



Appendix G: S24G application – Comments and Response Report

Activities carried out and proposed on Farm Portions 420 and 373, Outeniqua Game Farm

24G Consultation: 14/2/4/1/D6/28/0004/20

This document records the details of the public participation process and records any comments received from Interested and Affected Parties (IAPs) in terms of the EIA regulations of the National Environmental Management Act (Act 107 of 1998) as well as the responses provided by the Environmental Impact Assessment Practitioner and the proponent.

A public participation process is being carried out in accordance with Section 24J of the NEMA; the following activities have been carried out:

- Notice of proposed application for EA and registration of IAPs:
 - Placing two posters close to the site to inform the public of the process.
 - Emailing notice to organs of state, landowners and potential IAPs of the intended S24G application
 - Placing an advertisement in the Mossel Bay Advertiser on 6 September 2024
- Allowing for a 30-day registration and initial comment period on Notice and BAR
Registration of IAPs: : 6 September to 7 October 2024
- Record of registration and initial comments received in response to the notices

The draft section 24G application form report will be distributed to registered IAPs for a 30-day review and comment period. All comments received as well as responses provided by the Environmental Impact Assessment Practitioner and the proponent will be recorded throughout the process. Comments will be addressed in the assessment process. Thereafter the Final S24G application will be submitted to the competent authority for decision making.

See the following attached appendices for details of public participation activities carried out:

- Appendix G1: Notices, Adverts and Background information document
- Appendix G2: Full Register of interested and affected parties
- Appendix G3: Registrations, Comments and Responses
- Appendix G4: Notices distributed



Eco Route

ENVIRONMENTAL CONSULTANCY

REGISTRATION NO. 1998/031976/23

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Comments and Response Report, April 2025

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
Siphesihle Khumalo	17 March 2025	Site visit carried out on ptns 420 and 373 of 14 March 2025	17 March 2025	<p>Good day Siphesihle</p> <p>As discussed, please find attached the project schedule for activities on Outeniqua Game Farm (Erf 373 and 420).</p> <p>The 30-day comment and review on draft S24G and assessment is scheduled for April 2025 / May 2025.</p> <p>Thank you</p> <p>Kind Regards Claire</p>
Diana Mouton	14 February 2025	<p>Good day, Claire</p> <p>Possibly you can provide an updated S24G Project Schedule to the Mrs Zaidah Toefy, as was a condition within the Compliance Notice PS (see attached).</p> <p>Kind Regards</p>	14 February 2024	<p>Good day</p> <p>Please find attached as requested.</p> <p>Kind Regards Claire</p> <p>Good day</p> <p>Please find attached as requested.</p> <p>Kind Regards Claire</p>

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		<p>Diana Mouton Directorate: Environmental Law Enforcement Tel: 044 814 2009 E-mail: diana.mouton@westerncape.gov.za Website: www.westerncape.gov.za/eadp</p>  <p>Be 110% Green. Read from the screen.</p> <p>Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 07:30-16:00</p>		
<p>Ziyaad Allie (Specialised Environmental Officer - Rectification) EMI Grade 2 Directorate: Environmental Governance Department of Environmental Affairs and Development Planning</p>	<p>14 February 2025</p>	<p>Attention: Kerry G. Smith NOTICE OF REFERRAL OF THE 24G PRE-APPLICATION CONSULTATION TO ENVIRONMENTAL CRIMINAL INVESTIGATIONS REGARDING THE UNLAWFUL CLEARANCE OF VEGETATION AND CONSTRUCTION OF INFRASTRUCTURE WITHIN 32 METRES OF A WATERCOURSE ON ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY</p> <p>1. This Department's Pre-Compliance Notice dated 18 March 2019, the Compliance Notice dated 27 May 2020, and the Information Requirement's letter dated 04 June 2020, has reference.</p> <p>2. Please be advised that more than 4 years have passed since the issuing of the above-mentioned Information Requirements letter and to date no section 24G application has been submitted to the Department.</p> <p>3. Please be advised that the above-mentioned consultation file (reference: 14/2/4/1/D6/28/0004/20) is hereby closed for all administrative purposes, and as such, the Directorate has closed the 24G Consultation case file for all administrative purposes with effect from the date of issue of this letter.</p> <p>4. In light of the fact that no section 24G application has been received, the matter will now be referred for criminal investigative action.</p> <p>5. Please be reminded that it is an offence in terms of Section 49A of the <i>National Environmental Management Act, 1998 (Act 107 of 1998)</i> ("NEMA") for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. A person convicted of an offence is liable to a fine not exceeding R10 million or imprisonment for a period not exceeding ten years, or to both such fine and imprisonment.</p>	<p>14 February 2024</p>	<p>Good day Ms Toefy</p> <p>Please note that Ecoroute has been appointed to carry out the required NEMA 24G assessment for activities carried out on Farm portions 420 and 373, Outeniqua Game Farm; I am the responsible EAP for the assessment of activities.</p> <p>Notices and adverts and initial registration of interested and affected parties have been done; Registration: 6 September to 7 October 2024 Please see attached notification letter which includes potential listed activities for assessment.</p> <p>The following studies have been identified as necessary and carried out as part of the assessment process:</p> <ul style="list-style-type: none"> - Terrestrial biodiversity and flora assessment for infrastructure and dam (October 2024)

