

REFERENCE: 16/3/3/6/7/1/D2/11/0292/23
DATE OF ISSUE: 12 March 2023

The Municipal Manager
% The Director: Civil Engineering Services
THE GEORGE MUNICIPALITY
PO Box 19
GEORGE
6530

Attention: Mr. Jannie Koegelenberg

E-mail: jkoegelenberg@george.gov.za

Dear Sir,

COMMENT THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED REPAIR AND REHABILITATION OF FLOOD DAMAGE ALONG THE CAMPHERSDRIFT RIVER IN VAN RIEBEECK PARK, GEORGE

1. The pre-application Basic Assessment Report (Ref: 02/CD/FR/GM/11/23) dated 29 January 2024, compiled on your behalf by your appointed Environmental Assessment Practitioner ("EAP"), Mr. Michael Bennett (EAPASA No: 2021/3163) and assisted by registered Candidate EAP, Ms. Carla Swanepoel (EAPASA No: 2021/3267) of *Sharples Environmental Services cc* ("SES"), and received by this Department on 14 February 2024, refers.
2. This Directorate has reviewed the information contained within the pre-application Basic Assessment Report ("pre-app BAR") and provides the following comment:

2.1. *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 the information requested in this letter. Omission of any of the said information may result in the application for Environmental Authorisation being refused. In this regard, the BAR must include, *inter alia*:

- **Specialist declarations:** The Department has determined the format of the various declaration forms as included in the various Departmental form templates. Therefore, the BAR must include the duly completed and signed declarations as has been included in the Basic Assessment Report template (Form No: BAR10/2019).

2.2. *Design plans:*

This Directorate has noted the concept design report and the various options dependent on the type of protection and / or rehabilitation required. In this regard, it is recommended that the BAR included the preliminary design details of the various interventions along the river reach.

2.3. Specialist reports:

- **Botanical Impact Assessment:**

According to the Botanical Impact Assessment (Berry, 2023) the vegetation along the banks of the Camphersdrift River comprises mostly of riparian vegetation with a few strips of fynbos in the northern section (upstream of Davidson Road), while the downstream section is more degraded due to alien invasive infestation and urban development.

In this regard, the proposed work is located along the banks of the river, and with due consideration of the purpose of the proposed development activities (i.e. to rehabilitate erosion and flood damage), the measures proposed in the assessment to minimise the impact on the vegetation must be strictly implemented and adhered to. Such measures must be clearly described in the EMPr.

According to the assessment one Species of Conservation Concern ("SCC"), i.e. *Erica Unicolor ssp. georgenis* has been recorded on site, but due its location should not be impacted by construction activities. Notwithstanding its location, it must be ensured that the plant is not disturbed or removed, by implementing appropriate measures which must be described in the EMPr.

Furthermore, the assessment lists nationally protected tree species as well as provincially protected plant species which have been recorded within the study site. In this regard, it must be ensured that the relevant permits are obtained in terms of the National Forests Act, Act 84 of 1998 from the National Department of Forestry, Fisheries and the Environment ("DFFE") and Schedule 3 and / or 4 of the Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000) from CapeNature. Such permits must be obtained prior to the disturbance, cutting and / or removal of the relevant species.

- **Aquatic Biodiversity Impact Assessment:**

The proposed activities will be undertaken within and along the Camphersdrift River, which originates in the Outeniqua Mountains and flows through the town of George before entering the Gwaiing River (Fordham, 2023). The assessment has determined that the Present Ecological State ("PES") falls in the Category C/D – Largely Modified as the river reach has been significantly modified from the natural condition. However, the report indicated that the Ecological Importance and Sensitivity ("EIS") of the river is determined to be high as the river provides significant flood attenuation services and natural habitat in an urban area.

Furthermore, the assessment indicates that it is highly likely that the Endangered *Afrivalus knysnae* (Knysna leaf-folding frog) is present in the wetland areas of the river. Furthermore, the river is known to contain other endemic or unique species *inter alia Galaxias zebratus* (Cape galaxias) and *Sandelia capensis* (Cape kurper).

In light of the above, the measures to prevent and / or minimise the impact of the on the river and riparian system must be strictly implemented and adhered to. As far as possible use must be made of manual labour. Such measures and the expected impact management outcomes must be clearly described in the EMPr.

