



Cape EAPrac

Cape Environmental Assessment Practitioners (Pty) Ltd

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17 Progress Street, George
PO Box 2070, George 6530

04 May 2022

Our Ref: MOS665/03

DEA&DP Ref: 14/2/4/1/D6/28/0001/21

Attention: Key Stakeholders and Neighbours

VIA: EMAIL / MAIL / FAX / POST

RE: DRAFT 24G RECTIFICATION APPLICATION REPORT FOR ESTABLISHMENT OF CROP ORCHARDS ON REMAINING EXTENT OF FARM KLEINBOS 57 AND PORTIONS 4 & 8 OF FARM LANDSEKLOOF 55, MOSSEL BAY

Cape Environmental Assessment Practitioners (Cape EAPrac) have been appointed by the Applicant, **Group Editors (Pty) Ltd**, to ensure compliance with the regulations contained in the **National Environmental Management Act** (NEMA, No 107 of 1998 as amended) and the 24G Regulations for Rectification of unlawful activities. The applicant commenced with the clearing of indigenous vegetation for the purpose of establishing crop orchards on the Remaining Extent of Farm Kleinbos 57 and Portions 4 & 8 of Farm Landsekloof 55, Mossel Bay.

The properties were purchased in February 2017 by the current owner and clearing of land commenced shortly afterwards. Previous agriculture on the site appears to have been limited to livestock grazing and some pine plantations. At the time of receiving a Compliance Notice from the DEA&DP, an estimated 8,9ha had been cleared. The Contour & Irrigation survey as drawn up by Aquanet for the applicant indicates that the southern areas identified for the avocado orchards is an area of ± 14.3 ha. It must be noted an additional ± 8.23 ha in the northern portion of the farm which was previously burnt has also been identified for crop production and is being applied for as being in furtherance of the unlawful activity. Thus a total area of ± 31 ha will be cleared and developed for agricultural crop production.

A small dam of approximately 0.31ha located within the cleared areas was constructed for water pumped from an existing abstraction point. The dam is not an instream dam. The dam replaces a previous dam that was infilled for inclusion in the crop area

The activity required the necessary Environmental Authorisation (EA) in order to commence and as the actions commenced without the relevant EA, the competent authority is the 24G Directorate of the **Department of Environmental Affairs and Development Planning** (DEA&DP).

As a key stakeholder, neighbouring property owner or relevant authority, you have been identified by Cape EAPrac as a potential "**Interested & Affected Party**" (I&AP) for the process. This notification gives effect to Sections 24O(2) and (3) of the NEMA, and

stakeholders and authorities are hereby advised that a period of 30 days is provided within which to comment on the available documentation.

The 24G process considers the clearing and operational activities in light of the legislation applicable. As such, the following listed activities in terms of the **NEMA 2014 EIA Regulations, as amended** (R325 & R324) are applicable:

GN No. R. 325 Activity No(s): (Listing Notice 2 of 20	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA activity/ies")	Describe the portion of the development the project description that relates to applicable listed activity.	State the date commencement of activity
15	<p>The clearance of an area of 20ha or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for –</p> <p>(i) The undertaking of a linear activity; or</p> <p>Maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>An area of ±14.3ha was cleared unlawfully for the development of production in the form of avocados. This was in furtherance of a total of ±31ha.</p>	<p>The properties purchased in Feb 2017 by the current owner and clearing of land commenced shortly afterwards.</p>
GN No. R. 324 Activity No(s): (Listing Notice 3 of 20	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development the project description that relates to applicable listed activity.	State the date commencement of activity
12(i) (ii) The clearance of an area of 300m ² or more of indigenous vegetation excluding where clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan	<p>i. Western Cape</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p>	<p>The property falls into areas that are identified in the WCBSP 2017 as being part of a terrestrial Critical Biodiversity Area.</p>	<p>The properties purchased in Feb 2017 by the current owner and clearing of land commenced shortly afterwards.</p>

	<p>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>		
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This Notification serves to inform the identified stakeholders of the proposal and provide the opportunity to become involved in the environmental process. A Draft 24G Application Report will be available to Registered I&APs for review and comment for a period of **30 days**. The Report will be made available on the Cape EAPrac website (www.cape-eaprac.co.za), or on request via any other platform.