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
				<ul style="list-style-type: none"> - Aquatic assessment for infrastructure and dams (August 2024) - Soil Assessment for agricultural activities (November 2024) - Terrestrial biodiversity and flora assessment for agricultural activities (January 2024) - Hydrology study (in process) <p>In addition, a vegetation assessment carried out by Jan Vlok (2019) for the previous 24G process initiated by Andrew West, is referred to. Note, Mr Andrew West had a stroke, and then COVID19 occurred (2020 – 2022) - Ecoroute has since taken over this NEMA 24G application process.</p> <p>A water use license process has also been initiated and a site visit carried out with BOCMA (November 2024)</p> <p>Once all the specialist studies have been complete a draft application with accompanying assessment will be submitted for a 30-day comments and review period. The anticipated date of submission is March 2025. Thereafter, the application and accompanying assessment will be updated and the final S24 application submitted for consideration.</p> <p>We trust this is in order.</p> <p>Please let me know if you require additional information at this stage.</p>

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
				Kind regards Claire de Jongh  Claire De Jongh Eco Route Environmental Consultancy 0846074743 EAPASA registration: 2021/3519
Rudzani Makahane (Mr) Water Use Specialist: Breede-Olifants CMA	29 October 2024	<p>COMMENTS ON THE NOTIFICATION OF PUBLIC PARTICIPATION FOR ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM</p> <p>Your email submission dated 06 September 2024 has reference.</p> <p>The Breede-Olifants Catchment Management Agency (BOCMA) has evaluated the submitted documents and has the following comments:</p> <ol style="list-style-type: none"> 1. The applicant is commended for the alien invasive vegetation clearing activities within the farm. 2. This office can confirm that the application for the construction of OGF2 dam has been received and it will be placed on hold until such time that the alleged unauthorised activities have been addressed by the Compliance Monitoring and Enforcement (CME) section. The related alleged unauthorised activities include road crossings and damming of the river. 3. The freshwater assessment report indicates that the existing dam must be rehabilitated as a condition of approval for the new larger dam. Please note that the proposed mitigation measures for alleged unauthorised activities cannot be on condition that the new dam is approved. 4. Further discussion regarding viability of OGF2 Dam will take place when the hydrological study is completed to understand the water balance for the environment, downstream users and the application. 5. The applicant shall inform BOCMA if they wish to apply for validation and verification of Existing Lawful Water Use in the application property(ies). The confirmed General Authorisation indicated that the allocated volumes will be adjusted accordingly based on the outcomes of the Validation and Verification process. 6. The water demand and supply breakdown shall be calculated to understand the water volumes that are already authorized and the future water demand. 7. Please ensure that no water is taken from a water resource for any purpose without authorisation from the Responsible Authority. 	S24G application and CRR (this report) April 2025	Comments were distributed to project team. Refer to: Appendix H4: Aquatic and Appendix H5: hydrology assessments Appendix M: S24g Impact Assessment.

