

Julene

From:

Sent: To:

'Cc: 'Pieter'

Subject:

APPLICATION FOR DEVELOPMENT OF DAM, TAKING AND STORAGE OF WATER

AND AGRICULTURAL DEVELOPMENT - FARMS 373 AND 420, MOSSEL BAY,

WESTERN CAPE

Attachments:

PR0027 MR ANDREW WEST .pdf

Dear Sir,

Kindly find attached correspondence for your attention to be registered as an interested and affected party.

Yours faithfully,

VAN DER MERWE & VAN DER MERWE

PER: PIETER VAN DER MERWE

.....IACKING:

WE WILL NEVER CHANGE OUR BANKING DETAILS VIA EMAIL. PLEASE IGNORE ANY ADVICES WITH REGARDS TO AMENDED BANKING DETAILS WHICH APPEAR TO COME FROM OUR OFFICES. SHOULD YOU HAVE ANY QUERIES, PLEASE CONTACT OUR OFFICES AND SPEAK DIRECTLY TO THE PERSON CONCERNED BEFORE MAKING ANY PAYMENT(S). SHOULD YOU MAKE PAYMENT BASED ON A FRAUDULENT EMAIL, OUR OFFICES CANNOT BE HELD RESPONSIBLE FOR ANY LOSSES INCURRED.

Our ref:

P van der Merwe/jw/PR0027

Your ref:

Andrew West/ Outeniqua Game Farm

14 October 2021

Andrew West Environmental Consultancy

Per e-mail: andrewwest@isat.co.za

Dear Sir,

APPLICATION FOR DEVELOPMENT OF DAM, TAKING AND STORAGE OF WATER AND AGRICULTURAL DEVELOPMENT - FARMS 373 AND 420, MOSSEL BAY, WESTERN CAPE

- The abovementioned matter refers and more specifically the telephone discussion between writer hereof and your Mr West on 12 October 2021.
- We confirm that we act on behalf of our client, Platinum Mile Investments 442 (Pty) Ltd ("our client").
- 3. The purpose of this letter is to request you to register our client as an Interested and Affected Party. Our client is the owner of several properties situated downstream from Outeniqua Game Farm (Pty) Ltd, amongst others Farm 289, Mossel Bay, Farm 161, Bowerf, Mossel Bay and Farm 162, Claassen Rust, Mossel Bay. Our client is an existing lawful water user from the Brandwacht River.

4. We confirm that all communication, on behalf of our client, will be accepted at

the following e-mail addresses: pieter@vdmattorney.co.za and

pa1@vdmattorney.co.za.

5. We confirm that our client became aware of the application through the

advertisement in the local newspaper. We therefore request you to provide us

with any and all information pertaining to the intended application, including but

not limited to:

5.1. A copy of the applications in terms of NEMA and NWA (definitions used as

per your advertisement);

5.2. Copies of any previous and historical environmental authorisations and/or

water use authorisation for the purpose of agricultural activities (e.g.

transformation of indigenous vegetation for this purpose);

5.3. Copies of any and all specialist studies (e.g. terrestrial ecological

assessment, soil analysis, hydrological assessment, fresh water aquatic

ecosystem assessment) and any wetland delineation;

5.4. Details of any public participation processes which already occurred:

5.5. Copies of any and all studies done up to date.

6. Once we have received the aforesaid documents, we will consult with our client

and provide you with our comments.

7. We trust you will find it in order and kindly request you to acknowledge receipt

of this e-mail.

Yours faithfully,

VAN DER MERWE & VAN DER MERWE

PER: PIETER VAN DER MERWE

claire@ecoroute.co.za

From: janet@ecoroute.co.za

Sent: Tuesday, 08 October 2024 13:23

To: 'Pieter Van Der Merwe'; 'Lisa Dippenaar'; 'Julene Westraad'; claire@ecoroute.co.za; admin@ecoroute.co.za; ebersohn@cyberperk.co.za

Cc: 'Francois Roets'; 'Daniel Cillié'

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear Pieter

As per your point your point 2, please see highlighted section in my response email to you.

Should you require any information please do not hesitate to contact me.



Kind Regards

Janet Ebersohn

Bsc.Hon Environmental Management EAPASA Registration Number: 2019/1286

082 5577122

From: Pieter Van Der Merwe <pieter@vdmattorney.co.za>

Sent: Tuesday, 08 October 2024 13:09

To: janet@ecoroute.co.za; Lisa Dippenaar <reception@vdmattorney.co.za>; Julene Westraad <pa1@vdmattorney.co.za>; claire@ecoroute.co.za; admin@ecoroute.co.za; ebersohn@cyberperk.co.za

Cc: 'Francois Roets' <francois@platinuminvest.co.za>; Daniel Cillié <daniel@bukhali.group>

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear Janet,

- 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.

Regards,

VDM

VAN DER MERWE & VAN DER MERWE

PER: PIETER VAN DER MERWE

PLEASE NOTE, DUE TO INTERNET FRAUD AND HACKING:

WE WILL NEVER CHANGE OUR BANKING DETAILS VIA EMAIL. PLEASE IGNORE ANY ADVICES WITH REGARDS TO AMENDED BANKING DETAILS WHICH APPEAR TO COME FROM OUR OFFICES. SHOULD YOU HAVE ANY QUERIES, PLEASE CONTACT OUR OFFICES AND SPEAK DIRECTLY TO THE PERSON CONCERNED BEFORE MAKING ANY PAYMENT(S). SHOULD YOU MAKE PAYMENT BASED ON A FRAUDULENT EMAIL, OUR OFFICES CANNOT BE HELD RESPONSIBLE FOR ANY LOSSES INCURRED.

From: janet@ecoroute.co.za <janet@ecoroute.co.za>

Sent: Tuesday, October 8, 2024 12:53 PM

To: <pi

Col

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear Pieter van der Merwe

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.

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.

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 (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.

Environmental Assessment Practitioner: Claire De Jongh (EAPASA Reg: 2021/3519)

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

We request you afford us the opportunity to complete our work in order for you to review all documents pertaining to the S24G application.

Should you require any information please do not hesitate to contact me.



Janet Ebersohn Bsc.Hon Environmental Management EAPASA Registration Number: 2019/1286

082 5577122

From: Lisa Dippenaar <

Sent: Tuesday, 08 October 2024 12:34

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Our ref: P van der Merwe/ld/PR0027

ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL

Dear Janet / Claire,

NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 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 <u>ceased with</u>, 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.

Regards,

Pieter van der Merwe

VDM

VAN DER MERWE & VAN DER MERWE

WE WILL NEVER CHANGE OUR BANKING DETAILS VIA EMAIL. PLEASE IGNORE ANY ADVICES WITH REGARDS TO AMENDED BANKING DETAILS WHICH APPEAR TO COME FROM OUR OFFICES. SHOULD YOU HAVE ANY QUERIES, PLEASE CONTACT OUR OFFICES AND SPEAK DIRECTLY TO THE PERSON CONCERNED BEFORE MAKING ANY PAYMENT(S). SHOULD YOU MAKE PAYMENT BASED ON A FRAUDULENT EMAIL, OUR OFFICES CANNOT BE HELD RESPONSIBLE FOR ANY LOSSES INCURRED.

From Sent To: '
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Cc: '
<<u>Shi</u>
Subj

Our ref: P van der Merwe/jw/PR0027

ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL

Dear Claire,

NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 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 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.
- 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 subparagraphs. 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.

Yours faithfully, Pieter van der Merwe



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PLEASE NOTE, DUE TO INTERNET FRAUD AND HACKING:

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From: claire@ecoroute.co.za

Sent: Tuesday, September 10, 2024 9:59 AM

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Good day

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 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.

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.

