

## Comments and Response Report

### PROPOSED CULTIVATION OF LAND FOR THE PRODUCTION OF MACADAMIA NUTS AND AVOCADO TREES ON ERF 385, HOEKWIL

COMMENTS	RESPONSE
<b>COMMENTS RECEIVED IN RESPONSE TO REVISED DRAFT BASIC ASSESSMENT REPORT DATED SEPTEMBER 2025</b>	
<b>STATE DEPARTMENTS</b>	
<b>Department of Environmental Affairs and Development Planning – Steve Kleinhans – 27 October 2025</b>	
<p>1. The Revised Draft Basic Assessment Report ('RBAR') dated September 2025 submitted on your behalf by your appointed registered Environmental Assessment Practitioner ('EAP'), Ms. Samantha Teeluckdhari (EAPASA No: 2023/6443), and assisted by Candidate EAP, Ms. Lizelle Genade (EAPASA No: 2023/7793) of Eco Route Environmental Consulting, ('Eco Route') as received by the Department on 26 September 2025, refers.</p>	
<p>2. This Directorate: Development Management (Region 3) ('this Directorate') has reviewed the Revised Draft Basic Assessment Report ('RBAR') and provides the following comment:</p>	
<p><i>2.1 BAR Requirements</i></p> <p>The BAR must comply with the requirements of the Environmental Impact Assessment Regulations, 2014 ('EIA Regulations, 2014') (Government Notice No. R. 982 of 4 December 2014, as amended) and contain all the information outlined in Appendix 1 of the EIA Regulations, 2014, along with the information requested in this letter and any previous correspondence in respect of this matter.</p>	<p>The BAR complies.</p>

## 2.2 Validation and Verification application process

This Directorate notes the response from the EAP regarding the Validation and Verification ('V&V') application process. According to the National Register of Water Use Registration Record 29018660, issued by the Department of Water and Sanitation on 5 July 2025, the Existing Lawful Use ('ELU') in terms of Section 21(a) of the National Water Act, Act 36 of 1998 ('NWA') for the property is 133 770m<sup>3</sup> per year. Furthermore, a review of the document suggests that only one dam (Dam name: 385-D1), with a storage capacity of 51 330m<sup>3</sup>, has been registered on the property.

Aerial imagery of the property suggests that there are two dams on the property. However, the dam located at approximate coordinates 33°57'11.11"S; 22°35'09.69"E has not been listed on the water use register 29018660. This Directorate notes the historic aerial imagery provided in the RBAR; however, it appears that the dam may have been enlarged during year-2022 and according to the information provided in Appendix L has a storage capacity of 4 100m<sup>3</sup>.

In light of the above, you are required to consult the Breede-Olifants Catchment Management Agency regarding the lawfulness of the dam located at approximate coordinates 33°57'11.11"S; 22°35'09.69"E and include comment from the BOCMA regarding this aspect in the BAR.

The Water Use Registration Record has an error, where the two dams storage capacity were combined (compare the amounts provided in the V&V and the register to prove this). The applicant will request for this error to be corrected by BOCMA.

In addition, please see Appendix 1 of this C&R for a method statement provided by the farm manager, of previous works undertaken on the dam and Appendix 2 containing a signed affidavit from the farm manager confirming that no listed activities in terms of NEMA EIA Regulations 2014, as amended were triggered by the maintenance and repair works to and around the dam in question.

It must also be demonstrated how this dam is utilised, especially as it relates to the irrigation of the existing and the proposed cultivated area on Erf 385, Hoekwil. The BAR must also clearly demonstrate how a water balance will/can be achieved between water abstraction (i.e., combined surface and groundwater abstraction), water storage and the utilisation of the water (i.e., by means of irrigation) specifically with the addition of cultivated lands.

Failure to include the information may prejudice the success of the application for environmental authorisation.

Utilisation of the above-mentioned dam, as provided by the farm manager:

**RE: Fwd: 16/3/3/1/D2/30/0006/25: COMMENT ON THE REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CULTIVATION OF LAND FOR THE PRODUCTION OF MACADAMIA NUTS AND AVOCADO TREES ON ERF 385, HOEKWIL**



**From** Basil Jacobs <basil@wildernessfruit.co.za>  
**To** 'Samantha Teeluckdhari' <samantha@ecoroute.co.za>  
**Copy** 'Christoph Grey' <cgrey@randagri.co.za>, 'Janet' <janet@ecoroute.co.za>, 'Jessica' <jessica@ecoroute.co.za>  
**Date** Tue 20:23

[Summary](#) [Headers](#) [Plain text](#)

Hi Samantha,

The dam is and will be used as addition storage. It can be filled from the existing water source that feeds our main irrigation dam. If the water is needed, it is pumped back to the main irrigation dam to be used throughout the farm, as the main dam on the farm is our irrigation extraction point.

Please let me know if there is anything else.

Kind regards



**Basil Jacobs**

+27 (0) 82 825 2086 [basil@wildernessfruit.co.za](mailto:basil@wildernessfruit.co.za)

<https://wildernessfruit.co.za>

Water balance: one would need to do an inventory of all the crops produced on the farm, estimate their water usage and confirm the balance between water abstraction, water storage and the utilisation of the water. This type of water use assessment did not form part of the scope of this EIA. However, information contained in the CARA permit (not obtained yet) and the work done on the water use licence and the info therein would provide the water use vs storage in order to provide input on how the water balance is obtained.

2.3 Management and eradication of invasive alien species

The applicant has begun with implementation of the approved AIP management plan.

<p>With reference to Point 2.5 of this Directorate's letter dated 25 July 2025 it is noted that a new Invasive Species Monitoring, Control and Eradication Plan for the property has been submitted and to and subsequently approved by the National Department of Forestry, Fisheries and the Environment Branch: Regulatory Compliance and Monitoring ('DFFE') on 4 August 2025 (Ref: 14/7/8/2/4/94). It must be ensured that plan is strictly implemented and adhered to. Furthermore, it must be ensured that the reporting requirements as per Point 4 of the DFFE letter (Ref: 14/7/8/2/4/94) are strictly adhered to.</p>	
<p>2.3 <i>Access road to the proposed new orchard</i></p> <p>This Directorate notes the location of proposed access road as provided in the Keyhole Markup Language file (.kml) submitted as part of the electronic Site Development Plan. In this regard, you are required to fill out and complete the relevant section of the BAR including the coordinates (i.e. start, middle and end) of the proposed access road.</p>	<p>This has been complied with.</p>
<p>3. Please be reminded that in accordance with Regulation 19(1)(b) of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within <b>140 days</b> from the date of receipt of the application by the Department. With reference to this Directorate's letter of 18 February 2025, the 140-day period is reckoned to be until <b>31 October 2025</b>. If the BAR is not submitted within 140 days (<b>i.e. by 31 October 2025</b>), the application will lapse in terms of Regulation 45 of Government Notice Regulation</p>	<p>This has been complied with.</p>

<p>No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted.</p>	
<p><b>NOTE:</b> Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.</p>	<p>This will be undertaken.</p>
<p>4. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 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 in terms of the above 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 imprisonment.</p>	<p>Acknowledged.</p>
<p>5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.</p>	<p>Acknowledged</p>
<p>6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.</p>	<p>Acknowledged</p>

<b>ORGANS OF STATE</b>	
<b>The Breede-Olifants Catchment Management Agency (BOCMA) – SI Ndlovu – 07 October 2025</b>	
Reference is made to the above-mentioned Revised Draft Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.	
The following are BOCMA comments relating to Revised Draft Basic Assessment Report for the proposed cultivation of eleven (11) hectares of land to plant macadamia and avocado trees on Erf 385, which should be adhered to:	
1. The Breede-Olifants Catchment Management Agency has reviewed the Revised Draft Basic Assessment Report and notes the responses to some of the comments issued on 25 July 2025.	
2. Please note that the comments dated 25 July 2025 issued by BOCMA are still relevant and must be adhered to as indicated on the Revised Draft basic Assessment Report.	This is noted and will be complied with.
3. As required by section 22 of the National Water Act, 19987 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1)(a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.	Acknowledged. As previously stated, the applicant is in the process of applying for a GA.
4. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to	Acknowledged

commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.	
5. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.	Acknowledged
6. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.	
7. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <a href="http://www.dws.gov.za/e-WULAAS">http://www.dws.gov.za/e-WULAAS</a> .	
8. Should you have further enquiries, the office can be contacted or alternatively contact Mr SI Ndlovu at the above-mentioned contact number or on <a href="mailto:sndlovu@bocma.co.za">sndlovu@bocma.co.za</a> .	
<b>NGO</b>	
<b>Wilderness and Lakes Environmental Action Forum – Charles Scott –</b>	
We refer to our comments of 2025-08-21 attached below as an annexure, and in response to receiving the revised dBAR documents from Eco Route, we append below our additional comments on these new documents. (Direct quotations from these documents are in italics.)	
<b><u>"1. Revised DBAR Erf 385 Hoekwil Sept 2025"</u></b>	
<b><u>Pages 2, 11,12,18</u></b> It is noted that there is only mention made of "Preferred Alternative" and "Alternative 2". No mention is made of the No-Go Alternative.	The quoted sections have only requested information on the preferred and alternative 2 options. There is a specific section detailing the No-Go option.

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*There are cross cutting local and regional environmental challenges and opportunities recognised in the MSDF.*

*These include: Ensuring water and food security, agriculture and forestry preservation.*

*This proposed farming operation contradicts "ensuring water .... security", as with utilising fertilisers, herbicides and pesticides, the Touw River, which supplies drinking water to Wilderness, will become contaminated.*

*George Municipal Spatial Development Framework 2023/27:*

- agriculture footprint (% of area used) and impact on the protection of natural/heritage areas and natural systems (corridors, water security, etc) to be rationalized.*

*The natural systems (primary, secondary, and localized) found in agriculture areas are often degraded in parts and must be reinstated to assist water security and restore ecological functioning to ensure adaptation to impacts of climate change and the continued sustainable functioning of the rural assets.*

This application appears to contradict the George SDF.

The reference to the George Municipal Spatial Development Framework (MSDF 2023–2027) and its emphasis on water and food security, as well as agricultural and ecological sustainability, is acknowledged. The proposed farming activity is consistent with the intent of the MSDF, which recognises the importance of maintaining productive agricultural land while safeguarding natural systems.

The project does not contradict the principle of ensuring water security. The proposed cultivation will be implemented in accordance with good agricultural practice, including the responsible and regulated use of fertilisers, herbicides, and pesticides. Integrated Pest Management (IPM) and precision application methods will be employed to minimise the risk of runoff or leaching into the Touw River system. Furthermore, buffer zones, contour management, and stormwater control measures will be implemented to protect adjacent watercourses.

Rather than undermining the objectives of the MSDF, the proposal supports its broader goals by:

Sustaining agricultural productivity and rural livelihoods;

Implementing soil and water conservation measures to improve ecological resilience; and

Contributing to food security in the region through efficient and environmentally responsible land use.

Accordingly, the proposed activity aligns with the MSDF's vision of balancing agricultural viability with the protection and restoration of natural systems to ensure long-term sustainability.

All of the above mitigation measures are to be properly monitored to ensure that no negative impacts occur. This has been stated within the BAR and EMPr.



<p><b>Page 23</b></p> <p>10. Explain how the proposed development will optimise the use of existing resources and infrastructure.</p> <p>1. Utilisation of Existing Agricultural Zoning and Land Use Rights The property is already zoned Agricultural Zone 1, and agricultural activities are a primary right. This eliminates the need for rezoning or land use change applications, allowing optimal use of existing land use permissions.</p> <p>While the property is indeed zoned Agriculture Zone 1, it doesn't necessarily allow for only farming activities to take place. Other laws, such as NEMA, NEMBA, etc, also need to be considered when deciding how to manage the property.</p>	<p>Agreed. All applicable laws have been taken into account in the EIA assessment.</p>
<p><b>Page 24</b></p> <p>3. Access Road</p> <p>The proposal includes the upgrade of an existing access road alignment (Alternative B), rather than constructing an entirely new route. This reduces the environmental footprint and makes use of already-disturbed pathways.</p> <p>As the "existing road" has probably been overgrown for in excess of 10 years, the upgrading thereof will most likely trigger a listed activity. (Listing Notice 1 Activity 4.)</p>	<p>The Listed Activity you are referring to is incorrect. The activity will trigger Listing Notice <b>3</b> Activity 4 – included in the BAR.</p>
<p>4. Low-Energy, Low-Input Farming</p> <p>The development proposes a dryland farming approach which will minimise energy and water use. Any supplemental irrigation or equipment will use low-energy systems (gravity-fed or low-pressure pumps), making efficient use of the existing energy footprint.</p> <p>If this proposal is for "dryland farming", why is irrigation even being considered?</p>	<p>Limited supplemental irrigation may be required during prolonged dry spells or critical growth periods to prevent crop loss and ensure consistent yields. In addition, water will be required during fertiliser application (fertigation).</p>

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*Provide a description of any other activity alternatives investigated.*

*No other activity alternatives were investigated. The EIA was commissioned for the sole purpose of developing an agricultural field for crop production.*

*Provide a detailed motivation if no activity alternatives exist.*

*The EIA was commissioned for the sole purpose of developing an agricultural field for crop production.*

We feel that the No-Go Option should be considered.

*Positive impacts:*

- *Carbon removal - Both macadamia and avocado trees are perennial crops, meaning they live for decades; leading to long-term carbon absorption.*

If the **NATURAL ENDEMIC** vegetation was promoted, there would also be carbon removal.

- *Soil health improvement - crops can improve soil structure and organic matter through leaf litter and root biomass.*

If the **NATURAL ENDEMIC** vegetation was promoted, there would also be soil health improvement.

- *Management of soil erosion and surface water runoff - orchards reduce surface runoff and promote groundwater recharge.*

If the **NATURAL ENDEMIC** vegetation was promoted, there would be no soil erosion and surface water runoff.

It is true that endemic vegetation would promote positive impacts on the property and the No-Go has been included in the assessment. However, the landowner is permitted to farm his land as per his land use rights. The EIAs purpose was to investigate the impacts of the farming proposal.

<p><b>Page 32</b></p> <p><i>Positive impacts:</i></p> <ul style="list-style-type: none"> <li>• <i>Reduced soil erosion.</i></li> </ul> <p>We cannot agree with this statement as there is currently no sign of any soil erosion.</p>	<p>As above.</p>
<p><b>Page 33</b></p> <p><i>List the positive and negative impacts that the technology alternatives will have on the environment.</i></p> <p><i>Positive impacts:</i></p> <ul style="list-style-type: none"> <li>• <i>Water conservation</i></li> <li>• <i>Reduced soil erosion</i></li> <li>• <i>Efficient fertiliser use.</i></li> <li>• <i>Increased plant health</i></li> </ul> <p>We challenge all of the above “positive impacts”.</p> <p><i>Provide an explanation as to why the ‘No-Go’ Option is not preferred.</i></p> <p><i>*Amended Section*</i></p> <p><i>Should the No-Go Alternative be selected, the land would remain zoned for agriculture but would not be developed for macadamia and avocado orchards. The landowner would still be legally obligated to implement alien clearing programmes, and as such, the potential exists for natural fynbos vegetation to re-establish over time, particularly given the surrounding intact natural areas that could provide seed sources.</i></p> <p><i>This outcome would provide positive ecological benefits in terms of biodiversity recovery, wetland functioning, and ecological connectivity.</i></p> <p>This No-Go option would be preferable to establishing orchards.</p> <p><i>No-Go vs. Development</i></p>	<p>The importance of ecological protection is fully acknowledged and forms a central consideration in this assessment. However, the National Environmental Management Act (NEMA) requires that environmental decision-making be guided by the principle of sustainable development, which seeks to achieve an equitable balance between ecological integrity, social well-being, and economic viability.</p> <p>While “ecological gain” is a key objective, it cannot be considered in isolation from the socio-economic context in which this project exists. The proposed farming activity supports local food production, job creation, and rural livelihoods—factors that are critical to social sustainability and resilience, particularly in agricultural communities.</p> <p>Through the application of mitigation measures, responsible land management, and compliance with environmental best practice, the project aims to ensure that ecological impacts are minimised while socio-economic benefits are maintained. This approach aligns with NEMA’s integrated environmental management principles, ensuring that both ecological and human needs are balanced in a fair and sustainable manner.</p>

<p><i>The No-Go Alternative may result in a net ecological gain (through fynbos recovery and reduced disturbance). However, it would forgo the socio-economic benefits associated with agricultural development (employment creation, local food production, and economic contribution).</i></p> <p>If one weighs up “ecological gain” against “socio-economic benefits”, WALEAF feels that the former should take preference.</p>	
<p><b>Page 55</b>  2.4. Provide a description of any assumptions, uncertainties and gaps in knowledge that relate to the assessment and mitigation measures proposed.  1. Timing of Biodiversity Surveys  Assumption: The vegetation and fauna assessments conducted during autumn are sufficiently representative.  Uncertainty: Many geophytes and annual plant species flower in spring, meaning some species of conservation concern may have been missed or under-represented.</p> <p>WALEAF feels that proper study covering a <u>full year</u> for the Biodiversity Survey should be conducted.</p>	<p>The biodiversity assessment was conducted by suitably qualified specialists following established botanical and ecological survey methodologies. While surveys were undertaken in autumn, the assessment incorporated existing regional datasets, previous studies, and expert knowledge of the site's vegetation type and species composition to supplement field observations and account for seasonal limitations.</p>
<p><b><u>“COMMENTS AND RESPONSE REPORT”</u></b>  <b><u>“Draft Bar Comments”</u></b></p>	

**DEA&DP** in a letter dated 25th July 2025 stated:

*2.5. Management and eradication of invasive alien species*

*This Directorate notes the Alien Invasive Species Monitoring, Control and Eradication Plan ("Control Plan") included Appendix C of the Environmental Management Programme ("EMPr"). In this regard, it is understood that the previous owner of Erf 385 received a pre-directive from the National Department of Forestry, Fisheries and the Environment ("DFFE") on 30 November 2016. The alien species were cleared in 2019 in accordance with an approved Environmental Management Plan for the control of alien invasive vegetation species. It is understood that a close-out letter was issued by the DFFE on 29 May 2019 which states that the control and eradication of listed alien invasive species on Erf 385 have been completed. However, the abovementioned correspondence has not been included in the DBAR or the Control Plan.*

*Notwithstanding the above and with reference to 2.4.1 above, you are required to continue with the implementation of the Control Plan for the remainder*

This comment has been previously responded to.

of Erf 385. In accordance with Regulation 7, you must ensure the EAP consults the DFFE: Biosecurity - Alien Invasive Species Compliance (% Mr. Stiaan Kotze) at Tel: 021 441 2816; Email: SKotze@dffe.gov.za regarding the suitability of the plan and continuation of the control plan for the remainder of Erf 385.

Our understanding of the NEMBA is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation **ad infinitum**, even if the ownership of the property changes. WALEAF recommends that before this Draft BAR is even considered, that the terms of the directive issued by DFFE should be strictly enforced, and the property cleared of all invasive alien vegetation. Once the area has been cleared, we can then revisit the property and see whether any further farming should be considered on this portion of the farm. Presently, there is no way to determine if further farming is viable, seeing that the area is so heavily infested with alien vegetation.

**BOCMA** in a letter dated 25th July 2025 stated :

5. The activities that occurs within a regulated area e.g. infilling of wetland habitat or cultivation will trigger water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:

A GA is being applied for where there is activity within a regulated area.

- a) The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;
- (b) In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act);  
or
- (c) A 500 m radius from the delineated boundary (extent) of any wetland or pan.

Does the above BOCMA condition not contradict the statements which appear in this dBAR application where it is stated that farming can take place within 30 metres of a river?

**SANParks** in a letter dated 28th July 2025 stated:

*SANParks is concerned about non-point source pollution from fertilizers, pesticides and herbicides, particularly considering that the proposed orchard expansion area will occur adjacent to two streams with associated wetlands, that feed into the Touw River, which joins the Serpentine River, which may ultimately affect the health and well-being of the Wilderness Lakes Ramsar site (site no. 524) of international conservation importance, as designated in 1991, and the Touw Estuary (Fig. 7). It is likely that water quality may adversely be affected. Soil erosion from exposed soil areas and cultivation on hillslopes is an added concern, which may result in siltation and further changes to water flow. The property is mapped as being highly erodible, making it potentially vulnerable to sedimentation impacts (Fig. 9). Infilling of wetlands for road construction would further exacerbate impacts.*

WALEAF is also concerned that water from these wetlands feed into the Touw River, which is the source of the **drinking water for Wilderness**. The fertilising of the orchards and the use of herbicides

Acknowledged. This comment has previously been responded to.

<p>pesticides will most certainly affect the quality of the drinking water in Wilderness.</p>	
<p><b><u>CapeNature</u></b></p> <p>We notice that there is no reference made to any comments from CapeNature. If they did in fact submit comments, which have not been included in this revised draft BAR, we reserve our rights to comment on them at a later date.</p>	<p>CapeNature did not submit any comments despite being part of the I&amp;AP register and sent all documentation.</p>
<p>As a result of our comments above and previously, WALEAF <b>objects</b> to any type of development taking place on this property, until such time as all the illegal alien vegetation has been cleared in terms of the directive issued by DFFE previously. We again state that our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation <u>ad infinitum</u>.</p> <p>Once this property has been totally cleared of all invasive alien vegetation, we will then be in a better position to properly inspect the areas that have been cleared, and we shall then be in a better position to submit a proper input into a new draft BAR proposal. At this point we <b>oppose</b> the proposed cultivation of these macadamia and avocado trees</p>	<p>Acknowledged. AIP management is currently underway. As previously stated, this does not prevent an EIA or the proposed activities from continuing.</p>



## **APPENDIX 1**

# **Method statement for work done on historical farm dam.**

## **1. Scope of work.**

- Remove invasive tree species from the dam perimeter and wall.
- Repair leakage occurring beneath the dam wall to restore structural integrity and water retention.

