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**File Ref: 18/Ptn 7, 43, 104 of Farm 444/Bietou**

29 July 2022

**Attention: Mr P du Preez**

E-Mail: [Pierre.dupreez@suttonpl.com](mailto:Pierre.dupreez@suttonpl.com)

Dear Sir

**GRANTING OF AN OSCAR PERMIT IN TERMS OF THE ENVIRONMENTAL CONSERVATION ACT, 1989 (ACT 107 OF 1989) AND THE OUTENIQUA SENSITIVE COASTAL AREA EXTENTION REGULATIONS FOR THE DISTURBANCE OF VEGETATION FOR THE CLEARANCE OF ALIEN INVASIVE PLANT SPECIES ON REMAINDER ERF 785, DRIFTWOOD ESTATE, KEURBOOMSTRAND, PLETTENBERG BAY IN BITOU MUNICIPALITY**

In terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), Alien and Invasive Species Regulations, 2014, specific alien plant species are prohibited and should be removed, without the use of heavy machinery and without disturbing the topsoil. This OSCAR Permit is granted to give effect to the legal requirement of all landowners to manage their property and clear it of listed alien invasive plant species.

**A. DESCRIPTION OF THE ACTIVITY**

Disturbance of vegetation through the clearing, removal and management of alien invasive plant species as listed in the Alien and Invasive Plant Species Regulations (2014). Section 73 (2) (b) of the NEM:BA specifies that all property owners should “take steps to control and eradicate the listed invasive species and to prevent it from spreading”.

**B. LOCATION**

The property is the Remainder of Portions 7, 43 and 104 of Farm 444, Plettenberg Bay.

SG 21 Digit Code:	C0390000000044400007
Centre Point GPS Co-ordinates:	Lat: -34.014387   Lon: 23.373740
SG 21 Digit Code:	C0390000000044400043
Centre Point GPS Co-ordinates:	Lat: -34.016823   Lon: 23.369106
SG 21 Digit Code:	C0390000000044400104
Centre Point GPS Co-ordinates:	Lat: -34.014938   Lon: 23.367475

C. APPLICANT

Mr Pierre Du Preez  
Beau Constantia Wines  
[Pierre.dupreez@suttonpl.com](mailto:Pierre.dupreez@suttonpl.com)

D. DECISION

In terms of section 21 (1) of the Environment Conservation Act, 1989 (Act 73 of 1989) regarding identified activities concerning the Outeniqua Sensitive Coastal Area extension, the Bitou Municipality (as defined in terms of Government Notice No. R1528 of 27 November 1998), hereby issues a permit with conditions for the execution of the activity as described above.

E. KEY FACTORS AFFECTING THE DECISION

It is a legal requirement in terms of the National Environmental Management: Biodiversity Act (NEM:BA) for each property owner to manage their property of alien invasive species listed in terms of the Alien Invasive Species Regulations, 2014. As such, this permit is issued with conditions to legally give effect to these requirements of management and clearance of alien vegetation which also constitutes the activity of the clearance of vegetation in terms of the OSCAE Regulations.

F. CONDITIONS OF THE PERMIT

The applicant must adhere to but is not limited to the following:

***Scope and General Matters***

1. This permit is only applicable to the clearance, management and removal of alien invasive plant species as listed within the Alien Invasive Plant Species regulations, 2014 and updated list of 2016. All relevant legislation in regards to management of alien invasive species can be found at the following web address: <http://invasives.org.za/legislation/what-does-the-law-say>. Any other or new activities on the site are subjected to the OSCAE Regulation in terms of Government Notice No. R879 of May 1996 and it is the owner's responsibility to ensure compliance with these regulations.
2. Any other clearance of indigenous vegetation required will be subject to a separate OSCAE application process and approval.
3. The applicant must give the municipality one week (7 days) written notice before commencement of the activities. Such notice shall make clear reference to the site location details and reference number given above.

***Compliance and Monitoring***

4. The applicant shall be responsible for ensuring compliance with the conditions of the permit by any person acting on his / her behalf, including employees, the consultant, the contractor and any other person rendering a service to the applicant with regard to the activity.
5. The applicant shall only hand over and give access to the site to a contractor after receipt of a written confirmation by the contractor that the conditions of authorisation herein will be adhered to.
6. The applicant is to consult a suitably qualified Environmental Consultant or Alien Invasive Plant Specialist who has adequate environmental knowledge to be able to identify the alien invasive species present on site and advise on the best practicable way of removing and managing specific species.
7. The applicant is to keep a photographic record of the site which is to be made available to the municipality upon request.