Thank you

Kind Regards Claire

Claire De Jongh

Eco Route Environmental Consultancy 0846074743

EAPASA registration: 2021/3519

From. Dieter Van Der Merwe <nieter@vdmattornev co 72>

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear Janet,

- 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. Our client's rights remain strictly reserved.

Regards,



VAN DER MERWE & VAN DER MERWE

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PLEASE NOTE, DUE TO INTERNET FRAUD AND HACKING:

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From: janet@ecoroute.co.za <janet@ecoroute.co.za>

Sent: Monday. September 9. 2024 5:36 PM

Judject: NE. NOTICE OF LODGET ANTICITATION. ACTIVITIES CANNIED OUT ON TANIAL ON TIONS 420 AND 3737 OUTENIQUA GAMETANIAL

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.

Should you require any information please do not hesitate to contact me.



Bsc.Hon Environmental Management
EAPASA Registration Number: 2019/1286

082 5577122

E FARM

Our ref: P van der Merwe/ld/PR0027

ECO-ROUTE ENVIRONMENTAL CONSULTANCY CC PER E-MAIL

Dear Madam,

REGISTRATION: INTERESTED AND AFFECTED PARTIES FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 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: -

- 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.
- 5. We furthermore request you to provide us with the following information, as a matter of urgency: -
 - 5.1. A copy of the Section 24G Application;
 - 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.
 - 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.
- 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.
- 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.
- 8. We await your urgent confirmation.

Regards,

Pieter van der Merwe

VDM

VAN DER MERWE & VAN DER MERWE

Typed and sent by Lisa Dippenaar

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From: admin@ecoroute.co.za

Sent: Friday, September 6, 2024 11:05 AM

To: Julene Westraad <

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' < janet@ecoroute.co.za>

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear I&AP,

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



Notification of Public Participation Process

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

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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:

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LN3 (GNR 324): Activity 12, 14, 23; Activity 2, 4 (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.

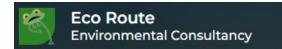
Notice is hereby given that the landowner intends to apply to the Western Cape Department of

Kind regards,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



claire@ecoroute.co.za

| From: Sent: | |
|----------------|--|
| To: | |
| Cc: | |

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: LETTER TO ANDREW WEST ENVIRONMENTAL CONSULTANCY DD 14 10 2021.pdf

Our ref: P van der Merwe/jw/PR0027

ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL

Dear Claire,

NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 1. Thank you for the below e-mail.
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- 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 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.
- 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 subparagraphs. 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.

Yours faithfully, Pieter van der Merwe



VAN DER MERWE & VAN DER MERWE PER: P VAN DER MERWE

PLEASE NOTE, DUE TO INTERNET FRAUD AND HACKING:

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From: claire@ecoroute.co.za <claire@ecoroute.co.za>

Sent: Tuesday, September 10, 2024 9:59 AM

To: Diotor Van Dar Marwa Knigtar@udmattarnay co zax: ianat@acarauta co za: Lica Dinnanaar Kracantian@udmattarnay co zax: admin@acarauta co za:

Good day

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.

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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 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.

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.

Thank you

Kind Regards Claire

Claire De Jongh

Eco Route Environmental Consultancy 0846074743

EAPASA registration: 2021/3519

Dear Janet,

- 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. **Our client's rights remain strictly reserved.**

Regards,

VDM

VAN DER MERWE & VAN DER MERWE

PER: PIETER VAN DER MERWE



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From: janet@ecoroute.co.za <janet@ecoroute.co.za>

Sent: Monday, September 9, 2024 5:36 PM

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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.

Should you require any information please do not hesitate to contact me.



Kind Regards

Janet Ebersohn

Bsc.Hon Environmental Management

EAPASA Registration Number: 2019/1286

082 5577122

From:
Sent:
To: ac
Cc: Ju
Subje

Our ref: P van der Merwe/ld/PR0027

ECO-ROUTE ENVIRONMENTAL CONSULTANCY CC PER E-MAIL

Dear Madam,

REGISTRATION: INTERESTED AND AFFECTED PARTIES FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 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: -

- 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.
- 5. We furthermore request you to provide us with the following information, as a matter of urgency: -
 - 5.1. A copy of the Section 24G Application;
 - 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.
 - 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.
- 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.
- 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.
- 8. We await your urgent confirmation.

Regards,

Pieter van der Merwe

VAN DER MERWE & VAN DER MERWE

Typed and sent by Lisa Dippenaar 55 VICTORIA STREET GEORGE 6530

Tel: (044) 008 5007 Tel: 072 172 4098 Website: www.vdmattorney.co.za

PLEASE NOTE, DUE TO INTERNET FRAUD AND HACKING:

WE WILL NEVER CHANGE OUR BANKING DETAILS VIA EMAIL. PLEASE IGNORE ANY ADVICES WITH REGARDS TO AMENDED BANKING DETAILS WHICH APPEAR TO COME FROM OUR OFFICES. SHOULD YOU HAVE ANY QUERIES, PLEASE CONTACT OUR OFFICES AND SPEAK DIRECTLY TO THE PERSON CONCERNED BEFORE MAKING ANY PAYMENT(S). SHOULD YOU MAKE PAYMENT BASED ON A FRAUDULENT EMAIL, OUR OFFICES CANNOT BE HELD RESPONSIBLE FOR ANY LOSSES INCURRED.

From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: Friday, September 6, 2024 11:05 AM

To: Julene Westraad <pa1@vdmattorney.co.za>

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' <janet@ecoroute.co.za>

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear I&AP,

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 (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.

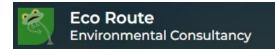
Notice is hereby given that the landowner intends to apply to the Western Cape Department of

Kind regards,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



claire@ecoroute.co.za

From: claire@ecoroute.co.za

Sent: Friday 17 January 2025 10:52

To: Cc:

Subject:

Good day

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.

Thank you

Kind Regards

Claire De Jongh

Eco Route Environmental Consultancy 0846074743

EAPASA registration: 2021/3519

From: Julene Westraad <pa1@vdmattorney.co.za>

Sent: Friday, 17 January 2025 09:58

To: janet@ecoroute.co.za; claire@ecoroute.co.za; admin@ecoroute.co.za; ebersohn@cyberperk.co.za

Cc: Pieter Van Der Merwe <pieter@vdmattorney.co.za>; Lisa Dippenaar <pa3@vdmattorney.co.za>; Melody Reyneke <reception@vdmattorney.co.za>

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Importance: High

Our ref: P van der Merwe/jw/PR0027

ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL

Dear Janet,

NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 1. The above matter refers and more specifically our previous correspondence.
- 2. We specifically wish to refer you to the below correspondence, to which we have not received any further response or applications.
- 3. 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.
- 4. We kindly request your urgent feedback.

Yours faithfully, Pieter van der Merwe

VDM

VAN DER MERWE & VAN DER MERWE

PER: P VAN DER MERWE

Typed and sent by Julene Westraad



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From: Julene Westraad <
Sent: Monday, Novembe
To: janet@ecoroute.co.z
admin@ecoroute.co.za;
Cc: 'Francois Roets' < frar
Subject: RE: NOTICE OF F
Importance: High

Our ref: P van der Merwe/jw/PR0027

ECO ROUTE ENVIRONMENTAL CONSULTANCY PER E-MAIL

Dear Janet,

NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

- 1. The below correspondence refers.
- 2. We have not received any further information as requested nor have we received the anticipated applications.
- 3. In addition to the aforesaid, our instruction is that your clients are still utilising the unlawful activities for economic benefit your previous submission.
- 4. 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.
- 5. We await your urgent response.