- **Terrestrial Faunal and Avifaunal Species Impact Assessment Report:**

According to the Terrestrial Faunal and Avifaunal Species Impact Assessment Report (Visser, 2023) one faunal SCC (three individuals), (i.e. *Chlorotalpa duthieae* / Duthie's golden mole) was recorded within the study site. Therefore, the measures proposed in the assessment report

to minimise the impact on the SCC must be strictly implemented and adhered to. Such measures and the expected impact management outcomes must be clearly described in the EMPr.

2.4. Relevant legislative considerations:

- *National Water Act, Act 36 of 1998*

According to the Aquatic Biodiversity Impact Assessment the proposed work requires a Water Use License for Section 21(c) and (i) of the National Water Act, Act 36 of 1998 ("NWA") as the impact significance upon the aquatic biodiversity was determined as Medium after mitigation.

In this regard, please be advised that the National Environmental Management Laws Amendment Act, Act 2 of 2022 (NEMLAA), came into effect on 30 June 2023. This Act added sub-section 24C(11) to the National Environmental Management Act, Act 107 of 1998, as amended (NEMA) which requires that *"a person who requires an environmental authorisation which also involves an activity that requires a licence or permit in terms of any of the specific environmental management Acts (i.e., NWA), must simultaneously submit those applications to the relevant competent authority or licensing authority, as the case may be, indicating in each application all other licences, authorisations and permits applied for"*.

In light of the above, please be advised that the EIA process and the Water Use Application process / information must be synchronised. You are reminded that if these processes / information are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of the application for environmental authorisation. Please advise your appointed EAP and / or the consultant responsible for the Water Use Authorisation ("WUA") process to liaise; and consult with the relevant authority, the Breede-Olifants Catchment Management Agency ("BOCMA") urgently.

2.5. Environmental Management Programme ("EMPr"):

The contents of the EMPr must meet the requirements outlined in Section 24N of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014. The EMPr must address, amongst other aspects, the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The EMPr must also clearly describe the impact management measures from specialist reports as well as the proposed impact management outcomes for the development.

This Department has reviewed the EMPr as included and received as part of the pre-app BAR. The following aspects must be addressed:

- *Aspects raised under specialist studies:*

Please refer to the comment on the review of the specialist reports and ensure that these aspects are addressed in the EMPr.

- *Map with environmental sensitivities:*

The EMPr must include a map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers. It is advised that

the areas where the faunal and flora SCC's have been observed are identified and marked on such map.

● *Appendices to the EMPr:*

Please be advised that the relevant appendices listed in the EMPr have not been appended to the electronic version of the document. Therefore, you must ensure that the EMPr, including all supporting documents (where available) are appended to the BAR once the application is submitted to the competent authority.

2.6. *Implementation programme:*

Please note that, in accordance with the provisions of the Environmental Impact Assessment Regulations, 2014, a period for which the environmental authorisation is required must be provided. This period must be informed by the operational aspects and the non-operational aspects of the proposed development. As such, the date on which the activity (activities) will be concluded and the post construction monitoring requirements finalised, must be determined.

In this regard it is noted the EAP has not specified the period for which the environmental authorisation is required in Section J: 2.5 of the BAR (form). Your EAP is hereby advised to indicate in the BAR the period within which the non-operational activities must be commenced (i.e. the timeframe for the commencement of construction) and the period required to conclude the listed activities, which period must include the completion of the post-construction phase monitoring as well.

3. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department.
4. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
5. 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.: 16/3/3/6/7/11/D2/11/0292/23

Copied to:

George Municipality:

Ms. Melanie Geyer

Mr. Fabian Abrahams

E-mail: mgeyer@george.gov.za

E-mail: fabrahams@george.gov.za

Sharples Environmental Services cc:

EAP: Mr. Michael Bennett

Candidate EAP: Ms. Carla Swanepoel

E-mail: michael@sesc.net

E-mail: carla@sesc.net



BREED-OLIFANTS
CATCHMENT MANAGEMENT AGENCY

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

Enquiries: SI Ndlovu

Tel: 023 346 8000

Fax: 044 873 2199

E-mail: sndlovu@bocma.co.za

REFERENCE: 4/10/2/K30B/VAN RIEBEECK PARK, GEORGE

DATE: 06 MARCH 2024

SES ENVIRONMENTAL SERVICES
PO BOX 9087
GEORGE
6530

Attention: Mr M. Bernnett

RE: NOTICE OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED REPAIR AND REHABILITATION OF FLOOD DAMAGE ALONG THE CAMPHERSDRIFT RIVER, VAN REIBEECK PARK, GEORGE, WESTERN CAPE

