegetation fires. Protection of isolated dwellings surrounded by fynbos also presents a strain on the resources of fire-fighting authorities during wildfires. We therefore recommend that a fire management plan must be compiled for the proposed development and should include more than the standard fire protection measures due to the exceptional high fire risk. These measures must however not result in significant impacts on the natural habitat.</p>	<p>landowner is not permitted to take access off the R44. The only option to access the site is via the adjacent graveyard access road. The mitigation recommended for search and rescue prior to development is recommended as a condition of EA.</p> <p>A single residential dwelling will not have an impact on faunal.</p> <p>Error and amended.</p> <p>The landowner is aware of the fire risk and appropriate building designs and emergency preparedness will be implemented to manage this as far as possible.</p>	
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	<ul style="list-style-type: none"> <li>The property is worthy of conservation, as with the other smallholdings abutting the Kogelberg Nature Reserve. We would therefore support that the landowner considers the options available for formal conservation and can contact CapeNature for further advice in this regard. Formal conservation could also form part of the essential mitigation for the proposed development.</li> </ul> <p>In addition, the municipal planning requirements must be taken into account, which can also result in controls which then reduce/minimize the impact on biodiversity. This includes the Environmental Management Overlay Zones (EMOZ) for which the property is located within the Protected Area Buffer EMOZ.</p> <p>In conclusion, CapeNature does not support the application as currently proposed due to insufficient information. As a minimum, a terrestrial biodiversity assessment and aquatic biodiversity assessment must be undertaken to assess the impacts on biodiversity as a result of the proposed development due to the high biodiversity value and sensitivity of the property. It must be ensured that the four biodiversity-related themes are addressed as discussed above and a thorough investigation undertaken of the best practicable option in terms of the location of the dwelling on the property.</p> <p>The services such as the access road and conservancy tank (which requires truck access) must also be assessed in the specialist assessments.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	<p>The landowner will look into options for conservation of the remainder.</p> <p>The proposed development is in line with the EMOZ. And the proposed residential dwelling will be situated below the 60m contour.</p> <p>A conservancy tank was covered in the aquatic biodiversity assessment. The conservancy tank will be situated 100m away from the identified watercourse.</p>	
DEA&DP Ntanganedzeni Mabasa	<p>Email dated 09/06/2023</p> <p><b>COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT ("NEMA"), 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED DEVELOPMENT OF A SINGLE RESIDENTIAL</b></p>		