Yours faithfully, Pieter van der Merwe



VAN DER MERWE & VAN DER MERWE PER: P VAN DER MERWE

Typed and sent by Julene Westraad

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From: janet@ecoroute.co.za <janet@ecoroute.co.za>

Sent: Tuesday, October 8, 2024 1:23 PM

To: 'Pieter Van Der Merwe' <pieter@vdmattorney.co.za>; 'Lisa Dippenaar' <reception@vdmattorney.co.za>; 'Julene Westraad' <pa1@vdmattorney.co.za>;

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



Notification of Public Participation Process

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Notice is hereby given that the landowner intends to apply to the Western Cape Department of

Kind regards,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



claire@ecoroute.co.za

From: Minnie, Rudi <rminnie@mosselbay.gov.za>

Sent: Thursday, 26 September 2024 11:53

To: admin@ecoroute.co.za; claire@ecoroute.co.za; janet@ecoroute.co.za

Cc: Jc Kotze; Zaidah Toefy; nabeelah.khan@westerncape.gov.za

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf

Good day

Email below and attachment have reference.

Please include the following emails on the IAP's mailing list:

- admin@mosselbay.gov.za
- rminnie@mosselbay.gov.za
- stentu@mosselbay.gov.za

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.

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay Email: rminnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za

Tel: +27 44 606-5163











MOSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Anti-Fraud Hotline: 0800 333 466

From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: Friday, September 6, 2024 11:02 AM

To: Venter, Carel < <u>cventer@mosselbay.gov.za</u>>; Naidoo, Dick < <u>dnaidoo@mosselbay.gov.za</u>>; Office of the Municipal Manager < <u>mmoffice@mosselbay.gov.za</u>>; Carelse, Rushanah < rcarelse@mosselbay.gov.za>; w.stephan.botha@gmail.com; info@gardenroute.gov.za; nina@gardenroute.gov.za

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' janet@ecoroute.co.za;

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Some people who received this message don't often get email from admin@ecoroute.co.za. Learn why this is important

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Dear Municipality,

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



Notification of Public Participation Process

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Notice is hereby given that the landowner intends to apply to the Western Cape Department of

Kind regards,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



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Mossel Bay Municipality, 101 Marsh Street, Mossel Bay, 6506, South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

claire@ecoroute.co.za

From: claire@ecoroute.co.za

Sent: Wednesday, 02 October 2024 12:32 **To:** 'janet@ecoroute.co.za'; 'Minnie, Rudi'

Cc: 'Admin'

Subject: RE: 12108787, FW: NOTIFICATION OF PUBLIC PARTICIPATION: PROPOSED MIXED USE/LIGHT INDUSTRIAL DEVELOPMENT ON RE/139

FARM ZANDHOOGTE, MOSSEL BAY MUNICIPALITY, WESTERN CAPE

Attachments: Locality Map.jpg; Locality Map - RE 139 Zandhoogte.jpg

Hi Minne

Please find attached locality map for:

- RE / 139 Farm Zandhoogte

- Portions 420 and 373, Outeniqua Game Farm

Kind Regards

Claire

From: janet@ecoroute.co.za <janet@ecoroute.co.za>

Sent: Wednesday, 02 October 2024 11:57

To: 'Minnie, Rudi' <rminnie@mosselbay.gov.za>; claire@ecoroute.co.za

Cc: 'Admin' <admin@ecoroute.co.za>

Subject: RE: 12108787, FW: NOTIFICATION OF PUBLIC PARTICIPATION: PROPOSED MIXED USE/LIGHT INDUSTRIAL DEVELOPMENT ON RE/139 FARM ZANDHOOGTE,

MOSSEL BAY MUNICIPALITY, WESTERN CAPE

Hi Claire

For clarity I suggest you send a locality map

Should you require any information please do not hesitate to contact me.



Bsc.Hon Environmental Management EAPASA Registration Number: 2019/1286

082 5577122

From: Minnie, Rudi <rminnie@mosselbay.gov.za>

Sent: Wednesday, 02 October 2024 11:28

To: claire@ecoroute.co.za

Cc: 'Janet Ebersohn' < <u>janet@ecoroute.co.za</u>>; 'Admin' < <u>admin@ecoroute.co.za</u>>

Subject: RE: 12108787, FW: NOTIFICATION OF PUBLIC PARTICIPATION: PROPOSED MIXED USE/LIGHT INDUSTRIAL DEVELOPMENT ON RE/139 FARM ZANDHOOGTE,

MOSSEL BAY MUNICIPALITY, WESTERN CAPE

Good day Claire

My apologies about that, it was a copy and past from the previous email (see attach).

Any feedback on that farm numbers?

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay Email: minnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za

Tel: +27 44 606-5163











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Anti-Fraud Hotline: 0800 333 466

From: claire@ecoroute.co.za

Sent: Wednesday, October 2, 2024 8:28 AM **To:** Minnie, Rudi <rminnie@mosselbay.gov.za>

Cc: admin <admin@mosselbay.gov.za>; Tentu, Sibaphiwe <stentu@mosselbay.gov.za>; 'Janet Ebersohn' janet@ecoroute.co.za; 'Admin'

<admin@ecoroute.co.za>

Subject: FW: 12108787, FW: NOTIFICATION OF PUBLIC PARTICIPATION: PROPOSED MIXED USE/LIGHT INDUSTRIAL DEVELOPMENT ON RE/139 FARM ZANDHOOGTE, MOSSEL BAY MUNICIPALITY, WESTERN CAPE

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good day

The Farm name is Zandhoogte.

WC SG Farm Portion Info

Name: ZANDHOOGTE

Farm Nr: RE/139 Area (Ha): 18.44

SG Region: MOSSEL BAY

SG Code: C0510000000013900000

I will update the register.

Thank you

Kind regards

Claire

From: Minnie, Rudi <rminnie@mosselbay.gov.za>

Sent: Tuesday, 01 October 2024 13:23

To: admin@ecoroute.co.za; claire@ecoroute.co.za

Cc: Tentu, Sibaphiwe <<u>stentu@mosselbay.gov.za</u>>; Roux, Jaco <<u>jroux@mosselbay.gov.za</u>>

Subject: 12108787, FW: NOTIFICATION OF PUBLIC PARTICIPATION: PROPOSED MIXED USE/LIGHT INDUSTRIAL DEVELOPMENT ON RE/139 FARM ZANDHOOGTE,

MOSSEL BAY MUNICIPALITY, WESTERN CAPE

Good day

Email below and attachment have reference.

Please include the following emails on the IAP's mailing list:

- admin@mosselbay.gov.za
- rminnie@mosselbay.gov.za
- stentu@mosselbay.gov.za

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.

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay Email: rminnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za

Tel: +27 44 606-5163











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Anti-Fraud Hotline: 0800 333 466

From: admin@ecoroute.co.za>

Sent: Friday, September 27, 2024 11:26 AM

To: Venter, Carel < cventer@mosselbay.gov.za; Naidoo, Dick < dnaidoo@mosselbay.gov.za; Office of the Municipal Manager < mmoffice@mosselbay.gov.za; Carelse, Rushanah rcarelse@mosselbay.gov.za; w.stephan.botha@gmail.com; info@gardenroute.gov.za; nina@gardenroute.gov.za

Cc: claire@ecoroute.co.za; janet@ecoroute.co.za;

Subject: NOTIFICATION OF PUBLIC PARTICIPATION: PROPOSED MIXED USE/LIGHT INDUSTRIAL DEVELOPMENT ON RE/139 FARM ZANDHOOGTE, MOSSEL BAY MUNICIPALITY, WESTERN CAPE

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Dear Municipality,

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



Notification of Public Participation

Proposed mixed use / light industrial development on RE/ 139 Farm Zandhoogte, Mossel Bay Municipality, Western Cape

A mixed use / light industrial development is proposed on RE/ 139 Farm Zandhoogte, near Groot Brakrivier, Western Cape Province. The area is approximately 18.5 hectares and located north of the N2 in Tergniet. Approximate central coordinates: 34° 3'28.02"S; 22°11'22.60"E.

