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**physical** 4<sup>th</sup> Floor, York Park Building, York Street, George  
6530  
**website** [www.capenature.co.za](http://www.capenature.co.za)  
**enquiries** Megan Simons  
**telephone** +27 87 087 3060 **fax** +27 44 802 5313  
**email** [msimons@capenature.co.za](mailto:msimons@capenature.co.za)  
**reference** LE14/2/6/1/6/2/278&282-195/General/Kraaibosch  
**date** 21 November 2022

Sharples Environmental Services cc,  
P.O. Box 443,  
Milnerton,  
7435

Attention: Ms Ameesha Sanker  
By email: [ameesha@sesc.net](mailto:ameesha@sesc.net)

Dear Ms Ameesha Sanker

**PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED  
CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282  
OF FARM KRAAIBOSCH NO. 195, GEORGE LOCAL MUNICIPALITY, WESTERN CAPE.**

**DE&DP Reference: 16/3/3/6/7/1/D2/19/0120/21**

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

According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet *et.al.* 2017)<sup>1</sup> the site has Terrestrial CBA and ESA. The site does not have any aquatic features other than a non-perennial drainage line mapped close to the northern boundary. Furthermore, the site is within the National Strategic Water Source Area for surface water for the Outeniqua region and serves as a water source protection for the Kaaimans River and a watercourse protection for the South Eastern Coastal Belt.

The Vlok and de Villiers (2014) fine scale vegetation map describes the area as Wolwedans Grassy Fynbos while Mucina and Rutherford (2006)<sup>2</sup> and the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet *et.al.* 2017) mapped the vegetation as **Endangered**<sup>3</sup> Garden Route Granite Fynbos and Groot Brak Dune Strandveld.

The site has been transformed overtime and does not have a high sensitivity in terms of biodiversity. Therefore, CapeNature does not object to the proposed application as it would not have a significant impact on the surrounding biodiversity.

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<sup>1</sup> Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature.

<sup>2</sup> Mucina, L. & Rutherford, M. C. (EDS) 2006. The Vegetation of South Africa, Lesotho and Swaziland. Strelitzia 19. South African National Biodiversity Institute, Pretoria. (Revised 2012)

<sup>3</sup> National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). National list or ecosystems that are threatened and in need of protection.2011. Government Gazette No. 34809.

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

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

Yours sincerely,

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

**Megan Simons**  
**For: Manager (Landscape Conservation Intelligence)**



**OUR REFERENCE : 20/9/2/4/3/096**  
**YOUR REFERENCE : CT/27**  
**DEA&DP REFERENCE : 16/3/3/6/7/1/D2/19/0120/21**  
**ENQUIRIES : Cor van der Walt**

Sharples Environmental Services  
PO Box 9087  
GEORGE  
6530

Att: Ameesha Sanker

**PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT**  
**PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT: DIVISION GEORGE**  
**PORTION 278 OF THE FARM KRAAIBOSCH NO 195**  
**PORTION 282 OF THE FARM KRAAIBOSCH NO 195**

Your application of September 2022 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection to the proposed application.

Please note:

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

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

Yours sincerely



**Mr. CJ van der Walt**

**LANDUSE MANAGER: LANDUSE MANAGEMENT**

**2022-11-09**

Copies:

George Municipality

PO Box 19

GEORGE

6530

Department of Environmental Affairs & Development Planning

Private Bag X 6509

George

6530

**REFERENCE:** 16/3/3/6/7/1/D2/19/0120/21

**DATE OF ISSUE:** 01 November 2022

The Managing Director  
GARDEN ROUTE GATEWAY PLAZA (PTY) LTD  
PO Box 824  
**HARTENBOS**  
6520

**Attention:** Mr. André Calitz

E-mail: [oilcon@mweb.co.za](mailto:oilcon@mweb.co.za)

Dear Sir

## **COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT THE PROPOSED MIXED-USE DEVELOPMENT ON PORTIONS 278 AND 282 OF THE FARM KRAAIBOSCH NO. 195, GEORGE**

1. The pre-application Basic Assessment Report (Ref: CT/27), dated September 2022, compiled on your behalf by your appointed Environmental Assessment Practitioner ("EAP"), *Sharples Environmental Services* (% Ms. Ameesha Sanker), received by the Directorate: Development Management (Region 3) ("this Directorate") on 30 September 2022, refers.
2. This Directorate appreciates the opportunity provided to comment on the document as well as the extension which the EAP has given to provide comment by 11 November 2022. Based on the review of the pre-app BAR, this Directorate provides the following comments:

### *2.1. The proposal*

From the information contained in the document it is understood that *Garden Route Gateway Plaza (Pty) Ltd* ("the proponent") is proposing to develop a mixed-use development on Portion 278 and 282 of the Farm Kraaibosch No. 195 in George ("the property"). The proposed development will consist of the following:

- Nursery;
- Tourist Centre (mixed use);
- Outdoor function area;
- Club house / guest rooms;
- Chapel;
- General storage;
- Stables; and
- Storage

The proposal will also include associated services including internal roads, water reticulation, stormwater infrastructure and electrical reticulation. It is understood that sewage will be disposed by means of onsite sewage treatment. The information suggests that the proposed development will be approximately 3.7ha in extent.