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		<p>8. Please ensure that no waste or water containing waste is disposed in a manner which may detrimentally impact on a water resource without authorisation from the National Water Act, 1998 (Act 36 of 1998) and other related legislations.</p> <p>9. No pollution of surface water or groundwater resources may occur due to any activity. Stormwater management must be addressed both in terms of flooding, erosion, and pollution potential.</p> <p>10. No stormwater runoff from the application premises containing waste, or water containing waste emanating from any activity may be discharged into a water resource without prior treatment.</p> <p>The BOCMA reserves the right to revise initial comments and request further information based on any additional information received.</p>		
<p>Anza Mabayi</p> <p>Environmenta Management Inspector- Grade 2 Sub- Directorate: CME Breede- Olifants Catchment Management Agency</p>	<p>21 October 2024</p>	<p>I hereby notify you of the scheduled investigation by BOCMA Enforcement officials that will take place at Outeniqua Game Farm as follows:-</p> <p>Date: 4 November 2024 Time: 10:00am Venue: Farm 373 & 420, Mosselbay</p> <p>The investigation is scheduled following a referral for investigation received from our Water Use Authorisation Unit. The investigation is meant to investigate water use activities taking place at Farm 373 & 420, Mosselbay and a certain their compliance with provision of National Water Act 36 of 1998.</p> <p>Kind Regards</p> <p>Anza Mabayi</p> <p>Environmental Management Inspector-Grade 2</p>		

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		 <p data-bbox="613 555 1308 651">BREDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY</p> <p data-bbox="521 746 1321 874">Sub-Directorate: CME Breede-Olifants Catchment Management Agency Tel: 023 346 8079 Cell: 0662727263 Fax: 044 87 2199 Email: amabayi@bocma.co.za Unit 302, 3rd Floor, 101 York Street, P.O. Box 1205, George, 6530</p>		
Rudi Minnie Assistant Conservation Officer Mossel Bay Municipality	26 September 2024	<p data-bbox="521 914 1010 1007">Good day</p> <p data-bbox="521 978 1010 1007">Email below and attachment have reference.</p> <p data-bbox="521 1042 1167 1070">Please include the following emails on the IAP's mailing list:</p> <ul data-bbox="566 1078 920 1171" style="list-style-type: none"> - admin@mosselbay.gov.za - rminnie@mosselbay.gov.za - stentu@mosselbay.gov.za <p data-bbox="521 1206 1368 1267">Could you please provide the farm number? The numbers provided is only for portions and no mention is made of the actual farm number/s.</p> <p data-bbox="521 1302 663 1331">Kind regards</p> <p data-bbox="882 1369 1218 1430" style="text-align: right;">Rudi Minnie Assistant Conservation Officer</p>	2 October 2024	Please find attached locality map for: <ul style="list-style-type: none"> - Portions 420 and 373, Outeniqua Game Farm

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		 <p>101 Marsh Street, Mossel Bay Email: rminnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za Tel: +27 44 606-5163</p> <p>Anti-Fraud Hotline: 0800 00 00 00</p>		
Platinum Mile Investments 442 (Pty) Ltd, as an owner of properties downstream	6 September 2024	Our ref: P van der Merwe/ld/PR0027 ECO-ROUTE ENVIRONMENTAL CONSULTANCY CC PER E-MAIL Dear Madam, <u>REGISTRATION: INTERESTED AND AFFECTED PARTIES FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM</u> <ol style="list-style-type: none"> 1. The above matter refers and more specifically the e-mail and Notification of Public Participation pertaining to the above property, dated 6 September 2024. 2. We kindly seek your confirmation that our client has been registered as an Interested and Affected party, being Platinum Mile Investments 442 (Pty) Ltd, as an owner of properties downstream from your client. 3. Kindly add the following e-mail addresses: - <div style="background-color: green; width: 200px; height: 50px; margin-top: 10px;"></div>	9 September 2024	Dear Eco Route Admin Please refer to below and register as I&AP's, please add their comments to a comments and response report for Claire to Adress once the registration period is closed.

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		<p>4. We kindly request you to confirm that our client has been accordingly registered and that you will add the aforesaid e-mail addresses under our client.</p> <p>5. We furthermore request you to provide us with the following information, as a matter of urgency: -</p> <p>5.1. A copy of the Section 24G Application;</p> <p>5.2. Our client already registered as an Interested and Affected party pertaining to the proposed new developments on Outeniqua Game Farm's property in October 2021. Kindly provide clarity why no information whatsoever has been received since October 2021, specifically where the erstwhile environmental consultant confirmed that all applications are dormant.</p> <p>5.3. We specifically request you to confirm this, as it seems as if your client had no interest whatsoever to proceed with the erstwhile applications, and obtaining possible objections, and therefore decided to simply proceed with whatever unlawful activity he proceeded with, and to then rather apply for regularization under Section 24G of NEMA. If we are wrong, kindly confirm the facts supporting the aforesaid.</p> <p>6. We wish to make it pertinently clear that if our assumption is correct, that NEMA, as you will know, imposes drastic sanctions, including prison sentence and a penalty.</p> <p>7. We furthermore seek you client's immediate confirmation that any and all unlawful activities will be ceased with, including but not limited to the extraction of any water from the river for which he has not received consent.</p> <p>8. We await your urgent confirmation.</p> <p>Regards,</p> <p>Pieter van der Merwe</p>  <p>VAN DER MERWE & VAN DER MERWE Typed and sent by Lisa Dippenaar</p> 		