In 2020 approximately 2.5 ha of the property was cleared (south east corner). On 31/10/ 2022, the Western Cape Department of Environmental Affairs & Development Planning (DEADP) issued a Pre-Compliance Notice to Ideal Trading informing that the activities undertaken to develop a brickworks, are deemed to be unauthorised since vegetation was removed without prior Environmental Authorisation (EA). Clearing activities ceased; Ideal Trading was given the option to apply for retrospective authorisation (Section 24G process) or rehabilitate the area. Ideal Trading opted to rehabilitate the affected area. DEADP accepted the rehabilitation plan on 7 February 2023. No further development activities have since taken place (DEADP Reference: 14/1/1/E3/9/2/3/L1270/22).

The new landowner (Sapphire Ocean Investments (RF) (Pty) Ltd) acquired the land in 2023 and is proposing to develop a mixed use / light industrial development on the property. A Terrestrial biodiversity assessment was carried out in May 2024 on behalf of new landowner; the illegally cleared area has revegetated over the past 4 years.

In terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and the 2014 Environmental Impact Assessment (EIA) regulations (as amended, 2017), the proposed development requires an EA to be issued by the DEADP prior to the commencement of construction for the following NEMA EIA activities:

Activity 27 (GN No. R. 327; Listing Notice 1)

The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation...

Activity 28 (GN No. R. 327; Listing Notice 1)

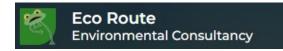
Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such

Kind regards,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



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Mossel Bay Municipality, 101 Marsh Street, Mossel Bay, 6506, South Africa

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Mossel Bay Municipality, 101 Marsh Street, Mossel Bay, 6506, South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

claire@ecoroute.co.za

From: admin@ecoroute.co.za

Sent: Monday, 09 September 2024 09:50

To: claire@ecoroute.co.za

Subject: FW: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Good morning Claire,

Please see below received from HWC.

Thanks so much,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394 www.ecoroute.co.za



From: Stephanie Barnardt < Stephanie. Barnardt@westerncape.gov.za>

Sent: Friday, 06 September 2024 14:23

To: admin@ecoroute.co.za

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Good day

Please can you provide me with HWC reference number for me to provide you with a comment.

If there was no NID trigger, please not that HWC cannot comment on matters that do not form part of our mandate.

Please include your HWC reference number in future correspondence to assist in responding to your query promptly.

Kindly note: Due to volume of queries I receive I may not be able to respond to you immediately, if you have not received a reply from within ten working days, please resend your query

Kind regards,

Application forms 2024:

Applications Link

Notice

Stephanie-Anne Barnardt-Delport Specialist Heritage Officer (Archaeologist)(Professional ASAPA Member: 745) Heritage Western CapeTel: (+27) 021 829 3315

Heritage Resource Management Services Protea Assurance Building Greenmarket Square, Cape Town

Website: www.hwc.org.za / www.westerncape.gov.za





From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: Friday, September 6, 2024 11:00 AM

To: Danie Swanepoel Danie Swanepoel Danie Swanepoel@westerncape.gov.za; Francois Naude Francois.Naude@westerncape.gov.za; Meryll Fredericks

<<u>Stephanie.Barnardt@westerncape.gov.za</u>>; Vanessa Stoffels <<u>Vanessa.Stoffels@westerncape.gov.za</u>>; <u>RobertsJ@dwa.gov.za</u>; 'Melanie Koen' <<u>Mkoen@dffe.gov.za</u>>

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' < janet@ecoroute.co.za>

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Dear State Department,

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



Notification of Public Participation Process

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Notice is hereby given that the landowner intends to apply to the Western Cape Department of

Kind regards,

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



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claire@ecoroute.co.za

From: Rudzani Makahane <rmakahane@bocma.co.za>

Sent: Tuesday, 29 October 2024 13:28

To: admin@ecoroute.co.za; claire@ecoroute.co.za

Cc: Rabokale Mphahlele; Andiswa Sam

Subject: Notice of Public Participation: Activities Carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Attachments: 4 10 3 K10D Outeniqua Game 420 and 373 Mosssel Bay.pdf

Hi Claire

Kindly find the attached comments on the Subject application.

Regards,

Rudzani Makahane (Mr)

Water Use Specialist: Breede-Olifants CMA Tel: 023 346 8000 | Cell: 079 2141 396

Address: 101 York Street, Room 302, George

Water for Peace - 2024 and beyond

claire@ecoroute.co.za

From: claire@ecoroute.co.za

Sent: Tuesday, 29 October 2024 16:09 **To:** 'Janet Ebersohn'; 'Patric Reeves-Moore'

Cc: 'Jurg Olsen'; 'Outeniqua Game Farm'; 'terramap@net4all.co.za'; 'james@confluent.co.za'; 'bianke@confluent.co.za'; 'Admin'

Subject: FW: Notice of Public Participation: Activities Carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Attachments: 4 10 3 K10D Outeniqua Game 420 and 373 Mossel Bay.pdf

Hi all,

Please see attached comments from DWS.

Kind Regards

Claire

From: Rudzani Makahane <rmakahane@bocma.co.za>

Sent: Tuesday, 29 October 2024 13:39

To: admin@ecoroute.co.za; claire@ecoroute.co.za

Cc: Rabokale Mphahlele <rmphahlele@bocma.co.za>; Andiswa Sam <asam@bocma.co.za>

Subject: RE: Notice of Public Participation: Activities Carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Correction: I have update the reference number to add "Mossel Bay" instead of "Mossel".

From: Rudzani Makahane

Sent: Tuesday, 29 October 2024 13:28

To: admin@ecoroute.co.za; claire@ecoroute.co.za

Cc: Rabokale Mphahlele <rmphahlele@bocma.co.za>; Andiswa Sam <asam@bocma.co.za>

Subject: Notice of Public Participation: Activities Carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Hi Claire

Kindly find the attached comments on the Subject application.

Regards,

Rudzani Makahane (Mr)
Water Use Specialist: Breede-Olifants CMA
Tel: 023 346 8000 | Cell: 079 2141 396
Address: 101 York Street, Room 302, George
Water for Peace – 2024 and beyond

Department of Environmental Affairs and Development Planning **Ziyaad Allie**Rectification

Ziyaad.Allie@westerncape.gov.za | Tel: 021 483 2991

Cell: (082)2189633

Email: ogfcc1@gmail.com

Western Cape Government

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

Notice of Referral to Criminal Investigations

The Director
Outeniqua Game Farm CC
P. O. Box 59
RUITERBOS

Attention: Kerryn G. Smith

6499

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

- 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.
- 2. Please be advised that more than 4 years have passed since the issuing of the abovementioned Information Requirements letter and to date no section 24G application has been submitted to the Department.
- 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.
- 4. In light of the fact that no section 24G application has been received, the matter will now be referred for criminal investigative action.

5. Please be reminded that it is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act 107 of 1998) ("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.

Zaidah Toefy Digitally signed by Zaidah Toefy Date: 2025.02.13 12:26:04 +02'00' Mrs Z Toefv

Head of Rectification

Directorate: Environmental Governance

cc: (1) Andrew West (EAP)

(2) Jan Vlok (Botanist)

(3) Diana Mouton (DEA&DP: Environmental Law Enforcement)

(4) Janet Ebersohn (EAP)

Email: andrewwest@isat.co.za

Email: janvlok@mweb.co.za

Email: Diana.mouton@westerncape.gov.za

Email: janet@ecoroute.co.za





REFERENCE: 14/1/1/E3/9/10/3/L1019/19

ENQUIRIES: D Mouton

BY EMAIL

Mr Clint Smith E-mail: ogfcc2@gmail.com

PO Box 59

Ruiterbos

6499

COMPLIANCE NOTICE

Dear Sir

COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL **ENVIRONMENTAL MANAGEMENT ACT, 1998**

- 1. The Department's Pre-Compliance Notice dated 18 March 2019 and the \$24G application Project Schedule (PS) dated 6 March 2020 received from your appointed Environmental Assessment Practitioner (EAP), Andrew West Environmental Consultancy, has reference.
- 2. Having considered your representations and the evidence before me, I, Achmad Bassier, in my capacity as an Environmental Management Inspector

Grade 1, hereby issues Mr Clint Smith, with a Compliance Notice in terms of

section 31L of the National Environmental Management Act, 1998 ("NEMA").