## 2.2. Need and Desirability

With reference to this Directorate's letter of 26 August 2021 kindly note that this Directorate is of the considered opinion that the EAP did not adequately motivate for the exclusion of a socio-economic assessment. Furthermore, this Directorate is of the considered opinion that the need and desirability of the proposed development has not been adequately addressed by the EAP.

In light of the above you are advised to address the need and desirability of the proposed development with particular emphasis of the feasibility of this type of development at this location at this point in time. In this regard, please consult the gazetted Guideline on Need and Desirability (2017) to inform the Basic Assessment Report.

Please be advised that failure to address the above may prejudice the outcome of an application for environmental authorisation.

## 2.3. Consultation with other relevant authorities

It is strongly advised that comment from other authorities that administers a law related to the proposed development are included in the BAR. In this regard comment from *inter alia* the Breede-Gouritz Catchment Management Agency ("BGCMA") and the South African National Roads Agency Limited ("SANRAL") is of importance.

### Breede-Gouritz CMA

It is understood that sewage disposal will be by means of onsite sewage disposal (2 x package plants). As such, water use authorisation will be required for the operation of the proposed package plants. It is unclear whether this can be generally authorised or whether a water use license is required. The type of authorisation must be confirmed with the BGCMA.

Please be advised that in the event where a Water Use License is required that the EIA process and the Water Use License Application ("WULA") process must be synchronised. You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of an application for environmental authorisation.

### SANRAL

Due to the proximity of the proposed development to the N2 National Road must be consulted, specifically regarding any permissions required for structures and / or infrastructure within 60m of the road reserve.

### George Municipality: Provision of Services and Service Agreement

The content of the Draft Services Report for civil engineering services for the proposed development (Ref: HESRIV-479 Rev 1; Date: September 2022), compiled by Hessequa Consulting Engineers is noted. From the information in the services report it is understood that sufficient municipal capacity is available to accommodate the proposed development with regard to potable water availability; stormwater capacity and design; solid waste and disposal; and electricity and electricity distribution. However, official confirmation from the George Municipality has not been included in the pre-app BAR. It must be ensured that such confirmation must be included in the BAR.

Furthermore, it is understood that the water connection will be located on the southern side of the N2 national Road, which will require directional drilling underneath the road to connect the proposed development. Therefore, it is prudent that SANRAL is consulted in this regard.

In accordance with Section 152 the Constitution and Section 73 of the Local Government: Municipal Systems Act, 2000 (Act no. 32 of 2000), the general duties and functions of local government are described, which require inter alia that the local government must provide basic services. The Local Government: Municipal Systems Act, 2000 does however allow for the provision of such a municipal service in its area or part of its area, through an external mechanism by entering into a service delivery agreement with an entity or person legally competent to operate a business activity.

In light hereof, the George Municipality's Department of Civil Engineering Services must provide written comment on the requirements and implementation of a service level agreement (i.e. sewage treatment and disposal). In addition, the Municipality must indicate what the level of the service must be (i.e. service standard) and under which circumstances the municipality shall need to undertake the management and the maintenance of the facility to provide the service (i.e. failure to provide an adequate service). If possible, a signed service level agreement between the developer and the George Municipality must be made.

#### 2.4. *Visual Impact Assessment*

It is noted that the pre-application BAR has been informed by a Visual Impact Assessment (Ref: GR092020 (Rev. 1); Date: 25 September 2020), compiled by Mr. Paul Buchholz. The findings of the VIA regarding the Visual Exposure, Visual Sensitivity, Visual Absorption Capacity and Visual Intrusion is noted. However, it is strongly advised that the VIA include a concluding statement which summarises the outcome of the assessment and include a statement of acceptability of the proposed development.

Furthermore, it is noted that the VIA recommends that a professionally registered Landscape Architect must be appointed to identify potential visual impacts and the proposed mitigation thereof (Section 8; pg. 42). According to the VIA a landscape plan must be prepared by the landscape architect. Therefore, it is advised that the landscape plan is compiled to inform the BAR.

