



Cape EA Prac

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Our Ref: HES573/01

DEA&DP 24G Consultation Reference: 14/1/1/E3/8/2/3/L967/18

VIA: EMAIL / MAIL / FAX / POST

Attention: Potential Interested & Affected Party

RE: NOTIFICATION OF THE PRELIMINARY ADVERTISEMENT OF THE 24G RECTIFICATION PROCESS FOR THE CLEARANCE OF VEGETATION ON PORTIONS 14, 25, 28, 45, 46, 52 AND 53 OF FARM 492, KRANSFONTEIN, STILL BAY

Notice is hereby given of the Public Participation Process (PPP) being undertaken as required in terms of Regulation 8(2) of the Section 24G Fine Regulations and National Environmental Management Act (NEMA, No 107 of 1998, as amended) to ensure compliance of the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of Section 24G (GN No. R698 of 2017).

The Applicant, **Riethaan Investments cc**, purchased multiple properties on 21 August 2017, that are known collectively as the Kransfontein Farms. These are Portions 14, 25, 28, 45, 46, 52 and 53 of Farm No. 492 Kransfontein, hereafter referred to as "the site". The site is located approximately 9 kilometres ("km") from Still Bay. The properties are located east of the Goukou River and collectively the properties total approximately 975 hectares ("ha") in size. The properties fall under the jurisdiction of the Hessequa Local Municipality, and the site falls within the Garden Route District Municipality (refer to **Figure 1** below).

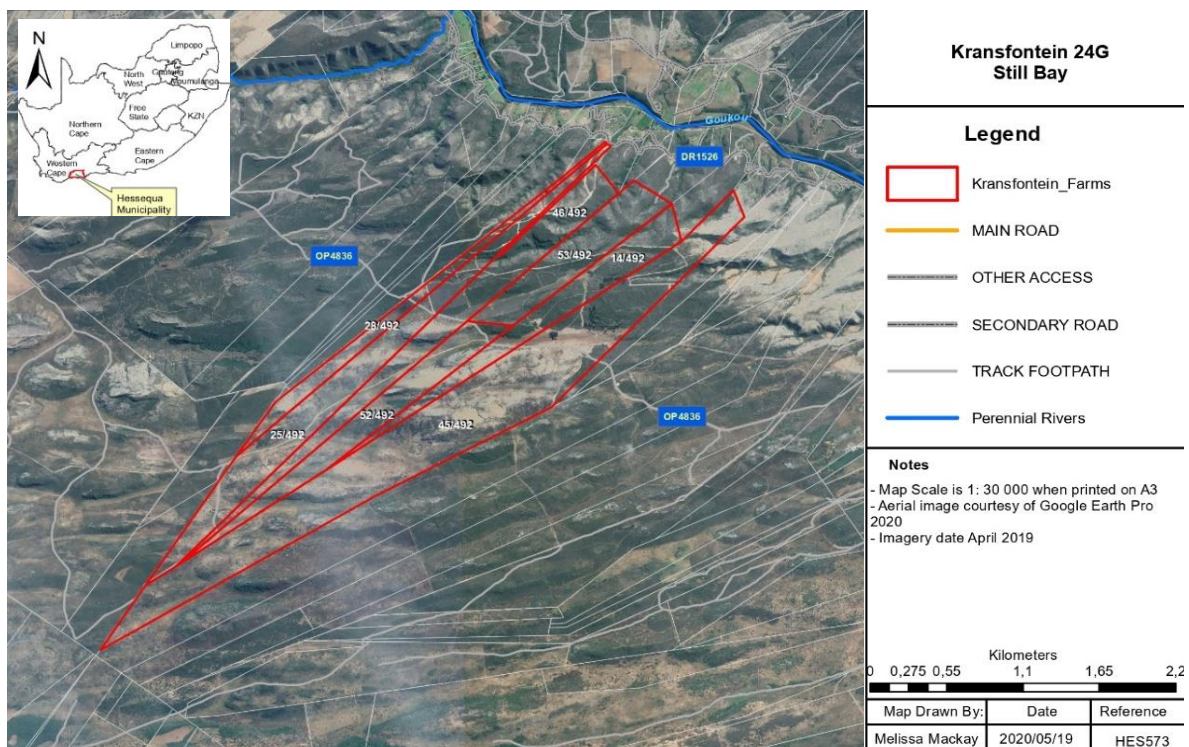


Figure 1: Locality map indicating the Kransfontein Farms (red polygons), existing access roads and Goukou River north of the site.