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
				
	10 September 2024	<p>Dear Janet,</p> <ol style="list-style-type: none"> 1. Thank you for the below mail. Again – we should have been registered as an I&A party previously, but we will deal with that later. 2. Kindly provide us, as a matter of urgency, with the Section 24G Application which you refer to in the Notice. 3. We obviously also seek immediate confirmation from your client that any and unlawful activities, or any beneficial use thereof, will immediately seize. As you are aware, the intended filing of a Section 24G application does not validate the transgressions. 4. If your client is not willing to immediately seize the unlawful activities (or benefit therefrom)– kindly confirm same in writing. That includes but is not limited to the extraction of water into dams, irrigation and the use of the land/cultivated portions. <u>Our client’s rights remain strictly reserved.</u> <p>Regards,</p> <p>VDM VAN DER MERWE & VAN DER MERWE PER: PIETER VAN DER MERWE 55 VICTORIA STREET</p> 	10 September 2024	<p>Good day</p> <p>Thank you for your comments; kindly note you were registered as an interested / affected party for this NEMA S24G application process as you were registered for the previous process which started. The process is currently in a 30-day registration phase and specialist studies are underway. Once this is completed you will be provided with the S24G application and assessment for a 30-day review and comment period; thereafter the assessment will be updated accordingly and submitted to the competent authority for decision making. Two general authorisations have been issued for water uses (abstraction, storage) on ptns 373 and 420; additional water uses included in Section 21 of the National water Act (Act 36 of 1998) (NWA) have been carried out / proposed on the site. A water use license for these water uses will be applied for from the DWS and the DWS will make a decision. The applicant has been advised that no further activities which require environmental authorisation may take place prior to the S24G NEMA application process being completed, and a decision is made. The applicant</p>

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
				<p>has also been made aware of the consequences of carrying out activities included in the NEMA 2014 EIA Regulations (as amended, 2017) without an environmental authorisation in place.</p> <p>I note that the affected parties are downstream from Farm portions 420 and 373 – kindly provide any additional information that your client feels needs to be addressed so that I can include this in the assessment.</p> <p>Thank you</p> <p>Kind Regards Claire</p> <p> Claire De Jongh Eco Route Environmental Consultancy 0846074743 EAPASA registration: 2021/3519</p>
	10 September 2024	<p>Our ref: P van der Merwe/jw/PR0027</p> <p>ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL</p> <p>Dear Claire,</p> <p><u>NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM</u></p> <ol style="list-style-type: none"> 1. Thank you for the below e-mail. 2. We do not intend to unnecessarily burden the recipients of this e-mail with our objections, but we believe that it is critical to understand your client's actions and intended actions. 3. We note in your below e-mail that two general authorisations have been issued for water uses on Portion 373 and 420 and that additional 		

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		<p>water uses included in Section 21 of the National water Act (Act 36 of 1998) (“NWA”) have been carried out. We must kindly be clear on what have been carried out and what will be applied for.</p> <ol style="list-style-type: none"> 4. We attach hereto a letter dated 14 October 2021 which we addressed to your client’s erstwhile environmental consultant. This was in reaction to a proposed application for the development of a dam and taking and storage of water and agricultural development on Portions 373 and 420. 5. In this letter we requested to be registered as an Interested and Affected Party. We further had pertinent questions as set out in paragraph 5 and sub-paragraphs. We will not repeat it herein. 6. We have been sent from pillar to post since October 2021. We have received none of the information that we requested nor did we receive any application. In fact, the Environmental Consultant who later assisted Mr West, Mr Retief Kleynhans, confirmed that these applications were dormant and not proceeded with. 7. It now seems as if general authorisations have been issued and that your client proceeded with what was intended in 2021. 8. Notwithstanding the Section 24G NEMA application which we will await, kindly provide us with the details as stipulated in paragraphs 5.1 to 5.5 of our letter dated October 2021. 9. This is not narrowed to the issues to be dealt with in the Section 24G NEMA application but pertains to any and all environmental / water applications, authorisations and agricultural activities. 10. We await your kind feedback. <p>Yours faithfully, Pieter van der Merwe</p> <p>VDM</p> <p>VAN DER MERWE & VAN DER MERWE PER: P VAN DER MERWE</p> <p>Turned and sent by Julene Westwood S E C E C</p>		

