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**THE PROPOSED ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT ON PORTION 59
OF THE FARM JOHANNESDAL NO. 1202, PNIEL**

APPENDIX F6:

COMMENTS & RESPONSE REPORT

CONTENTS

1. PUBLIC PARTICIPATION PROCESS3

 1.1. Pre-Application Public Participation Process3

 1.2. Statutory Public Participation Process.....3

2. COMMENTS & RESPONSE TABLES.....5

 2.1. Pre-Application PPP5

 2.2. Statutory PPP13

1. PUBLIC PARTICIPATION PROCESS

Two rounds of public participation will be undertaken as part of this BA process, one round prior to submission of the application for EA (done) and another after submission of the application for EA (this comment period). Both rounds of public participation allow for a 30-day comment period. All comments received will be incorporated in the Basic Assessment Report (BAR). The Public Participation Process (PPP) is described in detail below.

1.1. Pre-Application Public Participation Process

The pre-application PPP for this project involved the following steps:

- All potential I&APs, the owner or person in control of the land; the occupiers of the site, owners and occupiers of land adjacent to the site, the municipal ward councillor and any organisation of ratepayers that represent the community in the area, the municipality which has jurisdiction in the area, any organ of state having jurisdiction in respect of any aspect of the activity, and any other party as required by the competent authority were notified in writing of the proposed development and the availability of the Pre-App BAR for their comment.

Refer to **Appendix F1** of the Draft BAR for a list of I&APs.

Proof of written notifications sent is included under **Appendix F2** of the Draft BAR.

- Letter drops, where possible, were undertaken in order to inform occupiers of the site and adjacent landowners of the proposed development.

Proof is included under **Appendix F2** of the Draft BAR.

- An advertisement of the proposed development was placed in the Eikestad Nuus newspaper.

Proof of advertisements is included under **Appendix F3** of the Draft BAR.

- English and Afrikaans site notices were placed on site informing the general public of the proposed development.

Proof is included under **Appendix F4** of the Draft BAR.

- A copy of the Pre-App BAR was made available in the Pniel Public Library as well as on the Doug Jeffery Environmental Consultants company website (www.dougjeff.co.za).
- The Pre-App BAR and Environmental Management Programme (EMPr) was made available for a 30-day commenting period to all potential I&APs, state departments and authorities with jurisdiction in the area.
- All comments received during the 30-day comment period were included in the comments and response table under **Section 2.1** of this comments and response report. All comments received were responded to and incorporated into the Draft BAR.

1.2. Statutory Public Participation Process

After submission of the application for EA, registered I&APs and authorities will have one more opportunity to comment on the Draft BAR. No extensions will be allowed during the commenting period as a result of these strict timeframes. Below is a brief summary of the PPP that will be undertaken as part of the statutory process.

- The Draft BAR and EMPr will be made available for a 30-day commenting period to all registered I&APs, state departments and authorities with jurisdiction in the area.

- All registered I&APs, state departments and authorities with jurisdiction in the area, will be notified in writing of the availability of the Draft BAR.

Proof of written notifications sent will be included under **Appendix F2** of the Final BAR.

- All comments received during the 30-day comment period will be included under **Appendix F5** of the Final BAR. All comments received will be responded to in the comments and response (C&R) report which will be included in under **Appendix F6** of the Final BAR.
- The Final BAR and EMPr will then be submitted to the competent authority (DEA&DP), with all comments received as well as our responses thereto, for their consideration.

2. COMMENTS & RESPONSE TABLES

2.1. Pre-Application PPP

The Pre-Application PPP was undertaken from **Thursday, 15 March 2018 to Thursday, 19 April 2018**. All comments received and responses were included in Table 1.

Table 1: Comments and Response - Pre-Application PPP (comment period: Thursday, 15 March 2018 to Thursday, 19 April 2018).