Reference is made to the above mentioned Draft Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to Draft Basic Assessment Report for the proposed repair and rehabilitation of flood damage along Camphersdrift river, which should be adhered to:

1. The proposed repair and rehabilitation of flood damage along Camphersdrift river occurs within the regulated area of a watercourse, it triggers water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or 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*

RE: NOTICE OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED REPAIR AND REHABILITATION OF FLOOD DAMAGE ALONG THE CAMPHERSDRIFT RIVER, VAN REIBEECK PARK, GEORGE, WESTERN CAPE

(c) A 500 m radius from the delineated boundary (extent) of any wetland or pan.

2. The Breede-Olifants Catchment Management Agency has no objections on the proposed repair and rehabilitation on the Camphersdrift river, however, the applicant is advised to use environmental friendly materials to repair and rehabilitate the flood damage.
3. The applicant is advised to take all reasonable control measures to prevent potential pollution and sedimentation of the Camphersdrift river during the repair and rehabilitation process.
4. No water shall be derived from any water resource and used for any purposes without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998).
5. 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.
6. 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.
7. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
8. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
9. 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>.
10. 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@bocma.co.za

**RE: NOTICE OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED
REPAIR AND REHABILITATION OF FLOOD DAMAGE ALONG THE CAMPHERSDRIFT RIVER,
VAN REIBEECK PARK, GEORGE, WESTERN CAPE**

Yours faithfully,

pp *Jan van Staden*

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



PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT

FOR THE

THE PROPOSED REPAIR AND REHABILITATION OF FLOOD DAMAGE ALONG THE CAMPHERSDRIFT RIVER, VAN RIEBEECK PARK, GEORGE, WESTERN CAPE.

SES REF NO: 02/CD/FR/GM/11/23

DEA&DP REF.NO.: 16/3/3/6/7/1/D2/11/0292/23

Given the provided details, I would like to register as an Interested & Affected Party for the proposed project. Living adjacent to Van Riebeeck Park on the Camphersdrift river, I have been actively involved in restoring and protecting the riverbank for over 30 years. Please include me in the database to ensure we receive further correspondence and opportunities to provide input on the project. Please see below for more information.

Full name: Michael Bailey
Email: michaelthb@gmail.com
Mobile: 0827372648
Preferred method of communication: Email
Residential Address: 8 Amarilla Street, Camphersdrift

Introduction

Below are my input and comments on the Basic Assessment Report (BAR), reflecting my perspective and insights regarding the proposed project's environmental impact and mitigation measures outlined therein.

Scope of Work

Alien vegetation clearing should be a vital component of the Scope of Work, extending beyond the riverbed and banks to encompass Van Riebeeck Park where Critical Biodiversity Areas (CBAs) have been identified. Ensuring the removal of invasive plant species in the CBAs is essential for preserving the ecosystem's integrity and promoting biodiversity restoration efforts. Please refer to the list of alien plants found in the Van Riebeeck Park below.

Identified Alien Vegetation in Van Riebeeck Park

The identified alien plant species list is incomplete, lacking invasive plants such as:

- Lantana
- Black wattle
- Bugweed
- Fishbone fern
- Blackwood
- Bleeding heart
- European Black Elderberry
- Kahili Ginger
- White tea-tree
- Sphaeropteris cooperi
- Acer negundo
- Anredera cordifolia

Alien Vegetation Clearing

Based on past observations, I have concerns regarding the alien vegetation clearing, as it appears that the individuals tasked with this activity lack the necessary skills and knowledge to differentiate between alien and indigenous vegetation. Consequently, I have witnessed numerous instances where indigenous trees and plants have been mistakenly removed due to this lack of expertise among the individuals undertaking the alien plant clearing efforts.