8. In the event of non-compliance and resultant damage to the environment, the Municipality may require that remedial measures be undertaken to its satisfaction, at the cost of the applicant
9. A copy of this permit must be kept on site for the duration of the authorised activity on completion of the proposed activities; waste material of any description must be removed from the site and disposed of at a licensed landfill site.

### ***General Conditions***

10. The disturbance of protected plant species is not part of this permit and should be the subject of a separate application directed to the Department of Agriculture, Forestry and Fisheries. A license to remove protected trees must be issued to the land owner/his representative on application for a license by DAFF, as required by the National Forest Act, 84 of 1998 as amended (NFA), to cut, disturb, damage or destroy Natural Forest.
11. Removal of protected trees and forest prior to a NFA license being issued is an offence under the provisions of the NFA and can lead to prosecution.
12. Under no circumstances will mechanical clearing be allowed in wetland areas or steep slopes. Alien vegetation shall be removed by hand in any wetland areas and on steep slopes.
13. That clearance activity should be restricted to normal working hours (08h00 to 17h00).
14. No fires are permitted on site. Adequate firefighting equipment must be available on site and be in good working order.
15. The contractor shall provide suitable containerised or chemical toilet facilities or any other approved toilet facilities to be placed on site in such a way that it will not cause water or other environmental pollution. Toilets shall be of a neat construction and must have doors and locks and secured so that they can't blow over. Toilets should be supplied at a ratio of 1 toilet for every 15 workers on site.

### ***Environmental Conditions***

16. Topsoil should not be disturbed during the clearance activities and the best practicable clearance method should be applied for each species found on site. Mechanical clearance with disturbance of topsoil (bulldozing) may constitute a listed activity in terms of NEMA which would be subject to Environmental Authorisation and require an Environmental Impact Assessment process. Undertaking the activity prior to any required Environmental Authorisation being obtained is an offence which could lead to the proponent being held liable and prosecuted.
17. Follow-up clearing is recommended 3 months after the first clearance has occurred and thereafter on a 6 monthly basis. Seedlings should be hand-pulled.
18. Herbicide application should be done appropriately with special consideration given to areas adjacent to watercourses. The correct herbicide should be chosen and the right concentrations should be adhered to. Please note that a registered Pest Control Officer in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) should be responsible for the determination of the correct herbicide and its application.
19. All trees and woody vegetation must be removed by hand (using any form of handheld tools and equipment). Felled vegetation that is removed from the property to be disposed of may only be disposed of at the Municipal waste disposal site or approved transfer station or to a permitted re-user, e.g. compost plant, bio-fuel energy plant, etc.
20. Vegetation may be disposed of onsite through chipping, grinding or other mechanical means to maintain material as soil cover / compost.
21. Indigenous plants or wild animals may not be harmed in any way.
22. Any incident regarding any harm to wild animals or indigenous plants must be reported to the Director: Economic Development and Planning of Bitou Municipality.
23. During the clearing of alien vegetation, the contractor shall protect areas susceptible to erosion by installing all the necessary temporary and permanent erosion protection works at the earliest possible

stage of clearing and before vacating the site. All potentially unstable slopes must be avoided and disturbance effectively stabilised where applicable.

24. The contractor must at all times maintain supervision of the site and ensure that all workers are aware of and comply with the conditions of authorisation.
25. No indigenous vegetation is to be disturbed during the clearance activities.
26. The contractor (if any) is to ensure that no organic waste, surplus food or general pollution is dumped by his employees on the site but that they make use of weather and scavenger proof waste bins that are to be emptied on a regular basis.
27. Hazardous materials kept on site must be contained in suitable leak proof containers and put in a safe place with suitable signage to identify it as a hazardous storage area.

G. DURATION AND DATE OF EXPIRY

This permit is valid as long as all conditions and best practice in regards to alien clearing is maintained.

Yours faithfully,



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Anjé Taljaard  
**Environmental Management Officer**  
**Economic Development and Planning: Town Planning**  
**Bitou Municipality**

**Date of Decision: 29 July 2022**