	<p><b>DWELLING AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF PORTION 126 OF FARM NO. 559, CALEDON.</b></p> <p>1. The electronic copy of the draft BAR, as received by this Department on 9 May 2023, and the Department's acknowledgement thereof issued on 17 May 2023, refer.</p> <p>2. Following the review of the information submitted to this Department, the following is noted:</p> <p>2.1 The clearance of indigenous vegetation to develop a single residential dwelling and associated infrastructure on Portion 126 of Farm No. 559, Pringle Bay.</p> <p>2.2 Access to the property is not permitted off the R44, therefore the municipality has granted the applicant permission to access the site from the existing access road at the adjacent graveyard on the Remainder of Farm No. 562.</p> <p>2.3 The road at the graveyard site will be extended by approximately 200 meters towards the west to create a track to access the proposed development.</p> <p>2.4 A conservancy tank will be used for sewage disposal, which will be serviced by the municipality.</p> <p>2.5 Rainwater will be harvested for domestic use and electricity will be via solar power.</p> <p>2.6 There is a wetland on site however both the building platform and road will be located more than 32 m from the edge of the wetland. The distance between the wetland and the proposed development is however not specified or indicated on a map.</p> <p>2.7 According to available mapping resources, the site is mapped to contain Kogelberg Sandstone Fynbos vegetation, which is classified as a critically endangered vegetation type.</p> <p>2.8 The site is zoned Agricultural Zone 1 and is located outside the urban area of Caledon.</p> <p>3. This Department's comments are as follows:</p> <p>3.1 The Site Sensitivity Verification Report does not include adequate information on the current state of the site. It is only indicated that the site is in a good condition. In addition, the only motivation provided why none of the identified specialist studies will be conducted is the small scale of the development, that limited indigenous vegetation will be cleared and that the development will be located more than 32m from the watercourse present on the site. The site is mapped to contain</p>	<p>A terrestrial biodiversity and aquatic biodiversity assessment have been undertaken as required, and the SSVR was amended.</p>	
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	<p>critically endangered indigenous vegetation and based on the limited information provided, the indigenous vegetation present on the site is in a good condition. However, no botanical specialist input was obtained to confirm that the preferred location for the proposed development is suitable from a botanical perspective. Similarly, no freshwater specialist input was obtained despite the presence of a wetland on the site. It is important that all the potential impacts associated with the proposed development be identified and that it is adequately considered, assessed, and addressed to demonstrate that the proposed development is acceptable. Therefore, as a minimum, a specialist statement should be provided to confirm that the proposed development will not have a significant botanical and freshwater impact. However, should any authority that has jurisdiction in respect of any aspect of the proposed development request that further specialist studies be conducted, and where the request is supported by this Directorate, this will take precedence.</p> <p>3.2 The existing road on the neighbouring municipal property will be extended to gain access to the proposed development. Hence, the site forms part of the proposed development footprint. The site must therefore be included in the assessment and the property details must be included in the description and the relevant sections of the application form and BAR.</p> <p>3.3 In addition, the municipality must complete a copy of the landowner's consent form and a copy of the municipal consent that grants permission to use the access on their property must be included in the BAR.</p> <p>3.4 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. 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 proof of the investigation undertaken and motivation</p>	<p>The Aquatic and Botanical Assessment studies were undertaken and the BAR was amended</p> <p>The details have been amended and added in the BAR.</p> <p>The landowner consent form will be submitted with the Final BAR.</p> <p>The alternatives were identified and investigated as part of the assessment process. The alternatives included three access road alignments (Alternative 1, 2, and 3), with each assessed for feasibility, environmental impact, and regulatory compliance. The preferred alternative (Alternative 3) was selected following input from the local municipality, Department of Infrastructure, and specialist assessments. This route is the only access option supported by the road authority and both the botanical and freshwater specialists, and it avoids traversing sensitive</p>	
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	<p>indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist must be provided to the Department. It is noted and acknowledged that the access to the site informed the placement of the proposed development, but it is not evident that the selected site is the best practicable option for development from a biophysical impact perspective. This aspect must be addressed.</p> <p>3.5 It is motivated that only a small portion of the site will be developed and that the remainder of the site will be conserved. Has CapeNature been consulted in this regard or how will this be implemented and ensured?</p> <p>3.6 Since the proposed development is located in proximity to a watercourse, confirmation is required from the Breede-Gouritz Catchment Management Agency ("BGCMA") whether the proposed development will require a Water Use Licence Application ("WULA") or a General Authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). If a WULA is required, proof of submission of the application to the BGCMA and a copy of the WULA Information must be included in the BAR.</p> <p>3.7 Written confirmation must be obtained from the municipality that they will service the conservancy tank. Alternatively, written</p>	<p>cultural or ecological features such as a graveyard or areas of high ecological sensitivity.</p> <p>With regard to the placement of the dwelling, it is acknowledged that access constraints informed the location. However, this site was also confirmed to be the least environmentally sensitive area on the property, as verified by the botanical specialist. While the broader site is mapped as having high and very high botanical sensitivity, the proposed footprint is located within a medium sensitivity area a previously disturbed former quarry site. This location therefore represents the best practicable environmental option (BPEO) for siting the dwelling, minimizing the need for vegetation clearance and slope modification.</p> <p>It is confirmed that only a small portion of the site (approximately 800 m<sup>2</sup> out of 2400 m<sup>2</sup>) will be developed, specifically within a previously disturbed quarry area. The remainder of the site, which includes areas of high ecological sensitivity, will be left undisturbed and conserved.</p> <p>CapeNature has been consulted as part of the commenting authority process.</p> <p>The proposed single residential dwelling is situated more than 32 metres away from any delineated watercourse or wetland located near or adjacent to the property. However, an access road will pass within a few metres of parts of the hillslope seep wetland that occurs on the municipality land between the site and the R44 road. All of the proposed development-related activities that would potentially generate negative impacts were found to be associated with a LOW-risk class. Therefore, the proposed development qualifies for a General Authorisation, according to freshwater specialist.</p> <p>Attached under Appendix I</p>	
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	<p>confirmation must be obtained from a registered service provider that they have available capacity to regularly empty the conservancy tank.</p> <p>3.8 The Site Development Plan ("SDP") of the preferred alternative must include all the components of the proposed development, including any buffer / no-go areas that will be incorporated, as recommended by any specialist findings. The SDP does not conform to these requirements. The updated SDP must also be included the EMPr, as per regulatory requirements.</p> <p>3.9 The EMPr must also be amended to include the frequency at which Environmental Compliance Checklists/Reports compiled by the Environmental Control Officer will be submitted to this Department. Be advised that the recommended frequency will be included as a condition of the Environmental Authorisation should the proposed development be approved.</p> <p>3.10 Comment from, but not limited to the following Organs of Statement must be obtained:  3.10.1 Department of Agriculture,  3.10.2 BGCMA,  3.10.3 CapeNature, and  3.10.4 Overstrand Municipality.</p> <p>3.11 In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person (other than the Environmental Assessment Practitioner and Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014. Please advise what the estimated duration of the construction phase will be. In addition, you are required to recommend and motivate the frequency at which the environmental audits must be conducted by an independent person.</p> <p>4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>5. Please note that the proposed development may not commence prior to an Environmental Authorisation being granted by the Competent Authority.</p>	<p>Updated SDP attached under Appendix B – this is also in line with the approved Municipal servitude.</p> <p>Included in the EMP and conditions of authorisation.</p> <p>DOA – Request – pending  BOCMA – Received  CN – received  OM – received</p>	
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	6. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.		
IN PROCESS PUBLIC PARTICIPATION			



## REGISTER FOR INTERESTED AND AFFECTED PARTIES

**PROJECT:** Portion 126 of 559 Caledon

NAME:	ORGANISATION:	POSTAL ADDRESS:	TEL:	EMAIL:	COMMENT:	DATE & REF:
Vhengani Ligudu	Breede Olifants Catchment Management Agency (BOCMA)	Private Bag x3055, Worcester, 6849	023 346 8000	<a href="mailto:vligudu@bocma.co.za">vligudu@bocma.co.za</a>	<p>Email dated 09/06/2023</p> <p>RE: NOTICE OF PUBLIC PARTICIPATION FOR A BASIC ASSESSMENT PROCESS: PROPOSED RESIDENTIAL DWELLING ON PORTION 126 OF THE FARM 559, HANGKLIP, CALEDON RD.</p> <p>With reference to the above-mentioned document received by this office on the 09/05/2023, requesting comments.</p> <p>The Breede-Olifants Catchment Management Agency (BOCMA) has <b>no objections</b> on the proposed development subject to the following comments:</p> <ol style="list-style-type: none"> <li>1. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered.</li> <li>2. Please note that no additional use of surface/groundwater and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998). And/or formal authorization in terms</li> </ol>	4/10/2/G40B/H ANGKLIP 559/126, CALEDON