Gabion Baskets

The installation of gabion baskets raises concerns about potential damage by heavy earth moving machinery to small indigenous trees that I've diligently planted and nurtured more than 10 years ago, which have finally begun to establish themselves properly. It's imperative that utmost care is exercised throughout the gabion installation process to avoid disturbing these trees. I urge the team to refer to photographs captured over 20 years ago and compare the state of the riverbank then to its current condition, highlighting the importance of preserving the existing vegetation and giving it time to establish. Past experiences have shown that transplanting these trees is not a viable option, as they often perish due to inadequate care during transplanting. Therefore, I implore thorough consideration and planning to work around the trees without disturbing them. Any potential infilling or material removal should only proceed if no indigenous trees are at risk of disturbance.

Photos Comparing 1999 vs 2024

The transformation of the riverbank along Camphersdrift River from 1993 to 2024 reveals a stark contrast, stemming from past disturbances. In 1990, the George Municipality employed heavy machinery, resulting in the complete removal of established trees and significant disturbance along the bank from Camphersdrift Road to Davidson Road. This extensive disruption has contributed to the erosion issues plaguing the area today. Over the past three decades, efforts have been underway to mitigate these effects by planting indigenous trees. More than 200 trees have been propagated in our

nursery and strategically planted along the riverbank to restore the ecosystem. The before-and-after photographs vividly depict the impact of these restoration efforts and highlight the ongoing challenges faced in preserving the natural integrity of the Camphersdrift River environment.

1993	2024
 <p data-bbox="193 801 719 913">In the background of the photograph, Van Riebeeck Park shows only grass lining the riverbank, devoid of trees or vegetation.</p>	 <p data-bbox="818 817 1345 1003">Today, the riverbank is adorned with trees that we planted over 30 years ago, having been given time to establish themselves, transforming the once barren landscape of Van Riebeeck Park.</p>
 <p data-bbox="180 1458 715 1570">In the background of this photo again, Van Riebeeck Park shows only grass lining the riverbank, devoid of trees or vegetation.</p>	 <p data-bbox="818 1458 1353 1491">This photo was taken in the same location.</p>



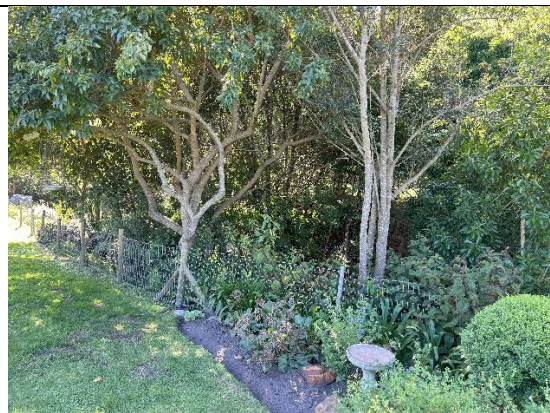
In the background of this photo is Camphersdrift Road bridge.



This photo is taken in the same direction of Camphersdrift Road.



In the background of this photo, the initial stages of tree planting, undertaken 30 years ago, are visible, marking the beginning of transformation.



This photo was taken in the same location.

Identified Indigenous Plant Species

The identified indigenous plant species list is incomplete, lacking indigenous trees and plants such as:

- *Ocotea bullata*
- *Ilex mitis*
- *Platylophus trifolius*
- *Afrocarpus falcatus*
- *Nuxia floribunda*
- *Harpephyllum caffrum*
- *Virgilia*
- *Todea Barbara*
- *Searsia chirindensis*
- *Cunonia capensis*

- *Curtisia dentata*

Pollution from Homeless People

Water pollution caused by homeless individuals poses a significant concern, particularly under the bridges and along the riverbanks where they often gather. These individuals frequently resort to using the river as a makeshift toilet, leading to contamination of the water with human waste. Additionally, the river serves as a source for washing clothes, further exacerbating pollution with leftover detergent and soap residue. The accumulation of litter, combined with the discharge of waste, not only threatens the water quality but also jeopardizes the health of aquatic ecosystems and endangers public health downstream. Effective measures are urgently needed to address this issue and mitigate its adverse impacts on the environment and community well-being.

Follow Up Maintenance

Is the follow-up alien vegetation clearing included within the allocated R18 million budget for the project, considering its vital role in ensuring long-term ecosystem restoration and maintenance?