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	8 October 2024	<p>Our ref: P van der Merwe/ld/PR0027</p> <p>ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL</p> <p>Dear Janet / Claire,</p> <p><u>NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM</u></p> <ol style="list-style-type: none"> 1. The above matter refers. 2. We have received no fruitful response from you or your client pertaining to any of the questions we have raised. Similarly the “30-day registration period” also expired without receiving any concrete documents or information. 3. We will now request you to kindly reply to all our previous questions and letters, specifically detailing the actions which your client took unlawfully, with the dates, and an explanation why we were circumvented having regard to the previous intended applications your clients advertised (to which we registered as an affected party). 4. We confirm that should we not receive a detailed report from your client and an undertaking that any and all actions for which no approval was obtained, will be ceased with, immediately, we will obtain instructions from our client to launch an application to compel you to do so. We need to reiterate that this includes but is not limited to using water from unlawful storage (dams), immediate stoppage of cultivation of crops / trees illegally planted and utilising the fruits from any of the unlawful activities. 5. We confirm that a copy of the correspondence between our offices will be provided to the Court in order to show that we have done everything in our means to try and obtain information from your client and to seek undertakings which will make it unnecessary to go to Court. 6. We trust you will find it in order. <p>Regards,</p>	8 October 2024	<p>Dear Pieter van der Merwe</p> <p>I would like to inform you that the public participation held was to call for Interested and Affected parties to register for the S24G process. Please note that a further public participation will be held as soon as the draft S24G document is complete whereby you as registered I&AP’s will be notified and granted a further 30 day period to comment. Please refer to the advert below, no information is being withheld and we have kindly requested Outeniqua Game Farm to cease all illegal activities. We are still awaiting updated specialist reports in order to finalise our work.</p> <p>Please take note That we are Independent Environmental Consultants, and that we are adhering to the NEMA legislation and regulations with regards to the process. Please see Highlighted Advert section below that was placed in the Mossel Bay advertiser.</p>

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		<p>Pieter van der Merwe</p>  <p>VAN DER MERWE & VAN DER MERWE</p> 		<div style="text-align: right;">  </div> <p style="text-align: center;">ECO-ROUTE ENVIRONMENTAL CONSULTANCY</p> <p style="text-align: center;">Notification of Public Participation Process</p> <p>Activities carried out on Farm Portions 420 and 373, Outeniqua Game Farm</p> <p>Farm Portions 420 and 373, Outeniqua Game Farm, is located west of the R328 in Mossel Bay Municipality, Western Cape. Approximate area: 1278 ha. Approximate central coordinates: 33°59'58.67"S; 22° 2'8.56"E</p> <p>Activities included in the Listing Notices (LN) 1, 2 and 3 of the Environmental Impact Assessment (EIA) Regulations published in terms of National Environmental Management Act (Act 107 of 1998) (NEMA) have been carried out on the farm portions between 2015 – 2024. Activities include clearing of more than 20 ha indigenous vegetation for the development of structures and agricultural activities; development of additional roads and tracks; development of dams. An environmental authorisation is required for the following NEMA EIA activities:</p> <p>LN 1 (GNR 327): Activity 13, 19 LN2 (GNR 325): Activity 15, 27 LN3 (GNR 324): Activity 12, 14, 23; Activity 2, 4 (to be confirmed)</p> <p>A new dam (120 000 cubic meters) is proposed; the dam wall is planned to be a maximum of 5 meters in height. Area of dam is not yet confirmed. An additional 380 ha is proposed to be cleared for the planting of maize, lucerne and avocado. Environmental authorisation for the following NEMA EIA activities may be required: LN2(GNR 325): Activity 15, 16, 29</p> <p>Water uses included in Section 21 of the National water Act (Act 36 of 1998) (NWA) have been carried out. Two general authorisations have been issued for water uses (abstraction, storage). Additional water uses have been carried out on the site.</p> <p>Notice is hereby given that the landowner intends to apply to the Western Cape Department of Environmental Affairs and Development Planning for the regularization of unlawful commencement or continuation of listed activities in terms of section 24G of the NEMA. An application will be submitted to the Department of Water and Sanitation for water use authorisation.</p> <p>A public participation process will be conducted according to Regulation 41 of the NEMA 2014 EIA Regulations (as amended, 2017). All interested and affected parties (IAPs) are encouraged to participate in the process. Register and / or comment as an IAP within 30 days of this notice. Registration: 6 September to 7 October 2024.</p> <p>Registered IAPs will be sent the 24G application for a 30-day review and comment period.</p> <p>Environmental Assessment Practitioner: Claire De Jongh (EAPASA Reg: 2021/3519)</p> <p>Tel: 0846074743 Fax: 086 402 9562 Email: claire@ecoroute.co.za Address: PO. Box 1252 Sedgefield 6573 Project related information will be made available via our website: www.ecoroute.co.za</p> <p>We request you afford us the opportunity to complete our work in order for you to review all documents pertaining to the S24G application.</p> <p>Should you require any information please do not hesitate to contact me.</p> <div style="text-align: right;">  </div> <p>Kind Regards Janet Ebersohn Bsc.Hon Environmental Management EAPASA Registration Number: 2019/1286 082 5577122</p>