## **2. Objectives.**

- Prevent root intrusion and structural damage from invasive vegetation.
- Reinststate dam wall functionality and prevent water loss.
- Improve access and long-term maintainability of the dam.

## **3. Materials and Equipment used.**

- Excavator
- Dump trucks (for carting the clay and compacting the backfill)
- Clay (for seepage sealing)

## **4. Procedure.**

### **A. Vegetation Clearing**

- Demarcate work area and identify invasive species.
- Remove roots manually or mechanically to prevent regrowth.
- Avoid disturbing dam wall structure during root extraction.

### **B. Dam Wall Leak Repair**

- Drain dam to expose seepage zones.
- Inspect for piping, animal burrows, or root channels.
- Excavate affected section at the outside foot of the existing dam wall to reach leak path. This trench is about 2.5m wide to compact the clay in layers with the dump trucks.

- Maintain slope stability and avoid over-excavation.
- Apply compacted clay in layers to seal leak path.
- Backfill in layers and compact thoroughly. Using the old dam wall's material and clay.
- Restore dam wall profile and surface vegetation.

## **APPENDIX 2**



AMAPOLISA OMZANTSI AFRICA  
AFFIDAVIT

I BASIL JACOBS

Declare under oath in English.

1.

I am a male female with ID number

8	4	0	7	1	1	5	3	3	1	0	8	3
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Residing at Farm 385 Hoekwil, Wilderness

Tel nr. .... cell nr 082 8252 086

Working as a General Manager at Wilderness Fruit with telnr 082 8252 086

2.

In my opinion the activities listed in the email received from Samantha Teeluckdhari from Eco Route Environmental Consultancy have NOT been triggered during the repair work undertaken on the dam in question. Furthermore the Method Statement for work done is also true and accurate.

I know and understand the contents of the above mentioned statement.  
I have no objection to the taking of the prescribed oath.  
I consider the oath to be binding on my conscience.

SIGNATURE OF DEPONENT

I certify that the above mentioned statement was taken by me and that the deponent has acknowledge that he/she knows and understand the contents of this statement. This statement was sworn to / affirmed before me and deponents signature / mark / thumb print was placed thereon in my presence at George on 2025/10/29 at 15:30.

LR NOORDMAN  
7247365-7

COMMISSIONER OF OATH

FULL NAME AND SURNAME: Luchau Noordman

RANK: CONSTABLE

SAPS, 37 COURTENAY STR, GEORGE

SUID-AFRIKAANSE POLISIEDIENS  
STATION COMMANDER  
COMMUNITY SERVICE CENTRE  
2025 -10- 29  
GEORGE  
SOUTH AFRICAN POLICE SERVICE

## Re: Fwd: 16/3/3/1/D2/30/0006/25: COMMENT ON THE REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CULTIVATION OF LAND FOR THE PRODUCTION OF MACADAMIA NUTS AND AVOCADO TREES ON ERF 385, HOEKWIL



**From** Samantha Teeluckdhari <samantha@ecoroute.co.za>  
**To** Christoph Grey <cgrey@randagri.co.za>  
**Copy** Basil Jacobs <basil@wildernessfruit.co.za>, Janet <janet@ecoroute.co.za>, Jessica <jessica@ecoroute.co.za>  
**Date** 28/10/2025 12:54

Dear Basil & Christoph

Apologies, please ignore my previous email.

As per my telephonic conversation with Basil, it was pointed out that alien invasive tree clearing took place around the dam and there was repair work undertaken on the dam wall to stop a leak. Kindly advise if any of the below activities were triggered during works:

<b>19.</b>	<p>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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> <li>(a) will occur behind a development setback;</li> <li>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</li> <li>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</li> <li>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(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.</li> </ul>
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<b>48.</b>	<p>The expansion of—</p> <ul style="list-style-type: none"> <li>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</li> <li>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</li> </ul>
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<b>50.</b>	<p>The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50 000 cubic metres or more.</p>
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<b>66.</b>	<p>The expansion of a dam where—</p> <ul style="list-style-type: none"> <li>(i) the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, was originally 5 metres or higher and where the height of the wall is increased by 2,5 metres or more; or</li> <li>(ii) where the high-water mark of the dam will be increased with 10 hectares or more.</li> </ul>
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### LN 3 -

The expansion of—

- (i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or
  - (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;
- where such expansion occurs—
- (a) within a watercourse;
  - (b) in front of a development setback adopted in the prescribed manner; or
  - (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;

excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development

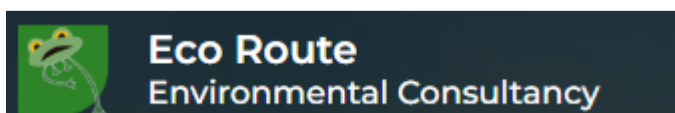
Kind regards,

**Samantha Teeluckdhari**

BSS Geography and Environmental Management

EAPASA 2023/6443

072 773 5397



On 28/10/2025 10:41, Samantha Teeluckdhari wrote:

**DRAFT BAR COMMENTS AND RESPONSE REPORT**

COMMENTS	RESPONSE
<b>COMMENTS RECEIVED IN RESPONSE TO DRAFT BASIC ASSESSMENT REPORT DATED JUNE 2025</b>	
<b>STATE DEPARTMENTS</b>	
<b>Department of Environmental Affairs and Development Planning – Steve Kleinhans – 25 July 2025</b>	
<p>1. The Draft Basic Assessment Report dated June 2024 submitted on your behalf by your appointed registered Environmental Assessment Practitioner (“EAP”), Ms. Samantha Teeluckdhari (EAPASA No: 2023/6443), and assisted by Candidate EAP, Ms. Lizelle Genade (EAPASA No: 2023/7793) of Eco Route Environmental Consulting, (“Eco Route”) as received by the Directorate: Development Management (Region 3) (“this Directorate”) on 27 June 2025, refers.</p>	
<p>2. This Directorate: Development Management (Region 3) (“this Directorate”) has reviewed the Draft Basic Assessment Report (“RBAR”) and provides the following comment:</p>	
<p><i>2.1 BAR requirements</i> The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended) and must also include the information requested in this letter. Omission of any of the said information may result in the application for Environmental Authorisation being refused. In this regard, the BAR must include, <i>inter alia</i>:</p>	



<p><i>2.1.1 Site Development Plan</i></p> <p>The BAR must include a plan which locates the proposed activities applied for as well as associated structures and infrastructure at an appropriate scale. In this regard, the BAR must include a site development plan which also includes the depiction of the proposed new access road irrigation infrastructure, etc.</p>	<p>Please consult Appendix B1 for updated SDPs.</p>
<p>Furthermore, according to the Specialist Aquatic Biodiversity Assessment the mitigation measures to minimise the impact on the aquatic environment include the placement of 300mm diameter pipe culverts to facilitate the diffuse flow beneath the road. As such, a preliminary design plan for the proposed crossing must be included in the BAR.</p>	<p>Please consult Appendix B1.</p>
<p>Further to the above, this Directorate understands that the various specialists have excluded areas from the development based on the sensitivity of such areas and recommended buffers around such areas to minimise edge effects.</p> <p>As such, you are required to provide the coordinates of such areas in the BAR and ensure that the mitigation measures to avoid such areas are clearly depicted and described in the Environmental Management Programme (“EMPr”). Furthermore, the BAR must include the electronic georeferenced file(s) (e.g. Keyhole Markup Language (.kml / .kmz), Shapefile (.shp) with supporting files, etc.) for the site and various no-go areas.</p>	<p>Coordinates of the No-Go area have been included in the BAR. Mitigation measures to avoid No-Go Areas have been included in the EMPr. Electronic files have been provided in Appendix B.</p>
<p><i>2.2 Slope analysis</i></p>	<p>A slope analysis plan is included in Appendix B. As part of the CARA application process, the DoA will review the application and provide the applicant with precise cultivation instructions. Please refer to the CARA Application (Appendix M).</p>

<p>With due consideration of the nature of the proposal, you are required to include a slope analysis of the entire site and include such analysis (depicted on a plan) in the BAR. This information is essential to determine <i>inter alia</i> row orientation and areas that may be prone to erosion. The plan must also indicate the row orientation within the proposed new orchard.</p>	
<p><i>1.3 Fertiliser application</i>  This Directorate understands that fertiliser application will be combined with controlled irrigation (fertigation) to minimise leaching and reuse water efficiently within the root zone. In this regard, over-fertilisation must be avoided to prevent eutrophication of the watercourses downstream of the proposed orchards.</p>	<p>Agreed. The BAR and EMPr include measures to address eutrophication impacts.</p>
<p><i>2.4 Consideration of alternatives</i>  <i>2.4.1 No-Go Alternative</i>  This Directorate notes that consideration of the alternatives identified in the DBAR. According to the DBAR the No-Go Alternative would see the continuation of the unproductive land, no additional crop production, a potential for the increased spread of alien invasive plant species and it may result in the surrounding land not being rehabilitated to encourage the flourishing of fynbos.</p>	<p>This Directorate's concern regarding the consideration of the No-Go Alternative is acknowledged, and the requirements of the Conservation of Agricultural Resources Act (CARA, Act 43 of 1983), the National Environmental Management: Biodiversity Act (NEM:BA, Act 10 of 2004), and the duty of care provisions in Section 28 of NEMA are fully recognised.</p> <p>It is agreed that the landowner has a legal duty to control and eradicate invasive alien species irrespective of whether the development proceeds or not. The BAR has been updated to clarify that alien management cannot be used as a justification for development under the No-Go scenario, as this obligation exists independently of the proposed activity. All specialists have already assessed the No-Go alternative.</p> <p>The BAR has been updated to reflect that the No-Go Alternative could result in positive ecological outcomes if legal alien management obligations are enforced. However, the proposed development, with its reduced footprint and mitigation measures, represents the Best Practicable Environmental Option as it delivers both ecological safeguards and socio-economic benefits.</p>

This Directorate strongly disagrees with the EAP's opinion regarding the No-Go Alternative. In this regard, please be advised that the landowner has a legal obligation in terms of the Conservation of Agricultural Resources Act, Act 43 of 1983 ("CARA") and the National Environmental Management: Biodiversity Act, Act 10 of 2004 to control and eradicate alien invasive plant species from their property.

As such, this Directorate is of the view that the natural fynbos vegetation would return and reestablish if the alien invasive species are managed and eradicated. As such, the impact assessment must adequately consider the No-Go Alternative. The relevant specialists must also provide input in respect of the respective fields of expertise.

Notwithstanding the above, please be advised that in terms of Section 28 of the National Environmental Management Act, Act 107 of 1998, as amended ("NEMA") every person has a general duty of care<sup>1</sup> toward the environment.

<p><b>2.4.2 Orchard size alternatives</b></p> <p>It is understood that a 15ha area was initially considered (Alternative 2 in the DBAR) but that the preferred alternative (11ha) was derived during the assessment phase due to the site sensitivity considerations and the mitigation measures applied to avoid the sensitive areas.</p> <p>According to the impact assessment table regarding the loss of terrestrial biodiversity in the DBAR, the preferred alternative would not result in a loss of terrestrial biodiversity, while Alternative 2 will have a minor negative impact if mitigation is applied.</p> <p>With due consideration of the information in the DBAR and the supporting documentation, this Department disagrees with the EAP's assessment regarding the loss of terrestrial biodiversity. Therefore, the EAP must reconsider the specialist reports and re-evaluate the assessment regarding the loss of terrestrial biodiversity.</p>	<p>The impact you are referring to is in the category of "Design and Planning". The Preferred Alternative was not assessed in this category as it was a result/mitigation of assessing the impacts of the initial preferred alternative of 15 ha.</p> <p>The new Preferred Alternative (11 ha) has been assessed in the next phase for terrestrial biodiversity loss. The results were taken from the Terrestrial Biodiversity assessment (Table 7) where "minor" referred to in the BAR = "low" referred to in the specialist assessment.</p>
<p><b>2.5 Management and eradication of invasive alien species</b></p> <p>This Directorate notes the Alien Invasive Species Monitoring, Control and Eradication Plan ("Control Plan") included Appendix C of the Environmental Management Programme ("EMPr"). In this regard, it is understood that the previous owner of Erf 385 received a pre-directive from the National Department of Forestry, Fisheries and the Environment ("DFFE") on 30 November 2016.</p> <p>The alien species were cleared in 2019 in accordance with an approved Environmental Management Plan for the control of alien invasive vegetation species.</p>	<p>The close-out letter has been included in the Invasive Species Monitoring, Control and Eradication Plan.</p>

<p>It is understood that a close-out letter was issued by the DFFE on 29 May 2019 which states that the control and eradication of listed alien invasive species on Erf 385 have been completed. However, the abovementioned correspondence has not been included in the DBAR or the Control Plan.</p>	
<p>Notwithstanding the above and with reference to 2.4.1 above, you are required to continue with the implementation of the Control Plan for the remainder of Erf 385.</p> <p>In accordance with Regulation 7, you must ensure the EAP consults the DFFE: Biosecurity - Alien Invasive Species Compliance (% Mr. Stiaan Kotze) at Tel: 021 441 2816; Email: SKotze@dffe.gov.za regarding the suitability of the plan and continuation of the control plan for the remainder of Erf 385.</p>	<p>Please refer to Appendix H for recent approval of a new alien invasive plant removal plan that will now be implemented on the property.</p>
<p><i>2.6 Other relevant legislative considerations</i></p> <p><i>2.6.1 National Water Act, Act 36 of 1998</i></p> <p>With reference to Point 3.7 of this Directorate's letter (Ref: 16/3/3/6/7/1/D2/30/0339/23) issued on 6 August 2024 and the information provided in the BAR, it is understood that the landowner is currently undertaking a Validation and Verification application process ("V&amp;V") for water use activity Section 21(b) of the National Water Act, Act 36 of 1998, with the Breede-Olifants Catchment Management Agency ("BOCMA") on behalf of the Department of Water and Sanitation ("DWS").</p> <p>Please be advised that this (water availability) is a crucial aspect in the consideration of this application for environmental authorisation.</p>	<p>The outcome of the V&amp;V has been included in the BAR (Appendix L).</p>

<p>Therefore, the outcome of V&amp;V process must be included in the BAR. Failure to include the information may prejudice the success of the application for environmental authorisation.</p>	
<p>Further to the above, the BOCMA must also provide comment in respect of the lawfulness of the of the existing storage dams on the property. This information must be included in the BAR.</p>	<p>Please refer to Appendix L.</p>
<p><i>2.6.2 Conservation of Agricultural Resources Act, Act 43 of 1983</i>  Based on the information in the DBAR and the relevant aerial imagery this Directorate is of the considered view that an application in terms of the CARA for the cultivation of virgin soil<sup>2</sup> may be required as it is not evident that proposed site was lawfully cultivated in the preceding 10-year period. As such, the information in respect of such an application must be included in the BAR and Standard Operating Procedure between the Western Cape Government: Department of Agriculture and this Department must be followed.</p>	<p>Please refer to Appendix M.</p>
<p>Furthermore, any information required by the WCG: DoA must be included in the BAR.</p>	<p>As above.</p>

### *2.7 Environmental Management Programme*

The contents of the EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014.

This Directorate has reviewed the EMPr and provides the following comment:

#### *2.7.1 Frequency of visits by the Environmental Control Officer*

According to the EMPr the Environmental Control Officer ("ECO") must monitor the site monthly during the construction activities.

With due consideration of the nature of the proposed development, this Directorate is of the opinion that this is inadequate as the initial activity will be the clearing of the site.

With due consideration of the findings of the specialists' assessments, the ECO must be involved with the identification and demarcation of the no-go areas (and buffer areas) to prevent any clearing activities in such areas (see 2.1.1 above).

Furthermore, this Directorate recommends that site visits are conducted once a week during the initial development period. Visits by the ECO may taper, at the discretion of the ECO thereafter. The frequency of site visits by the ECO must be properly described in the EMPr to address the aforementioned.

Acknowledged. The relevant amendments have been made to the EMPr.

*2.7.2 Environmental Auditing*

The EMPr states that the ECO must prepare a monthly audit report to be submitted to the Department on a monthly basis.

Please be advised that a clear distinction must be made between an environmental monitoring report (to be compiled by the ECO) and an environmental audit report (to be compiled by independent person with the relevant environmental auditing expertise).

In this regard, please note that the environmental auditor cannot be the EAP or the ECO.

Furthermore, take note of the auditing requirements with regard to environmental authorisations and EMPr's under Regulation 34 of the EIA Regulations, 2014 (as amended).

In this regard, the EMPr must be amended to ensure compliance with the requirements. The contents of the environmental audit report must comply with Appendix 7 of the EIA Regulations.

*3. Submission of Basic Assessment Report*

The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014, and must also include and address any information requested in any previous correspondence in respect of this matter.

This has been complied with.



<p>Please be reminded that in accordance with Regulation 19 of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within <b>90 days</b> from the date of receipt of the application by the Department.</p> <p>However, if significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR.</p> <p>The additional 50 days must include a minimum 30-day commenting period to allow registered I&amp;APs to comment on the revised report/additional information.</p> <p>If the BAR is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed.</p>	<p>An extension of 140 days has been applied.</p>
<p>Should you wish to pursue the application again, a new application process would have to be initiated.</p> <p>A new Application Form would have to be submitted.</p>	<p>Noted.</p>
<p><b>NOTE:</b> Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the</p>	<p>Noted. This will be undertaken.</p>

<p>document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.</p>	
<p>4. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 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.</p> <p>A person convicted of an offence in terms of the above 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 imprisonment.</p>	<p>Noted. This is being complied with.</p>
<p>5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.</p>	<p>Noted.</p>
<p>6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.</p>	<p>Noted.</p>
<p><b>Department of Forestry, Fisheries and the Environment: Forestry Branch – Melanie Koen – 13 August 2025</b></p>	
<p>Dear Sir/ Madam</p> <p>I refer to your e-mail notification of 4 August 2025. Please receive comments from the Branch: Forestry Management, Directorate: Forest Resource Protection in the Department of Forestry, Fisheries and the Environment (DFFE) on the above-mentioned proposed dwelling application as well as access road. Site inspection was conducted 7 August 2025.</p>	
<p><b>The mandate of the Forestry Branch in the Department of Forestry, Fisheries and the</b></p>	

<p><b>Environment (DFFE), as a commenting authority, is to ensure control over developments that affect State forests, natural forests, forest nature reserves and protected trees.</b></p> <p>1.The applicant must assess and quantify the anticipated impacts on the indigenous forests. The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that "...natural forests may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits".</p>	
<p>2. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license. Under section 62 (1) of the NFA any person who contravenes the prohibition of certain acts in relation to trees in natural forests referred to in Section 7 (1) is guilty of a second category offence. A person who is guilty of a second category offence may be sentenced on a first conviction for that offence to a fine or imprisonment for a period of up to two years, or to both a fine and such imprisonment. Section 15 of the NFA, prohibits the destruction of protected trees without a license- "No person may cut, damage, destroy or remove any protected tree; or collect, remove, transport, export, purchase, sell donate or in any other manner acquire or dispose of any protected tree....."Anyone contravening this prohibition, is guilty of a first category offence,</p>	

and can be sentenced to up to 3 years imprisonment, or a fine, or both.	
3. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act, some of which are also forest species.	Noted. No indigenous trees will be disturbed without a license.
4. Cutting or disturbing an indigenous tree in a natural forest without a valid Forest Act Licence is a criminal offence and a transgression of the National Forests Act, 1998 (Act No. 84 of 1998) and carries a fine or imprisonment or both.	Noted. As stated above.
5. Indigenous trees with active bird nests or other significant biodiversity features may not be destroyed without a valid Fauna Permit from the provincial conservation authority, the Western Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform ("DAERL"), if these would be affected. DFFE studied the supporting documents for the above-mentioned Draft Basic Assessment Report and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable	Noted. If necessary, a faunal permit will be applied for.
6. According to the information provided the property: has a total size of 2658785.8 m <sup>2</sup> ; requires clearing of vegetation for the development of a further 11 hectares of agricultural land for the purpose of planting Avocado and Macadamia trees; the property mainly consists of Wattle with pockets of indigenous forest clumps	Agreed.

<p>Forestry has the following comments:</p> <ul style="list-style-type: none"> <li>i. Forestry has a co-operative governance relationship with various Authorities as well as stakeholders, and thus will take their concerns into consideration if such should arise</li> <li>ii. Forestry has no objection to above development proposal, provided that: <ul style="list-style-type: none"> <li>1. The development/ agricultural footprint remains within the alien invasive wattle area</li> <li>2. The indigenous forest clumps/ pockets on the property to remain intact (as reported) and should be indicated as a no-go area</li> </ul> </li> <li>iii. Landowner to seek advice from Fire Advisor with regards to the National Veld and Forest Fire Act (NVFFA): Mr. P. Gerber: 0828055840; pgerber@dffe.gov.za</li> <li>iv. Kindly note that this letter is not a NFA licence</li> <li>v. Section 15 of the National Forest Act (NFA) (Act No. 84 of 1998) as amended prohibits the cutting, disturbing, damaging or destroying of protected tree species without a licence. Section 7 of the</li> </ul>	<p>As mapped, the indigenous forest pockets have been identified as No-Go areas and are to remain as such.</p> <p>It will be included as a requirement in the BAR and EMPr that the applicant seek the advice of a Fire Advisor.</p>

<p>National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license.</p>	
<p>Note: The Department reserves the right to revise the initial comment based on any additional information that may be received. Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0010-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.</p>	<p>Noted.</p>
<p><b>ORGANS OF STATE</b></p>	
<p><b>SANParks – Dr Vanessa Weyer – 28 July 2025</b></p>	
<p>Erf 385, Hoekwil, directly <u>borders the Garden Route National Park (GRNP)</u> on its north-western boundary and is situated in the GRNP <u>Buffer Zone (Fig.1)</u>.</p> <p>Two streams are present in the property's north-eastern sector which drain into the Touw River, which joins the Serpentine River, and enters the Wilderness Lakes Ramsar site <b>(Fig.1 &amp; 7)</b>.</p> <p><u>Critical Biodiversity Areas (CBAs)</u> Category 1 (Terrestrial) and Category 2 (Forest), as mapped in terms of the 2023 Western Cape Biodiversity Spatial Plan (WCBSP) occur on the northern sector of the property <b>(Fig.2)</b>.</p>	
<p>These are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.</p> <p>They should be maintained in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated.</p>	

Only low-impact, biodiversity-sensitive land uses are appropriate.