3. This Compliance Notice relates to non-compliance with the provisions of section

24F of the NEMA. No activity listed in the Environmental Impact Assessment

("EIA") Regulations Listing Notice 1 and 3 of 2014 may commence without

environmental authorisation from the competent authority.

Details of conduct constituting non-compliance

4. During an investigation into allegations of the commencement of listed activities

in contravention of section 24F of the NEMA a site inspection was conducted at

Farm Outeniqua Game No 420 and Farm No 373, Mossel Bay ("the properties")

by Environmental Management Inspectors ("EMI's") from the Department's

Directorate: Environmental Law Enforcement ("this Directorate") together with

officials from Mossel Bay Municipality and accompanied by yourself on 13

February 2019 it was confirmed that you have commenced with clearing of an

indigenous vegetation of more than 1 ha, clearing of endangered ecosystem

vegetation (Garden Route Granite Fynbos) of more than 300m², the

development of a road wider than 4 metres and possible infilling / moving of

material within a watercourse on the above properties without the requisite

environmental authorisation.

Directorate: Environmental Law Enforcement 3rd floor, Rentzburghof Building, Courtney Street, George, 6530 Private Bag X6509, George, 6530

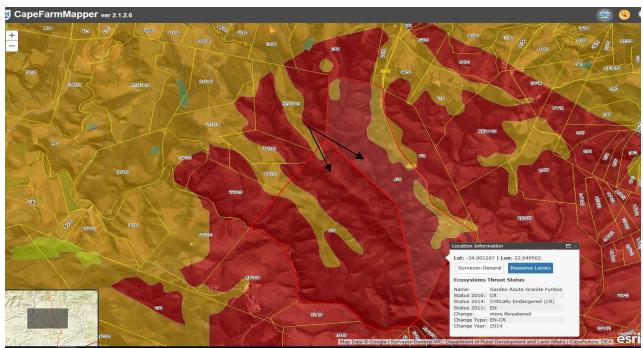
tel: +27 044 8058625 fax: +27 044 8746431



Aerial map 1: Location of some of the areas that have allegedly unlawfully been cleared on Farm No. 420 (Outeniqua Game Farm), Mossel Bay.

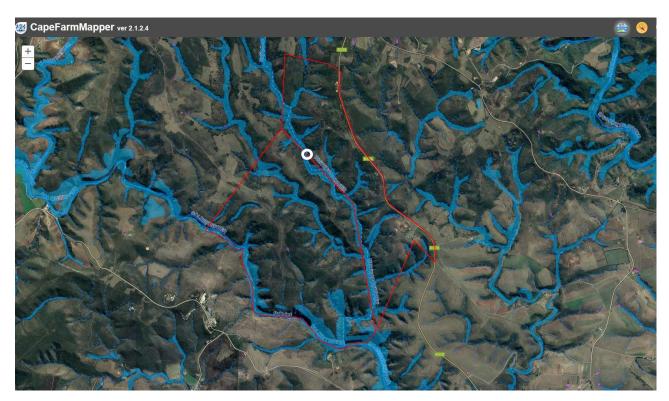


Aerial map 2: Location and indication of alleged illegal vegetation clearing, illegal construction of a road and illegal infilling within a watercourse on Farm No 420 and 373, Mossel Bay.



Aerial map 3: Indication of the Ecosystem Threat Status classification of Critical Endangered Garden Route Granite Fynbos evident on the properties.

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Aerial map 4: Indication of the Ruiterbos River traversing through the properties and as indicated in white the area of concern regarding road construction and infilling within the watercourse that occurred.

5. On considering the evidence before me there are reasonable grounds to believe that you have commenced the following activities without environmental authorisation:

EIA Regulations Listing Notice 1 of 2014: Activity no. 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:

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

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- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.

Activity no. 27:

The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation,

except where such clearance of indigenous vegetation is required for—

- (i) the undertaking of a linear activity; or
- (ii) maintenance purposes undertaken in accordance with a maintenance management plan.

Activity no. 28:

Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:

- will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or
- (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;

excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.

Directorate: Environmental Law Enforcement 3rd floor, Rentzburghof Building, Courtney Street, George, 6530 Private Bag X6509, George, 6530 tel: +27 044 8058625 fax: +27 044 8746431

EIA Regulations Listing Notice 3 of 2014:

Activity no. 2:

The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.

- i. Western Cape
- A protected area identified in terms of NEMPAA, excluding ii. conservancies;
- iii. In areas containing indigenous vegetation; or
- Inside urban areas: iv.
 - (aa) Areas zoned for use as public open space; or
 - (bb) Areas designated for conservation use in Spatial Development

Frameworks adopted by the competent authority or zoned for a conservation purpose.

Activity no. 4:

The development of a road wider than 4 metres with a reserve less than 13,5 metres.

- i. Western Cape
- ii. Areas zoned for use as public open space or equivalent zoning;
- Areas outside urban areas: iii.
 - (aa) Areas containing indigenous vegetation;
 - Areas on the estuary side of the development setback line or in an (bb) estuarine functional zone where no such setback line has been determined: or
- iv. Inside urban areas:
 - (aa) Areas zoned for conservation use; or
 - Areas designated for conservation use in Spatial Development (bb) Frameworks adopted by the competent authority.

Activity no. 12:

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;

Within the littoral active zone or 100 metres inland from high iv.

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:

On land, where, at the time of the coming into effect of this V.

Notice or thereafter such land was zoned open space,

conservation or had an equivalent zoning; or

On land designated for protection or conservation purposes in vi.

an Environmental Management Framework adopted in the

prescribed manner, or a Spatial Development Framework

adopted by the MEC or Minister.

Directorate: Environmental Law Enforcement 3rd floor, Rentzburghof Building, Courtney Street, George, 6530 Private Bag X6509, George, 6530

tel: +27 044 8058625 fax: +27 044 8746431

Diana.Mouton@westerncape.gov.za

www.westerncape.gov.za/deadp



Photo 1: View of alleged unlawful development of a dwelling within 32 metres from a watercourse and construction of an access road through the watercourse below on Farm 373 and Farm 420, Mossel Bay.



Photo 2: Another view of the construction of a road and associated infilling within a watercourse on Farm 373 and Farm 420, Mossel Bay.

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Photo 3: View of alleged unlawful vegetation clearing expansion occurred on Farm 420, Mossel Bay.



Photo 4: View of alleged unlawful vegetation clearing that occurred on another portion of Farm 420, Mossel Bay.



Photo 5: View of alleged unlawful vegetation clearing and the development of a reservoir that occur on Farm 420, Mossel Bay.

- 6. In light of fact that you have decided to apply for the regularisation of the unlawful commencement of a listed activity in terms of section 24G of the NEMA and have submitted a section 24G PS, you are hereby instructed to:
 - 6.1 Immediately cease the above listed activities;
 - 6.2 Adhere to the section 24G PS and specified timeframes dated 6 March 2020 (attached hereto); and
 - 6.3 Inform the Department of any delays/changes in respect of the section 24G PS on the following details; Ms Zaidah Toefy (Head of Sub-Directorate: Rectification) email: zaidah.toefy@westerncape.gov.za **and** Mrs Diana Mouton (Directorate: Environmental Law Enforcement) email: diana.mouton@westerncape.gov.za.