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	8 October 2024	<p>Dear Janet,</p> <ol style="list-style-type: none"> 1. We reserve the right to reply in full at a later stage. 2. We however note your absence of an undertaking that your client will immediately refrain from continuing with the unlawful activities or to benefit therefrom. <p>Regards,</p> <p>VDM</p> 	8 October 2024	<p>Dear Pieter</p> <p>As per your point your point 2, please see highlighted section in my response email to you.</p>
	18 November 2024	<p>Our ref: P van der Merwe/jw/PR0027</p> <p>ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL</p> <p>Dear Janet,</p> <p><u>NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM</u></p> <ol style="list-style-type: none"> 7. The below correspondence refers. 8. We have not received any further information as requested nor have we received the anticipated applications. 9. In addition to the aforesaid, our instruction is that your clients are still utilising the unlawful activities for economic benefit your previous submission. 		

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		<p>10. Every time we request information from your client, it goes silent, only to find out that your client is continuing with the unlawful activities. We want to place this on record and will invite your client to reply in full, should he disagree with our submission.</p> <p>11. We await your urgent response.</p> <p>Yours faithfully, Pieter van der Merwe</p>  <p>VAN DER MERWE & VAN DER MERWE PER: P VAN DER MERWE</p> 		
	17 January 2024	<p>Our ref: P van der Merwe/jw/PR0027</p> <p>ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL</p> <p>Dear Janet,</p> <p><u>NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM</u></p>	17 January 2024	<p>Good day</p> <p>We are still in process of carrying out required specialist assessments and drafting the S24G application. The draft application will be sent to all registered interested and affected parties for a 30-day review and comment period.</p>

Name	Date of comment / registration	COMMENT	Date of response	EAP COMMENT / RESPONSE
		<p>12. The above matter refers and more specifically our previous correspondence.</p> <p>13. We specifically wish to refer you to the below correspondence, to which we have not received any further response or applications.</p> <p>14. Kindly indicate as a matter of urgency whether you intend to proceed with further applications as our instruction is that your client is continuing to bear the fruit of his illegal activities.</p> <p>15. We kindly request your urgent feedback.</p> <p>Yours faithfully, Pieter van der Merwe</p>  <p>VAN DER MERWE & VAN DER MERWE PER: P VAN DER MERWE</p> 		<p>Thank you</p> <p>Kind Regards</p>  <p>Claire De Jongh Eco Route Environmental Consultancy 0846074743 EAPASA registration: 2021/3519</p>



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Appendix G1: Adverts, notices and BID

Advert placed in the Mossel Bay Advertiser on 6 September 2024

Two site notices were placed at the site.



