



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management (Region 1)

REFERENCE: 16/3/3/6/7/1/A5/11/2082/17
ENQUIRIES: RONDINE ISAACS
DATE: 29 AUG 2017

The Board of Directors
Amphoria (Pty) Ltd
PO Box 11338
BLOUBERGRANT
7443

Attention: Mr Anton Mulder

Cell: 087 942 2771
Fax: (021) 554 1411

Dear Sir

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED HAASENDAL DEVELOPMENT AND THE RE-DEVELOPMENT OF THE KUILS RIVER GOLF COURSE ON ERVEN 23580, 23579, 23582, 23583, 23584, FARM NO. 1339 AND PORTIONS 60, 64, 67, 87 AND 106 OF FARM NO. 222, BRACKENFELL

1. The abovementioned document and letter dated 27 July 2017, as received by this Department on 28 July 2017, and this Department's acknowledgement of receipt letter dated 7 August 2017, refer.
2. This Department has considered the pre-application BAR and has the following comments, which are not limited to:
 - 2.1 Public Participation Process ("PPP"):
 - 2.1.1 You are required to submit proof of the Public Participation Process being conducted for the pre-application BAR. This will include (but is not limited to):
 - The Directorate: Pollution and Chemicals Management of this Department must be added to the list of State Departments to be consulted during the post-application phase of the proposed development;
 - Proof that the BAR was made available to registered Interested and Affected Parties;
 - A Comments and Responses Report, indicating all the comments received from Interested and Affected Parties on the BAR and the responses thereto; and
 - A complete list of registered Interested and Affected Parties.
 - 2.2 Declarations by applicant, Environmental Assessment Practitioner ("EAP") and specialists:
 - 2.2.1 You are hereby reminded to include the signed declarations from the applicant, the EAP and specialists in the BAR.

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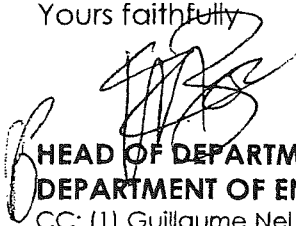
Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

- 2.3 Environmental Management Programme ("EMPr"):
- 2.3.1 The numbering of the paragraphs on pages 17 and 18 are not consistent (e.g., there is no paragraph 3.5).
- 2.3.2 The details of the EAP who prepared the EMPr and the expertise of the EAP to prepare the EMPr, **including a Curriculum Vitae**, has not been included as specified under Section 1(a)(i) and (ii) of Appendix 4.
- 2.3.3 Furthermore, a map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site has also not been included as specified under Section 1(c) of Appendix 4.
- 2.4 Content requirement of BAR:
- 2.4.1 The BAR does not comply with Appendix 1 (Scope of assessment and content of BAR) of GN No. R. 982 of 4 December 2014. The Curriculum Vitae of the EAP has not been included as specified under Section 3(1)(a)(ii) of Appendix 1.
- 2.5 Confirmation of availability of services:
- 2.5.1 You are required to provide this office with written proof that the City of Cape Town has sufficient unallocated capacity to provide the necessary services (solid waste removal, water supply and sewerage disposal) to the proposed development.
- 2.5.2 Confirmation of the availability of services from the service provider must be provided together with the BAR.
- 2.6 General:
- 2.6.1 You are required to describe the portion of the development that relates to the listed activities on pages 5 to 7.
- 2.6.2 You are required to provide the co-ordinates (starting point, middle point and end point) of the linear activities being applied for.
- 2.6.3 You have referred to the incorrect Government Notice ("GN") on page 2 of the cover letter.
- 2.6.4 Please note that the EIA Regulations, 2014 and the three Listing Notices (GN No. R. 983, R. 984 and R. 985) were **amended** on 7 April 2017, and as such, the EIA Regulations, 2014 and the three Listing Notices remain in effect, *i.e.*, **it is not new regulations**. The current regulations must therefore be referred to as the EIA Regulations, 2014, as amended.
- 2.6.5 Activity 19 of GN No. R. 983 has been amended and now reflects the infilling or depositing of any material of more than **10m³** into or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than **10m³** from a watercourse.
- 2.6.6 As such, you are required to amend the description of Activity 19 of GN No. R. 983 on page 66 of the EMPr (under Section 4 of the River Maintenance Management Plan).
3. Please note that the proposed activity must not be commenced with prior to an environmental authorisation being granted by the Department. It is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. A person convicted in terms of this prohibition is liable to a fine not exceeding R10 million or imprisonment for a period not exceeding ten years, or to both such fine and imprisonment.



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

Yours faithfully



HEAD OF DEPARTMENT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
CC: (1) Guillaume Nel (Guillaume Nel Environmental Consultants (Pty) Ltd)

Fax: (021) 870 1873