Directorate: Environmental Law Enforcement 3rd floor, Rentzburghof Building, Courtney Street, George, 6530 Private Bag X6509, George, 6530 tel: +27 044 8058625 fax: +27 044 8746431

7. Approval of the section 24G application PS by the Department does not

remedy the unlawful commencement of the above activities which remain

unlawful in terms of section 49A(1) (a) and/or (d) of the NEMA, until such time

that environmental authorisation is granted.

8. Notwithstanding the section 24G application, the Department may

commence criminal proceedings should circumstances so require.

Varying this Compliance Notice

9. If you would like me to vary this Compliance Notice or extend the period to

which it relates, you may make representations to me, in writing, to do so.

Failure to comply with this Compliance Notice (section 31N of the NEMA) and

related offences in terms of the NEMA

10. In terms of section 49A(1)(a) of the NEMA it is an offence to commence a

listed activity without environmental authorisation. A person convicted of

such an offence is liable to a fine not exceeding R10 million or to imprisonment

for a period not exceeding 10 years, or to both such fine and such

imprisonment.

11. Furthermore, failure to comply with a Compliance Notice is an offence in

terms of section 49A(1)(k). A person convicted of such an offence is liable to

a fine not exceeding R5 million or to imprisonment for a period not exceeding

5 years, and in the case of a second or subsequent conviction to a fine not

exceeding R10 million or to imprisonment for a period not exceeding 10 years,

and in both instances to both such fine and such imprisonment.

Directorate: Environmental Law Enforcement

www.westerncape.gov.za/deadp

12. Any non-compliance with the Compliance Notice must be reported to the

Minister, who may:

12.1. revoke any permit or authorisation to which this Compliance Notice

relates: and/or

12.2. take any steps necessary to ensure compliance with the provisions of

the law, permit or authorisation to which this Compliance Notice

relates and recover from you the cost of doing so.

Procedure for lodging an objection to this Compliance Notice (section 31L and 31M

of the NEMA)

13. If you wish to lodge an objection to this Compliance Notice, you may do so by

making representations, in writing, to the Provincial Minister of Environmental

Affairs and Development Planning ("the Minister") within 30 days of receipt of

this Compliance Notice.

14. You may also make representations, in writing, to the Minister to suspend the

operation of this Compliance Notice pending finalisation of the objection.

15. The objection must be in writing and forwarded to the Appeal Administrator, Mr

Marius Venter at the contact details below and must be accompanied by a

statement detailing the grounds of the objection and supporting

documentation, if any.

Western Cape Ministry of Local Government, Environmental By post:

Affairs and Development Planning

Private Bag X9186

CAPE TOWN

8000

Directorate: Environmental Law Enforcement 3rd floor, Rentzburghof Building, Courtney Street, George, 6530 Private Bag X6509, George, 6530

Diana.Mouton@westerncape.gov.za

By facsimile: (021) 483 4174

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)

Room 809

8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

By email: DEADP.Appeals@westerncape.gov.za

16. Irrespective of any representations you may make to me or to the Minister, you must comply with this Compliance Notice within the time period stated in the Compliance Notice, unless the Minister agrees to suspend the operation of this Compliance Notice.

Achmad Bassier

Director: Environmental Law Enforcement

Grade 1 Environmental Management Inspector

Date: 27/05/2020

Cc:

Mr Danie Swanepoel (DEA&DP) Email: <u>Danie.Swanepoel@westerncape.gov.za</u>

Ms Zaidah Toefy (DEA&DP) Email: Zaidah.Toefy@westerncape.gov.za

Email: andrewwest@isat.co.za Mr Andrew West (EAP) Mrs Kerryn Smith Email: ogfcc1@gmail.com

claire@ecoroute.co.za

From: claire@ecoroute.co.za

Sent: Friday, 14 February 2025 10:26 **To:** 'Zaidah.Toefy@westerncape.gov.za'

Cc: 'ogfcc1@gmail.com'; 'Nicholas Kearns'; 'Nabeelah Khan'; 'andrewwest@isat.co.za'; 'janvlok@mweb.co.za'; 'Janet Ebersohn'; 'Diana Mouton'

Subject: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf; 13-02-2025 to Applicant_Outeniqua Game Farm_Closure_and_Notice of

Referral_Erf 373 & 420_Mossel Bay.pdf

Importance: High

Good day Ms Toefy

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.

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.

The following studies have been identified as necessary and carried out as part of the assessment process:

- Terrestrial biodiversity and flora assessment for infrastructure and dam (October 2024)
- 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)

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.

A water use license process has also been initiated and a site visit carried out with BOCMA (November 2024)

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.

We trust this is in order.

Please let me know if you require additional information at this stage.

Kind regards Claire de Jongh

Claire De Jongh

Eco Route Environmental Consultancy 0846074743

EAPASA registration: 2021/3519

From: Minnie, Rudi <rminnie@mosselbay.gov.za>

Sent: Thursday, 26 September 2024 11:53

To: admin@ecoroute.co.za; claire@ecoroute.co.za; janet@ecoroute.co.za

Cc: Jc Kotze < jck.kotze@gmail.com >; Zaidah Toefy < Zaidah.Toefy@westerncape.gov.za >; nabeelah.khan@westerncape.gov.za

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Good day

Email below and attachment have reference.

Please include the following emails on the IAP's mailing list:

- admin@mosselbay.gov.za
- rminnie@mosselbay.gov.za
- stentu@mosselbay.gov.za

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.

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay Email: rminnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za

Tel: +27 44 606-5163











MOSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Anti-Fraud Hotline: 0800 333 466

From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: Friday, September 6, 2024 11:02 AM

To: Venter, Carel < cventer@mosselbay.gov.za; Naidoo, Dick < dnaidoo@mosselbay.gov.za; Office of the Municipal Manager < mmoffice@mosselbay.gov.za; Carelse,

Rushanah <rcarelse@mosselbay.gov.za>; w.stephan.botha@gmail.com; info@gardenroute.gov.za; nina@gardenroute.gov.za

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' <janet@ecoroute.co.za>

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

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Dear Municipality,

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 (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

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



Mossel Bay Municipality email disclaimer:

http://www.mosselbay.gov.za/mbm_disclaimer.pdf

Mossel Bay Municipality, 101 Marsh Street, Mossel Bay, 6506, South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

From: claire@ecoroute.co.za

Sent: Friday, 14 February 2025 11:52 **To:** 'Diana Mouton'; 'Zaidah Toefy'

'ogfcc1@gmail.com'; 'Nicholas Kearns'; 'Nabeelah Khan'; 'andrewwest@isat.co.za'; 'janvlok@mweb.co.za'; 'Janet Ebersohn'

Subject: RE: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Attachments: OGF_Revised project schedule.pdf

Importance: High

Good day

Please find attached as requested.

Kind Regards Claire

Claire De Jongh

Eco Route Environmental Consultancy 0846074743

EAPASA registration: 2021/3519

From: Diana Mouton < Diana. Mouton@westerncape.gov.za>

Sent: Friday, 14 February 2025 10:39

To: claire@ecoroute.co.za; Zaidah Toefy <Zaidah.Toefy@westerncape.gov.za>

Cc: ogfcc1@gmail.com; Nicholas Kearns < Nicholas.Kearns@westerncape.gov.za >; Nabeelah Khan < Nabeelah.Khan@westerncape.gov.za >; andrewwest@isat.co.za;

janvlok@mweb.co.za; 'Janet Ebersohn' <janet@ecoroute.co.za>

Subject: RE: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Good day, Claire

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).

Kind Regards

Diana Mouton

Directorate: Environmental Law Enforcement

Tel: 044 814 2009

E-mail: <u>diana.mouton@westerncape.gov.za</u>
Website: www.westerncape.gov.za/eadp



Be 110% Green, Read from the screen.

Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 07:30-16:00

From: claire@ecoroute.co.za <claire@ecoroute.co.za>

Sent: Friday, 14 February 2025 10:26

To: Zaidah Toefy < Zaidah. Toefy@westerncape.gov.za >

Cc: ogfcc1@gmail.com; Nicholas Kearns < Nicholas Kearns@westerncape.gov.za >; Nabeelah Khan < Nabeelah.Khan@westerncape.gov.za >; andrewwest@isat.co.za;

<u>janvlok@mweb.co.za</u>; 'Janet Ebersohn' <<u>janet@ecoroute.co.za</u>>; Diana Mouton <<u>Diana.Mouton@westerncape.gov.za</u>>

Subject: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Importance: High

Some people who received this message don't often get email from claire@ecoroute.co.za. Learn why this is important

Good day Ms Toefy

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Please see attached notification letter which includes potential listed activities for assessment.

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- 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)
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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.

We trust this is in order.

Please let me know if you require additional information at this stage.

Kind regards Claire de Jongh

Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: 2021/3519

From: Minnie, Rudi <rminnie@mosselbay.gov.za>

Sent: Thursday, 26 September 2024 11:53

To: admin@ecoroute.co.za; claire@ecoroute.co.za; janet@ecoroute.co.za

Cc: Jc Kotze <jck.kotze@gmail.com>; Zaidah Toefy <Zaidah.Toefy@westerncape.gov.za>; nabeelah.khan@westerncape.gov.za

Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Good day

Email below and attachment have reference.

Please include the following emails on the IAP's mailing list:

- admin@mosselbay.gov.za
- rminnie@mosselbay.gov.za
- stentu@mosselbay.gov.za

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.

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay Email: rminnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za

Tel: +27 44 606-5163











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Anti-Fraud Hotline: 0800 333 466

From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: Friday, September 6, 2024 11:02 AM

To: Venter, Carel < cventer@mosselbay.gov.za; Naidoo, Dick < dnaidoo@mosselbay.gov.za; Office of the Municipal Manager < mmoffice@mosselbay.gov.za; Carelse, Rushanah rcarelse@mosselbay.gov.za; w.stephan.botha@gmail.com; info@gardenroute.gov.za; nina@gardenroute.gov.za

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' <janet@ecoroute.co.za>

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

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Dear Municipality,



Notification of Public Participation Process

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

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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)

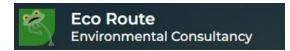
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Water uses included in Section 21 of the National water Act (Act 36 of 1998) (NWA) have been carried out. Two general authorisations have been issued for water uses (abstraction, storage). Additional water uses have been carried out on the site.

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



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Mossel Bay Municipality, 101 Marsh Street, Mossel Bay, 6506, South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

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DR. COLLEEN EBERSOHN

PhD Univ. Pretoria

Cell:072 222 6013

email:ebersohn@cyberperk.co.za

MS. JANET EBERSOHN

BSc. Hons. Environmental Managemei

Cell: 082 557 7122

e-mail: janet@ecoroute.co.za

Application in terms of Section 24G of the National Environmental Management Act, 1998 (Act 107 of 1998) for Activities carried out on Farm Portions 420 and 373, Outeniqua Game Farm

Project Schedule, Revised February 2025 14 February 2025

Activities carried out on Farm Portions 420 and 373, Outeniqua Game Farm between 2015 – 2024 require environmental authorisation for activities included in the Listing Notices (LN) 1, 2 and 3 of the 2014 (as amended 2017) Environmental Impact Assessment (EIA) Regulations published in terms of National Environmental Management Act (Act 107 of 1998) (NEMA). 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, development within 32 meters of watercourses. An application will be submitted to the Western Cape Department of Environmental Affairs and Development Planning (Environmental Law Enforcement Section) for the regularization of unlawful commencement or continuation of listed activities in terms of section 24G of the NEMA.

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. A Water use license application has been initiated with BOCMA.

A revised project schedule for the required NEMA Section 24G process is provided in Table 1 below.

Table 1: Revised project schedule, February 2025

| Table 1. Nevised project scriedure, residary 2025 | |
|---|--|
| 1. S24G assessment and application process | Date |
| Pre-Application Phase | May 2024 – May 2025 |
| Project background information (Department notices, previous application processes) | May 2024 – October 2024 |
| Project description, legislation, alternatives and confirmation of listed activities | May 2024 – March 2025 |
| Specialist investigations and planning reports | May 2024 – March 2025 (complete March 2025) |
| Vegetation Assessment (2019_ part of previous S24G process) | (2019) |
| Terrestrial biodiversity and flora assessment for infrastructure and dam | (October 2024) |
| Aquatic assessment for infrastructure and dams | (August 2024) |
| Soil Assessment for agricultural activities | (November 2024) |
| Terrestrial biodiversity and flora assessment for agricultural activities | (January 2025) |
| Hydrology study | (March 2025) |
| Draft S24G application and assessment | August 2024 – March / April 2025 (complete March /April 2025) |
| Incorporate specialist studies into assessment | August 2024 – current (complete March 2025) |
| Assessment before and after mitigation measures | August 2024 – current (complete March 2025) |
| Public Participation | May 2024 - May 2025 |
| Identify interested and affected parties | May 2024 – May 2025 |
| 30-day registration of interested and affected parties (IAPs); Placement of site notice and advert; Distribute notice and background information document to identified landowners, adjacent landowners, organs of state, NGOs. | 6 September 2024 – 7 October 2024 |
| - Respond to initial comments | September 2024 - current |
| - 30-day comment and review on draft S24G and assessment | April 2025 / May 2025 |
| Application phase | June / July 2025 |
| Update draft assessment and application and submit final S24G for consideration | June / July 2025 |

From: claire@ecoroute.co.za

Sent: Monday, 17 March 2025 11:11

To: 'siphesihle.khumalo@westerncape.gov.za'

Cc: 'Outeniqua Game Farm'; 'Zaidah Toefy'; 'Janet Ebersohn'

Subject: FW: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Attachments: OGF_Revised project schedule.pdf

Importance: High

Good day Siphesihle

As discussed, please find attached the project schedule for activities on Outeniqua Game Farm (Erf 373 and 420).

The 30-day comment and review on draft S24G and assessment is scheduled for April 2025 / May 2025.

Thank you

Kind Regards Claire

Claire De Jongh

Eco Route Environmental Consultancy 0846074743

0040074743

EAPASA registration: 2021/3519

From: claire@ecoroute.co.za <claire@ecoroute.co.za>

Sent: Friday, 14 February 2025 11:52

To: 'Diana Mouton' < Diana. Mouton@westerncape.gov.za>; 'Zaidah Toefy' < Zaidah. Toefy@westerncape.gov.za>

Cc: 'ogfcc1@gmail.com' <ogfcc1@gmail.com>; 'Nicholas Kearns' <Nicholas.Kearns@westerncape.gov.za>; 'Nabeelah Khan' <Nabeelah.Khan@westerncape.gov.za>; 'andrewwest@isat.co.za' <andrewwest@isat.co.za' <andrewwest@isat.co.za>; 'janvlok@mweb.co.za' <janvlok@mweb.co.za>; 'Janet Ebersohn' <janet@ecoroute.co.za>

Subject: RE: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Importance: High

Good day

Please find attached as requested.

Kind Regards Claire

Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: 2021/3519

From: Diana Mouton < Diana. Mouton@westerncape.gov.za>

Sent: Friday, 14 February 2025 10:39

To: claire@ecoroute.co.za; Zaidah.Toefy@westerncape.gov.za>

Cc: ogfcc1@gmail.com; Nicholas Kearns < Nicholas.Kearns@westerncape.gov.za >; Nabeelah Khan < Nabeelah.Khan@westerncape.gov.za >; andrewwest@isat.co.za; janvlok@mweb.co.za; 'Janet Ebersohn' < janet@ecoroute.co.za >

Carbinata DE 14/2/4/1/DC/20/0004/20 EDE 272 AND 420 OUTENIOUS CAME E

Subject: RE: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Good day, Claire

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).