Garden Route Shale Fynbos (FFh9) listed as Endangered (EN), and South Outeniqua Sandstone Fynbos (FFs19) and Southern Afrotemperate Forest (FOz1) both listed as Least Concern (LC) are mapped by Mucina and Rutherford, 20061 and as revised by SANBI, 20182 across the property (Fig. 3). Erf 385, Hoekwil is 265,88ha, and is zoned Agriculture Zone I (George Municipality GIS Viewer) (**Fig. 5**).

The landowner is Wilderness Fruit (Pty) Ltd. (represented by Mr. Basil Jacobs).

Topography is gently sloping across the southern portion of the property but becomes steeper to the north, with slopes >30% (**Fig. 4**).

The proposed cultivation (orchard) expansion area is on a hillslope that drains towards two streams



**Fig. 1:** The GRNP is directly adjacent to the north, and streams drain through the Touw River corridor ultimately into the Wilderness Lakes Ramsar site. (CapeFarmMapper3).

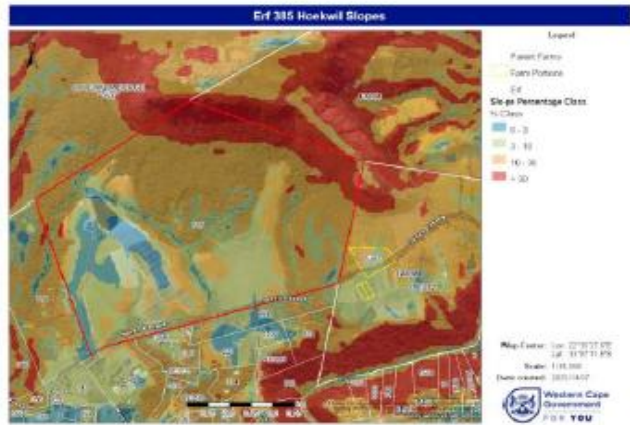


**Fig. 2:** Critical Biodiversity Areas 1 (Terrestrial) & 2 (Forest) are present (CapeFarmMapper3; CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines).





**Fig. 3:** Garden Route Shale Fynbos (EN) (FFh9), South Outeniqua Sandstone Fynbos (LC) (FFs19) and Southern Afrotemperate Forest (LC) (FOz1) are mapped on Erf 385, Hoekwil (CapeFarmMapper3).



**Fig. 4:** Slope Classification (%) is >30% in the north-eastern sector of the property (CapeFarmMapper3).



**Fig. 5:** Erf 385, Hoekwil is zoned Agriculture Zone I (George GIS Viewer).



**Fig. 6:** Erf 385, Hoekwil is mapped as cultivated with several crop types, including Macadamia trees and berries, (CapeFarmMapper3, Crop Census 2023 (winter) dataset).

The development application submitted is a ***“DRAFT BASIC ASSESSMENT (DBAR) report for the Proposed Cultivation of 11ha of Land to Plant Macadamia and Avocado Trees on Erf 385, Seven Passes Road, Hoekwil, George Municipality, Western Cape”***, dated June 2025, as prepared by Eco Route Environmental Consultancy. Refer to extracts below from the DBAR.

Wilderness Fruit (Pty)Ltd, Erf 385 Leopard's Ridge, Hoekwil, Western Cape Province.

Erf Nr: 385  
Area (SQM): 2658785.8  
SG Code: C027000500003850000  
SG Region: GEORGE  
Legal Status: Registered

**Preferred Alternative:**

The property is zoned Agricultural I. Wilderness Fruit (Pty) Ltd is applying **to cultivate 11 hectares of land to plant Macadamia and Avocado Trees on Erf 385, Hoekwil**. This would be an expansion of their current agricultural practice on the property.

The property has a dam on site with existing water use rights. Irrigation pipes will be laid within the area; however, the proponent will manage the field as 'dryland', with some water from the dam to be used when fertilizer is required (approximately 10 000m<sup>3</sup> per year). The proponent would make use of the existing pipeline that is feeding the blocks adjacent to the proposed new fields. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees.

The laying of irrigation pipes and proposed access road will require a General Authorisation in terms of Section 39 of the National Water Act, Act 36 of 1998.

**Alternative 1:**

BASIC ASSESSMENT REPORT: APRIL 2024

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To apply for 15 hectares of cultivated land to practise their existing agricultural rights to plant Macadamia and Avocado Trees on Erf 385 Hoekwil.

The total disturbance area is stated as 11ha (preferred alternative) (refer to green highlights on the extract above)



Figure 1: Proposed 11ha for Preferred Option

**Point 1: Water Quantity, Quality & Cumulative Impacts**

SANParks seeks clarity on the requested Breede-Olifants Catchment Management Agency (BOCMA) water entitlement verification outcome for: existing and anticipated water usage for the proposed 11/15ha cultivation expansion area.

The BOCMA letter dated 2 October 2024 (refer to extract below) states that the farm operation is entitled to abstract 133,770 m<sup>3</sup>/year for irrigation (with 47,233 m<sup>3</sup> storage capacity), refer to extract below from letter.

It is uncertain whether current water usage falls within the entitled lawful range, and what future additional water use requirements would be.

Macadamia and Avocado trees are known to be water intensive, particularly as they mature.

SANParks seek clarity on the source of water being abstracted, this is not stated.

Please consult the Water Use Registration Certificate and Section 35 (1) notice in Appendix L.

Response from the farm manager:

“The current water usage for the crops on the farm is an average of 56 000m<sup>3</sup> – 60 000m<sup>3</sup> per year, depending on the rainfall. For the 11ha expansion area we would use an additional 7700m<sup>3</sup> – 8500m<sup>3</sup> per year.”

Table 2: Water use entitlements and water uses during the qualifying period

1

Description and Reference	Irrigation (s21(a))			Storing (s21(b))			
	Field Area (ha) <sup>1</sup>	Crop Area (ha) <sup>1</sup>	Volume (m <sup>3</sup> /year)	Source(s)	No. of Dams	Total Storage (m <sup>3</sup> )	River / Stream
Water use during the qualifying period	24.5		133 770		1	47,233	
Registered water use <sup>2</sup>	24.5		133 770		4	59 500	
Proposed existing lawful water use <sup>2</sup> (s21(a) and (b))	24.5		133 770		1	47,233	
<b>Non-Irrigation Uses (domestic supply, aquaculture, stock-watering, etc.)</b>							
Sector / Source:							
Registered water use volume (m <sup>3</sup> /year) <sup>2</sup> :		Groundwater					
		Surface Water					
Proposed existing lawful water use (m <sup>3</sup> /year):		Groundwater					
		Surface Water					

<p><u>SANParks is concerned about non-point source pollution from fertilizers, pesticides and herbicides, particularly considering that the proposed orchard expansion area will occur adjacent to two streams with associated wetlands, that feed into the Touw River, which joins the Serpentine River, which may ultimately affect the health and well-being of the Wilderness Lakes Ramsar site (site no. 524) of international conservation importance, as designated in 1991, and the Touw Estuary (Fig. 7). It is likely that water quality may adversely be affected.</u></p>	<p>The concern regarding potential non-point source pollution from fertilizers, pesticides, and herbicides is noted and taken seriously, particularly given the sensitivity of the two adjacent streams, associated wetlands, and their connectivity to the Touw River, Serpentine River, the Wilderness Lakes Ramsar site (Site No. 524), and the Touw Estuary.</p> <p>To address this risk, the following mitigation and management measures will be implemented:</p> <ol style="list-style-type: none"> <li>1. Buffer Zones: A minimum 30 m buffer around all streams and wetlands will be maintained, where no cultivation or chemical application will occur, in line with freshwater specialist recommendations.</li> <li>2. Best Practice Agrochemical Management: Only registered and approved fertilizers, pesticides, and herbicides will be applied, and application will be strictly according to label instructions to minimize off-site movement.</li> <li>3. Integrated Pest Management (IPM): A priority will be placed on non-chemical pest control methods (biological control, mechanical removal, resistant cultivars) to reduce reliance on agrochemicals.</li> <li>4. Precision Application: Fertigation via drip irrigation will be utilized where possible to deliver nutrients directly to the root zone, minimizing runoff and leaching.</li> <li>5. Monitoring: Regular water quality monitoring of the adjacent streams will be undertaken to detect any early signs of nutrient or chemical contamination.</li> <li>6. Soil and Erosion Control: Soil conservation measures, including cover crops and mulching, will reduce surface runoff and sediment-bound nutrient loss.</li> </ol> <p>With the above measures, the risk of significant adverse effects on downstream ecosystems, including the Ramsar site and the Touw Estuary, is expected to be Low. Furthermore, the Environmental Management Programme (EMPr) will include specific provisions for ongoing monitoring and adaptive management to ensure protection of water resources and associated biodiversity.</p>
<p><u>Soil erosion from exposed soil areas and cultivation on hillslopes is an added concern, which may result in siltation and further changes to water flow.</u></p>	<p>The recognition that the property is mapped as highly erodible is an important consideration in the planning and management of the proposed orchard expansion.</p>

<p>The property is mapped as being highly erodible, making it potentially vulnerable to sedimentation impacts (<b>Fig. 9</b>).</p>	<p>To mitigate these risks, the following measures will be implemented:</p> <ol style="list-style-type: none"> <li>1. Retention of Natural Vegetation: High and medium sensitivity areas, particularly on steep slopes and along watercourses, will remain undeveloped and maintained as natural buffers.</li> <li>2. Contour Planting: Trees will be planted along contours rather than up and down slopes to reduce runoff velocity and soil loss.</li> <li>3. Cover Crops &amp; Mulching: Permanent cover crops between orchard rows and organic mulching will be applied to stabilize soil, enhance infiltration, and reduce erosion.</li> <li>4. Minimum Soil Disturbance: Soil disturbance during preparation will be limited, and exposed areas will be quickly stabilized with vegetation.</li> <li>5. Monitoring &amp; Adaptive Management: Regular inspection of erosion-prone areas and streambanks will be undertaken, with corrective actions implemented promptly if erosion signs are detected.</li> </ol> <p>With these measures, the potential for soil erosion, sedimentation, and associated impacts on downstream aquatic ecosystems will be significantly reduced and maintained at a Low significance level.</p>
<p>Infilling of wetlands for road construction would further exacerbate impacts.</p>	<p>The Freshwater assessment has mentioned several points of mitigation to reduce impacts to the wetland due to the road crossing. One of these would be to ensure that multiple culverts (at least 300 mm diameter) must be placed through the road (every 5 m along the delineated width of the wetland) to facilitate diffuse flow beneath the road.</p>



The DBAR does not state if any monitoring is currently being done to establish the quality of water being discharged into the river system, post-irrigation, and if water discharge quality meets required standards.

The impact assessment component of the DBAR (pg. 42) does not adequately evaluate this aspect for existing and future water quality impacts.

No water quality monitoring is currently taking place; however, to ensure that potential impacts to the river system are effectively managed, the following commitments are made:

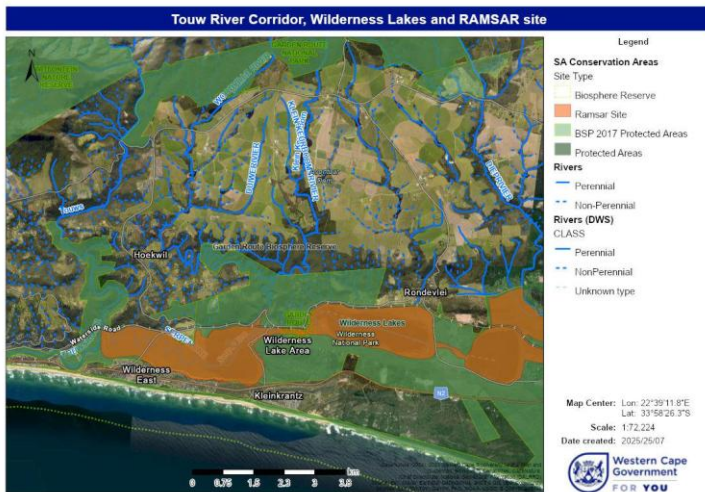
1. **Baseline Water Quality Assessment:** A baseline study of water quality in the adjacent streams will be undertaken prior to commencement of orchard expansion, to establish reference conditions.
2. **Regular Monitoring:** A formal water quality monitoring programme will be implemented during both the construction and operational phases. Parameters such as nutrients (nitrate, phosphate), pesticides, turbidity/sediment load, and pH will be tested at appropriate intervals.
3. **Compliance with Standards:** Monitoring results will be compared to applicable South African Water Quality Guidelines for irrigation and aquatic ecosystem health to ensure compliance with required standards.
4. **Adaptive Management:** If results indicate elevated nutrient or pesticide levels, corrective actions will be taken immediately. This may include modifying fertigation practices, increasing buffer zone effectiveness, or introducing additional treatment measures.
5. **Reporting:** Results of the water quality monitoring will be included in environmental compliance reports submitted to the competent authority and made available to stakeholders such as SANParks.

Through these measures, it will be ensured that the quality of water discharged into the river system is monitored, reported, and maintained within acceptable standards, thereby safeguarding the integrity of downstream ecosystems including the Wilderness Lakes Ramsar site and the Touw Estuary.

Whilst SANParks appreciates the recommendation of a 30m buffer applied to the water courses as mitigation, SANParks believes that the allocated 30m buffer is inadequate.

This being as impacts have been assessed on a site-specific basis, and have not been applied to the broader landscape, including the Touw River corridor, which is an important corridor for the functioning and wellbeing of the Wilderness Lakes Ramsar site, and the poor-functioning of the other two important easterly corridors.

The buffer determination methodology by Macfarlane and Bredin (2017) does not consider such effects.



**Fig. 7.** Position of the proposed Avocado and Macadamia Expansion area (red triangle) in relation to the Touw River Corridor (red arrow), and the Wilderness Lakes Ramsar site.

The Freshwater specialist was consulted to comment on the adequacy of the 30m buffer. The below is what was stated:

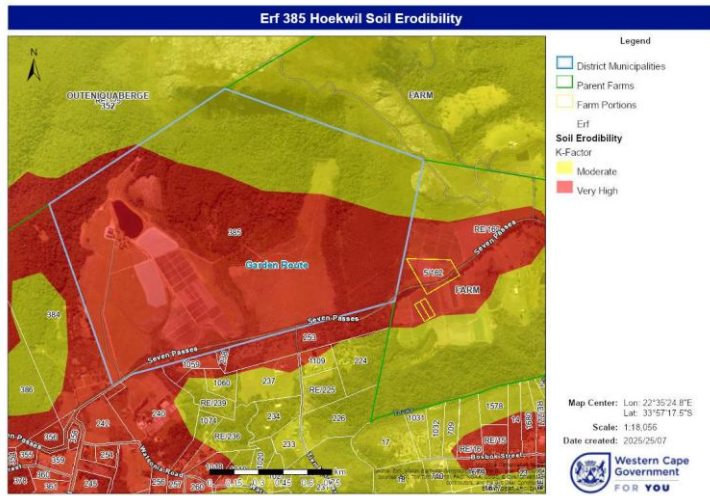
On 22/08/2025 08:06, James Dabrowski wrote:

Hi Samantha

My assessment included the implementation of a 30 m buffer. I know SANParks don't agree, but 30 m should provide sufficient protection to the watercourse, provided that the buffer is well maintained and prevents any concentrated flow through the buffer. I am quite happy with a 30 m buffer as a mitigation measure for water quality impacts and I don't believe that water quality monitoring is necessary.



**Fig. 8.** River corridors to the east including that of the Duiwe and Klein Keurboom River corridors are already severely hydrologically and ecologically compromised.



**Fig. 9.** Soil Erodibility (CapefarmMapper3).

The river corridors to the east including the Duiwe and Klein Keurboom (Fig. 8) are already severely negatively impacted.

Intensive irrigated commercial cropping is present throughout this region, with high intensity uses of fertilizers, pesticides and herbicides known. High water abstraction at a cumulative level is occurring.

Indigenous vegetation that once lined these river corridors, that would have provided a natural filtration function has been removed.

These anthropogenic farming activities are already placing the Wilderness Lakes Ramsar site under considerable stress.

This concern has been captured in the Specialist Aquatic Biodiversity Assessment report, Confluent, May 2025. Refer to extract below, page 30.

The concerns raised by SANParks regarding the cumulative and long-term impacts of agricultural expansion on the Touw River catchment and the downstream Wilderness Lakes Ramsar site are acknowledged and carefully considered.

### 1. Cumulative Pressures

It is recognised that the broader region already supports intensive irrigated agriculture characterised by high fertiliser, pesticide, and water use, as well as the removal of natural riparian vegetation, all of which have degraded natural water filtration functions and increased stress on aquatic systems.

The BAR and the Specialist Aquatic Biodiversity Assessment (Confluent, May 2025) explicitly identify this cumulative stress, highlighting the need for risk-averse land use and strong mitigation measures within the catchment.

### 2. Strategic Water Source Area (SWSA) and NFEPA

The site's location within a Strategic Water Source Area (SWSA) and a National Freshwater Ecosystem Priority Area (NFEPA) is fully acknowledged.

Such areas are recognised as requiring maintenance in a natural or near-natural condition to safeguard water security and ecological functioning.

This constraint has guided the design of the development to limit its extent, reduce its intensity, and avoid intact ecosystems and watercourses.

### 3. Measures to Limit Contribution to Cumulative Impacts

The proposed activity differs fundamentally from the "intensive commercial irrigation" model observed elsewhere in the region. Specific measures include:

**Dryland Orchard Model:** Cultivation relies primarily on rainfall, with limited supplemental irrigation from an existing on-site dam (lawful water use rights). This avoids new water abstraction pressures on the catchment.

**Reduced Footprint:** The proposed cultivation area was reduced from 15 ha to 11 ha, deliberately excluding wetlands, riparian zones, and intact natural areas.

## 9. CONCLUSION

Two wetlands and associated streams were identified either side of the proposed cultivated area on Erf 385. These wetlands occur within a catchment area that has been classified as a FEPA and a SWSA. Any further development in the catchment area must therefore be done in a sensitive manner so as to maintain watercourses and the larger Touws River catchment in a good ecological condition. Extensive agricultural activities are one of the main threats to aquatic biodiversity that have been identified in the broader catchment area. Impacts associated with agriculture are primarily related to loss of aquatic habitat due to encroachment of cultivated areas into riparian zones and wetlands and nonpoint source pollution of watercourses by nutrients, sediment and pesticides. All of these impacts can be effectively mitigated through the implementation of adequately sized buffers that protect watercourses from habitat loss but also play an important role in attenuating and filtering nonpoint source pollutants. In this respect, and considering the sensitivity of the catchment area, a mandatory 30 m buffer between watercourses and planned cultivated fields must be implemented. Provided that the buffer and other mitigation measures are implemented, impacts associated with the proposed establishment of cultivated areas are acceptable from an aquatic biodiversity perspective.

Both road crossing alternatives would require infilling of wetland habitat and can also alter the natural hydrological and geomorphological characteristics of the wetland by restricting flow across the road. Mitigation measures must therefore be implemented with a view to ensuring the natural hydrological and geomorphological characteristics of the wetland are maintained. In this respect the road design must continue to allow diffuse flow through the road which can be achieved by installing multiple appropriately sized culverts through the road. Alternative B results in a lower impact and risk to the wetland – and is therefore the recommended alternative.

SANParks is concerned about the cumulative and long-term impacts that the proposed agricultural expansion activity may have on the hydrological integrity and ecological functioning of the broader catchment, particularly with the property being located within a Strategic Water Source Area (SWSA) and a National Freshwater Ecosystem Priority Area (NFEPA).

Such areas should be maintained in good condition to manage and conserve freshwater ecosystems and to protect water resources for users.

SANParks cannot support further landuse transformation and intensive farming activities on the property or along the Touw River Corridor, and its tributaries, which provide a valuable lifeline function to the Wilderness Lakes Ramsar site, considering the other adjacent river corridors are already compromised.

### Buffers and No-Go Areas:

- 30 m vegetated buffer zones around wetlands and rivers.
- 50 m forest buffer to protect faunal and ecological corridors.

### Fertiliser and Agrochemical Management:

- Nutrient budgeting (soil/leaf analysis before application).
- No agrochemicals permitted in buffers.
- Vegetated filter strips installed to intercept potential runoff.

Rehabilitation Commitment: Alien invasive clearing and restoration of degraded ESAs to reinstate some of the natural filtration functions lost in the catchment.

### 4. Differentiation from High-Risk Agricultural Practices

Unlike other high-intensity farms, the proposed activity does not involve new large-scale irrigation abstraction, nor does it extend into riparian habitats or wetlands.

The approach represents a lower-intensity, ecologically buffered land use, integrating both production and ecosystem stewardship.