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
COMMENTS FROM STATE DEPARTMENTS & AUTHORITIES				
19 March 2018	This serves as a notice of receipt and confirms that your application has been captured in our electronic AgriLand tracking and management system.	Department: Agriculture, Forestry & Fisheries	Your comment is noted.	Doug Jeffery Environmental Consultants (DJEC)
20 March 2018	Your application for the establishment of a residential area dated 13 March 2018 has reference. The Department acknowledges receipt of your application document dated 13 March 2018, with DEA&DP Reference Number: 16/3/3/6/1/B4/39/1047/18. The Department has the following comments: The Department evaluated your document and here by confirms that there are NO water uses triggered by the development. No Water Use Authorization will be required for this project from this Department.	Department of Water and Sanitation	Your comment is noted.	DJEC
	Please note that in line with the severe drought the Province is experiencing, the new development is therefore encouraged to install rain water harvesting tanks to assist with water conservation and demand management.		Your comment is noted. It is stated in the Basic Assessment Report, that rainwater harvesting must be considered as a water saving measure.	DJEC

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
06 April 2018	<p>1. The above-mentioned document dated 13 March 2018, as received by this Department, Directorate: Waste Management (hereafter referred to as "The Directorate") on the same day, refers.</p> <p>2. The Directorate has no objection to the proposed project, but has the following comments:</p>	<p>Department: Environmental Affairs and Development Planning: Waste Management</p>		
	<p>2.1. Section B (11) (b) of the Pre-Application Basic Assessment Report requires that the applicant describes how the "<i>proposed development complies with and responds to the legislation and policy context, plans, guidelines, spatial tools, municipal development planning frameworks and instruments</i>" this should include the National Environmental Management Waste Act (Act 59 of 2008).</p>		<p>Your comment is noted. The BAR has been amended accordingly.</p>	DJEC
	<p>2.2. The applicant must consider developing a waste minimisation plan for the construction phase of the proposed activity outlining methods for reducing and re-using waste on site, as well as separating waste to ensure no contamination of builders' rubble takes place.</p>		<p>The Environmental Management Programme (EMPr) states that all contractors must, as far as is possible, apply the waste management hierarchy in making decisions on how to manage waste. Waste management on site shall be strictly controlled and monitored.</p>	DJEC
	<p>2.3. All green waste (trees and shrubs) removed during the site clearance phase must be taken to the Municipal</p>		<p>Your comment is noted.</p>	DJEC

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>green waste site or given to a local composter.</p>			
	<p>2.4. It is noted that a separation at source system will be implemented for domestic waste. Where feasible, consideration should be given to an aggregation point for green waste generated by residents. This waste can be collected for composting or other approved beneficiation activities.</p>		<p>Your comment is noted.</p>	<p>DJEC</p>
	<p>3. Kindly quote the aforementioned reference number in any future correspondence in respect to this application.</p> <p>4. The Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.</p>		<p>Noted.</p>	<p>DJEC</p>
<p>24 April 2018</p>	<p>CapeNature would like to thank you for the opportunity to comment on the proposed development and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed development.</p> <p>The subject property is classified as No Natural according to the Western Cape Biodiversity Spatial Plan (WCBSP). No wetlands or watercourses are mapped for the property. The natural vegetation would have occurred on the</p>	<p>CapeNature</p>	<p>Your comment is noted.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>property is Boland Granite Fynbos, listed as Vulnerable.</p> <p>No botanical specialist study was undertaken. The description in the basic assessment report (BAR) indicates that the site was previously occupied by vineyards and fruit orchards and subsequently has regrown with pine trees (<i>Pinus pinaster</i>) which invaded from the adjacent property and kikuyu grass (<i>Pennisetum clandestinum</i>), both of which are alien invasive species. Based on the photographs, other species visible are also alien invasive such as black wattle (<i>Acacia mearnsii</i>) and long leaved wattle (<i>Acacia longifolia</i>).</p> <p>It should be noted that the 2013 crop census on CapeFarmMapper has indicated most of the site as peach orchard. Historical Google Earth imagery does also provide evidence of cultivation on the site.</p> <p>Of relevance to this application, is that there was a previous application for this proposed development. The BAR for that application had provided an ambiguous site description, which allowed for the interpretation that there is natural vegetation present on the site, and therefore further verification was requested. Although the WCBSP can be relied upon as a biodiversity informant (and is more accurate than the previous WCBF), if there is ground-truthing information which suggests there is a discrepancy</p>			