Brown Hooded Kingfisher Nesting Sites

Preservation of the brown hooded kingfisher nesting sites along the Camphersdrift River is imperative. A specific area where these birds' nest must be protected and conserved to ensure their return each breeding season. Developing a comprehensive plan is crucial to safeguarding this bank, incorporating gabion designs not only to prevent erosion but also to consider the impact on the nesting site. Balancing conservation efforts with erosion control measures is essential to maintain the ecological balance and ensure the continued presence of these birds in their natural habitat.

Identified Mammals and Reptiles in Van Riebeeck Park

The Terrestrial Faunal and Avifaunal Species Impact Assessment Report compiled by Dr. Jacobus H. Visser lacks completeness, as it does not include all animal species observed within Van Riebeeck Park along the Camphersdrift River. The following animal species are not included in the list:

- Porcupine
- Bush buck
- Bush pig
- Water mongoose
- Knysna dwarf chameleon
- Boomslang
- Water snake
- Serval (after fire in 2018)

michael@sesc.net

From: john@blrland.co.za
Sent: Wednesday, 20 March 2024 16:59
To: michael@sesc.net
Subject: PPP Camphersdrift River project

Dear Michael

Will you please register me as an I&AP for this project.

I am a land owner of property located on the river and have a interest in the process going forward. Additionally, I am on the committee of the Van Riebeeck Gardens Association which is allocated funds by the Municipality for the maintenance of the Gardens.

We regularly employ a contractor to prune trees and remove invader species from the gardens which includes the stream wetland area.

Furthermore we employ a person who every week removes refuse that is dumped in the park and the stream by vagrants.

Please include my name in the I&AP list.

I do not have any personal financial interest in the proposed project.

Kind regards

John Bailey

J H BAILEY

T: +27 (0) 44 874 5315
F: +27 (0) 44 874 5315
E: john@blrland.co.za



BAILEY & LE ROUX
PROFESSIONAL LAND SURVEYORS
PROFFESIONELE LANDMETERS

A: 88 Meade Street, POBox 9583, GEORGE 6530

michael@sesc.net

From: desireedup@gmail.com
Sent: Wednesday, 20 March 2024 13:32
To: michael@sesc.net
Cc: shawn@northey.co.za
Subject: CGH Neighbourhood Watch Comment:16/3/3/6/7/1/D2/11/0292/23 Public Participation for proposed repair and rehabilitation of flood damage along the Camphersdrift river, George

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Michael

The CGH Neighbourhood Watch want to raise the issue of public access and safe public use of the Van Riebeeck Park. No plan was provided to show what intervention planned in which location, to enable objective evaluation. Furthermore, the issue of public use of the park has not been identified as an issue, while one of the erosion sites (caused by a broken stormwater pipe and not by seepage) is interrupting a path that has been in use since the area existed as a park. Several discussions were held with the councillors and municipality about damage to this path. This path is also important for neighbourhood patrols, often at night and not only for recreational use. A safe path is therefore required. None of the gabion structure drawings in the basic assessment report shows accommodation of a footpath.

Regards

Desireé, on behalf of CGH Neighbourhood Watch

Desireé du Preez



DESIREÉ DU PREEZ

Professional Environmental Assessment Practitioner,
Pri Sci Nat Ecologist

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The information and attachments contained in this e-mail are confidential and solely intended for the individual(s) or entity to which it has been sent. It may not be shared with other individuals and/or organisations in any manner and wrongful use of the information may lead to claims against you. If you are not the intended recipient, please notify the sender immediately.

Any advice, opinion or assistance rendered is based on information and facts available at the time.

michael@sesc.net

From: admin@gardag.org.za
Sent: Wednesday, 20 March 2024 13:47
To: michael@sesc.net
Subject: Comment:16/3/3/6/7/1/D2/11/0292/23 Public Participation for proposed repair and rehabilitation of flood damage along the Camphersdrift river, George

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Michael

Please register GARDAG NPC as a stakeholder for this project.

GARDAG is concerned that the Municipality is only addressing erosion, with no regard to the river health - a concern that was raised in the aquatic biodiversity report. The erosion was caused by previous interventions in the river and not only the flood.

The lack of plans showing what is planned in which location makes it difficult to evaluate the proposal to comment sensibly, therefore further comments will be submitted when more information is provided.

Regards

Desireé du Preez

Chairperson

Gardag NPC