					<p>of General Authorizations issued under Section 39 (Government Notice 538 dated 02 September 2016), and/or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998). And/or if it is defined and declared as an existing lawful water use in terms of Section 32 &amp; 33 of the National Water Act, 1998 (Act 36 of 1998).</p> <p>3. No pollution of surface water or groundwater may occur due to any activity on the property.</p> <p>4. The minimising of waste must be promoted and alternative methods for waste management must be investigated.</p> <p>5. No storm water runoff from any premises containing waste, or water containing waste emanating from premises may be discharged into a water resource.</p> <p>6. Please note that any activity within the 1:100 year floodline or within 100 metres of a watercourse (river, spring, natural channel, a lake or dam) or within a 500 m radius from the delineated boundary (extent) of any wetland or pan triggers a water use activity in terms of Section 21 (c) &amp; (i) of the National Water Act, 1998 (Act 36 of 1998). <b>Water for domestic use</b></p> <ul style="list-style-type: none"> <li>• Water provided for domestic use must comply with the SANS 241:2015 guidelines for drinking water.</li> </ul> <p><b>Disposal of sewage</b></p> <ul style="list-style-type: none"> <li>• The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act of 1998, (Act 36 of 1998).</li> <li>• The conservancy tanks must be located out of the 1:100 year flood line of any water resource.</li> <li>• When a conservancy tank is used for the disposal of sewerage, this office must be furnished with a signed copy of the contract between the contractor or the municipality which is appointed to pump the conservancy tank.</li> <li>• The volume of sewage needs to be metered on a monthly basis and removal programme needs to be scheduled to ensure that the conservancy tank is pumped well within time before overflowing.</li> </ul>	
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					<p>Alternatively, floating devices should be installed within the tanks that initiate an alarm of 75% full capacity for collection and disposal.</p> <ul style="list-style-type: none"> <li>• The size of the conservancy tank must be determined by both the frequency of removal of its contents to the local Wastewater Treatment Works and by the quantity of sewage anticipated from the above-mentioned project.</li> </ul> <p>This office reserves the right to revise initial comments and request further information based on any additional information that may be received. The onus remains with the registered property owner to confirm adherence to any other relevant legislation that any activities might trigger and/or need authorization.</p> <p>Please do not hesitate to contact the above official should there be any queries.</p> <p>Yours faithfully</p>	
Tamzyn Zweig Overstrand Municipality	Overstrand Municipality	33 5 <sup>th</sup> Street, Kleinmond, 7195	028 271 8420	<a href="mailto:tzweig@overstrand.gov.za">tzweig@overstrand.gov.za</a>	<p>Email dated 09/06/2023</p> <p>Dear Lornay Consulting,</p> <p><b>Re: PPP Comments for Residential Development on Portion 126 of Farm 559 (DEA&amp;DP Ref. No.: 16/3/3/6/7/1/E4/5/1495/22 Lornay Ref. No.: 126OF559BB)</b></p> <p>Thank you for the opportunity to comment on this application. The proposed development of an 800m<sup>2</sup> Residential Dwelling development footprint and an extension of the existing jeep track by 200m is relatively small-scale, the Overstrand Environmental Management Section (EMS) supports the application as per the information submitted and reserves the right to submit further comments as more information becomes available.</p> <p><b>1) Removal of Critically Endangered Vegetation:</b></p> <p>Prior to clearance, please contact the Kogelberg Biosphere Botanical Society Gardening Circle Group who have formed the "Fight For Fynbos" group, a search and rescue initiative for Species of Conservation Concern. Alternatively, there are local</p>	-

					<p>members of the Custodians of Rare and Endangered Wildflowers (CREW) group.  Galia Manicom (Fight For Fynbos)  email: <a href="mailto:galia.manicom@gmail.com">galia.manicom@gmail.com</a>  cell: 082 963 3804  Magriet Brink (Kogelberg CREW)  Email: <a href="mailto:magrietb@gmail.com">magrietb@gmail.com</a>  Cell: 072 921 1757</p> <p><b>2) The Overstrand Environmental Management Overlay Zones: Protected Area Buffer &amp; Coastal Protection Zone</b></p> <p>Please be aware that the Overstrand EMOZ regulations (2020) state:  <i>Schedule A Prohibited Activities:</i></p> <ul style="list-style-type: none"> <li>• Development above the 120m geographical contour line.</li> </ul> <p>Should the proposed development be above this contour, a deviation from the EMOZ Regulations via the Overstrand Town Planning Department should be applied for.</p> <p><b>3) Access to proposed development via Overstrand Property (559/0)</b></p> <p>Please ensure the owners enter into a formal agreement with the Overstrand Engineering Department regarding maintenance of the access road within the Overstrand Property. It should be noted that the Hangklip-Kleinmond Administration of the Overstrand have very limited resources – especially with regard to earthmoving/road servicing machinery. For example, following the recent (end May, early June 2023) heavy rain and subsequent flood damages to infrastructure, the department's focus was naturally on the restoration of access roads within the urban area due to the larger number of residents affected, while outlying areas tend to have to wait longer for these types of service delivery.</p>	
Rhett Smart	Cape Nature	16 17th Avenue, Voëlklip, Hermanus, 7200	087 087 8017	<a href="mailto:rsmart@capenature.co.za">rsmart@capenature.co.za</a>	<p>Email dated 09/06/2023</p> <p>Pre-Application Basic Assessment Report for the Proposed Dwelling on Portion 126 of the Farm Hangklip 559, Kleinmond</p>	