### 5. Balanced Consideration of Land-Use Options

The No-Go Alternative has been assessed and may offer ecological benefits in terms of fynbos recovery if alien management obligations are met.

However, the Preferred Alternative represents the Best Practicable Environmental Option, balancing socio-economic benefits (job creation, rural development, skills training) with ecological safeguards through avoidance, minimisation, and rehabilitation.

Alien clearing and rehabilitation of this area would be more beneficial to the broader landscape and ecological and hydrological functioning.

Indeed, the removal of invasive alien vegetation is a legal obligation under CARA (Act 43 of 1983) and NEM:BA (Act 10 of 2004), and would restore aspects of ecological integrity and water resource functioning over time.

The proposed orchard development does not negate or replace alien clearing and rehabilitation. Instead, it explicitly integrates these measures into the land-use model:

Alien species within and adjacent to the proposed footprint will be systematically cleared.

Buffer zones and ESA areas outside the cultivation footprint will be rehabilitated with indigenous vegetation, improving ecological connectivity.

By reducing the development footprint from 15 ha to 11 ha, additional space has been made available for rehabilitation and ecological corridors.

Thus, the project will deliver dual benefits: targeted agricultural production and concurrent ecological rehabilitation.

Rehabilitation-only (No-Go Alternative): Maximises ecological benefits but does not provide socio-economic opportunities.

Development with Rehabilitation (Preferred Alternative): Provides both ecological gains (through alien clearing, buffers, and rehabilitation) and socio-economic benefits (employment, local agricultural production, skills transfer).

While alien clearing and rehabilitation alone would certainly improve ecological and hydrological functioning, the proposed development has been deliberately designed to achieve these same outcomes while also supporting community needs through job creation, economic upliftment, and sustainable land use. The combination of rehabilitation + low-intensity orchard cultivation ensures that ecological obligations are met while delivering tangible social benefits, which a rehabilitation-only option cannot provide.

**Points 2: Land Use Saturation and Precedents**

SANParks is concerned that the applicant has already developed an extensive proportion of Erf 385 for agricultural use, and the current application represents a further expansion beyond optimal carrying capacity of the broader region.

The DBAR states, approximately 79.8ha of the 265ha farm area is under cultivation or developed.

The proposed 11/15ha expansion would bring the cultivated portion to over 90ha, reducing the ecological and hydrological functioning of remaining natural areas, and encouraging encroachment towards sensitive watercourses and steep slopes.

4.	<b>Other developments</b>	
4.1.	Property size(s) of all proposed site(s):	2658785.8 m²
4.2.	Developed footprint of the existing facility and associated infrastructure (if applicable):	±798000 m²
4.3.	Development footprint of the proposed development and associated infrastructure size(s) for all alternatives:	Preferred: 110 000 m² Alternative 1: 150 000 m²
4.4.	Provide a detailed description of the proposed development and its associated infrastructure (This must include details of e.g. buildings, structures, infrastructure, storage facilities, sewage/effluent treatment and holding facilities).	

The approval of the agricultural expansion activity may set a negative precedent with insufficient controls on cumulative impacts, especially in the absence of a recent localised catchment-level Environmental Management Framework/Strategic Environmental Assessment.

Such a precedent may result in:

- Similar requests by neighbouring landowners in the GRNP Buffer Zone.
- Accelerated conversion of indigenous or restorable land to high-water-use monocultures (e.g., Avocados and Macadamia).
- Land transformation from low impact agricultural activities to high intensity agricultural activities.

It is correct that approximately 79.8 ha of Erf 385 is currently cultivated, with the proposed 11 ha expansion bringing the total to just over 90 ha of the 265 ha property.

Importantly, this still leaves the majority (~175 ha) of the farm area in natural or semi-natural condition, including intact fynbos, wetland, and forest areas.

The proposed expansion is therefore limited in scale relative to the overall property size and is concentrated in areas of degraded ESA, rather than in CBAs, wetlands, or forest habitats.

The development footprint was reduced from 15 ha to 11 ha after specialist input, ensuring avoidance of steep slopes and sensitive watercourses.

Buffers (30 m around wetlands, 50 m around forests) and erosion control measures further limit encroachment risk.

This represents a risk-averse and cautious approach, consistent with NEMA principles, specifically Section 2(4)(a)(vii).

The concern that this approval could set a negative precedent for further agricultural intensification in the Garden Route National Park (GRNP) Buffer Zone is acknowledged. However, the BAR demonstrates that this case is site-specific, with strict mitigation, reduced footprint, and a dual focus on rehabilitation and sustainable cultivation. The project should not be viewed as a blanket justification for neighbouring landowners, as each future application must undergo individual Basic Assessment or full EIA processes, including specialist input and cumulative impact considerations.

While SANParks' concern about precedent and cumulative pressures in the region is valid, the proposed 11 ha expansion on Erf 385 has been deliberately shaped to avoid sensitive habitats, limit scale, and incorporate rehabilitation measures. It therefore does not represent an uncontrolled intensification of land use, but rather a balanced and site-specific Best Practicable Environmental Option.

<p><b><u>Point 3: Fynbos Regeneration and Alien Invasive Species Removal</u></b></p> <p>It is noted that the proposed activity expansion area is described as '<i>heavily infested with invasive alien species</i>'.</p> <p>SANParks supports the removal of alien vegetation, as is required by law and in terms of an Invasive Alien Species Control Plan among others; however, this should not justify landuse transformation activities.</p> <p>The Endangered Garden Route Shale Fynbos has high regenerative potential following alien plant removal.</p> <p>Two peer-reviewed articles support this. These studies suggest that <u>fynbos species regenerate successfully in areas previously afforested or invaded</u>, provided there is no further soil disturbance.</p> <p>The soil seed bank in these landscapes remains viable for decades, and once the alien canopy is removed, indigenous flora can return, enhancing biodiversity and ecosystem function.</p>	<p>While SANParks is correct that alien clearing and rehabilitation could alone restore biodiversity and ecosystem function, the proposed activity is designed to combine ecological rehabilitation with carefully controlled agricultural use.</p> <ul style="list-style-type: none"> <li>• Sensitive areas will be rehabilitated and protected,</li> <li>• The cultivation footprint has been reduced and contained, and</li> <li>• Long-term alien management commitments are embedded in the EMPr.</li> </ul> <p>This balance reflects the Best Practicable Environmental Option by meeting ecological responsibilities while also addressing socio-economic needs.</p>
<p><b><u>Points 4: Summary and Way Forward</u></b></p> <p>SANParks does not support the proposed agricultural expansion activity, primarily as it will occur adjacent to two streams with associated wetlands, that feed into the Touw River, which joins the Serpentine River, which may ultimately affect the health and wellbeing of the Wilderness Lakes Ramsar site (site no. 524) of international</p>	<p>All points have been previously answered.</p>



conservation importance, as designated in 1991, and the Touw Estuary.

The Touw River corridor is providing a valuable lifeline to the Wilderness Lakes Ramsar site, as the river corridors to the east including the Duiwe and Klein Keurboom are already severely negatively impacted.

Intensive irrigated commercial cropping is present throughout this region, with high intensity uses of fertilizers, pesticides and herbicides known.

High water abstraction at a cumulative level is occurring. Indigenous vegetation that once lined these river corridors, that would have provided a natural filtration function has been removed.

SANParks has concerns regarding water quantity and quality and requires sight of the BOCMA water entitlement verification outcome for existing and anticipated water usage for the proposed 11/15ha cultivation expansion area.

The source of water being abstracted must be provided and clarity is required on whether any monitoring is currently being done to establish the quality of water being discharged into the river system, post-irrigation, and if water discharge quality meets required standards.

SANParks believes that the allocated 30m buffer applied to the watercourses is inadequate, given the cumulative impacts in the broader region and risks to the Ramsar site.

<p>SANParks is concerned that the applicant has already developed an extensive proportion of Erf 385 for agricultural use, and the current application represents a further expansion beyond optimal carrying capacity of the broader region.</p> <p>The approval of the agricultural expansion activity may set a negative precedent with insufficient controls on cumulative impacts.</p> <p>Although the proposed expansion area is invaded with alien invasive species, alien clearing is required by law for biodiversity protection and for fire control. Portions of the proposed expansion area are mapped as Endangered Garden Route Shale Fynbos which has high regenerative potential following alien plant removal.</p> <p>Two peer-reviewed articles support this.</p> <p>Alien clearing and rehabilitation of this area would be more beneficial to the broader landscape and its ecological and hydrological functioning.</p> <p>It is requested that SANParks' comments be included in the Final BAR in their entirety and not only in a Comments and Responses report.</p> <p>SANParks reserves the right to revise comments if additional information becomes available.</p>	
<b>The Breede-Olifants Catchment Management Agency (BOCMA) – SI Ndlovu – 25 July 2025</b>	
<p>The following are BOCMA comments relating to the Draft Basic Assessment Report for the proposed cultivation of eleven (11) hectares of land to plant macadamia and avocado trees on erf 385, which should be adhered to:</p>	<p>Your decision is acknowledged.</p>

<p>1. The Breede-Olifants Catchment Management Agency has reviewed the Draft Basic Assessment and has no objection to the proposed agricultural development.</p>	
<p>2. The BOCMA notes that the property is zone Agricultural I and there are existing lawful water uses, however the applicant is advised to consult with BOCMA prior to the expansion of the macadamia and avocado orchards should they require more water for irrigation.</p>	<p>This will be complied with.</p>
<p>3. Please note that no water shall be derived from any water resource and used on erf 385 for any purposes without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998), if activities exceed Schedule 1 limits.</p>	<p>This is acknowledged and will be complied with.</p>
<p>4. No construction or cultivation activities are allowed to take place within the regulated area of watercourses i.e. wetland areas, drainage lines within the development site without a water use authorisation.</p>	<p>Acknowledged. The applicant is currently applying for General Authorisation.</p>

<p>5. The activities that occur within a regulated area e.g. infilling of wetland habitat or cultivation will trigger water uses in terms of section 21 (c) &amp; (l) of the National Water Act, 1998 (Act No, 36 of 1998) and must be authorised.</p> <p>These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively.</p> <p>The regulated area of a watercourse is defined as follows:</p> <ul style="list-style-type: none"> <li>a) The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;</li> <li>b) In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act);</li> <li>c) A 500m radius from the delineated boundary (extent) of any wetland or pan.</li> </ul>	<p>Acknowledged. The applicant is currently applying for General Authorisation.</p>
<p>6. The applicant must ensure that no contaminated stormwater is diverted/discharged into any watercourse and shall ensure that a comprehensive stormwater Management Plan is in place and implemented.</p>	<p>The applicant commits to preparing and implementing a comprehensive Stormwater Management Plan prior to construction, and to ensuring that no contaminated stormwater is discharged into any watercourse. This will form part of the EMP and will be overseen by the ECO.</p>

<p>7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act.</p> <p>Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1)(a) of the National Water Act.</p> <p>In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.</p>	<p>Acknowledged. The applicant is currently applying for General Authorisation.</p>
<p>8. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.</p>	<p>This is acknowledged.</p>
<p>9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.</p>	
<p>10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.</p>	
<p>11. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS)</p>	

<p>website a <a href="http://www.dws.gov.za/e-WULAAS">http://www.dws.gov.za/e-WULAAS</a></p>	
<p>12. Should you have any further enquiries, the office can be contacted or alternatively contact Mr SI Ndlovu at the above-mentioned contact number or on <a href="mailto:sndlovu@bocma.co.za">sndlovu@bocma.co.za</a></p>	
<p><b>NGO</b></p>	
<p><b>Wilderness and Lakes Environmental Action Forum – Charles Scott – 21/08/2025</b></p>	
<p>DRAFT BASIC ASSESSMENT REPORT : PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE MUNICIPALITY, WESTERN CAPE : DEA&amp;DP Reference: 16/3/3/1/D2/30/0006/25</p> <p>This application was originally sent by Ecoroute to us for our comments on 27th June 2025. On 29th June 2025 WALEAF requested a site visit to enable us to carefully view and inspect the area on which the owners have proposed to cultivate avocado and macadamia trees. Unfortunately, due to various delays, a site visit was only conducted on 7th August 2025. As the 30 day commenting period had already elapsed due to no fault of WALEAF, we requested that the commenting period be extended accordingly.</p>	<p>Noted and agreed.</p> <p>Due to inclement weather and unforeseen circumstances, the site visit had to be rescheduled.</p>
<p>At the time of the site visit we were not able to inspect the area that has been earmarked for the planting of the avocado and macadamia trees, due to the fact that this entire area was totally overgrown with illegal invasive black wattle trees. The area was so heavily invaded by these wattle trees that we lost our way many times, and were unable to see where these avocado and macadamia trees were going to be planted.</p>	<p>Comments on the site visit provided by Lizelle Genade who conducted the site visit on behalf of the EAP.</p> <p>Noted and agreed.</p> <p>The area suggested by BOCMA as access to the proposed field was where the site visit commenced. The original access point was a swamp, and entry from there would have been near impossible.</p>

<p>Additionally, the position of the proposed new access road was not shown to us. We feel that this site visit was fruitless and a total waste of time.</p>	<p>The agreed access area was overgrown with wattle. WALEAF raised concerns with the farmer, Mr. Basil Jacobs, regarding this. He explained that he has a dedicated team for clearing AIS, but they are currently working on another part of the farm that also requires attention.</p> <p>Mr. Jacobs, Mr. John Gibbs, and Mr. Guy (Saasveld and concerned citizen) pushed through to the proposed field. However, it proved too difficult for some of the older members to gain access, and the group returned to the parking area. After some time, Mr. Jacobs, Mr. Gibbs, and Mr. Guy returned. Mr. Guy had taken numerous photos and videos, which were shared with all members to enable assessment of the proposed area. These can also be shared with authorities if required.</p> <p>The entrance and proposed access road coincided with the area where the group entered the overgrown section. Mr. Jacobs explained that the location of the new access road was determined in consultation with BOCMA. Their preference was for the road to be situated in the drier area above the stream, to minimize disturbance of the waterway.</p> <p>It should be noted that several sites present physical challenges. Individuals attending site visits are advised to wear appropriate footwear (socks with sandals are not suitable) and to be aware that site access may, at times, be difficult or restricted. It is not always possible to have every area cleared in advance due to logistical constraints.</p>
<p>In 2020 WALEAF had discussions with Janet Ebersohn of ECOROUTE, wherein we were informed that the owners of the property were given a directive by DFFE (DEA in 2020) in Pretoria to clear all the alien vegetation on the property, which we understand they then did. (See Annexure A, which is an email from DEA&amp;DP confirming this.) Our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.</p>	<p>The removal of invasive alien vegetation is a legal obligation under CARA (Act 43 of 1983) and NEM:BA (Act 10 of 2004); however, a landowner is required to submit an AIP management plan in order to control alien invasive plants. This plan usually has a stipulated timeframe in which all recommended works must be undertaken. Due to this, a new management plan had to be compiled. Please refer to Appendix H for the new plan which will be implemented on the property.</p> <p>In addition, clearing vegetation from the root cannot be undertaken if the area has not been lawfully disturbed during the preceding 10 years and triggers a Listed Activity/ies in terms of the NEMA EIA Regulations, 2014 as amended, without first undertaking an environmental impact assessment (which is the case with the proposed footprint).</p>

<p>WALEAF recommends that before this Draft BAR is even considered, that the terms of the directive issued by DFFE should be strictly enforced, and the property cleared of all alien vegetation. Once the area has been cleared, we can then revisit the property, and see whether any further farming should be considered on this portion of the farm. Presently, there is no way to determine if further farming is viable, seeing that the area is so heavily infested with alien vegetation.</p>	<p>While we acknowledge WALEAF's concern regarding alien vegetation, it is important to note that the proposed activity is part of a functioning farm that contributes to local food security and provides employment. Clearing the area of invasive species is supported and required in terms of relevant legislation; however, the presence of alien vegetation does not, in itself, preclude the viability of agricultural use.</p> <p>The farm must continue to operate to remain economically sustainable, and delaying farming activities until the complete removal of all invasive species would risk both production and livelihoods. The proposed development and ongoing management of invasive species can proceed concurrently, in line with an approved Invasive Alien Species Control Plan, without compromising the farm's operational viability.</p>
<p><b>PROPOSED APPLICATION</b>  The applicant states that "the property is zoned Agricultural I. Wilderness Fruit (Pty) Ltd is applying to cultivate 11 hectares of land to plant Macadamia and Avocado Trees on Erf 385, Hoekwil. This is an expansion of their current agricultural practice on the property. The property has a dam on site with existing water use rights. Irrigation pipes will be laid within the area; however, the proponent will manage the field as 'dryland', with some water from the dam to be used when fertilizer is required (approximately 10 000m<sup>3</sup> per year). The proponent would make use of the existing pipeline that is feeding the blocks adjacent to the proposed new fields. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees. The laying of irrigation pipes and proposed access road requires a General Authorisation in terms of Section 39 of the National Water Act, Act 36 of 1998."</p>	<p>Agreed.</p>
<p><b>PROPOSED ALTERNATIVES</b>  There appears to be some confusion regarding the Preferred Alternative, Alternative 1, Alternative 2, Alternative A, and Alternative B. The numbering</p>	<p>Two alternatives have been assessed in the EIA: Alternative 1 (Preferred Alternative) – 11 ha and Alternative 2 – 15 ha.</p> <p>Alternative A and B is only in reference to the location of the proposed access road.</p>



<p>system does not make sense, and appears to have conflicting preferred alternatives.</p> <p>In the Appendix H1 EMPr 2, page 6, it states : Alternative 1 (Preferred Alternative) – The clearance of indigenous vegetation (heavily alien plant infested) for the development of a further 11 hectares of agricultural land for the purpose of planting Avocado trees and Macadamia nuts. The property has water rights and a dam on site. Irrigation pipes will be laid within the area; however, the proponent will manage the field as 'dryland' and some water will be used when fertilizer is required. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees.</p> <p>On page 11, reference is made to an Alternative 2. Also on page 11, reference is made to Alternative A and Alternative B (now the Preferred Alternative).</p> <p>On page 13, reference is made to Preferred Alternative and Alternative 2.</p> <p>On page 15, reference is made to Alternative A and Alternative B (now the Preferred Alternative).</p> <p>On page 16, reference is made to Preferred Alternative and Alternative 2.</p> <p>In the Draft BAR, page 14</p> <p>Alternative 1: "Alternative 1 would be to apply for an additional 15 hectares of cultivated land to practise their existing rights to plant Macadamia and Avocado Trees on Erf 385 Hoekwil."</p>	<p>The EAP has amended wording in the reports for clearer readability.</p>
<p>In Appendix H1 EMPr 2, the consultants for this application state the following : "8. SPECIALIST RECOMMENDATIONS/MITIGATION MEASURES</p>	<p>Please review the assessment in its entirety. However, the EAP has included a sensitivity/no-go map in the EMPr in order to make the specialists recommendation make more sense.</p>

8.1 TERRESTRIAL BIODIVERSITY ASSESSMENT (GREG NICOLSON, CAPENSIS ECOLOGICAL CONSULTING, MAY 2024) –

Mitigation options are generally considered in terms of the following mitigation hierarchy: (1) avoidance, (2) minimization, (3) restoration and (4) offsets. A distinction is also made between essential mitigation (non-negotiable mitigation measures that lower the impact significance) and non-essential mitigation (best practise measures that do not lower the impact significance).

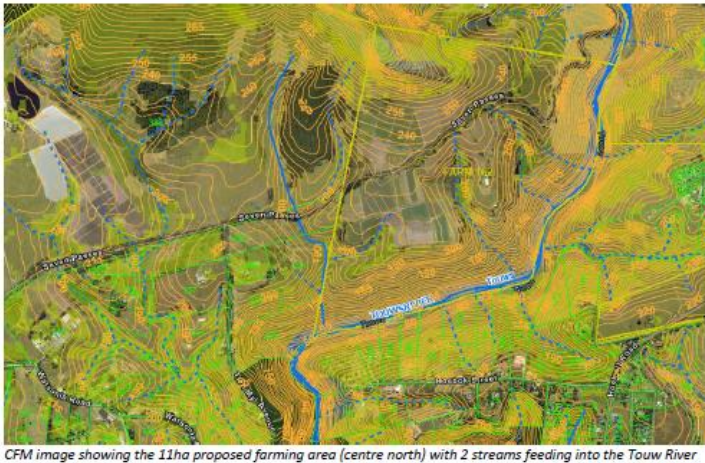
In this instance, a number of essential mitigation measures are necessary to reduce the impact of the development.