Furthermore, the previous authorisation which included the resort and caravan park included a condition that all structures, including signage and roofs must not exceed 5m in height. This condition was included to minimise the visual impact of the development from the N2 National Road. From the information in the pre-application BAR it is unclear what the heights of the various structures / buildings are. This must be addressed and also included in the VIA.

#### 2.5. *Other considerations*

The property is bisected by the Welgelegen Estate access road. As a result, a portion of the property (approx. 6200m<sup>2</sup>) is located northwest of the existing Sasol Filling Station. However, the BAR does not include any information of any proposed future development on this portion of the property. You are therefore advised to specify such information in the BAR.

#### 2.6. *Environmental Management Programme*

Kindly be advised that the contents of an Environmental Management Programme ("EMPr") must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014 (as amended).

Furthermore, this Department advises that the appointed Environmental Assessment Practitioner consider amending the EMPr and include all aspects relating to occupational health and safety as an annexure to the EMPr as the auditing requirements of health and safety related aspects

are undertaken in terms of the Occupational Health and Safety Act, Act No. 85 of 1993 and relevant Regulations and submitted to a different administering authority. The EMPr also contains terminology such as "should", "shall" and "may" which do not provide clear instruction or cannot be enforced. Terminology such as these must be avoided in the document.

## 2.7. BAR Requirements

The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended) and must also include and address any information requested in the pre-application process (Ref: 16/3/3/6/7/1/D2/19/0120/21).

Specialist reports must address the minimum information requirements set out in the relevant Protocols or Appendix 6 of GN No. R. 982 of 4 December 2014 (as amended).

3. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:
  - that additional information or documents will not be requested; or
  - of the outcome of the application
4. Please be reminded that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("NEMA") for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.
5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp \_\_\_\_\_

**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Ref.: 16/3/3/6/7/1/D2/19/0120/21

Copied to:

EAP: Sharples Environmental Services cc

E-mail: [ameesha@sesc.net](mailto:ameesha@sesc.net) | [info@sesc.net](mailto:info@sesc.net)



**From:** Nicole Abrahams (WR) <AbrahamsN@nra.co.za>  
**Sent:** Friday, 21 October 2022 09:35  
**To:** ameesha@sesc.net  
**Cc:** Colene Runkel (WR); René de Kock (WR); David Le Cordeur (WR)  
**Subject:** RE: DEADP REF: 16/3/3/6/7/1/D2/19/0120/21\_NOTIFICATION OF THE PRE-APPLICATION PUBLIC PARTICIPATION PERIOD\_DRAFT BASIC ASSESSMENT REPORT\_PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WC

Dear Ms Sanker

I would herewith like to register SANRAL as I&AP.

The South African National Roads Agency SOC Limited (SANRAL) has received background information and a site layout and locality plan for this proposed project and based on its location and proximity to the nearest national road will have an impact on SANRAL. There is an upgrade planned for that section of the N2 which has already received EA.

If services need to be constructed over or under the national road, (in this case the N2) or within 60m measured from the road reserve fence, the service owner must apply for a written permission from SANRAL, before any work may be carried out.

Do not hesitate to contact the sender should you have any further queries.

I trust that you will find the above in order.

Regards

**Nicole Abrahams**  
ENVIRONMENTAL COORDINATOR  
Western Region  
, Bellville, Western Cape, 7530,  
T: 021 957 4602 | M: 062 215 8945  
[AbrahamsN@nra.co.za](mailto:AbrahamsN@nra.co.za) | [www.sanral.co.za](http://www.sanral.co.za)  
Fraud Hotline Number - 0800 204 558

**SANRAL**



**IMPORTANT: Due to the COVID-19 pandemic, SANRAL is not accepting any visitors at any of their office notice. Virtual meetings and engagements has been adopted to reduce risk of transmission during th**

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**From:** ameesha@sesc.net <ameesha@sesc.net>

**Sent:** Thursday, October 20, 2022 3:31 PM

**To:** ameesha@sesc.net

**Subject:** FW: DEADP REF: 16/3/3/6/7/1/D2/19/0120/21\_NOTIFICATION OF THE PRE-APPLICATION PUBLIC PARTICIPATION PERIOD\_DRAFT BASIC ASSESSMENT REPORT\_PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WC

**Importance:** High

Dear Interested & Affected Parties (I & AP's).