					<p>CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.</p> <p>The subject property mainly consists of Critical Biodiversity Area 1 (CBA) across the entire extent according to the Western Cape Biodiversity Spatial Plan. The natural vegetation occurring on the site is Kogelberg Sandstone Fynbos, listed as critically endangered. According to the National Geo-spatial Information mapping there two non-perennial rivers in the north of the property which converge before exiting to the east. According to the National Wetland Mapping (NWM) for the 2018 National Biodiversity Assessment (NBA) there is a seep wetland in the east of the property adjacent to the non-perennial river. The property borders the Kleinmond Local Authority Nature Reserve.</p> <p>The development proposal consists of a single dwelling with an access road from the adjacent property. The screening tool results for the site are presented which indicate a very high sensitivity for terrestrial biodiversity and aquatic biodiversity and high sensitivity for plant species and animal species. The site sensitivity verification (SSV) report motivates that no specialist studies are required despite the results from the screening tool.</p> <p>In this regard:</p> <p>For terrestrial biodiversity, it is motivated that the development is small scale with large areas remaining for conservation. The site is however located within a CBA 1. In this regard, the specific guidelines for development within a CBA indicate: "Ideally, development should be avoided in these areas. If they cannot be avoided, it must be shown that the mitigation hierarchy has been applied if there is a proposal within a CBA" (Pool-Stanvliet et al, 2017). As mentioned Kogelberg Sandstone Fynbos is a critically endangered ecosystem. CapeNature does acknowledge primary rights of landowners however if the entire property is a CBA and essentially not suitable for development, the best practicable option must be selected in terms of scale, design and location of the primary rights. We therefore do not accept the motivation and recommend that a terrestrial biodiversity assessment is required to inform the application.</p>	
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					<ul style="list-style-type: none"> <li>For aquatic biodiversity it is motivated that the development is located more than 32 m from the watercourse. Freshwater ecological and hydropedological assessments were undertaken for the development to the east of the property which revealed that the extent of the wetland is much larger than the NWM mapping with subsurface water flow playing an important role. It is therefore likely/possible that the extent of the wetland which extends on to 126/559 differs from the NWM mapping. The road additionally traverses the non-perennial river. We therefore do not accept the motivation and recommend that an aquatic biodiversity assessment is required to inform the application, which must as a minimum include wetland delineation according to standard methodology.</li> <li>For plant species it is motivated that the site is in good condition except for the existing access road on the adjacent property. This is not a motivation for not undertaking a plant species assessment. Kogelberg Sandstone Fynbos is the most species rich ecosystem in South Africa with regards to plant species, and 162 potential species of conservation concern were flagged in the screening tool for this site. We therefore recommend that the plant species theme must also be assessed and can be combined in a specialist study with the terrestrial biodiversity assessment (or a separate study).</li> <li>For animal species it is motivated that “the site is located within the built-up urban area of Vermont and Hermanus. Only very limited areas on the property will be developed, open space retained.” It is assumed that this is an error which refers to another project. The five faunal species which were flagged for high sensitivity are bird species and the scale of the development is unlikely to have a significant effect on any bird species. Further, there is highly unlikely any breeding habitat for these five species within the development footprint. An overview of the faunal species and potential impacts can however be included within the terrestrial biodiversity assessment.</li> </ul>	
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				<ul style="list-style-type: none"> <li>The conclusion of the SSV report states “The Screening Tool Report, which was generated for the proposed activities on the subject property, identified a number of specialist assessments to be undertaken prior to development on site. However the area proposed for development is disturbed and located within the built up urban area.” The site is not within an urban area and is located within CBA consisting of good condition fynbos.</li> </ul> <p>An important consideration for the development is the fire risk, as it consists of a single dwelling surrounded by fynbos which is fire-prone and is dependent on fire for ecological function. There are numerous precedents in the surrounding area of damage to buildings as a result of vegetation fires. Protection of isolated dwellings surrounded by fynbos also presents a strain on the resources of fire-fighting authorities during wildfires. We therefore recommend that a fire management plan must be compiled for the proposed development and should include more than the standard fire protection measures due to the exceptional high fire risk. These measures must however not result in significant impacts on the natural habitat.</p> <ul style="list-style-type: none"> <li>The property is worthy of conservation, as with the other smallholdings abutting the Kogelberg Nature Reserve. We would therefore support that the landowner considers the options available for formal conservation and can contact CapeNature for further advice in this regard. Formal conservation could also form part of the essential mitigation for the proposed development.</li> </ul> <p>In addition, the municipal planning requirements must be taken into account, which can also result in controls which then reduce/minimize the impact on biodiversity. This includes the Environmental Management Overlay Zones (EMOZ) for which the property is located within the Protected Area Buffer EMOZ.</p> <p>In conclusion, CapeNature does not support the application as currently proposed due to insufficient information. As a minimum, a terrestrial biodiversity assessment and aquatic biodiversity assessment must be undertaken to assess the impacts on biodiversity as a result of the proposed development due to the high biodiversity value and sensitivity of the property. It must be ensured that the four biodiversity-related themes are addressed as discussed above and a thorough investigation</p>	
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					<p>undertaken of the best practicable option in terms of the location of the dwelling on the property. The services such as the access road and conservancy tank (which requires truck access) must also be assessed in the specialist assessments.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	
Ntanganedzeni Mabasa	DEA&DP	-	021 483 2803	<a href="mailto:Ntanganedzeni.Mabasa@westerncape.gov.za">Ntanganedzeni.Mabasa@westerncape.gov.za</a>	<p>Email dated 09/06/2023</p> <p>COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT (“BAR”) IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (“NEMA”), 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED DEVELOPMENT OF A SINGLE RESIDENTIAL DWELLING AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF PORTION 126 OF FARM NO. 559, CALEDON.</p> <p>1. The electronic copy of the draft BAR, as received by this Department on 9 May 2023, and the Department’s acknowledgement thereof issued on 17 May 2023, refer.</p> <p>2. Following the review of the information submitted to this Department, the following is noted:</p> <p>2.1 The clearance of indigenous vegetation to develop a single residential dwelling and associated infrastructure on Portion 126 of Farm No. 559, Pringle Bay.</p> <p>2.2 Access to the property is not permitted off the R44, therefore the municipality has granted the applicant permission to access the site from the existing access road at the adjacent graveyard on the Remainder of Farm No. 562.</p> <p>2.3 The road at the graveyard site will be extended by approximately 200 meters towards the west to create a track to access the proposed development.</p> <p>2.4 A conservancy tank will be used for sewage disposal, which will be serviced by the municipality.</p> <p>2.5 Rainwater will be harvested for domestic use and electricity will be via solar power.</p> <p>2.6 There is a wetland on site however both the building platform and road will be located more than 32 m from the edge of the wetland. The distance between the wetland and the proposed development is however not specified or indicated on a map.</p>	16/3/3/6/7/1/E4/5/1495/22