1. Avoidance of the Intact forest (including a 50m buffer), Semi-intact fynbos and Degraded fynbos habitats which are of High and Medium sensitivity.
2. Avoidance of the subpopulation of *Leucospermum glabrum* (including a 100m buffer) and Sensitive species 419 on the eastern side of the site.
3. Ensure that natural fire cycles can occur within this area.
4. Avoidance of the freshwater features (including a 30m buffer) to ensure connectivity of lowland and upland habitat.
5. The 'search and rescue' of the Sensitive species 419 from the western side of the site.
6. The vegetation from the fynbos habitat that is not developed must be rehabilitated to a state where it is representative of the original fynbos ecosystem and supports ecological functioning to a moderate or high level.
7. The rehabilitation must be undertaken in a phased approach, according to a rehabilitation

<p>plan and undertaken by a qualified botanist or restoration ecologist.</p> <p>8. The initial step will require the removal and control of all IAPs on the property and erosion control if necessary. Passive rehabilitation on the parts of the site where no earthworks have taken place can be allowed for one winter season following the removal of IAPs. Thereafter the site must be assessed by the restoration contractor to determine the level of active rehabilitation input. Active rehabilitation will be required for areas where topsoil has been disturbed, and areas that do not naturally recover from stored soil seedbank.</p> <p>9. The restoration contractor should monitor the populations of SCC to ensure that they persist on the site, and additional propagation of these species may be required.</p> <p>10. Follow-up clearing of all exotic and listed IAPs is required every 6 months for the first three years, and annually thereafter to ensure that the IAPs do not dominate the fynbos."</p> <p>From the above specialist report, it appears to WALEAF that due to the sensitivity of this portion of the property, that no farming should be allowed, and that it be restored to natural vegetation.</p>	
<p>8.3. SPECIALIST AQUATIC BIODIVERSITY ASSESSMENT (DR. JAMES DABROWSKI, CONFLUENT ENVIRONMENTAL, MAY 2025) –</p> <p>Two wetlands and associated streams were identified either side of the proposed cultivated area on Erf 385. These wetlands occur within a catchment area that has been classified as a FEPA and a SWSA. Any further development in the catchment area must therefore be done in a sensitive manner so as to maintain watercourses and the larger Touws River catchment in a good ecological condition. Extensive agricultural</p>	<p>The concerns raised by WALEAF regarding the cumulative and long-term impacts of agricultural expansion on the Touw River catchment and the downstream Wilderness Lakes Ramsar site are acknowledged and carefully considered.</p> <p>1. Cumulative Pressures</p> <p>It is recognised that the broader region already supports intensive irrigated agriculture characterised by high fertiliser, pesticide, and water use, as well as the removal of natural riparian vegetation, all of which have degraded natural water filtration functions and increased stress on aquatic systems.</p>

activities are one of the main threats to aquatic biodiversity that have been identified in the broader catchment area. Impacts associated with agriculture are primarily related to loss of aquatic habitat due to encroachment of cultivated areas into riparian zones and wetlands and nonpoint source pollution of watercourses by nutrients, sediment and pesticides.”

WALEAF is concerned that, as mentioned above, water from these wetlands feed into the Touw River, which is the source of the drinking water for Wilderness. The fertilising of the orchards and the use of pesticides will most certainly affect the quality of the drinking water in Wilderness. Likewise, the use of fertilisers and pesticides will also be detrimental to the internationally recognised RAMSAR site, which is also fed by the Touw River.



CFM image showing the 11ha proposed farming area (centre north) with 2 streams feeding into the Touw River

The BAR and the Specialist Aquatic Biodiversity Assessment (Confluent, May 2025) explicitly identify this cumulative stress, highlighting the need for risk-averse land use and strong mitigation measures within the catchment.

## 2. Strategic Water Source Area (SWSA) and NFEPA

The site's location within a Strategic Water Source Area (SWSA) and a National Freshwater Ecosystem Priority Area (NFEPA) is fully acknowledged.

Such areas are recognised as requiring maintenance in a natural or near-natural condition to safeguard water security and ecological functioning.

This constraint has guided the design of the development to limit its extent, reduce its intensity, and avoid intact ecosystems and watercourses.

## 3. Measures to Limit Contribution to Cumulative Impacts

The proposed activity differs fundamentally from the “intensive commercial irrigation” model observed elsewhere in the region. Specific measures include:

**Dryland Orchard Model:** Cultivation relies primarily on rainfall, with limited supplemental irrigation from an existing on-site dam (lawful water use rights). This avoids new water abstraction pressures on the catchment.

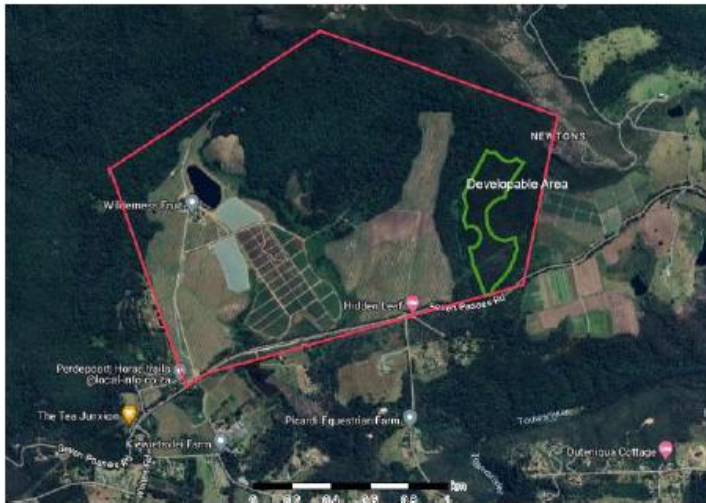
**Reduced Footprint:** The proposed cultivation area was reduced from 15 ha to 11 ha, deliberately excluding wetlands, riparian zones, and intact natural areas.

**Buffers and No-Go Areas:**

- 30 m vegetated buffer zones around wetlands and rivers.
- 50 m forest buffer to protect faunal and ecological corridors.

**Fertiliser and Agrochemical Management:**

- Nutrient budgeting (soil/leaf analysis before application).



Position of Erf 385 Hoekwil in Wilderness Heights

- No agrochemicals permitted in buffers.
- Vegetated filter strips installed to intercept potential runoff.

Rehabilitation Commitment: Alien invasive clearing and restoration of degraded ESAs to reinstate some of the natural filtration functions lost in the catchment.

#### 4. Differentiation from High-Risk Agricultural Practices

Unlike other high-intensity farms, the proposed activity does not involve new large-scale irrigation abstraction, nor does it extend into riparian habitats or wetlands.

The approach represents a lower-intensity, ecologically buffered land use, integrating both production and ecosystem stewardship.

#### 5. Balanced Consideration of Land-Use Options

The No-Go Alternative has been assessed and may offer ecological benefits in terms of fynbos recovery if alien management obligations are met.

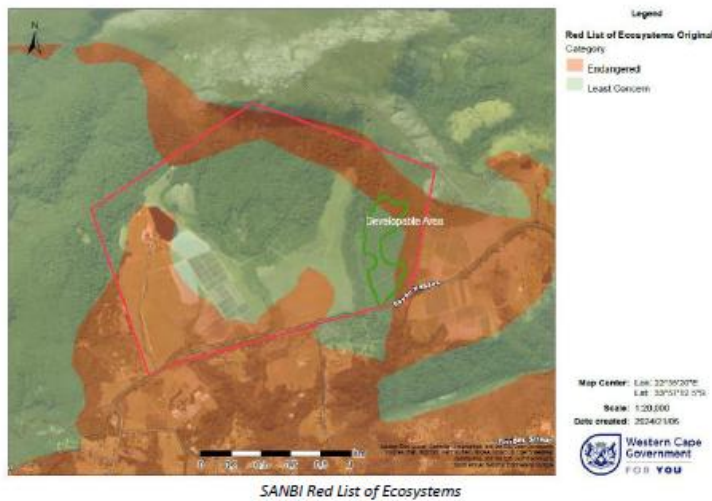
However, the Preferred Alternative represents the Best Practicable Environmental Option, balancing socio-economic benefits (job creation, rural development, skills training) with ecological safeguards through avoidance, minimisation, and rehabilitation.



Critical Biodiversity Map – the proposed cultivation area will be partially within CBA2



Watercourse and 30m buffer area for Alternative 16ha option



**DRAFT BAR DOCUMENT**

In terms of the NEMA EIA Regulations, Ecoroute have stated that the following listed activities have been triggered. Regarding the Activities 12, 19, 27 (Listing Notice 1) and 4, 12, 14 (Listing Notice 3), as presented in the tables below, we are unable to comment on any of these, as, at our site visit, we were not shown where and how these listed activities were going to be affected on the property. We therefore reserve our rights to comment at a future date once all the alien vegetation has been cleared, so that we can determine how these listed activities will (possibly) affect the property.

As previously stated: While we acknowledge WALEAF's concern regarding alien vegetation, it is important to note that the proposed activity is part of a functioning farm that contributes to local food security and provides employment. Clearing the area of invasive species is supported and required in terms of relevant legislation; however, the presence of alien vegetation does not, in itself, preclude the viability of agricultural use.

The farm must continue to operate to remain economically sustainable, and delaying farming activities until the complete removal of all invasive species would risk both production and livelihoods. The proposed development and ongoing management of invasive species can proceed concurrently, in line with an approved Invasive Alien Species Control Plan, without compromising the farm's operational viability.

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 1	Describe the portion of the proposed development to which the applicable listed activity relates.
12	<p>The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p><b>(ii) infrastructure or structures with a physical footprint of 100 square metres or more,</b></p> <p>where such development occurs—</p> <p><b>(a) within a watercourse;</b>  <b>(b) in front of a development setback;</b> or  <b>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</b></p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;  (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;  (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;  (dd) where such development occurs within an urban area;  (ee) where such development occurs within existing roads, road reserves or railway line reserves; or  (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site.</p>
19	<p>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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(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.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site.</p>
27	<p>The clearance of an area more than 1 hectare, but less than 20 hectares of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or  (ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The clearance of indigenous vegetation to create additional agricultural land of 11 hectares for the planting of macadamia trees and avocado trees, including the necessary infrastructure required.</p>



Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3	Describe the portion of the proposed development to which the applicable listed activity relates.
4	<p>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</p> <p><b>i. Western Cape</b></p> <p>i.Areas zoned for use as public open space or equivalent zoning;</p> <p><b>ii. Areas outside urban areas;</b></p> <p><b>(aa) Areas containing indigenous vegetation:</b>            (bb)Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or            (bb)Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>The proposed road surface will not be more than 4m wide; however, the road structure (to include culverts) may result in the road being wider than 4m overall.</p> <p>The area proposed for the road will be in an area which was previously disturbed and taken over by alien invasive plants; however, there may be some remnants of indigenous vegetation present.</p>
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p><b>a. Western Cape</b></p> <p><b>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</b></p> <p><b>ii. Within critical biodiversity areas identified in bioregional plans;</b></p> <p>ii. Within the littoral active zone or 100 metres inland from high water mark, of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>The proposed cultivation will require the removal of approximately 11 ha of indigenous vegetation and will partially occur within an endangered ecosystem (Garden Route Shale Fynbos) and a CBA2: Terrestrial area on the southern portion.</p>

14	<p>The development of—</p> <p>(j) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p><b>(i) infrastructure or structures with a physical footprint of 10 square metres or more;</b></p> <p>where such development occurs—</p> <p><b>(a) within a watercourse:</b></p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p><b>a. Western Cape</b></p> <p><b>i. Outside urban areas:</b></p> <p>(aa) A protected area identified in terms of NEMFAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas listed in terms of an international convention;</p> <p><b>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</b></p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site within a CBA2: Terrestrial.</p>	
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Under SECTION F: PUBLIC PARTICIPATION, we refer to the answer submitted below :

PPP has been compiled with. Proof will be issued with the final BAR.

As stated above, a proper site inspection was not possible and we could not complete a full inspection of the property. This was due to the fact that, by not fulfilling the requirements of the DFFE directive, to clear all the illegal invasive alien vegetation, that has resulted in a heavy infestation of impenetrable vegetation on the property. Had the owner performed and complied with this directive, a full and proper site assessment would have been possible, and the impact of the proposal accurately determined.

Site visit constraints addressed above.

On page 35, Ecoroute, when discussing the “No Go” option, states :

Please see revised assessment of the no-go.

The No-Go alternative would see the continuation of the unproductive land, no additional crop production, and a potential for the increased spread of AIPs.

It may result in the surrounding land not being rehabilitated to encourage the flourishing of fynbos and other indigenous vegetation, which would eventually threaten the long-term viability of several SCC found in the current undisturbed habitats.

If the No-Go option was actually considered as an option, and the illegal invasive alien vegetation was cleared in terms of the DFFE directive, there would be no “potential for the increased spread of AIPs”, and threatening “.....the long-term viability of several SCC found in the current undisturbed habitats.”

On page 39, we question why, when discussing the Degradation of wetland habitat caused by upgrading the access road, Ecoroute has totally dismissed the “No-Go’ option.

As a result of the aforementioned comments, WALEAF objects to any type of development taking place on this property, until such time as all the illegal alien vegetation has been cleared in terms of the directive issued by DFFE previously. We again state that our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.

Once this property has been cleared of this alien vegetation, we will then be in a better position to properly inspect the areas cleared of the alien vegetation, and then submit a proper input into a new draft BAR proposal. At this point we oppose the proposed cultivation of these macadamia and avocado trees.

The “No-Go” option in terms of the access road has not been dismissed lightly. While it would avoid the potential degradation of wetland habitat, it is not considered a feasible alternative in this case. The access road is essential for the continued operation of the farm, ensuring the movement of agricultural inputs and produce, and enabling employment opportunities linked to farming activities. Instead, the focus has been placed on mitigation measures to minimize and manage impacts on the wetland habitat, such as appropriate road design, stormwater management, and rehabilitation where disturbance occurs. This approach allows necessary farming activities to continue, while ensuring that ecological impacts are responsibly managed in line with the principles of NEMA.

As responded to above.

**PUBLIC**

**Jenny van Niekerk – 29/06/2025**

<p>Good morning,  I live right opposite Wilderness Fruit Farm, &amp; have absolutely no objection to them clearing &amp; utilising more land on their property.  It will continue to keep the alien vegetation at bay.  Kind regards,  Jenny van Niekerk</p>	<p>Thank you for your comment.</p>
<p><b>Guy Dobinson - Saasveld School of Forestry (attende of the site visit along with Forestry and WALEAF) – 03/09/2025</b></p>	
<p>H Lizelle</p> <p>I am battling to access The Bar Documents but will give you a brief overview of my opinion after viewing the site. Perhaps you could find it useful to put into your report A site visit by various stake holders was initiated at ERF 385 Hoekwil and I attended this site visit. The farm manager was present and indicated to all the intensions to develop said area for macadamia and avocado production.</p> <p>When taken to the area I was astounded by the volume and density of invasive tree species presenting as a wall in front of us. It was then determined that in order to give opinions on the said area we would need to work through the bush and riverine area to properly assess the area. For some members of the group this was a difficult task but I persevered down the slope and into the marsh riverine area. All the way was heavily infested with wattle, eucalyptus and black wood trees and prolific bug weed down in the riverine area. I then proceeded up slope and into the actual proposed area noting that all the way the vegetation was an estimated 95% full canopy exotic invasive weeds. I continued all the way to</p>	<p>Thank you for your detailed comment regarding the site visit.</p>

the eastern boundary of the proposed area which was also defined by another wetland marsh area. I took video and pictures along the way and was once again surprised by how infested the area was with invasive species. I then returned to the group and explained my findings and my suggestions were the following.

The said area as it stands is in a shocking state with a predicted full canopy of at least 95% alien plants in the way of eucalyptus, black wattle, blackwood and bug weed.

Because of this anything done to develop this land for agriculture will be better than leaving the area in the state it is in. Especially considering this is the top of a drainage area and mature trees will seed the downstream valley.

In doing so special attention should be given to the two riparian areas and all alien vegetation removed and new indigenous species be given opportunity to germinate and grow but also indigenous trees should be planted in these two riparian areas and be allowed to connect with the existing mature indigenous zone to the north west which then goes on to connect with the very important ecological zone of Groeneweide.

I witnessed many bush pig droppings and foraging turn over areas in the marshes as well as bushbuck droppings.

The farmer could showcase this area as an example of how one can convert a heavily infested exotic species area into a functioning riparian zone and at the same time benefit from agricultural production. This could be used to promote the same concepts in similar situations in the area.

We must consider that the farmer by law has to deal with these exotic infestations and perhaps this example could be an indicator for the region.

Regards

Guy

# **DRAFT BAR COMMENTS**



**REFERENCE:** 16/3/3/1/D2/30/0006/25  
**DATE OF ISSUE:** 25 July 2025

The Managing Director  
WILDERNESS FRUIT (PTY) LTD  
Postnet Suite MW313  
Private BagX1828  
**MIDDELBURG**  
1050

**Attention: Mr. Basil Jacobs**

E-mail: [basil@wildernessfruit.co.za](mailto:basil@wildernessfruit.co.za)

Dear Sir,

## **COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CULTIVATION OF LAND FOR THE PRODUCTION OF MACADAMIA NUTS AND AVOCADO TREES ON ERF 385, HOEKWIL**

1. The Draft Basic Assessment Report dated June 2024 submitted on your behalf by your appointed registered Environmental Assessment Practitioner ("EAP"), Ms. Samantha Teeluckdhari (EAPASA No: 2023/6443), and assisted by Candidate EAP, Ms. Lizelle Genade (EAPASA No: 2023/7793) of Eco Route Environmental Consulting, ("Eco Route") as received by the Directorate: Development Management (Region 3) ("this Directorate") on 27 June 2025, refers.
2. This Directorate: Development Management (Region 3) ("this Directorate") has reviewed the Draft Basic Assessment Report ("RBAR") and provides the following comment:

### 2.1. *BAR requirements*

The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended) and must also include the information requested in this letter. Omission of any of the said information may result in the application for Environmental Authorisation being refused. In this regard, the BAR must include, *inter alia*:

#### 2.1.1. *Site Development Plan*

The BAR must include a plan which locates the proposed activities applied for as well as associated structures and infrastructure at an appropriate scale. In this regard, the BAR must include a site development plan which also includes the depiction of the proposed new access road irrigation infrastructure, etc. Furthermore, according to the Specialist Aquatic Biodiversity Assessment the mitigation measures to minimise the impact on the aquatic environment include the placement of 300mm diameter pipe culverts to facilitate the diffuse flow beneath the road. As such, a preliminary design plan for the proposed crossing must be included in the BAR.

Further to the above, this Directorate understands that the various specialists have excluded areas from the development based on the sensitivity of such areas and recommended buffers



around such areas to minimise edge effects. As such, you are required to provide the coordinates of such areas in the BAR and ensure that the mitigation measures to avoid such areas are clearly depicted and described in the Environmental Management Programme ("EMPr"). Furthermore, the BAR must include the electronic georeferenced file(s) (e.g. Keyhole Markup Language (.kml / .kmz), Shapefile (.shp) with supporting files, etc.) for the site and various no-go areas.

## 2.2. Slope analysis

With due consideration of the nature of the proposal, you are required to include a slope analysis of the entire site and include such analysis (depicted on a plan) in the BAR. This information is essential to determine *inter alia* row orientation and areas that may be prone to erosion. The plan must also indicate the row orientation within the proposed new orchard.

## 2.3. Fertiliser application

This Directorate understands that fertiliser application will be combined with controlled irrigation (fertigation) to minimise leaching and reuse water efficiently within the root zone. In this regard, over-fertilisation must be avoided to prevent eutrophication of the watercourses downstream of the proposed orchards.

## 2.4. Consideration of alternatives

### 2.4.1. No-Go Alternative

This Directorate notes that consideration of the alternatives identified in the DBAR. According to the DBAR the No-Go Alternative would see the continuation of the unproductive land, no additional crop production, a potential for the increased spread of alien invasive plant species and it may result in the surrounding land not being rehabilitated to encourage the flourishing of fynbos.

This Directorate strongly disagrees with the EAP's opinion regarding the No-Go Alternative. In this regard, please be advised that the landowner has a legal obligation in terms of the Conservation of Agricultural Resources Act, Act 43 of 1983 ("CARA") and the National Environmental Management: Biodiversity Act, Act 10 of 2004 to control and eradicate alien invasive plant species from their property. As such, this Directorate is of the view that the natural fynbos vegetation would return and reestablish if the alien invasive species are managed and eradicated. As such, the impact assessment must adequately consider the No-Go Alternative. The relevant specialists must also provide input in respect of the respective fields of expertise.

Notwithstanding the above, please be advised that in terms of Section 28 of the National Environmental Management Act, Act 107 of 1998, as amended ("NEMA") every person has a general duty of care<sup>1</sup> toward the environment.

### 2.4.2. Orchard size alternatives

It is understood that a 15ha area was initially considered (Alternative 2 in the DBAR) but that the preferred alternative (11ha) was derived during the assessment phase due to the site sensitivity considerations and the mitigation measures applied to avoid the sensitive areas. According to the impact assessment table regarding the loss of terrestrial biodiversity in the DBAR, the

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<sup>1</sup> Section 28 of NEMA - Duty of care and remediation of environmental damage: Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.

preferred alternative would not result in a loss of terrestrial biodiversity, while Alternative 2 will have a minor negative impact if mitigation is applied.

With due consideration of the information in the DBAR and the supporting documentation, this Department disagrees with the EAP's assessment regarding the loss of terrestrial biodiversity. Therefore, the EAP must reconsider the specialist reports and re-evaluate the assessment regarding the loss of terrestrial biodiversity.

## 2.5. Management and eradication of invasive alien species

This Directorate notes the Alien Invasive Species Monitoring, Control and Eradication Plan ("Control Plan") included Appendix C of the Environmental Management Programme ("EMPr"). In this regard, it is understood that the previous owner of Erf 385 received a pre-directive from the National Department of Forestry, Fisheries and the Environment ("DFFE") on 30 November 2016. The alien species were cleared in 2019 in accordance with an approved Environmental Management Plan for the control of alien invasive vegetation species. It is understood that a close-out letter was issued by the DFFE on 29 May 2019 which states that the control and eradication of listed alien invasive species on Erf 385 have been completed. However, the abovementioned correspondence has not been included in the DBAR or the Control Plan.

Notwithstanding the above and with reference to 2.4.1 above, you are required to continue with the implementation of the Control Plan for the remainder of Erf 385. In accordance with Regulation 7, you must ensure the EAP consults the DFFE: Biosecurity - Alien Invasive Species Compliance (% Mr. Stiaan Kotze) at Tel: 021 441 2816; Email: [SKotze@dffe.gov.za](mailto:SKotze@dffe.gov.za) regarding the suitability of the plan and continuation of the control plan for the remainder of Erf 385.