**RE: THE 30-DAY PRE-APPLICATION PUBLIC PARTICIPATION COMMENTING PERIOD ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WESTERN CAPE. (DEADP REF: 16/3/3/6/7/1/D2/19/0120/21).**

Kindly note that the 30-day commenting period, on the Pre-Application Draft Basic Assessment Report for the Proposed Construction of a Mixed-Use Development on Portion 278 of Farm Kraaibosch No 195, George, Western Cape. With some overlap onto the adjacent Portion 282 (DEADP REF: 16/3/3/6/7/1/D2/19/0120/21). **Will conclude on the 1<sup>st</sup> of November 2022.**

A hard-copy of the document has been made available at the George Public Library. The document is also available for download from our website: <https://sesc.net/public-eia-documents-impact-assessment-reports/>

If you wish to submit a comment, you are advised to ensure that the comment is received by the EAP, **by no later than Tuesday, 01<sup>st</sup> November 2022.**

Please Note: Choosing to be registered as an I&AP or by submitting a comment, you consent to the lawful processing of your personal information in relation to the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your personal information will be utilized for all processes relevant to this specific project, details of the terms, in compliance with the POPI Act, 2013, have been attached for your perusal. You also provide consent for your contact details to be made available to the competent authority, and to be reflected in our regulated reports that must be compiled and submitted for decision-making.

Comment on the DBAR and proposed activity must therefore be submitted in writing, by means of the following: Fax: 086-575 2869, email: [ameesha@sesc.net](mailto:ameesha@sesc.net) or postal address: PO Box 443, Milnerton, 7435.

Please do not hesitate to contact me if you have any queries.

Thank you.

Kind Regards,

**Ameesha Sanker**  
Environmental Assessment Practitioner  
(EAPASA #4372)  
TEL: (021) 554 5195  
EMAIL: [intern@sesc.net](mailto:intern@sesc.net)

Unit 1 A2 | The Avenues | Parklands | Cape Town  
PO Box 443 | Milnerton | 7435  
WEB: [www.sesc.net](http://www.sesc.net)

**SSES**  
Sharples Environmental Services EST. 1998

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PROJECT MANAGEMENT  
REHABILITATION AND CLOSURE PLANS

PROFESSIONAL SERVICE since 1998

**From:** [ameesha@sesc.net](mailto:ameesha@sesc.net) <[ameesha@sesc.net](mailto:ameesha@sesc.net)>

**Sent:** Friday, 30 September 2022 09:55

**Cc:** 'Andre Calitz' <[oilcon@mweb.co.za](mailto:oilcon@mweb.co.za)>; 'Betsy Ditcham' <[betsy@sesc.net](mailto:betsy@sesc.net)>

**Subject:** DEADP REF: 16/3/3/6/7/1/D2/19/0120/21\_NOTIFICATION OF THE PRE-APPLICATION PUBLIC PARTICIPATION PERIOD\_DRAFT BASIC ASSESSMENT REPORT\_PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WC

**Importance:** High

Dear Commenting Authorities, Organs of State and/or Potential Interested & Affected Parties (I & AP's).

**RE: NOTIFICATION OF THE COMMENCEMENT OF THE 30-DAY PRE-APPLICATION PUBLIC PARTICIPATION COMMENTING PERIOD ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WESTERN CAPE. (DEADP REF: 16/3/3/6/7/1/D2/19/0120/21).**

Sharples Environmental Services.cc have been appointed by Mr Calitz of Garden Route Gateway Plaza (Pty) Ltd, to undertake the environmental assessment, in accordance with the National Environmental Management Act, 1998 (Act 107 of 1998), in terms of the Environmental Impact Assessment Regulations, 2014 (as amended 2017), for the Proposed Construction of a Mixed-Use Development on Portion 278 of Farm Kraaibosch No 195, George, Western Cape. With some overlap onto the adjacent Portion 282 (DEADP REF: 16/3/3/6/7/1/D2/19/0120/21).

**This email serves to inform you that the Pre-Application Draft Basic Assessment Report (Pre-App DBAR) and associated appendices will be available for download and viewing from Monday, 03<sup>rd</sup> October 2022.**

A hard-copy of the document has been made available at the George Public Library. The document is also available for download from our website: <https://sesc.net/public-eia-documents-impact-assessment-reports/>.

**Pre-Application Public Participation Commenting Period: 03<sup>rd</sup> OCTOBER 2022 – 1<sup>ST</sup> OF NOVEMBER 2022.**

As an identified key stakeholder, neighbouring property owner/occupier or relevant commenting authority, you have been identified as an automatically registered Interested & Affected Party (I&AP), providing you with the opportunity to review and comment on the Pre-Application Draft Basic Assessment Report. Should you **no longer wish to be registered as an I&AP** for this project, indicating that you no longer wish to be included in future communications regarding this process, **please notify this office in writing.**

If you are receiving this mail, and you are the landowner/landlord of the property, you are requested to notify ALL occupiers on your property of the details of this mail and public participation period. Alternatively, you may request that the EAP undertake this notification on your behalf, by supplying the EAP with the occupiers' contact details. If you are the occupier, you are requested to notify the landowner/landlord of the details of this mail and public participation period. Alternatively, you may request that the EAP undertake this notification on your behalf, by supplying the EAP with the landowner/landlord contact details.