					<p>2.7 According to available mapping resources, the site is mapped to contain Kogelberg Sandstone Fynbos vegetation, which is classified as a critically endangered vegetation type.</p> <p>2.8 The site is zoned Agricultural Zone 1 and is located outside the urban area of Caledon.</p> <p>3. This Department's comments are as follows:</p> <p>3.1 The Site Sensitivity Verification Report does not include adequate information on the current state of the site. It is only indicated that the site is in a good condition. In addition, the only motivation provided why none of the identified specialist studies will be conducted is the small scale of the development, that limited indigenous vegetation will be cleared and that the development will be located more than 32m from the watercourse present on the site. The site is mapped to contain critically endangered indigenous vegetation and based on the limited information provided, the indigenous vegetation present on the site is in a good condition. However, no botanical specialist input was obtained to confirm that the preferred location for the proposed development is suitable from a botanical perspective. Similarly, no freshwater specialist input was obtained despite the presence of a wetland on the site. It is important that all the potential impacts associated with the proposed development be identified and that it is adequately considered, assessed, and addressed to demonstrate that the proposed development is acceptable. Therefore, as a minimum, a specialist statement should be provided to confirm that the proposed development will not have a significant botanical and freshwater impact. However, should any authority that has jurisdiction in respect of any aspect of the proposed development request that further specialist studies be conducted, and where the request is supported by this Directorate, this will take precedence.</p> <p>3.2 The existing road on the neighbouring municipal property will be extended to gain access to the proposed development. Hence, the site forms part of the proposed development footprint. The site must therefore be included in the assessment and the property details must be included in the description and the relevant sections of the application form and BAR.</p> <p>3.3 In addition, the municipality must complete a copy of the landowner's consent form and a copy of the municipal consent</p>	
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					<p>that grants permission to use the access on their property must be included in the BAR.</p> <p>3.4 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. 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 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. It is noted and acknowledged that the access to the site informed the placement of the proposed development, but it is not evident that the selected site is the best practicable option for development from a biophysical impact perspective. This aspect must be addressed.</p> <p>3.5 It is motivated that only a small portion of the site will be developed and that the remainder of the site will be conserved. Has CapeNature been consulted in this regard or how will this be implemented and ensured?</p> <p>3.6 Since the proposed development is located in proximity to a watercourse, confirmation is required from the Breede-Gouritz Catchment Management Agency ("BGCMA") whether the proposed development will require a Water Use Licence Application ("WULA") or a General Authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). If a WULA is required, proof of submission of the application to the BGCMA and a copy of the WULA Information must be included in the BAR.</p> <p>3.7 Written confirmation must be obtained from the municipality that they will service the conservancy tank. Alternatively, written confirmation must be obtained from a registered service provider that they have available capacity to regularly empty the conservancy tank.</p> <p>3.8 The Site Development Plan ("SDP") of the preferred alternative must include all the components of the proposed</p>	
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					<p>development, including any buffer / no-go areas that will be incorporated, as recommended by any specialist findings. The SDP does not conform to these requirements. The updated SDP must also be included the EMPr, as per regulatory requirements.</p> <p>3.9 The EMPr must also be amended to include the frequency at which Environmental Compliance Checklists/Reports compiled by the Environmental Control Officer will be submitted to this Department. Be advised that the recommended frequency will be included as a condition of the Environmental Authorisation should the proposed development be approved.</p> <p>3.10 Comment from, but not limited to the following Organs of Statement must be obtained:</p> <p>3.10.1 Department of Agriculture,</p> <p>3.10.2 BGCMA,</p> <p>3.10.3 CapeNature, and</p> <p>3.10.4 Overstrand Municipality.</p> <p>3.11 In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person (other than the Environmental Assessment Practitioner and Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014. Please advise what the estimated duration of the construction phase will be. In addition, you are required to recommend and motivate the frequency at which the environmental audits must be conducted by an independent person.</p> <p>4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>5. Please note that the proposed development may not commence prior to an Environmental Authorisation being granted by the Competent Authority.</p> <p>6. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.</p>	
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## **8. COMMENTS RECEIVED DURING DRAFT / PRE-APPLICATION PUBLIC PARTICIPATION**



Cnr Mountain Mill & East Lake Road, Worcester 6850, Private Bag X3055 Worcester 6849

Enquiries: Vhengani Ligudu

Tel: +27 23 346 8000

Fax: +27 23 347 2012

E-mail: vligudu@bocma.co.za

REFERENCE NO: 4/10/2/G40B/HANGKLIP 559/126, CALEDON

Date: 09 June 2023

LORNAY ENVIRONMENTAL CONSULTING  
PO Box 1990  
Hermanus  
7200

Attention: Michelle Naylor

**RE: NOTICE OF PUBLIC PARTICIPATION FOR A BASIC ASSESSMENT PROCESS:  
PROPOSED RESIDENTIAL DWELLING ON PORTION 126 OF THE FARM 559,  
HANGKLIP, CALEDON RD.**

With reference to the above-mentioned document received by this office on the **09/05/2023**, requesting comments.

The Breede-Olifants Catchment Management Agency (BOCMA) has no objections on the proposed development subject to the following comments:

1. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered.
2. Please note that no additional use of surface/groundwater and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998). And/or formal authorization in terms of General Authorizations issued under Section 39 (Government Notice 538 dated 02 September 2016), and/or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998). And/or if it is defined and declared as an existing lawful water use in terms of Section 32 & 33 of the National Water Act, 1998 (Act 36 of 1998).
3. No pollution of surface water or groundwater may occur due to any activity on the property.
4. The minimising of waste must be promoted and alternative methods for waste management must be investigated.
5. No storm water runoff from any premises containing waste, or water containing waste emanating from premises may be discharged into a water resource.
6. Please note that any activity within the 1:100 year floodline or within 100 metres of a watercourse (river, spring, natural channel, a lake or dam) or within a 500 m radius from the delineated boundary (extent) of any wetland or pan triggers a water use activity in terms of Section 21 (c) & (i) of the National Water Act, 1998 (Act 36 of 1998).

#### **Water for domestic use**

- Water provided for domestic use must comply with the SANS 241:2015 guidelines for drinking water.

#### **Disposal of sewage**

- The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act of 1998, (Act 36 of 1998).
- The conservancy tanks must be located out of the 1:100 year flood line of any water resource.
- When a conservancy tank is used for the disposal of sewerage, this office must be furnished with a signed copy of the contract between the contractor or the municipality which is appointed to pump the conservancy tank.
- The volume of sewage needs to be metered on a monthly basis and removal programme needs to be scheduled to ensure that the conservancy tank is pumped well within time before overflowing. Alternatively, floating devices should be installed within the tanks that initiate an alarm of 75% full capacity for collection and disposal.
- The size of the conservancy tank must be determined by both the frequency of removal of its contents to the local Wastewater Treatment Works and by the quantity of sewage anticipated from the above-mentioned project.

This office reserves the right to revise initial comments and request further information based on any additional information that may be received. The onus remains with the registered property owner to confirm adherence to any other relevant legislation that any activities might trigger and/or need authorization.