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>we will support that more detailed studies are required.</p> <p>However, the information provided in this application in Section B6 Description of the Receiving Environment: Biodiversity and Section F1 Environmental Aspects associated with the Alternatives provides sufficient evidence for CapeNature to be satisfied that there is minimal natural vegetation present and no vegetation of conservation value, and therefore a botanical specialist study is not required.</p> <p>As with terrestrial biodiversity, sufficient evidence has been provided that there are no freshwater features on the site which will be affected by the proposed development. The engineering services report indicates that no on site stormwater detention pond is required and that stormwater management will connect to the adjacent property which is currently being developed.</p> <p>In conclusion, CapeNature is satisfied that the proposed development will not have a significant impact on biodiversity and does not object to the application provided that the environmental management plan is implemented.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>			

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
09 May 2018	<p>1. The draft Basic Assessment Report ("BAR") document dated 13 March 2018, as received by the Department on the same day and the Department's correspondence dated 22 March 2018, refer.</p> <p>2. Please find herewith the Department's provisional comment on the draft BAR:</p>	Department: Environmental Affairs and Development Planning		
	<p>2.1. Based on the information provided the Waste Water Treatment Works ("WWTW") has insufficient capacity and upgrades are required to accommodate the proposed development. Clarity is required on whether or not an application for environmental authorisation is required for the upgrades. Please note that in the event that environmental authorisation is required, a decision cannot be given on a proposed development, which relies on the expanded capacity of the WWTW until such time as the decision has been issued for the WWTW.</p>		<p>The proposed upgrade to the Dwarsriveir WWTW is not listed in terms of the NEMA EIA Regulations, 2014 (as amended). The capacity of the WWTW will increase by 3 185 cubic metres; therefore, Activity 57 of the NEMA EIA Regulations, 2014 (as amended) will not be triggered by the proposed upgrade.</p> <p>The Stellenbosch Municipality stated in their letter dated 06 July 2017 (Appendix E2 of the BAR) that the budget, planning and design for the Dwarsrivier WWTW are planned for 2017-18 and construction is planned to commence in 2018-19. The soonest estimated date when capacity will be available is July 2020.</p> <p>It is also recommended in the BAR that the proposed development should only commence subject to final confirmation from the Stellenbosch Municipality that the Dwarsriver WWTW has sufficient capacity to accept the expected sewer discharge from the development.</p>	DJEC
	<p>2.2. The comments received during the Public Participation Process for this</p>		Noted. Comments received during the Pre-Application Public Participation Process (PPP) will	DJEC

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>application must be incorporated into a Comments and Response Report that adequately addresses any highlighted issues. Copies of the comments received as well as the Comments and Response Report must be included in the final BAR during the application phase.</p>		<p>be included under Appendix F5 of the draft BAR. Comments received on the draft BAR will be included in the final BAR.</p>	
	<p>2.3. Proof of compliance with all the public participation steps undertaken, as required in terms of Regulation 41 of GN No. 326 of NEMA EIA Regulations, 2014 (as amended) must be included in the final BAR.</p>		<p>Proof of compliance with all the PPP steps undertaken will be included under Appendix F of the draft BAR.</p>	<p>DJEC</p>
	<p>2.4. Please be advised that an original signed and dated applicant declaration is required to be submitted with the final BAR to this Department for decision making. It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making. Furthermore, through signing this declaration, the applicant is making a commitment that they are both willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application.</p>		<p>Your comment is noted.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>2.5. In addition to the above, please ensure that original signed and dated EAP and specialist declarations are also submitted with the final BAR for decision-making.</p>		<p>Your comment is noted.</p>	<p>DJEC</p>
	<p>2.6. Please note that omission of any required information in terms of Appendices 1 & 4 of GN No. 326 with respect to the final submission to the Department of the BAR and EMPr respectively, may result in the application for environmental authorisation being refused.</p> <p>3. Kindly quote the above-mentioned reference number in any future correspondence in respect of this application.</p> <p>4. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department.</p>		<p>Your comment is noted.</p>	<p>DJEC</p>
<p>COMMENTS FROM INTERESTED AND AFFECTED PARTIES</p>				
<p>No comments were received from any Interested and Affect Parties to date.</p>				

2.2. Statutory PPP

The Statutory PPP will be undertaken from **Wednesday, 13 June** to **Monday, 16 July 2018**. All comments received will be included in this report after the 30-day comment period ended.