Please Note: Choosing to be registered as an I&AP or by submitting a comment, you consent to the lawful processing of your personal information in relation to the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your personal information will be utilized for all processes relevant to this specific project, details of the terms, in compliance with the POPI Act, 2013, have been attached for your perusal. You also provide consent for your contact details to be made available to the competent authority, and to be reflected in our regulated reports that must be compiled and submitted for decision-making.

The Pre-App DBAR is available for **comment until 01<sup>st</sup> November 2022.** Comment on the DBAR and proposed activity must therefore be submitted **in writing on or before 01st November 2022,** by means of the following: **Fax: 086-575 2869, email: [ameesha@sesc.net](mailto:ameesha@sesc.net) or postal address: PO Box 443, Milnerton, 7435.**

Please do not hesitate to contact me if you have any queries.

Thank you.

Kind Regards,

**Ameesha Sanker**

Environmental Assessment Practitioner

TEL: (021) 554 5195 | FAX: 086 575 2869

EMAIL: ameesha@sesc.net

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**BREED-GOURITZ**  
CATCHMENT MANAGEMENT AGENCY

101 York Street 3rd Floor Rm 302 George 6530, P.O. Box 1205 George 6530

Enquiries: SI Ndlovu

Tel: 023 346 8000

Fax: 044 873 2199

E-mail: [sndlovu@bgcma.co.za](mailto:sndlovu@bgcma.co.za)

REFERENCE: 4/10/2/K30C/KRAAIBOSCH 195/278 & 282, GEORGE

DATE: 01 NOVEMBER 2022

SES ENVIRONMENTAL SERVICES  
PO Box 443  
**MILNERTON**  
7435

Attention: Ms A. Sanker

**RE: PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WESTERN CAPE**

Reference is made to the above mentioned Pre-Application Draft Basic Assessment Report made available to Breed-Gouritz Catchment Management Agency (BGCMA) for comments.

The following are BGCMA comments relating to Pre-Application Draft Basic Assessment Report for the proposed construction of a Mixed-Use Development on Farm Portion 278 and 282 of Farm Kraaibosch no 195, which should be adhered to:

1. The proposed sewerage package plant will trigger water use(s) in terms of Section 21(g) of the National Water Act, 1998 (Act No. 36 of 1998) which refers to disposing of waste in a manner which may detrimentally impact on a water resource and must be authorised, subject to the civil designs. All reasonable measures shall have to be taken to prevent the potential pollution of the groundwater resources due to the proposed onsite sanitation facilities.
2. The irrigation of the surrounding grass/paddock with treated wastewater from the sewerage package plant will trigger water use(s) in terms of Section 21(e) of the National Water Act, 1998 (Act No. 36 of 1998) which refers to engaging in a controlled activity and must be authorised.
3. If the proposed mixed use development occurs within the regulated area of watercourses (nearby wetlands & rivers) , it will trigger water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998). These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or

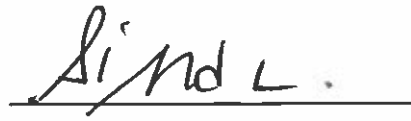
**RE: PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION 278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WESTERN CAPE**

characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:

- a) *The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;*
  - b) *In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act);*  
*or*
  - c) *A 500 m radius from the delineated boundary (extent) of any wetland or pan.*
4. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
  5. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.
  6. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
  7. The BGCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
  8. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <http://www.dws.gov.za/e-WULAAS>.
  9. Should you have further enquiries, the office can be contacted or alternatively contact Mr. SI Ndlovu at the above-mentioned contact number or on [sndlovu@bgcma.co.za](mailto:sndlovu@bgcma.co.za)

**RE: PROPOSED CONSTRUCTION OF A MIXED-USE DEVELOPMENT ON FARM PORTION  
278 AND 282 OF FARM KRAAIBOSCH NO 195, GEORGE, WESTERN CAPE**

Yours faithfully,

A handwritten signature in black ink, appearing to read "Jan van Staden", is written over a horizontal line.

**pp MR. JAN VAN STADEN  
CHIEF EXECUTIVE OFFICER (ACTING)**