Stakeholders who would like to participate in the Environmental Assessment process, who would like to receive future correspondence and project information and/or who would like to submit comment throughout the remainder of the environmental process, must submit their preliminary comments/registration notice, **in writing**, within the specified 30 day period extending from **Friday 06 May to Monday 06 June 2022**, to Cape EAPrac.

Only those parties (other than identified authorities) that formally register by responding to this notice in writing and submitting their complete contact details (postal, email, phone

and fax) and/or comments during the process will be kept up-to-date with the results of the process and be informed of documents available for public review.

Preliminary comments and registrations can be submitted to:

Cape EAPrac

ATT: Melissa Mackay

P.O. Box 2070, George, 6530

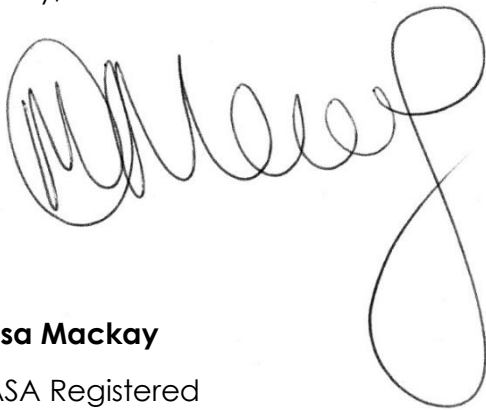
Tel.: 044 874 0365

Email: mel@cape-eaprac.co.za

Should you wish not to receive any further information, please inform this office in writing. Please provide this office with the names **and** contact details of any other persons that may have an interest in this proposal along with your own comments.

If you have any enquiries in this regard, or would like any additional information, please do not hesitate to contact this office directly.

Sincerely,



Melissa Mackay

EAPASA Registered

Kind regards,

Comment and Registration Period:

Friday 06 May to Monday 06 June 2022

In the event that you or your organization have been wrongly identified as a stakeholder, or in the event that the responsibility of providing comment on this application lies with another party within your organization, either forward this notice to them or notify Cape EAPrac within one week of receiving this notice of the correct party that should be informed. Should you be aware of any relevant legislation that needs to be complied with, in addition to this process, please inform us of such as soon as possible. Should you be aware of any party that may not be able to effectively participate in this environmental process due to illiteracy, disability or any other disadvantage, please contact Cape EAPrac during office hours and we shall assist where required.

Please Note: When registering as an Interested and Affected Party (I&AP), you consent 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 initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our 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.

Melissa Mackay

From: Melissa Mackay
Sent: Wednesday, 04 May 2022 11:46
To: Melissa Mackay
Subject: Kleinbos Farm 24G Rectification Process
Attachments: MOS665.03 Draft 24G Report Notification.pdf

Good morning

RE: AVAILABILITY OF DRAFT 24G IMPACT REPORT FOR REMAINING EXTENT OF FARM KLEINBOS 57 AND PORTIONS 4 & 8 OF FARM LANDSEKLOOF 55, MOSSEL BAY

Please find attached notification of the availability of the Draft 24G Impact Report for the unlawful clearing of indigenous vegetation on Remaining Extent of Farm Kleinbos 57 and Portions 4 & 8 of Farm Landsekloof 55, Mossel Bay. The reports will be available from **Friday 6th May** and the comment period ends on **6th June 2022**. The documents will be available on the Cape EAPrac website or any alternative platform, as requested.

- [Cape EAPrac Website](#)

This notice gives effect to Sections 24O(2) and (3) of the NEMA.

Please Note: When registering as an Interested and Affected Party (I&AP), you consent 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 initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our 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.

Kindly view our [Privacy Statement](#) for more information.

Regards

Melissa Mackay | 084 584 7419

SENIOR CONSULTANT | ECO | GIS

BTech Nat. Con. (NMMU)

Reg. EAP (EAPASA)

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Cape EAPrac



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