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

Yours faithfully

*Liguduwe*

**MR JAN VAN STADEN**  
**CHIEF EXECUTIVE OFFICER (Acting)**



DIRECTORATE: INFRASTRUCTURE AND PLANNING  
DIREKTORAAT: INFRASTRUKTUUR EN BEPLANNING

**ENVIRONMENTAL MANAGEMENT SECTION**

NAVRAE | ENQUIRIES: Tamzyn Zweig



09 June 2023

Dear Lornay Consulting,

**Re: PPP Comments for Residential Development on Portion 126 of Farm 559 (DEA&DP Ref. No.: 16/3/3/6/7/1/E4/5/1495/22 Lornay Ref. No.: 126OF559BB)**

Thank you for the opportunity to comment on this application. The proposed development of an 800m<sup>2</sup> Residential Dwelling development footprint and an extension of the existing jeep track by 200m is relatively small-scale, the Overstrand Environmental Management Section (EMS) supports the application as per the information submitted and reserves the right to submit further comments as more information becomes available.

**1) Removal of Critically Endangered Vegetation:**

Prior to clearance, please contact the Kogelberg Biosphere Botanical Society Gardening Circle Group who have formed the "Fight For Fynbos" group, a search and rescue initiative for Species of Conservation Concern. Alternatively, there are local members of the Custodians of Rare and Endangered Wildflowers (CREW) group.

Galia Manicom (Fight For Fynbos)  
email: [galia.manicom@gmail.com](mailto:galia.manicom@gmail.com)  
cell: 082 963 3804

Magriet Brink (Kogelberg CREW)  
Email: [magrietb@gmail.com](mailto:magrietb@gmail.com)  
Cell: 072 921 1757

**2) The Overstrand Environmental Management Overlay Zones: Protected Area Buffer & Coastal Protection Zone**

Please be aware that the Overstrand EMOZ regulations (2020) state:

Schedule A Prohibited Activities:

- Development above the 120m geographical contour line.

Should the proposed development be above this contour, a deviation from the EMOZ Regulations via the Overstrand Town Planning Department should be applied for.

**3) Access to proposed development via Overstrand Property (559/0)**

Please ensure the owners enter into a formal agreement with the Overstrand Engineering Department regarding maintenance of the access road within the Overstrand Property. It should be noted that the Hangklip-Kleinmond Administration of the Overstrand have very limited resources – especially with regard to earthmoving/road servicing machinery. For example, following the recent (end May, early June 2023) heavy rain and subsequent flood damages to infrastructure, the department's focus was naturally on the restoration of access roads within the urban area due to the larger number of residents affected, while outlying areas tend to have to wait longer for these types of service delivery.

Sincerely,

Tel: 028 271 8420 | E-mail: [tzweig@overstrand.gov.za](mailto:tzweig@overstrand.gov.za)  
33 5<sup>th</sup> Avenue | Kleinmond | 7195



## CONSERVATION INTELLIGENCE

postal 16 17th Avenue, Voëlklip, Hermanus, 7200  
physical 16 17th Avenue, Voëlklip, Hermanus, 7200  
website [www.capenature.co.za](http://www.capenature.co.za)  
enquiries Rhett Smart  
telephone 087 087 8017  
email [rsmart@capenature.co.za](mailto:rsmart@capenature.co.za)  
reference LS14/2/6/1/7/2/559-126\_residential\_Kleinmond  
date 9 June 2023

Lornay Environmental Consulting  
P.O. Box 1990  
Hermanus  
7200

Attention: Michelle Naylor  
By email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

Dear Michelle

### **Pre-Application Basic Assessment Report for the Proposed Dwelling on Portion 126 of the Farm Hangklip 559, Kleinmond**

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.

The subject property mainly consists of Critical Biodiversity Area I (CBA) across the entire extent according to the Western Cape Biodiversity Spatial Plan. The natural vegetation occurring on the site is Kogelberg Sandstone Fynbos, listed as critically endangered. According to the National Geo-spatial Information mapping there two non-perennial rivers in the north of the property which converge before exiting to the east. According to the National Wetland Mapping (NWM) for the 2018 National Biodiversity Assessment (NBA) there is a seep wetland in the east of the property adjacent to the non-perennial river. The property borders the Kleinmond Local Authority Nature Reserve.

The development proposal consists of a single dwelling with an access road from the adjacent property. The screening tool results for the site are presented which indicate a very high sensitivity for terrestrial biodiversity and aquatic biodiversity and high sensitivity for plant species and animal species. The site sensitivity verification (SSV) report motivates that no specialist studies are required despite the results from the screening tool. In this regard:

- For terrestrial biodiversity, it is motivated that the development is small scale with large areas remaining for conservation. The site is however located within a CBA I. In this regard, the specific guidelines for development within a CBA indicate: "Ideally, development should be avoided in these areas. If they cannot be avoided, it must be shown that the mitigation hierarchy has been applied if there is a proposal within a CBA" (Pool-Stanvliet et al, 2017). As mentioned Kogelberg Sandstone Fynbos is a critically endangered ecosystem. CapeNature does acknowledge primary rights of landowners however if the entire property is a CBA and essentially not suitable for development, the best practicable option must be selected in terms of scale, design

The Western Cape Nature Conservation Board trading as CapeNature

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

and location of the primary rights. We therefore do not accept the motivation and recommend that a terrestrial biodiversity assessment is required to inform the application.