ECO-ROUTE ENVIRONMENTAL CONSULTANCY



Notification of Public Participation Process

Activities carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Farm Portions 420 and 373, Outeniqua Game Farm, is located west of the R328 in Mossel Bay Municipality, Western Cape. Approximate area: 1278 ha. Approximate central coordinates: 33°59'58.67"S; 22° 2'8.56"E

Activities included in the Listing Notices (LN) 1, 2 and 3 of the Environmental Impact Assessment (EIA) Regulations published in terms of National Environmental Management Act (Act 107 of 1998) (NEMA) have been carried out on the farm portions between 2015 – 2024. Activities include clearing of more than 20 ha indigenous vegetation for the development of structures and agricultural activities; development of additional roads and tracks, development of dams. An environmental authorisation is required for the following NEMA EIA activities:

LN 1 (GNR 327): Activity 13, 19

LN2 (GNR 325): Activity 15, 27

LN3 (GNR 324): Activity 12, 14, 23; Activity 2, 4, 6 (to be confirmed)

A new dam (120 000 cubic meters) is proposed; the dam wall is planned to be a maximum of 5 meters in height. Area of dam is not yet confirmed. An additional 380 ha is proposed to be cleared for the planting of maize, lucerne and avocado. Environmental authorisation for the following NEMA EIA activities may be required: LN2(GNR 325): Activity 15, 16, 29

Water uses included in Section 21 of the National water Act (Act 36 of 1998) (NWA) have been carried out. Two general authorisations have been issued for water uses (abstraction, storage). Additional water uses have been carried out on the site.

Notice is hereby given that the landowner intends to apply to the Western Cape Department of Environmental Affairs and Development Planning for the regularization of unlawful commencement or continuation of listed activities in terms of section 24G of the NEMA. An application will be submitted to the Department of Water and Sanitation for water use authorisation.

A public participation process will be conducted according to Regulation 41 of the NEMA 2014 EIA Regulations (as amended, 2017). All interested and affected parties (IAPs) are encouraged to participate in the process. Register and / or comment as an IAP within 30 days of this notice. Registration: 6 September to 7 October 2024.

Registered IAPs will be sent the 24G application for a 30-day review and comment period.

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Project related information will be made available via our website: www.ecoroute.co.za

Details of site Notice and advert



NOTIFICATION OF PUBLIC PARTICIPATION

Activities carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Registration of Interested and Affected Parties

Date of Notice: 6 September 2024

Dear Sir / Madam,

You have been identified as a possible Interested and Affected Party with regards to activities that have been carried out on Portions 420 and 373, Outeniqua Game Farm. The area is approximately 1278 hectares in extent and located immediately west of the R328 in Mossel Bay Municipality, Western Cape.

Approximate central coordinates: 33°59'58.67"S; 22° 2'8.56"E

Activities included in the Listing Notices (LN) 1, 2 and 3 of the 2014 Environmental Impact Assessment (EIA) Regulations published in terms of National Environmental Management Act (Act 107 of 1998) (NEMA) have been carried out on the farm portions between 2015 – 2024. Activities include clearing of more than 20 ha indigenous vegetation for the development of structures and agricultural activities; development of additional roads and tracks, development of dams. An environmental authorisation is required for the following NEMA EIA activities:

Listing Notice; Activity	Description of Listed activity	Description of development
GN No. R. 327 (Listing Notice 1) Activity 13	The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014 (5 meters high / area more than 10ha)	Five dams have been developed between 2019 – 2021. The largest dam has a capacity of 80 000 cubic meter and requires approval. Confirmation of capacity of all existing dams / reservoirs required. A new dam is proposed which will have a maximum storage capacity of 120 000 cubic meters; the dam wall is planned to be a maximum of 5-meters in height. Area of dam is not yet confirmed.
GN No. R. 327 (Listing Notice 1) Activity 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;	Confirmed; road crossings; dam within watercourse.
GN No. R. 325 (Listing Notice 2) Activity 15	The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for— (i) the undertaking of a linear activity; or	Clearance of vegetation has taken place between 2018 – 2024 for development of structures; approximate combined footprint cleared for structures is 5.2 ha. Clearance of vegetation has taken place between 2019 – 2021 for development of dams; approximate combined footprint cleared for dams is 0.5 ha / 5000m2. Clearance of vegetation (approximately 37 ha) has taken place between 2014 - 2024 for agricultural activities; The following is in place: 15 ha vegetables; 15 ha lucerne, 2 ha tomatoes in tunnels, 10 ha avocado. Additional 380ha vegetation is proposed to be cleared for 200 ha maize, 150 ha lucerne and 30 ha avocado.
GN No. R. 325 (Listing Notice 2)	The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the	To be confirmed. New dam is proposed which will have a maximum storage capacity of 120 000 cubic meters; the dam wall is planned to be a maximum



