

ENVIRONMENTAL IMPACT ASSESSMENT

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) TO RECTIFY THE UNLAWFUL CONSTRUCTION OF TOURIST FACILITIES ON PORTION 10 OF FARM 262, BOONTJIESRIVIER, TULBAGH, WESTERN CAPE.

BACKGROUND INFORMATION DOCUMENT (BID) AND INVITATION TO PARTICIPATE

1 August 2019

1. PURPOSE OF THIS DOCUMENT

The purpose of this document is to:

- Provide stakeholders with information about the unlawful construction of tourist facilities on Portion 10 of Farm 262, Boontjiesrivier, Tulbagh, Western Cape Province.
- Introduce and explain the Section 24(G) and Public Participation process to be followed for the proposed development, in terms of applicable environmental legislation (National Environmental Management Act (NEMA), (Act No.107 of 1998), as amended;
- Invite all stakeholders to register and comment on any aspect related to the proposed development between the 1st of August and the 3rd of September 2019.

2. PROJECT DESCRIPTION

Application was made for tourist facilities on Portion 10 of Farm 262 Boontjiesrivier, by previous environmental consultants, appointed by the applicant Mr. C v.d S Loubser. However, after a site visit conducted by the Department of Environmental Affairs & Development Planning (DEA &DP) it was noted that construction had already begun.

No pre-compliance was issued to the applicant by the DEA &DP. The client is applying in his own capacity for rectification of the unlawful activities. This application will be a joint application for rectification of the unlawful construction of tourist facilities as well as an application for additional tourist facilities on Portion 10 of Farm 262.

Guillaume Nel Environmental Consultants (GNEC) was approached by the applicant Mr. Chris v.d S Loubser to conduct a 24(G) application in order to rectify the illegal activities in terms of the National Environmental Management Act (Act No. 107 of 1998).

The applicant has constructed the accommodation facilities for the proposed conference facility without Environmental Authorisation (EA).

Similar tourism activities such the Fynbos Guest Farm and Animal Sanctuary are located approximately 2km to the west. The Witzenberg Campground is located on the adjacent property Portion 5 of Farm 262. The proposed areas on the farm to be developed will change the land use from agriculture to tourism/resort uses.

There are currently 3 buildings earmarked to be converted into tourist facilities as depicted in **Figure 1** below. Shed no.1 will be converted into tourist accommodation facility to sleep approximately 60 guests. Shed no. 2 was used for farming implements and vehicles. It is proposed that this building be converted into a venue facility for approximately 60 guests. Shed no. 3 has been converted into a conference facility



Figure 1: Aerial image of the farm with development portions indicated from 1 to 5.

3. NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO. 107 OF 1998), AS AMENDED

Environmental Assessment

An Application for retrospective Environmental Authorization (EA) is currently being undertaken in order to authorize the following “Listed Activities” in terms of the National Environmental Management Act, 1998 (“NEMA”) (Act No. 107 of 1998).

Government Notice No. R. 985 of 04 December 2014, as amended –

- Listing Notice 3 – Activity No: 6 and 17

Definition of an Environmental Impact Assessment (EIA)

An environmental impact assessment is a good planning tool to assist in the identification, evaluation and assessment of potential positive and negative impacts of a proposed development on the environment. It also recommends ways to avoid or reduce negative impacts, and ensure that developments are sustainable without affecting people’s lives and the environment adversely.

As mentioned, an EIA is undertaken in terms of the NEMA (Act No 107 of 1998) as amended, and the EIA Regulations.

4. POTENTIAL ENVIRONMENTAL ISSUES

Potential environmental issues that will be addressed in the assessment include inter alia:

- Noise pollution:

Minor noise impacts will occur during the construction phase of the proposed development, as a direct result of construction activities. However these impacts are not expected to be significant, as the impact will only be temporary in nature, and can be adequately mitigated by the implementation of the legally binding Environmental Management Plan (EMP).

There will be minor noise impacts which will only occur during the construction phase of the proposed expansion. These impacts are suspected to be significant given that the construction activities will only be temporary and will be restricted to working hours only.

- Heritage impact:

It is not foreseen that National and Cultural Heritage will be disturbed by the expansion proposal. A Notification of Intent to Develop (NID) was submitted to Heritage Western Cape on 30 May 2019 and the ROD was received on the 14th of June 2019.

- Impact on fauna and flora:

No impact on any fauna or flora is expected as the site has been used for agricultural purposes in the past and no indigenous vegetation is left on site.

5. PUBLIC PARTICIPATION

In terms of the NEMA, public participation forms an integral part of the environmental assessment process. The public participation process provides people who may be affected by the proposed development with an opportunity to provide comment and to raise issues of concern about the project or to make suggestions that may result in enhanced benefits for the project.

Comments and issues raised during the public participation process will be captured, evaluated and included in a Comment and Response Report. These issues will be addressed and included in the final, Basic Assessment Report which will be submitted to the Department of Environmental Affairs and Development Planning (DEA&DP).

6. INVITATION TO PARTICIPATE

GNEC was appointed as an independent environmental consultancy by **Mr. C v.d S Laubser** to facilitate the environmental impact assessment and public participation process for the proposed project. A copy of the **Draft Section 24(G) Report** is made available at the Wolseley Public Library from **Thursday the 1st of August until Tuesday the 3rd of September 2019**. Alternatively a copy of the report is also available on the GNEC website at www.gnec.co.za. To register as an Interested and Affected Party, please complete and return the enclosed registration sheet and submit any written comments to:

GNEC

Att: Mr Cahlan Williams

P.O. Box 2632, Paarl, 7620

Tel: 021 870 1874

Fax: 021 870 1873

E-mail: cahlan@gnec.co.za

GNEC Ref No: 20511

Please submit the registration sheet to GNEC by no later than Tuesday the 3rd of September 2019.

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 CONSTRUCTION OF TOURIST FACILITIES ON PORTION 10 OF FARM 262,
 BOONTJIESRIVIER, TULBAGH, WESTERN CAPE PROVINCE.**

REGISTRATION AND COMMENT SHEET

GNEC REF: 20511

Title _____ **Name and Surname** _____

Company Name/Interest _____

Postal-or-Residential Address _____

Area _____ **Postal Code** _____

Tel: _____ **Cell Phone** _____

Fax: _____

E-Mail Address _____

Please indicate you preferred method of communication (Please indicate with an X)					
Fax		E-Mail		Post	

Comments (You are welcome to attach more sheets if necessary (Your comments will be considered in the EIA (BA) process)

Please provide details of any other person/company whom you would like us to add to our mailing list

_____ **Fax No:** _____

Title _____ **Name and Surname** _____ **Company Name** _____

Tel: _____
E-Mail _____

Please complete and return to GNEC by no later than **Tuesday the 3rd of September 2019**
Attention: Mr Cahlan Williams
 P.O. Box 2632, Paarl, 7620
 Tel: 021 870 1874, Fax: 021 870 1873 , E-mail: cahlan@gnec.co.za

Thank You for your participation

Fabriek Street 45

Paarl

Tel: 021 870 1874



P.O. Box 2632 Paarl 7620

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