- For aquatic biodiversity it is motivated that the development is located more than 32 m from the watercourse. Freshwater ecological and hydropedological assessments were undertaken for the development to the east of the property which revealed that the extent of the wetland is much larger than the NWM mapping with subsurface water flow playing an important role. It is therefore likely/possible that the extent of the wetland which extends on to 126/559 differs from the NWM mapping. The road additionally traverses the non-perennial river. We therefore do not accept the motivation and recommend that an aquatic biodiversity assessment is required to inform the application, which must as a minimum include wetland delineation according to standard methodology.
- For plant species it is motivated that the site is in good condition except for the existing access road on the adjacent property. This is not a motivation for not undertaking a plant species assessment. Kogelberg Sandstone Fynbos is the most species rich ecosystem in South Africa with regards to plant species, and 162 potential species of conservation concern were flagged in the screening tool for this site. We therefore recommend that the plant species theme must also be assessed and can be combined in a specialist study with the terrestrial biodiversity assessment (or a separate study).
- For animal species it is motivated that “the site is located within the built-up urban area of Vermont and Hermanus. Only very limited areas on the property will be developed, open space retained.” It is assumed that this is an error which refers to another project. The five faunal species which were flagged for high sensitivity are bird species and the scale of the development is unlikely to have a significant effect on any bird species. Further, there is highly unlikely any breeding habitat for these five species within the development footprint. An overview of the faunal species and potential impacts can however be included within the terrestrial biodiversity assessment.
- The conclusion of the SSV report states “The Screening Tool Report, which was generated for the proposed activities on the subject property, identified a number of specialist assessments to be undertaken prior to development on site. However the area proposed for development is disturbed and located within the built up urban area.” The site is not within an urban area and is located within CBA consisting of good condition fynbos.

An important consideration for the development is the fire risk, as it consists of a single dwelling surrounded by fynbos which is fire-prone and is dependent on fire for ecological function. There are numerous precedents in the surrounding area of damage to buildings as a result of vegetation fires. Protection of isolated dwellings surrounded by fynbos also presents a strain on the resources of fire-fighting authorities during wildfires. We therefore recommend that a fire management plan must be compiled for the proposed development and should include more than the standard fire protection measures due to the exceptional high fire risk. These measures must however not result in significant impacts on the natural habitat.

The property is worthy of conservation, as with the other smallholdings abutting the Kogelberg Nature Reserve. We would therefore support that the landowner considers the options available for formal conservation and can contact CapeNature for further advice in this regard. Formal conservation could also form part of the essential mitigation for the proposed development.

In addition, the municipal planning requirements must be taken into account, which can also result in controls which then reduce/minimize the impact on biodiversity. This includes the Environmental Management Overlay Zones (EMOZ) for which the property is located within the Protected Area Buffer EMOZ.

In conclusion, CapeNature does not support the application as currently proposed due to insufficient information. As a minimum, a terrestrial biodiversity assessment and aquatic biodiversity assessment must be undertaken to assess the impacts on biodiversity as a result of the proposed development due to the high biodiversity value and sensitivity of the property. It must be ensured that the four biodiversity-related themes are addressed as discussed above and a thorough investigation undertaken of the best practicable option in terms of the location of the dwelling on the property. The services such as the access road and conservancy tank (which requires truck access) must also be assessed in the specialist assessments.

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

Yours sincerely



**Rhett Smart**  
**For: Manager (Landscape Conservation Intelligence)**

cc. Steve Gildenhuys, CapeNature

References:

Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature

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

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



Department of Environmental Affairs and Development Planning  
**Ntanganedzeni Mabasa**  
Directorate: Development Management, Region 1  
Ntanganedzeni.Mabasa@westerncape.gov.za | Tel: 021 483 2803

**REFERENCE:** 16/3/3/6/7/1/E4/5/1495/22

**DATE:** 9 June 2023

Mr. Geoffrey Francois Fourie  
PO Box 4414  
**EMPANGENI**  
3880

Dear Sir

Cell: 082 857 5288  
Email: gfranfour@gmail.com

**COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT ("NEMA"), 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED DEVELOPMENT OF A SINGLE RESIDENTIAL DWELLING AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF PORTION 126 OF FARM NO. 559, CALEDON.**

1. The electronic copy of the draft BAR, as received by this Department on 9 May 2023, and the Department's acknowledgement thereof issued on 17 May 2023, refer.
2. Following the review of the information submitted to this Department, the following is noted:
  - 2.1 The clearance of indigenous vegetation to develop a single residential dwelling and associated infrastructure on Portion 126 of Farm No. 559, Pringle Bay.
  - 2.2 Access to the property is not permitted off the R44, therefore the municipality has granted the applicant permission to access the site from the existing access road at the adjacent graveyard on the Remainder of Farm No. 562.
  - 2.3 The road at the graveyard site will be extended by approximately 200 meters towards the west to create a track to access the proposed development.
  - 2.4 A conservancy tank will be used for sewage disposal, which will be serviced by the municipality.
  - 2.5 Rainwater will be harvested for domestic use and electricity will be via solar power.
  - 2.6 There is a wetland on site however both the building platform and road will be located more than 32 m from the edge of the wetland. The distance between the wetland and the proposed development is however not specified or indicated on a map.
  - 2.7 According to available mapping resources, the site is mapped to contain Kogelberg Sandstone Fynbos vegetation, which is classified as a critically endangered vegetation type.
  - 2.8 The site is zoned Agricultural Zone 1 and is located outside the urban area of Caledon.



3. This Department's comments are as follows:

- 3.1 The Site Sensitivity Verification Report does not include adequate information on the current state of the site. It is only indicated that the site is in a good condition. In addition, the only motivation provided why none of the identified specialist studies will be conducted is the small scale of the development, that limited indigenous vegetation will be cleared and that the development will be located more than 32m from the watercourse present on the site. The site is mapped to contain critically endangered indigenous vegetation and based on the limited information provided, the indigenous vegetation present on the site is in a good condition. However, no botanical specialist input was obtained to confirm that the preferred location for the proposed development is suitable from a botanical perspective. Similarly, no freshwater specialist input was obtained despite the presence of a wetland on the site. It is important that all the potential impacts associated with the proposed development be identified and that it is adequately considered, assessed, and addressed to demonstrate that the proposed development is acceptable. Therefore, as a minimum, a specialist statement should be provided to confirm that the proposed development will not have a significant botanical and freshwater impact. **However, should any authority that has jurisdiction in respect of any aspect of the proposed development request that further specialist studies be conducted, and where the request is supported by this Directorate, this will take precedence.**
- 3.2 The existing road on the neighbouring municipal property will be extended to gain access to the proposed development. Hence, the site forms part of the proposed development footprint. The site must therefore be included in the assessment and the property details must be included in the description and the relevant sections of the application form and BAR.
- 3.3 In addition, the municipality must complete a copy of the landowner's consent form and a copy of the municipal consent that grants permission to use the access on their property must be included in the BAR.
- 3.4 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. 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 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. It is noted and acknowledged that the access to the site informed the placement of the proposed development, but it is not evident that the selected site is the best practicable option for development from a biophysical impact perspective. This aspect must be addressed.
- 3.5 It is motivated that only a small portion of the site will be developed and that the remainder of the site will be conserved. Has CapeNature been consulted in this regard or how will this be implemented and ensured?
- 3.6 Since the proposed development is located in proximity to a watercourse, confirmation is required from the Breede-Gouritz Catchment Management Agency ("BGCMA") whether the proposed development will require a Water Use Licence Application ("WULA") or a

General Authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). If a WULA is required, proof of submission of the application to the BGCMA and a copy of the WULA Information must be included in the BAR.