Eco Route

ENVIRONMENTAL CONSULTANCY

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<p>Activity 16</p>	<p>highest part of the wall, is 5 metres or higher or where the highwater mark of the dam covers an area of 10 hectares or more.</p>	<p>of 5-meters in height. Area of dam is not yet confirmed.</p>
<p>GN No. R. 325 (Listing Notice 2) Activity 27</p>	<p>The development of a road— Excluding a road (b) which is 1 kilometre or shorter; or</p>	<p>Additional roads and tracks developed between 2016 and 2024; Combined distance is approximately 16, 8 km. Four roads identified which exceed 1km in length; distances are 1km, 1.2km, 1.4km and 2.3km.</p>
<p>GN No. R. 325 (Listing Notice 2) Activity 29</p>	<p>The release of genetically modified organisms into the environment, where assessment for such release is required by the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997) or the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p>	<p>To be confirmed; An additional 200 ha is proposed to be cleared for the planting of maize.</p>
<p>GN No. R. 324 (Listing Notice 3) Activity 2</p>	<p>The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres. i. Western Cape ii. In areas containing indigenous vegetation; or</p>	<p>To be confirmed. Five dams have been developed between 2019 – 2021. The largest dam has a capacity of 80 000 cubic meter and requires approval. Confirm capacity of all existing dams / reservoirs</p>
<p>GN No. R. 324 (Listing Notice 3) Activity 4</p>	<p>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;</p>	<p>To be confirmed. Additional roads and tracks developed between 2016 and 2024; Combined distance is approximately 16, 8 km. Four roads identified which exceed 1km in length; distances are 1km, 1.2km, 1.4km and 2.3km. Any roads wider than 4 meters to be confirmed.</p>
<p>GN No. R. 324 (Listing Notice 3) Activity 12</p>	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of Indigenous vegetation is required for Maintenance purposes undertaken in accordance with a maintenance management plan. i. Western Cape ii. 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; iii. Within critical biodiversity areas identified in bioregional plans;</p>	<p>Vegetation on the study area is Swellendam Silcrete Fynbos (endangered) and Garden Route Granite Fynbos (critically Endangered). According to the Western Cape Biodiversity Spatial Plan (WCBS) for Mossel Bay, the entire length of the Ruitersbos River running through both properties is mapped as an aquatic Critical Biodiversity Area (CBA1); The majority of Portions 420 and 373 are considered first priority Terrestrial CBA1.</p>
<p>GN No. R. 324 (Listing Notice 3) Activity 14</p>	<p>The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p>	<p>According to the WCBS, entire length of the Ruitersbos River running through both properties is mapped as an aquatic Critical Biodiversity Area (CBA1); The majority of Portions 420 and 373 are Terrestrial CBA1. Dam within watercourse; some structures and agricultural activities within 32 meters of watercourse.</p>



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	Western Cape Outside urban areas (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;	
GN No. R. 324 (Listing Notice 3) Activity 23	The expansion of— (i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or (ii) infrastructure or structures where the Physical footprint is expanded by 10 square metres or more; where such expansion occurs— a) within a watercourse; c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; i. Western Cape i. Outside urban areas: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;	According to the WCBSP, entire length of the Ruiters Bos River running through both properties is mapped as an aquatic Critical Biodiversity Area (CBA1); The majority of Portions 420 and 373 are Terrestrial CBA1. Dam within watercourse was expanded (2019 / 2020) by 10 m ² or more. Dam expanded by approximately 300m ² (2023);

Water uses included in Section 21 of the National Water Act (Act 36 of 1998) (NWA) have been carried out. Two general authorisations have been issued for water uses (abstraction, storage). Additional water uses have been carried out on the site.

Notice is hereby given that the landowner intends to apply to the Western Cape Department of Environmental Affairs and Development Planning for the regularization of unlawful commencement or continuation of listed activities in terms of section 24G of the NEMA. An application will be submitted to the Department of Water and Sanitation for water use authorisation.

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Registration: 6 September to 7 October 2024

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