## 2.6. Other relevant legislative considerations

### 2.6.1. National Water Act, Act 36 of 1998

With reference to Point 3.7 of this Directorate's letter (Ref: 16/3/3/6/7/1/D2/30/0339/23) issued on 6 August 2024 and the information provided in the BAR, it is understood that the landowner is currently undertaking a Validation and Verification application process ("V&V") for water use activity Section 21(b) of the National Water Act, Act 36 of 1998, with the Breede-Olifants Catchment Management Agency ("BOCMA") on behalf of the Department of Water and Sanitation ("DWS"). Please be advised that this (water availability) is a crucial aspect in the consideration of this application for environmental authorisation. Therefore, the outcome of V&V process must be included in the BAR. Failure to include the information may prejudice the success of the application for environmental authorisation.

Further to the above, the BOCMA must also provide comment in respect of the lawfulness of the of the existing storage dams on the property. This information must be included in the BAR.

### 2.6.2. Conservation of Agricultural Resources Act, Act 43 of 1983

Based on the information in the DBAR and the relevant aerial imagery this Directorate is of the considered view that an application in terms of the CARA for the cultivation of virgin soil<sup>2</sup> may be required as it is not evident that proposed site was lawfully cultivated in the preceding 10-year period. As such, the information in respect of such an application must be included in the BAR and Standard Operating Procedure between the Western Cape Government: Department

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<sup>2</sup> "virgin soil" means land which in the opinion of the executive officer has at no time during the preceding ten years been cultivated

of Agriculture and this Department must be followed. Furthermore, any information required by the WCG: DoA must be included in the BAR.

## 2.7. Environmental Management Programme

The contents of the EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014. The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing).

This Directorate has reviewed the EMPr and provides the following comment:

### 2.7.1. Frequency of visits by the Environmental Control Officer

According to the EMPr the Environmental Control Officer ("ECO") must monitor the site monthly during the construction activities. With due consideration of the nature of the proposed development, this Directorate is of the opinion that this is inadequate as the initial activity will be the clearing of the site.

With due consideration of the findings of the specialists' assessments, the ECO must be involved with the identification and demarcation of the no-go areas (and buffer areas) to prevent any clearing activities in such areas (see 2.1.1 above). Furthermore, this Directorate recommends that site visits are conducted once a week during the initial development period. Visits by the ECO may taper, at the discretion of the ECO thereafter. The frequency of site visits by the ECO must be properly described in the EMPr to address the aforementioned.

### 2.7.2. Environmental Auditing

The EMPr states that the ECO must prepare a monthly audit report to be submitted to the Department on a monthly basis. Please be advised that a clear distinction must be made between an environmental monitoring report (to be compiled by the ECO) and an environmental audit report (to be compiled by independent person with the relevant environmental auditing expertise). In this regard, please note that the environmental auditor cannot be the EAP or the ECO. Furthermore, take note of the auditing requirements with regard to environmental authorisations and EMPr's under Regulation 34 of the EIA Regulations, 2014 (as amended). In this regard, the EMPr must be amended to ensure compliance with the requirements. The contents of the environmental audit report must comply with Appendix 7 of the EIA Regulations.

## 3. Submission of Basic Assessment Report

The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014, and must also include and address any information requested in any previous correspondence in respect of this matter.

Please be reminded that in accordance with Regulation 19 of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department. However, if significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

If the BAR is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted.

**NOTE:** Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.

4. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 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 in terms of the above 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 imprisonment.
5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

**Francois Naudé**

Digitally signed by Francois Naudé  
Date: 2025.07.25 15:17:13 +02'00'

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**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Ref.: 16/3/3/1/D2/30/0006/25

Copied to:

**Eco Route Environmental Consultancy**

- (1) EAP: Ms. Samantha Teeluckdhari
- (2) Candidate EAP: Ms. Lizelle Genade
- (3) Administrative officer

E-mail: [samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za)

E-mail: [lizelle@ecoroute.co.za](mailto:lizelle@ecoroute.co.za)

E-mail: [admin@ecoroute.co.za](mailto:admin@ecoroute.co.za)

**Wilderness Fruit (Pty) Ltd**

- (4) Administrative officer

E-mail: [admin@wildernessfruit.co.za](mailto:admin@wildernessfruit.co.za)



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Demar Centre, Main Road, Knysna, WC, Contact Number: 066 374 7795  
Enquiries: TF Gwala, E-mail: TGwala@dfpe.gov.za

### EIA-WC-GR-0010-2025-26

**RE: COMMENT ON DRAFT BASIC ASSESSMENT REPORT ON ERF 385, SEVEN PASSES ROAD, HOEKWIL**

**DATE: 13 August 2025**

ECO Route  
Attention: S. Teeluckdhari  
Email: samantha@ecoroute.co.za  
Cell/ Tel: 072 773 5397

**Dear Sir/ Madam**

I refer to your e-mail notification of 4 August 2025.

Please receive comments from the Branch: Forestry Management, Directorate: Forest Resource Protection in the Department of Forestry, Fisheries and the Environment (DFPE) on the above-mentioned proposed dwelling application as well as access road. Site inspection was conducted 7 August 2025.

**The mandate of the Forestry Branch in the Department of Forestry, Fisheries and the Environment (DFPE), as a commenting authority, is to ensure control over developments that affect State forests, natural forests, forest nature reserves and protected trees.**

1. The applicant must assess and quantify the anticipated impacts on the indigenous forests. The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that "...natural forests may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits".

2. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license. Under section 62 (1) of the NFA any person who contravenes the prohibition of certain acts in relation to trees in natural forests referred to in Section 7 (1) is guilty of a second category offence. A person who is guilty of a second category offence may be sentenced on a first conviction for that offence to a fine or imprisonment for a period of up to two years, or to both a fine and such imprisonment. Section 15 of the NFA, prohibits the destruction of protected trees without a license- "No person may cut, damage, destroy or remove any protected tree; or collect, remove, transport, export, purchase, sell donate or in any other manner acquire or dispose of any protected tree....." Anyone contravening this prohibition, is guilty of a first category offence, and can be sentenced to up to 3 years imprisonment, or a fine, or both.



**Batho pele** - putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

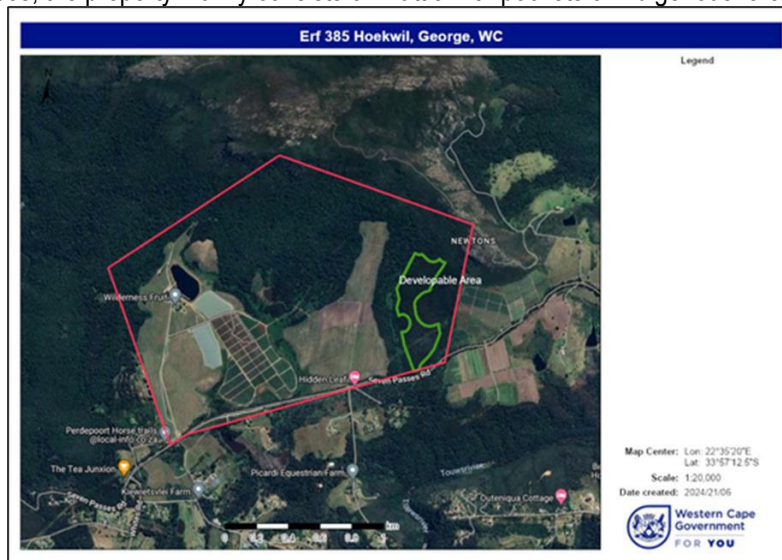
3. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act, some of which are also forest species.

4. Cutting or disturbing an indigenous tree in a natural forest without a valid Forest Act Licence is a criminal offence and a transgression of the National Forests Act, 1998 (Act No. 84 of 1998) and carries a fine or imprisonment or both.

5. Indigenous trees with active bird nests or other significant biodiversity features may not be destroyed without a valid Fauna Permit from the provincial conservation authority, the Western Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform ("DAERL"), if these would be affected.

**DDFE studied the supporting documents for the above-mentioned Draft Basic Assessment Report and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable**

6. According to the information provided the property: has a total size of 2658785.8 m<sup>2</sup>; requires clearing of vegetation for the development of a further 11 hectares of agricultural land for the purpose of planting Avocado and Macadamia trees; the property mainly consists of Wattle with pockets of indigenous forest clumps




Forestry has the following comments:

- i. Forestry has a co-operative governance relationship with various Authorities as well as stakeholders, and thus will take their concerns into consideration if such should arise
- ii. Forestry has no objection to above development proposal, provided that:
  1. The development/ agricultural footprint remains within the alien invasive wattle area
  2. The indigenous forest clumps/ pockets on the property to remain intact (as reported) and should be indicated as a no-go area
- iii. Landowner to seek advice from Fire Advisor with regards to the National Veld and Forest Fire Act (NVFFA): Mr. P. Gerber: 0828055840; pgerber@dffe.gov.za
- iv. Kindly note that this letter is not a NFA licence
- v. Section 15 of the National Forest Act (NFA) (Act No. 84 of 1998) as amended prohibits the cutting, disturbing, damaging or destroying of protected tree species without a licence. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license.

**Note:** The Department reserves the right to revise the initial comment based on any additional information that may be received

Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0010-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.

Yours Faithfully,



**SIGNATURE OF DELEGATED AUTHORITY**  
**Department of Forestry, Fisheries and the Environment**  
**Letter signed by: Ms. TF Gwala**  
**Designation: Deputy Director Forest Resource Protection**  
**Branch: Forestry Management**





REFERENCE: 4/10/2/K30D/ERF 385, HOEKWIL

DATE: 25 JULY 2025

ECOROUTE ENVIRONMENTAL CONSULTANCY  
PO BOX 9187  
**GEORGE**  
6530

Attention: Ms S. Teeluckdhari

**RE: DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE MUNICIPALITY, WESTERN CAPE**

Reference is made to the above mentioned Draft Basic Assessment Report made available to Breed-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to Draft Basic Assessment Report for the proposed cultivation of eleven (11) hectares of land to plant macadamia and avocado trees on Erf 385, which should be adhered to:


1. The Breed-Olifants Catchment Management Agency has reviewed the Draft Basic Assessment and has no objections to the proposed agricultural development.
2. The BOCMA notes that the property is zone Agricultural I and there are existing lawful water uses, however the applicant is advised to consult with BOCMA prior to the expansion of the macadamia and avocado orchards should they require more water for irrigation.
3. Please note that no water shall be derived from any water resource and used on Erf 385 for any purposes without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998), if activities exceed Schedule 1 limits.
4. No construction or cultivation activities are allowed to take place within the regulated area of watercourses i.e. wetland areas, drainage lines within the development site without a water use authorisation.
5. The activities that occurs within a regulated area e.g. infilling of wetland habitat or cultivation will trigger water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:





- a) *The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;*
  - b) *In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act);*  
or
  - c) *A 500 m radius from the delineated boundary (extent) of any wetland or pan.*
6. The applicant must ensure that no contaminated stormwater is diverted/discharged into any watercourse and shall ensure that a comprehensive Stormwater Management Plan is in place and implemented.
  7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
  8. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.
  9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
  10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
  11. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <http://www.dws.gov.za/e-WULAAS>
  12. Should you have further enquiries, the office can be contacted or alternatively contact Mr. Si Ndlovu at the above-mentioned contact number or on [sndlovu@bocma.co.za](mailto:sndlovu@bocma.co.za)

Yours faithfully,

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**MR. JAN VAN STADEN**  
**CHIEF EXECUTIVE OFFICER (ACTING)**

Enquiries: Dr Vanessa Weyer  
Tel: 044-302 5613  
Cell: 074 707 8199

E-mail: [vanessa.weyer@sanparks.org](mailto:vanessa.weyer@sanparks.org)

Samantha Teeluckdhari  
Eco Route Environmental Consultancy  
46 President Steyn  
The Island  
Sedgefield  
Western Cape

Per email:

[samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za); [basil@wildernessfruit.co.za](mailto:basil@wildernessfruit.co.za);  
[admin@ecoroute.co.za](mailto:admin@ecoroute.co.za)

Dear Madam

### SANPARKS COMMENTS, DRAFT BASIC ASSESSMENT REPORT, ERF 385, HOEKWIL, GEORGE, WESTERN CAPE

DEA&DP Ref No.: Not Provided

Erf 385, Hoekwil, directly borders the Garden Route National Park (GRNP) on its north-western boundary and is situated in the GRNP Buffer Zone (Fig.1). Two streams are present in the property's north-eastern sector which drain into the Touw River, which joins the Serpentine River, and enters the Wilderness Lakes Ramsar site (**Fig.1 & 7**).

Critical Biodiversity Areas (CBAs) Category 1 (Terrestrial) and Category 2 (Forest), as mapped in terms of the 2023 Western Cape Biodiversity Spatial Plan (WCBSP) occur on the northern sector of the property (**Fig.2**). These are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. They should be maintained in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate.

Garden Route Shale Fynbos (FFh9) listed as Endangered (EN), and South Outeniqua Sandstone Fynbos (FFs19) and Southern Afrotemperate Forest (FOz1) both listed as Least Concern (LC) are mapped by Mucina and Rutherford, 2006<sup>1</sup> and as revised by SANBI, 2018<sup>2</sup> across the property (**Fig. 3**).

Erf 385, Hoekwil is 265.88ha, and is zoned Agriculture Zone I (George Municipality GIS Viewer) (Fig. 5). The landowner is Wilderness Fruit (Pty) Ltd. (represented by Mr. Basil Jacobs). Topography is gently sloping across the southern portion of the property but becomes steeper to the north, with slopes >30% (**Fig. 4**). The proposed cultivation (orchard) expansion area is on a hillslope that drains towards two streams.

<sup>1</sup> Mucina, L. and Rutherford, M.C. (editors) 2006. Vegetation map of South Africa, Lesotho and Swaziland: an illustrated guide. Strelitzia 19, South African National Biodiversity Institute, Pretoria.

<sup>2</sup> South African National Biodiversity Institute 2018 Final Vegetation Map of South Africa, Lesotho and Swaziland [Vector] 2018.

addo elephant

agulhas

augrabies

bontebok

camdeboo

golden gate highlands

karoo

kglagadi transfrontier

knysna lake area

kruger

mapungubwe

marakele

mokala

mountain zebra

namaqua

table mountain

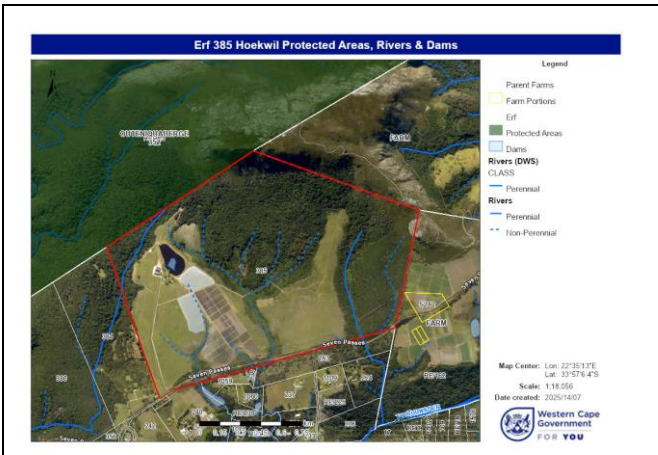
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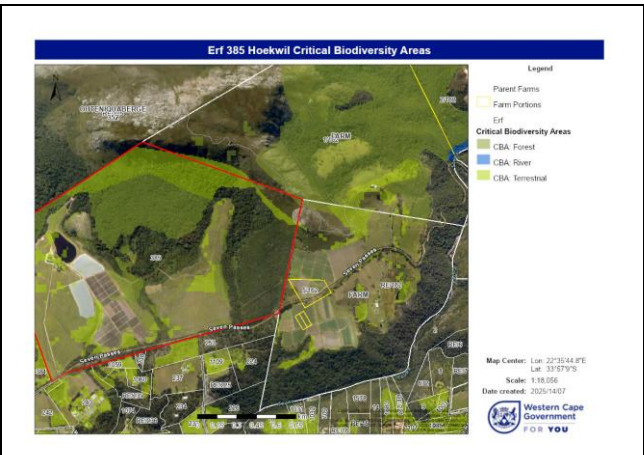
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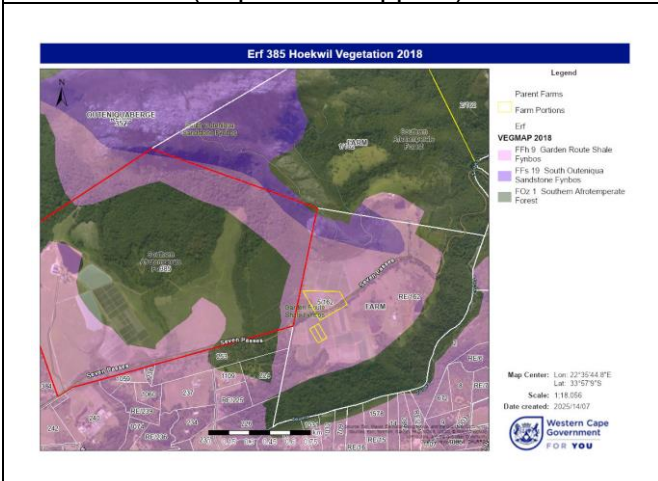
wilderness



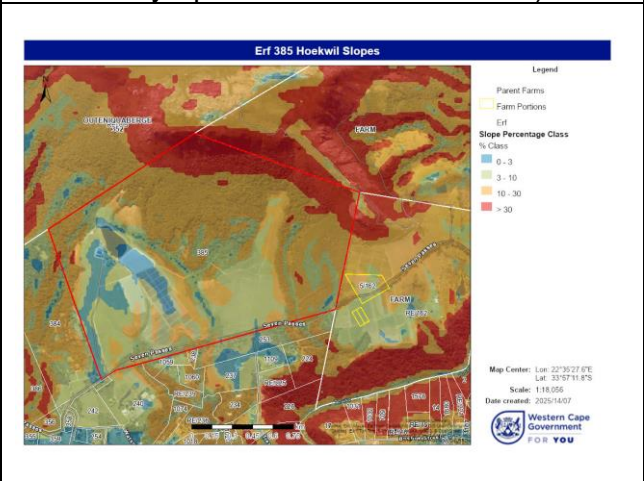
**Fig. 1:** The GRNP is directly adjacent to the north, and streams drain through the Touw River corridor ultimately into the Wilderness Lakes Ramsar site. (CapeFarmMapper3).



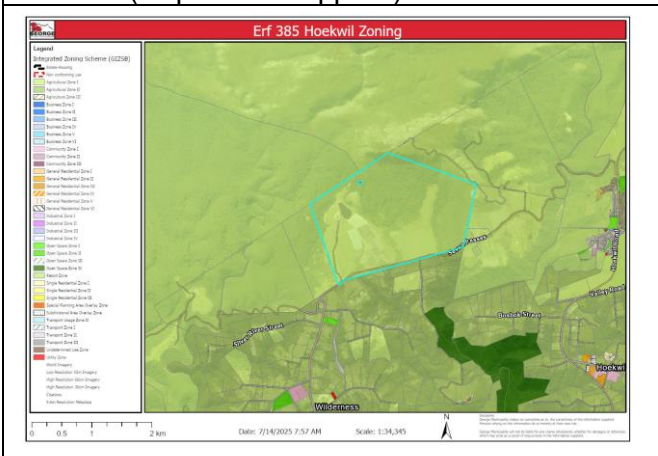
**Fig. 2:** Critical Biodiversity Areas 1 (Terrestrial) & 2 (Forest) are present (CapeFarmMapper3; CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines).



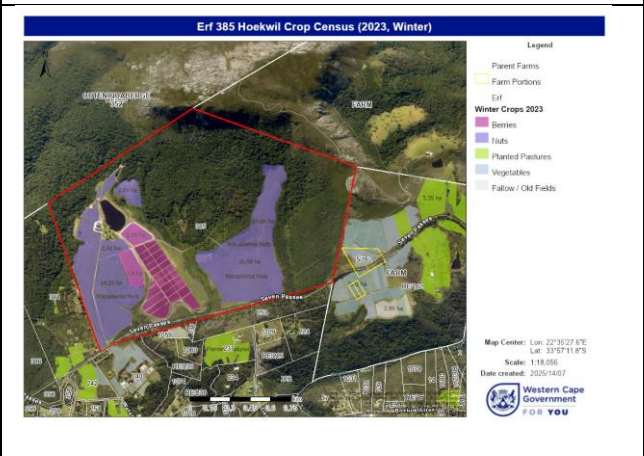
**Fig. 3:** Garden Route Shale Fynbos (EN) (FFh9), South Outeniqua Sandstone Fynbos (LC) (FFs19) and Southern Afrotemperate Forest (LC) (FOz1) are mapped on Erf 385, Hoekwil (CapeFarmMapper3).



**Fig. 4:** Slope Classification (%) is >30% in the north-eastern sector of the property (CapeFarmMapper3).



**Fig. 5:** Erf 385, Hoekwil is zoned Agriculture Zone I (George GIS Viewer).



**Fig. 6:** Erf 385, Hoekwil is mapped as cultivated with several crop types, including Macadamia trees and berries, (CapeFarmMapper3, Crop Census 2023 (winter) dataset).

The development application submitted is a **“DRAFT BASIC ASSESSMENT (DBAR) report for the Proposed Cultivation of 11ha of Land to Plant Macadamia and Avocado Trees on Erf 385, Seven Passes Road, Hoekwil, George Municipality, Western Cape”**, dated June 2025, as prepared by Eco Route Environmental Consultancy. Refer to extracts below from the DBAR.