- 3.7 Written confirmation must be obtained from the municipality that they will service the conservancy tank. Alternatively, written confirmation must be obtained from a registered service provider that they have available capacity to regularly empty the conservancy tank.
  - 3.8 The Site Development Plan ("SDP") of the preferred alternative must include all the components of the proposed development, including any buffer / no-go areas that will be incorporated, as recommended by any specialist findings. The SDP does not conform to these requirements. The updated SDP must also be included the EMPr, as per regulatory requirements.
  - 3.9 The EMPr must also be amended to include the frequency at which Environmental Compliance Checklists/Reports compiled by the Environmental Control Officer will be submitted to this Department. Be advised that the recommended frequency will be included as a condition of the Environmental Authorisation should the proposed development be approved.
  - 3.10 Comment from, but not limited to the following Organs of State must be obtained:
    - 3.10.1 Department of Agriculture,
    - 3.10.2 BGCMA,
    - 3.10.3 CapeNature, and
    - 3.10.4 Overstrand Municipality.
  - 3.11 In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person (other than the Environmental Assessment Practitioner and Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014. Please advise what the estimated duration of the construction phase will be. In addition, you are required to recommend and motivate the frequency at which the environmental audits must be conducted by an independent person.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
  5. Please note that the proposed development may not commence prior to an Environmental Authorisation being granted by the Competent Authority.

6. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

**Andrea  
Thomas**

Digitally signed by  
Andrea Thomas  
Date: 2023.06.09  
14:22:52 +02'00'

**PP HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Ms Michelle Naylor (Lornay Environmental Consulting)  
(2) Tamzyn Zweig (Overstrand Municipality)

Email: michelle@lornay.co.za  
Email: tzweig@overstrand.gov.za



## **9. ADDITIONAL ROUND OF PRE-APP PUBLIC PARTICIPATION**

An additional round of out of process public participation has been provided for.

## 10. REGISTERED INTERESTED AND AFFECTED PARTIES

PRE-APPLICATION PUBLIC PARTICIPATION	
<b>WC Government Env Affairs &amp; Dev Planning Development Management</b> N. Mabasa Registry Office 1st Floor, Utilitas Building 1 Dorp Street 8001	<b>WC Government: Infrastructure</b> Western Cape Department of Infrastructure Road Use Management Tel: 021 483 4669 Vanessa Stoffels <a href="mailto:Vanessa.Stoffels@westerncape.gov.za">Vanessa.Stoffels@westerncape.gov.za</a>
<b>Cape Nature</b> Rhett Smart <a href="mailto:rsmart@capenature.co.za">rsmart@capenature.co.za</a>	<b>Overberg District Municipality</b> F. Kotze / R. Volschenk Private Bag x 22 Bredasdorp 7280 F. Kotze
<b>BGCMA</b> V. Ligudu Private Bag x3055 Worcester <u>6850</u> 023 346 8000	<b>Overstrand Municipality</b> T. Zweig (Timothy Europa) Kleinmond <a href="mailto:tzweig@overstrand.gov.za">tzweig@overstrand.gov.za</a>

## 11. NOTICE OF ADDITIONAL OUT OF PROCESS PUBLIC PARTICIPATION



### NOTICE OF PUBLIC PARTICIPATION FOR BASIC ENVIRONMENTAL IMPACT ASSESSMENT IN TERMS OF NEMA

Notice is hereby provided, in accordance with the Environmental Impact Assessment (EIA) regulations, as stipulated under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and the 2014 NEMA EIA Regulations (as amended) as published in Government Gazette No. 38282, Government Notice R983, R984, and R985, on 4 December 2014, to register as a Interested and Affected Party (I&AP) and provide comments on the Basic Assessment Report for the *Proposed single residential dwelling and associated internal access road*.

DEA&DP REFERENCE: 16/3/3/6/7/1/E4/5/1495/22

LORNAY REF: G-Bar

APPLICANT: G.F Fourie

LOCATION: Portion 125 and 126 of the Farm 559, and RE/562, Hangklip, Caledon RD

PROJECT OVERVIEW: Establishment of a single residential dwelling and associated access

LISTED ACTIVITIES: The following Listed Activities are applied for in terms of the NEMA EIA Regulations:

- Listing Notice 1 (GN R983): Activity 12, 19
- Listing Notice 3 (GN R985): Activity 12

A copy of the out of process Basic Assessment Report is available for public review and download on our website, or upon request. Interested and Affected Parties (I&APs) are invited to register and/or provide comments on the application during the public participation period from 30 May 2025 to 30 June 2025.

**HOW TO PARTICIPATE:** Please register or submit your comment via the following details:

Lornay Environmental Consulting  
For Att: Michelle Naylor  
Tel: 083 245 6556  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
Website: [www.lornay.co.za](http://www.lornay.co.za)

**IMPORTANT NOTICE:** In accordance with the Protection of Personal Information Act (POPI Act, 2023), by registering and commenting as an I&AP your name and comments will be made public.



Environmental Impact Assessments | Basic Assessments | 24G  
Applications | Water Use License Applications | Environmental Audits

Lornay Environmental Consulting Pty Ltd | Reg 2015/445417/07  
Unit 5/1F, Hemel & Aarde Wine Village, Hermanus

## **12. PROOF OF NOTICE OF ADDITIONAL PPP**

To be added

## **13. COMMENTS RECEIVED DURING THE ADDITIONAL ROUND OF PUBLIC PARTICIPATION**

To be added