All properties are zoned as “Agriculture Zone I” in terms of the Hessequa Zoning Scheme. Access to the site is obtained off the provincial road, OP4836, which traverses all the properties and provides access to other farm owners to the north through a servitude.

From 2018, the Applicant commenced with the clearing of indigenous vegetation, including areas containing critically endangered / endangered ecosystems on the site without prior Environmental Authorisation (EA). The Applicant intended to create an access road to gain a more direct access off the DR1526 provincial road between Still Bay West and Riversdale (opposite Olive Grove Farm), establish internal road networks, fire breaks and new agricultural crop areas (refer to **Figure 2** and **Figure 3** below).



Figure 3: Drone imagery indicating the internal road created (January, 2022).



Figure 2: Drone imagery indicating an example of new agricultural areas and fire breaks (June, 2022).

The Applicant is required to apply for a **retrospective** EA from the competent authority, 24G Directorate Department of Environmental Affairs and Development Planning (DEA&DP) and follow a Section 24G Rectification Process to assess and determine the impacts associated with the clearing of indigenous vegetation and critically endangered / endangered ecosystems on the site.

Cape Environmental Assessment Practitioners (Cape EAPrac) have been appointed as the independent Environmental Assessment Practitioners (EAP) by the Applicant, to apply for a retrospective EA.

As part of the ongoing environmental process, a Rehabilitation Plan compiled by *Cape EAPrac* was approved by the DEA&DP: Region 3 on 06 May 2022 for a portion of the access road that traversed other private properties. Rehabilitation of this portion commenced and the remainder of the land clearing will be assessed in the 24G Rectification Process.

The unlawful activities undertaken by the Applicant involves activities listed in terms of NEMA and the EIA Regulations, (as amended):

Listed Activity:	Description:
GN. No. R325 of 2017: (Listing Notice 2)	
Activity 15	Clearance of an area of 20 hectares or more of indigenous vegetation (i.e. approximately 11.4 ha for roads and firebreaks, approximately 35 ha for new agricultural areas and approximately)
GN. No. R324 of 2017: (Listing Notice 3)	
Activity 4(ii)(aa)	The development of a road wider than 4 metres with a reserve less than 13,5 metres. i. Western Cape ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation
Activity 12	The clearance of an area of 300 square metres or more of indigenous vegetation – i. Western Cape i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA

This notification serves to inform you, as a potential Interested & Affected Party (I&AP), or as a stakeholder who have already made contact with us previously about the activitiesⁱ, that you have **20 days to register** for this 24G Rectification Process. In the event that you do have an interest, or may be affected by the activities that have taken place, registration for this process is important as input from stakeholders must be considered and used to inform decision-making by the competent authority. When you formally register as a stakeholder, it means that we shall also keep you informed of the availability of forthcoming reports and notified of any future opportunities for comment throughout the remainder of the environmental process.

Future reports that will be compiled to inform the S24G Assessment will include both technical, as well as specialist input and assessment to help determine the level and significance of potential impacts associated with the activities. Such reports will be made available to registered stakeholders for review and comment.

The **registration period** extends from **Friday, 20 January 2023** to **Thursday, 09 February 2023**.

Note that **only registered** I&APs will be entered into the Stakeholder Register and will be informed with the results of the 24G Rectification Process and availability of the forthcoming reports.

Should you have any provisional queries either about the 24G Rectification Process you are most welcome to contact the undersigned during normal office hours. All registration requests (**by providing full contact details**) and/or preliminary comments must be submitted, **in writing**, within the registration period to the following contact.

Cape Environmental Assessment Practitioners (Cape EA \Prac)

Attention: Louise-Mari van Zyl / Anwen Beukes

E- mail: anwen@cape-eaprac.co.za

Post: PO Box 2070, George, 6530

Telephonic enquiries: 044 874 0365

COMMENTS AND/OR REGISTRATION REQUESTS MUST REACH US ON OR BEFORE
09 FEBRUARY 2023.

Kind regards



Anwen Beukes

ⁱ Stakeholders who have already made contact with *Cape EA \Prac* about this application previously through prior requests to be registered, do not have to respond to this notice again unless you wish to re-confirm that you are formally registered.

When registering as an I&AP a person consents to the lawful processing of personal information for the intended purposes as described by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Your information will be used for this project, including the application as well as subsequent related appeals, amendments or audits where you are registered as an I&AP. By registering a person agrees that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in regulated reports, that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.