Wilderness Fruit (Pty)Ltd, Erf 385 Leopard's Ridge, Hoekwil, Western Cape Province.	
Erf Nr:	385
Area (SQM):	2658785.8
SG Code:	C02700050000038500000
SG Region:	GEORGE
Legal Status:	Registered
<b>Preferred Alternative:</b>	
The property is zoned Agricultural I. Wilderness Fruit (Pty) Ltd is applying <b>to cultivate 11 hectares of land to plant Macadamia and Avocado Trees on Erf 385, Hoekwil</b> . This would be an expansion of their current agricultural practice on the property.	
The property has a dam on site with existing water use rights. Irrigation pipes will be laid within the area; however, the proponent will manage the field as 'dryland', with some water from the dam to be used when fertilizer is required (approximately 10 000m <sup>3</sup> per year). The proponent would make use of the existing pipeline that is feeding the blocks adjacent to the proposed new fields. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees.	
The laying of irrigation pipes and proposed access road will require a General Authorisation in terms of Section 39 of the National Water Act, Act 36 of 1998.	
<b>Alternative 1:</b>	
<b>BASIC ASSESSMENT REPORT: APRIL 2024</b>	Page 2 of 62
To apply for 15 hectares of cultivated land to practise their existing agricultural rights to plant Macadamia and Avocado Trees on Erf 385 Hoekwil.	

The total disturbance area is stated as 11ha (preferred alternative) (refer to green highlights on the extract above)

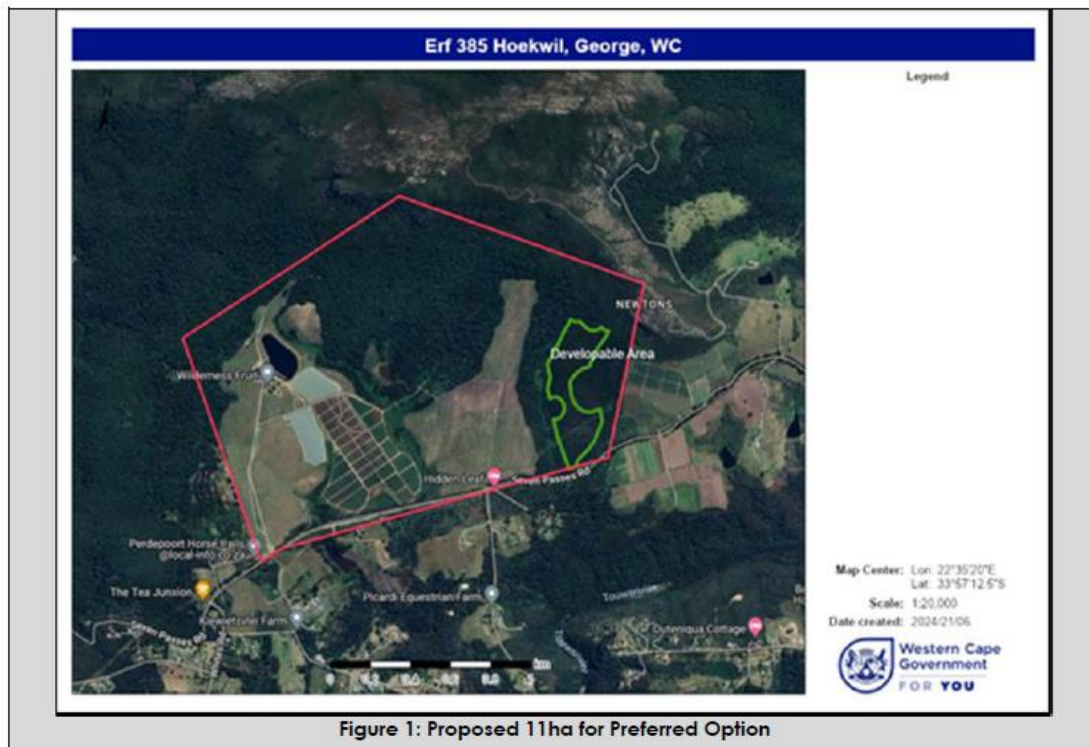


Figure 1: Proposed 11ha for Preferred Option

### **Point 1: Water Quantity, Quality & Cumulative Impacts**

SANParks seeks clarity on the requested Breede-Olifants Catchment Management Agency (BOCMA) water entitlement verification outcome for: existing and anticipated water usage for the proposed 11/15ha cultivation expansion area.

The BOCMA letter dated 2 October 2024 (refer to extract below) states that the farm operation is entitled to abstract 133,770 m<sup>3</sup>/year for irrigation (with 47,233 m<sup>3</sup> storage capacity), refer to extract below from letter. It is uncertain whether current water usage falls within the entitled lawful range, and what future additional water use requirements would be. Macadamia and Avocado trees are known to be water intensive, particularly as they mature.

SANParks seek clarity on the source of water being abstracted, this is not stated.

*Table 2: Water use entitlements and water uses during the qualifying period*

1

Description and Reference	Irrigation (s21(a))				Storing (s21(b))		
	Field Area (ha) <sup>1</sup>	Crop Area (ha) <sup>1</sup>	Volume (m <sup>3</sup> /year)	Source(s)	No. of Dams	Total Storage (m <sup>3</sup> )	River / Stream
Water use during the qualifying period	24.5		133 770		1	47,233	
Registered water use <sup>2</sup>	24.5		133 770		4	59 500	
Proposed existing lawful water use <sup>3</sup> (s21(a) and (b))	24.5		133 770		1	47,233	
<b>Non-Irrigation Uses (domestic supply, aquaculture, stock-watering, etc.)</b>							
Sector / Source:							
Registered water use volume (m <sup>3</sup> /year) <sup>2</sup> :				Groundwater			
				Surface Water			
Proposed existing lawful water use (m <sup>3</sup> /year):				Groundwater			
				Surface Water			

SANParks is concerned about non-point source pollution from fertilizers, pesticides and herbicides, particularly considering that the proposed orchard expansion area will occur adjacent to two streams with associated wetlands, that feed into the Touw River, which joins the Serpentine River, which may ultimately affect the health and well-being of the Wilderness Lakes Ramsar site (site no. 524) of international conservation importance, as designated in 1991, and the Touw Estuary (Fig. 7). It is likely that water quality may adversely be affected. Soil erosion from exposed soil areas and cultivation on hillslopes is an added concern, which may result in siltation and further changes to water flow. The property is mapped as being highly erodible, making it potentially vulnerable to sedimentation impacts (Fig. 9). Infilling of wetlands for road construction would further exacerbate impacts.

The DBAR does not state if any monitoring is currently being done to establish the quality of water being discharged into the river system, post-irrigation, and if water discharge quality meets required standards. The impact assessment component of the DBAR (pg. 42) does not adequately evaluate this aspect for existing and future water quality impacts.

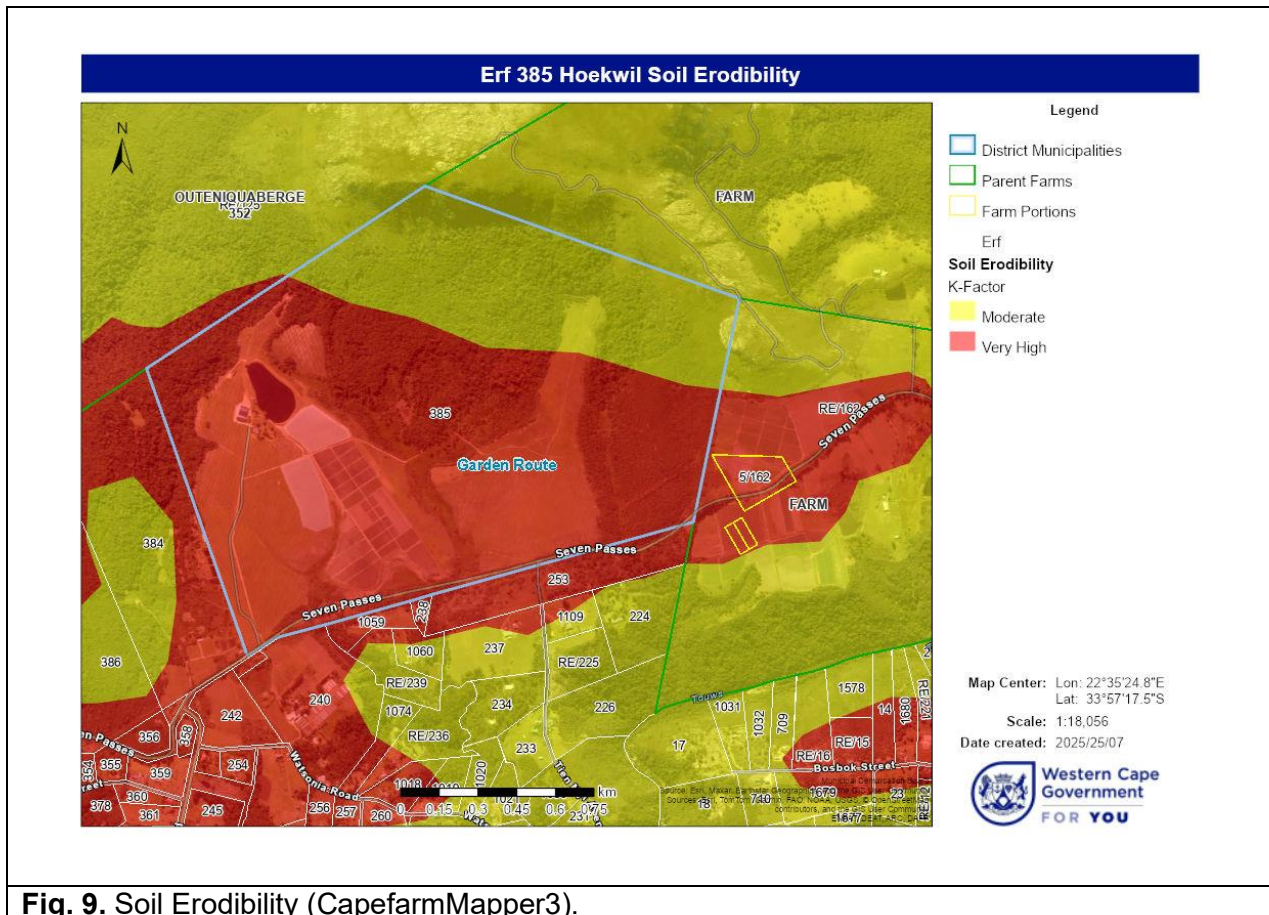
Whilst SANParks appreciates the recommendation of a 30m buffer applied to the water courses as mitigation, SANParks believes that the allocated 30m buffer is inadequate. This being as impacts have been assessed on a site-specific basis, and have not been applied to the broader landscape, including the Touw River corridor, which is an important corridor for the functioning and wellbeing of the Wilderness Lakes Ramsar site, and the poor-functioning of the other two important easterly corridors. The buffer determination methodology by Macfarlane and Bredin (2017) does not consider such effects.



**Fig. 7.** Position of the proposed Avocado and Macadamia Expansion area (red triangle) in relation to the Touw River Corridor (red arrow), and the Wilderness Lakes Ramsar site.



**Fig. 8.** River corridors to the east including that of the Duiwe and Klein Keurboom River corridors are already severely hydrologically and ecologically compromised.



**Fig. 9.** Soil Erodibility (CapefarmMapper3).

The river corridors to the east including the Duiwe and Klein Keurboom (**Fig. 8**) are already severely negatively impacted. Intensive irrigated commercial cropping is present throughout this region, with high intensity uses of fertilizers, pesticides and herbicides known. High water abstraction at a cumulative level is occurring. Indigenous vegetation that once lined these river corridors, that would have provided a natural filtration function has been removed. These anthropogenic farming activities are already placing the Wilderness Lakes Ramsar site under considerable stress.

This concern has been captured in the Specialist Aquatic Biodiversity Assessment report, Confluent, May 2025. Refer to extract below, page 30.

#### 9. CONCLUSION

Two wetlands and associated streams were identified either side of the proposed cultivated area on Erf 385. These wetlands occur within a catchment area that has been classified as a FEPA and a SWSA. Any further development in the catchment area must therefore be done in a sensitive manner so as to maintain watercourses and the larger Touws River catchment in a good ecological condition. Extensive agricultural activities are one of the main threats to aquatic biodiversity that have been identified in the broader catchment area. Impacts associated with agriculture are primarily related to loss of aquatic habitat due to encroachment of cultivated areas into riparian zones and wetlands and nonpoint source pollution of watercourses by nutrients, sediment and pesticides. All of these impacts can be effectively mitigated through the implementation of adequately sized buffers that protect watercourses from habitat loss but also play an important role in attenuating and filtering nonpoint source pollutants. In this respect, and considering the sensitivity of the catchment area, a mandatory 30 m buffer between watercourses and planned cultivated fields must be implemented. Provided that the buffer and other mitigation measures are implemented, impacts associated with the proposed establishment of cultivated areas are acceptable from an aquatic biodiversity perspective.

Both road crossing alternatives would require infilling of wetland habitat and can also alter the natural hydrological and geomorphological characteristics of the wetland by restricting flow across the road. Mitigation measures must therefore be implemented with a view to ensuring the natural hydrological and geomorphological characteristics of the wetland are maintained. In this respect the road design must continue to allow diffuse flow through the road which can be achieved by installing multiple appropriately sized culverts through the road. Alternative B results in a lower impact and risk to the wetland – and is therefore the recommended alternative.

SANParks is concerned about the cumulative and long-term impacts that the proposed agricultural expansion activity may have on the hydrological integrity and ecological functioning of the broader catchment, particularly with the property being located within a Strategic Water Source Area (SWSA) and a National Freshwater Ecosystem Priority Area (NFEPA). Such areas should be maintained in good condition to manage and conserve freshwater ecosystems and to protect water resources for users.

SANParks cannot support further landuse transformation and intensive farming activities on the property or along the Touw River Corridor, and its tributaries, which provide a valuable lifeline function to the Wilderness Lakes Ramsar site, considering the other adjacent river corridors are already compromised. Alien clearing and rehabilitation of this area would be more beneficial to the broader landscape and ecological and hydrological functioning.

### **Points 2: Land Use Saturation and Precedents**

SANParks is concerned that the applicant has already developed an extensive proportion of Erf 385 for agricultural use, and the current application represents a further expansion beyond optimal carrying capacity of the broader region.

The DBAR states, approximately 79.8ha of the 265ha farm area is under cultivation or developed. The proposed 11/15ha expansion would bring the cultivated portion to over 90ha, reducing the ecological and hydrological functioning of remaining natural areas, and encouraging encroachment towards sensitive watercourses and steep slopes.

4.	<b>Other developments</b>	
4.1.	Property size(s) of all proposed site(s):	2658785.8 m <sup>2</sup>
4.2.	Developed footprint of the existing facility and associated infrastructure (if applicable):	±798000 m <sup>2</sup>
4.3.	Development footprint of the proposed development and associated infrastructure size(s) for all alternatives:	Preferred: 110 000 m <sup>2</sup>  Alternative 1: 150 000 m <sup>2</sup>
4.4.	Provide a detailed description of the proposed development and its associated infrastructure (This must include details of e.g. buildings, structures, infrastructure, storage facilities, sewage/effluent treatment and holding facilities).	

The approval of the agricultural expansion activity may set a negative precedent with insufficient controls on cumulative impacts, especially in the absence of a recent localised catchment-level Environmental Management Framework/Strategic Environmental Assessment.

Such a precedent may result in:

- Similar requests by neighbouring landowners in the GRNP Buffer Zone.
- Accelerated conversion of indigenous or restorable land to high-water-use monocultures (e.g., Avocados and Macadamia).
- Land transformation from low impact agricultural activities to high intensity agricultural activities.

### **Point 3: Fynbos Regeneration and Alien Invasive Species Removal**

It is noted that the proposed activity expansion area is described as '*heavily infested with invasive alien species*'. SANParks supports the removal of alien vegetation, as is required by law and in terms of an Invasive Alien Species Control Plan among others; however, this should not justify landuse transformation activities. The Endangered Garden Route Shale Fynbos has high regenerative potential following alien plant removal. Two peer-reviewed articles support this.<sup>3&4</sup> These studies suggest that fynbos species regenerate successfully in areas previously afforested or invaded, provided there is no further soil disturbance. The soil seed bank in these landscapes remains viable for decades, and once the alien canopy is removed, indigenous flora can return, enhancing biodiversity and ecosystem function.

<sup>3</sup>Baard, J.A., Grobler, B.A. and Kraaij, T., 2024. Passive restoration of fynbos after afforestation with exotic pines, South Africa. *Restoration Ecology*, 32(1), p.e14037.

<sup>4</sup>Rebelo, A.J., Holmes, P.M., Rebelo, A.G., Martin, S., Hattas, S., Hall, S. and Esler, K.J., 2025. Soil seed bank resilience in passively restored endangered Sand Fynbos following a century of pine plantations. *Plants, People, Planet*, 7(4), pp.1080-1094.



**Points 4: Summary and Way Forward**

SANParks does not support the proposed agricultural expansion activity, primarily as it will occur adjacent to two streams with associated wetlands, that feed into the Touw River, which joins the Serpentine River, which may ultimately affect the health and wellbeing of the Wilderness Lakes Ramsar site (site no. 524) of international conservation importance, as designated in 1991, and the Touw Estuary.

The Touw River corridor is providing a valuable lifeline to the Wilderness Lakes Ramsar site, as the river corridors to the east including the Duiwe and Klein Keurboom are already severely negatively impacted. Intensive irrigated commercial cropping is present throughout this region, with high intensity uses of fertilizers, pesticides and herbicides known. High water abstraction at a cumulative level is occurring. Indigenous vegetation that once lined these river corridors, that would have provided a natural filtration function has been removed.

SANParks has concerns regarding water quantity and quality and requires sight of the BOCMA water entitlement verification outcome for existing and anticipated water usage for the proposed 11/15ha cultivation expansion area. The source of water being abstracted must be provided and clarity is required on whether any monitoring is currently being done to establish the quality of water being discharged into the river system, post-irrigation, and if water discharge quality meets required standards.

SANParks believes that the allocated 30m buffer applied to the watercourses is inadequate, given the cumulative impacts in the broader region and risks to the Ramsar site.

SANParks is concerned that the applicant has already developed an extensive proportion of Erf 385 for agricultural use, and the current application represents a further expansion beyond optimal carrying capacity of the broader region.

The approval of the agricultural expansion activity may set a negative precedent with insufficient controls on cumulative impacts.

Although the proposed expansion area is invaded with alien invasive species, alien clearing is required by law for biodiversity protection and for fire control. Portions of the proposed expansion area are mapped as Endangered Garden Route Shale Fynbos which has high regenerative potential following alien plant removal. Two peer-reviewed articles support this. Alien clearing and rehabilitation of this area would be more beneficial to the broader landscape and its ecological and hydrological functioning.

It is requested that SANParks' comments be included in the Final BAR in their entirety and not only in a Comments and Responses report.

SANParks reserves the right to revise comments if additional information becomes available.



Yours sincerely

**DR VANESSA WEYER**  
PRINCIPAL PLANNER  
GARDEN ROUTE NATIONAL PARK

**DATE:** 28 July 2025

CC:	Victor Mokoena	SANParks
	Pheladi Chuene	SANParks
	Chamell Pluim	SANParks
	Jessica Hayes	SANParks
	Robin Petersen	SANParks
	Megan Simons	CapeNature
	Lauren Josias	George Municipality
	Danie Swanepoel	DEA&DP
	Cor van der Walt	DEA&DP
	Nolutando Ndlumbini	BOCMA



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6560 WILDERNESS  
Email : [waleaf@langvlei.co.za](mailto:waleaf@langvlei.co.za)  
2025-08-21

Department of Environmental Affairs and Development Planning  
Directorate: Development Management (Region 3):  
Garden Route District Municipal area and Central Karoo District Municipal Area  
[DEADPEIAAdmin.George@westerncape.gov.za](mailto:DEADPEIAAdmin.George@westerncape.gov.za)

Eco Route Environmental Consultancy  
Samantha Teeluckdhari : [samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za)  
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Janet Ebersohn : [janet@ecoroute.co.za](mailto:janet@ecoroute.co.za)

Dear Sirs,

**DRAFT BASIC ASSESSMENT REPORT : PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE MUNICIPALITY, WESTERN CAPE : DEA&DP Reference: 16/3/3/1/D2/30/0006/25**

This application was originally sent by Ecoroute to us for our comments on 27<sup>th</sup> June 2025. On 29<sup>th</sup> June 2025 WALEAF requested a site visit to enable us to carefully view and inspect the area on which the owners have proposed to cultivate avocado and macadamia trees. Unfortunately, due to various delays, a site visit was only conducted on 7<sup>th</sup> August 2025. As the 30 day commenting period had already elapsed due to no fault of WALEAF, we requested that the commenting period be extended accordingly.

At the time of the site visit we were not able to inspect the area that has been earmarked for the planting of the avocado and macadamia trees, due to the fact that this entire area was totally overgrown with illegal invasive black wattle trees. The area was so heavily invaded by these wattle trees that we lost our way many times, and were unable to see where these avocado and macadamia trees were going to be planted. Additionally, the position of the proposed new access road was not shown to us. We feel that this site visit was fruitless and a total waste of time.

In 2020 WALEAF had discussions with Janet Ebersohn of ECOROUTE, wherein we were informed that the owners of the property were given a directive by DFFE (DEA in 2020) in Pretoria to clear all the alien vegetation on the property, which we understand they then did. (See Annexure A, which is an email from DEA&DP confirming this.) Our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.