Kind Regards

Diana Mouton

Directorate: Environmental Law Enforcement

Tel: 044 814 2009

E-mail: <u>diana.mouton@westerncape.gov.za</u>
Website: <u>www.westerncape.gov.za/eadp</u>



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Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 07:30-16:00

From: claire@ecoroute.co.za

Sent: Friday, 14 February 2025 10:26

To: Zaidah Toefy <<u>Zaidah.Toefy@westerncape.gov.za</u>>

Cc: ogfcc1@gmail.com; Nicholas Kearns < Nicholas.Kearns@westerncape.gov.za >; Nabeelah Khan < Nabeelah.Khan@westerncape.gov.za >; andrewwest@isat.co.za; janvlok@mweb.co.za; 'Janet Ebersohn' < janet@ecoroute.co.za >; Diana Mouton < Diana.Mouton@westerncape.gov.za >

Subject: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Importance: High

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Good day Ms Toefy

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.

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.

The following studies have been identified as necessary and carried out as part of the assessment process:

- Terrestrial biodiversity and flora assessment for infrastructure and dam (October 2024)

- Aquatic assessment for infrastructure and dams (August 2024)
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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.

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Claire De Jongh

Eco Route Environmental Consultancy 0846074743

EAPASA registration: 2021/3519

From: Minnie, Rudi < rminnie@mosselbay.gov.za>

Sent: Thursday, 26 September 2024 11:53

To: admin@ecoroute.co.za; claire@ecoroute.co.za; janet@ecoroute.co.za

Cc: Jc Kotze <jck.kotze@gmail.com>; Zaidah Toefy <Zaidah.Toefy@westerncape.gov.za>; nabeelah.khan@westerncape.gov.za
Subject: RE: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Good day

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- rminnie@mosselbay.gov.za
- stentu@mosselbay.gov.za

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.

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay Email: rminnie@mosselbay.gov.za Web: https://www.mosselbay.gov.za

Tel: +27 44 606-5163











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Anti-Fraud Hotline: 0800 333 466

From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: Friday, September 6, 2024 11:02 AM

To: Venter, Carel < cventer@mosselbay.gov.za; Office of the Municipal Manager < mmoffice@mosselbay.gov.za; Carelse, Rushanah cventer@mosselbay.gov.za; w.stephan.botha@gmail.com; info@gardenroute.gov.za; nina@gardenroute.gov.za

Cc: claire@ecoroute.co.za; 'Janet Ebersohn' < janet@ecoroute.co.za;

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

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Dear Municipality,



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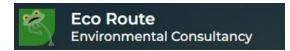
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Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



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Mossel Bay Municipality, 101 Marsh Street, Mossel Bay, 6506, South Africa

Tel: +27 44 606 5000

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janet@ecoroute.co.za From:

Friday, 14 February 2025 09:06 Sent:

claire@ecoroute.co.za To:

Subject: FW: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Attachments: 13-02-2025 to Applicant_Outeniqua Game Farm_Closure_and_Notice of Referral_Erf 373 & 420_Mossel Bay.pdf

Should you require any information please do not hesitate to contact me.



Janet Ebersohn

Bsc.Hon Environmental Management EAPASA Registration Number: 2019/1286

082 5577122

From: Ziyaad Allie <Ziyaad.Allie@westerncape.gov.za>

Sent: Friday, 14 February 2025 09:03

To: ogfcc1@gmail.com

Cc: Nicholas Kearns < Nicholas. Kearns@westerncape.gov.za>; Nabeelah Khan < Nabeelah. Khan@westerncape.gov.za>; 'andrewwest@isat.co.za' < andrewwest@isat.co.za' >;

janvlok@mweb.co.za; janet@ecoroute.co.za; Diana Mouton < Diana.Mouton@westerncape.gov.za>

Subject: 14/2/4/1/D6/28/0004/20- ERF 373 AND 420, OUTENIQUA GAME FARM, MOSSEL BAY

Good day

Kindly find the attached correspondence for your attention.

Kind regards

Ziyaad Allie (Specialised Environmental Officer - Rectification) EMI Grade 2

BSc (Hons & MSc) Environmental Management

EAPASA Registration: 2021/4091

Directorate: Environmental Governance

Department of Environmental Affairs and Development Planning

Tel: 021 483 2991 Cell: 0724247969

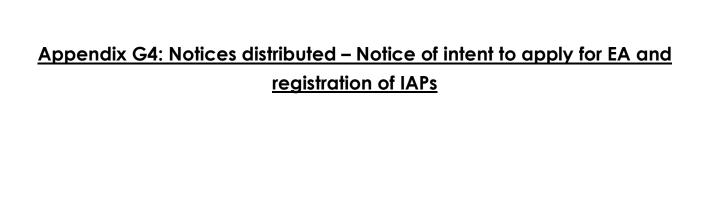
Email: <u>Ziyaad.Allie@westerncape.gov.za</u>
Website: <u>www.westerncape.gov.za/eadp</u>



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From: admin@ecoroute.co.za

Sent: Friday, 06 September 2024 11:05

To: pa1@vdmattorney.co.za

Cc: claire@ecoroute.co.za; 'Janet Ebersohn'

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf

Dear I&AP,



Notification of Public Participation Process

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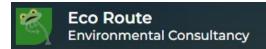
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Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



From: admin@ecoroute.co.za

Sent: To:

Cc:

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf

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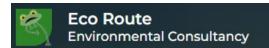
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Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



From: admin@ecoroute.co.za

Sent: Friday, 06 September 2024 11:04

To: rocky.grompie@gmail.com

Cc: claire@ecoroute.co.za; 'Janet Ebersohn'

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf

Dear I&AP,



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Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



From: admin@ecoroute.co.za

Sent: Friday, 06 September 2024 11:02

To: cventer@mosselbay.gov.za; dnaidoo@mosselbay.gov.za; mmoffice@mosselbay.gov.za; 'Carelse, Rushanah'; w.stephan.botha@gmail.com;

info@gardenroute.gov.za; nina@gardenroute.gov.za

Cc: claire@ecoroute.co.za; 'Janet Ebersohn'

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf

Dear Municipality,



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 (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.

Carina Leslie

Personal Assistant/Admin Office: 064 691 4394

www.ecoroute.co.za



From: admin@ecoroute.co.za

Sent: Friday, 06 September 2024 11:01

To: asam@bocma.co.za; rmphahlele@bocma.co.za; pntanzi@bocma.co.za; 'Megan Simons'; kspencer@capenature.co.za;

managerfpa@gmail.com; Vanessa.Weyer@sanparks.org

Cc: claire@ecoroute.co.za; 'Janet Ebersohn'

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

Attachments: Notification letter_Bay Outeniqua Game Farm_update 1.pdf

Dear State Department,



Notification of Public Participation Process

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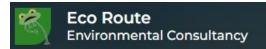
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Carina Leslie

Personal Assistant/Admin

Office: 064 691 4394 www.ecoroute.co.za



From: admin@ecoroute.co.za

Sent: Friday, 06 September 2024 11:00

To: Danie.Swanepoel@westerncape.gov.za; Francois.Naude@westerncape.gov.za; Meryll.Fredericks@westerncape.gov.za;

Nathan.Jacobs@westerncape.gov.za; Noluvo.Toto@westerncape.gov.za; Stephanie.barnardt@westerncape.gov.za; 'Vanessa Stoffels';

RobertsJ@dwa.gov.za; 'Melanie Koen'

Cc: claire@ecoroute.co.za; 'Janet Ebersohn'

Subject: NOTICE OF PUBLIC PARTICIPATION: ACTIVITIES CARRIED OUT ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM

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