**WALEAF recommends that before this Draft BAR is even considered, that the terms of the directive issued by DFFE should be strictly enforced, and the property cleared of all alien vegetation. Once the area has been cleared, we can then revisit the property, and see whether any further farming should be considered on this portion of the farm. Presently, there is no way to determine if further farming is viable, seeing that the area is so heavily infested with alien vegetation.**

## **PROPOSED APPLICATION**

The applicant states that *“the property is zoned Agricultural I. Wilderness Fruit (Pty) Ltd is applying to cultivate 11 hectares of land to plant Macadamia and Avocado Trees on Erf 385, Hoekwil. This is an expansion of their current agricultural practice on the property. The property has a dam on site with existing water use rights. Irrigation pipes will be laid within the area; however, the proponent will manage the field as ‘dryland’, with some water from the dam to be used when fertilizer is required (approximately 10 000m<sup>3</sup> per year). The proponent would make use of the existing pipeline that is feeding the blocks adjacent to the proposed new fields. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees. The laying of irrigation pipes and proposed access road requires a General Authorisation in terms of Section 39 of the National Water Act, Act 36 of 1998.”*

## **PROPOSED ALTERNATIVES**

**There appears to be some confusion regarding the Preferred Alternative, Alternative 1, Alternative 2, Alternative A, and Alternative B. The numbering system does not make sense, and appears to have conflicting preferred alternatives.**

In the **Appendix H1 EMPr 2**, page 6, it states :

### Alternative 1 (Preferred Alternative) –

The clearance of indigenous vegetation (heavily alien plant infested) for the development of a further 11 hectares of agricultural land for the purpose of planting Avocado trees and Macadamia nuts. The property has water rights and a dam on site. Irrigation pipes will be laid within the area; however, the proponent will manage the field as ‘dryland’ and some water will be used when fertilizer is required. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees.

On page 11, reference is made to an Alternative 2.

Also on page 11, reference is made to Alternative A and Alternative B (now the Preferred Alternative).

On page 13, reference is made to Preferred Alternative and Alternative 2.

On page 15, reference is made to Alternative A and Alternative B (now the Preferred Alternative).

On page 16, reference is made to Preferred Alternative and Alternative 2.

In the **Draft BAR**, page 14

### Alternative 1:

“Alternative 1 would be to apply for an additional 15 hectares of cultivated land to practise their existing rights to plant Macadamia and Avocado Trees on Erf 385 Hoekwil.”

In **Appendix H1 EMPr 2**, the consultants for this application state the following :

## ***“8. SPECIALIST RECOMMENDATIONS/MITIGATION MEASURES***

### ***8.1 TERRESTRIAL BIODIVERSITY ASSESSMENT (GREG NICOLSON, CAPENSIS ECOLOGICAL CONSULTING, MAY 2024) –***

Mitigation options are generally considered in terms of the following mitigation hierarchy: (1) avoidance, (2) minimization, (3) restoration and (4) offsets. A distinction is also made between essential mitigation (non-negotiable mitigation measures that lower the impact significance) and non-essential mitigation (best practise measures that do not lower the impact significance). In this instance, a number of essential mitigation measures are necessary to reduce the impact of the development.

1. Avoidance of the Intact forest (including a 50m buffer), Semi-intact fynbos and Degraded fynbos habitats which are of High and Medium sensitivity.
2. Avoidance of the subpopulation of *Leucospermum glabrum* (including a 100m buffer) and Sensitive species 419 on the eastern side of the site.
3. Ensure that natural fire cycles can occur within this area.
4. Avoidance of the freshwater features (including a 30m buffer) to ensure connectivity of lowland and upland habitat.
5. The 'search and rescue' of the Sensitive species 419 from the western side of the site.
6. The vegetation from the fynbos habitat that is not developed must be rehabilitated to a state where it is representative of the original fynbos ecosystem and supports ecological functioning to a moderate or high level.
7. The rehabilitation must be undertaken in a phased approach, according to a rehabilitation plan and undertaken by a qualified botanist or restoration ecologist.
8. The initial step will require the removal and control of all IAPs on the property and erosion control if necessary. Passive rehabilitation on the parts of the site where no earthworks have taken place can be allowed for one winter season following the removal of IAPs. Thereafter the site must be assessed by the restoration contractor to determine the level of active rehabilitation input. Active rehabilitation will be required for areas where topsoil has been disturbed, and areas that do not naturally recover from stored soil seedbank.
9. The restoration contractor should monitor the populations of SCC to ensure that they persist on the site, and additional propagation of these species may be required.
10. Follow-up clearing of all exotic and listed IAPs is required every 6 months for the first three years, and annually thereafter to ensure that the IAPs do not dominate the fynbos."

**From the above specialist report, it appears to WALEAF that due to the sensitivity of this portion of the property, that no farming should be allowed, and that it be restored to natural vegetation.**

**"8.3. SPECIALIST AQUATIC BIODIVERSITY ASSESSMENT (DR. JAMES DABROWSKI, CONFLUENT ENVIRONMENTAL, MAY 2025) –**

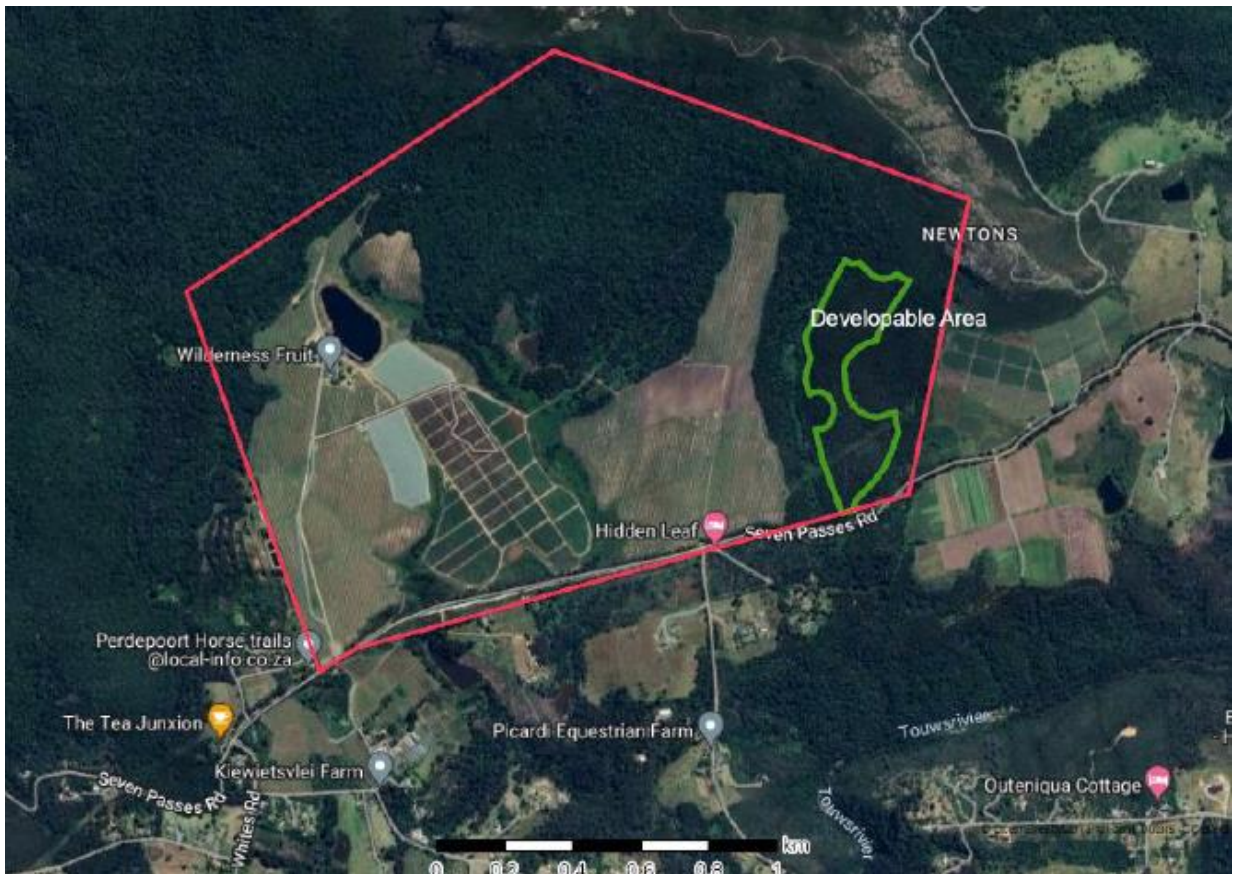
*Two wetlands and associated streams were identified either side of the proposed cultivated area on Erf 385. These wetlands occur within a catchment area that has been classified as a FEPA and a SWSA. Any further development in the catchment area must therefore be done in a sensitive manner so as to maintain watercourses and the larger Touws River catchment in a good ecological condition. Extensive agricultural activities are one of the main threats to aquatic biodiversity that have been identified in the broader catchment area. Impacts associated with agriculture are primarily related to loss of aquatic habitat due to encroachment of cultivated areas into riparian zones and wetlands and nonpoint source pollution of watercourses by nutrients, sediment and pesticides."*

**WALEAF is concerned that, as mentioned above, water from these wetlands feed into the Touw River, which is the source of the drinking water for Wilderness. The fertilising of the orchards and the use of pesticides will most certainly affect the quality of the drinking water in Wilderness. Likewise, the use of fertilisers and pesticides will also be detrimental to the internationally recognised RAMSAR site, which is also fed by the Touw River.**

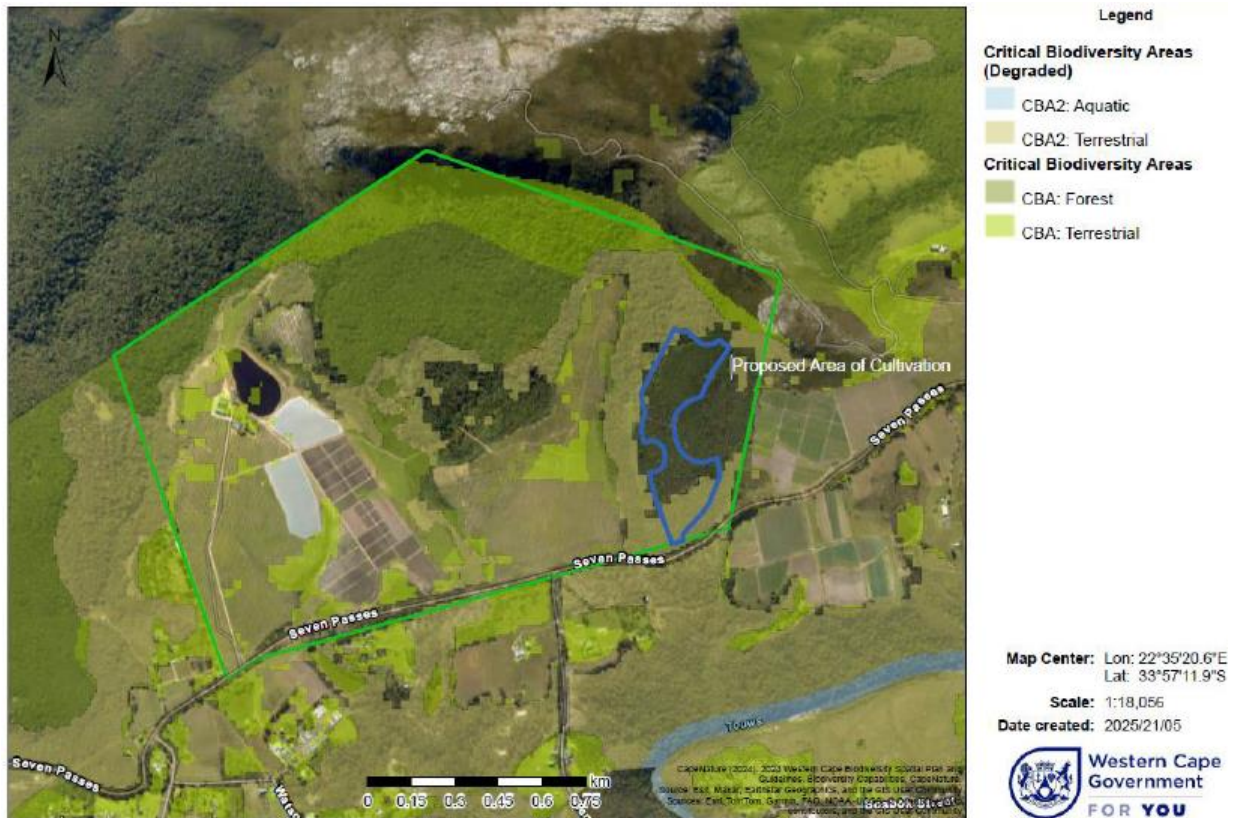


CFM image showing the 11ha proposed farming area (centre north) with 2 streams feeding into the Touw River

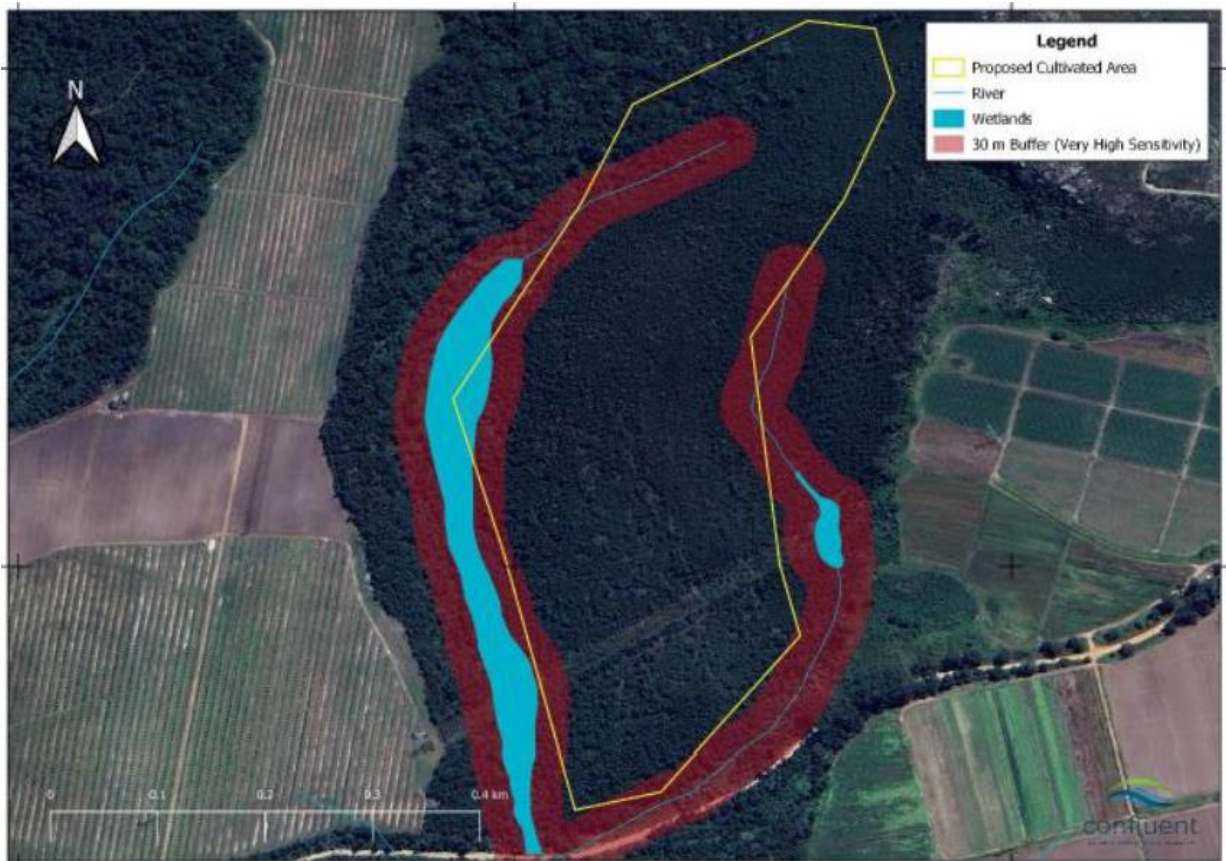




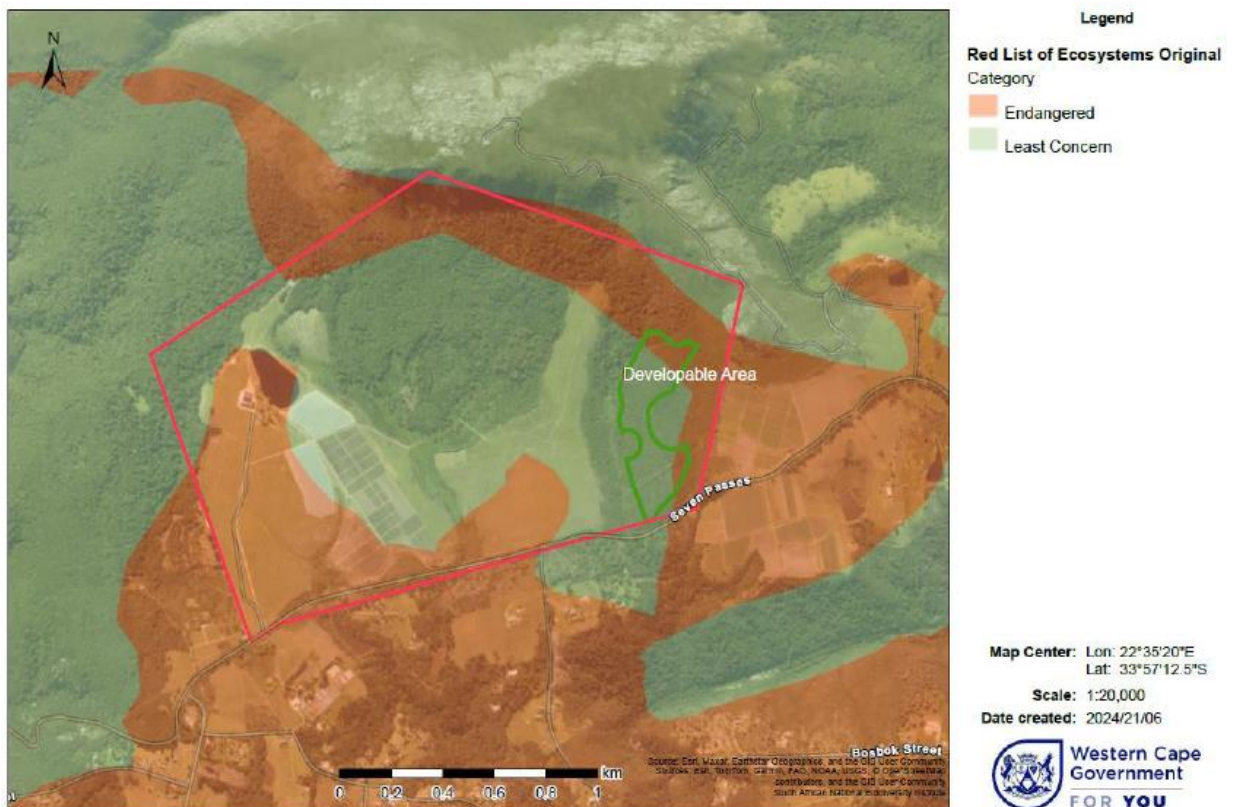
Position of Erf 385 Hoekwil in Wilderness Heights



Critical Biodiversity Map – the proposed cultivation area will be partially within CBA2



Watercourse and 30m buffer area for Alternative 16ha option



SANBI Red List of Ecosystems

## **DRAFT BAR DOCUMENT**

In terms of the **NEMA EIA Regulations**, Ecoroute have stated that the following **listed activities** have been triggered. Regarding the Activities 12, 19, 27 (Listing Notice 1) and 4, 12, 14 (Listing Notice 3), as presented in the tables below, **we are unable to comment on any of these, as, at our site visit, we were not shown where and how these listed activities were going to be affected on the property. We therefore reserve our rights to comment at a future date once all the alien vegetation has been cleared, so that we can determine how these listed activities will (possibly) affect the property.**



Activity No(s):	Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Listing Notice 1</b>	Describe the portion of the proposed development to which the applicable listed activity relates.
12	<p>The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p><b>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</b></p> <p>where such development occurs—</p> <p><b>(a) within a watercourse;</b></p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site.</p>
19	<p>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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(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.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site.</p>
27	<p>The clearance of an area more than 1 hectare, but less than 20 hectares of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The clearance of indigenous vegetation to create additional agricultural land of 11 hectares for the planting of macadamia trees and avocado trees, including the necessary infrastructure required.</p>

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3	Describe the portion of the proposed development to which the applicable listed activity relates.
4	<p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>i. Western Cape</p> <p>i.Areas zoned for use as public open space or equivalent zoning;</p> <p><b>ii. Areas outside urban areas;</b></p> <p><b>(aa) Areas containing indigenous vegetation;</b>            (bb)Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or            (bb)Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>The proposed road surface will not be more than 4m wide; however, the road structure (to include culverts) may result in the road being wider than 4m overall.</p> <p>The area proposed for the road will be in an area which was previously disturbed and taken over by alien invasive plants; however, there may be some remnants of indigenous vegetation present.</p>
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p><b>a. Western Cape</b></p> <p><b>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</b></p> <p><b>ii. Within critical biodiversity areas identified in bioregional plans;</b></p> <p>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>The proposed cultivation will require the removal of approximately 11 ha of indigenous vegetation and will partially occur within an endangered ecosystem (Garden Route Shale Fynbos) and a CBA2: Terrestrial area on the southern portion.</p>

14	<p>The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p><b>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</b></p> <p>where such development occurs—</p> <p><b>(a) within a watercourse;</b></p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p><b>a. Western Cape</b></p> <p><b>i. Outside urban areas:</b></p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas listed in terms of an international convention;</p> <p><b>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</b></p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site within a CBA2: Terrestrial.</p>
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Under **SECTION F: PUBLIC PARTICIPATION**, we refer to the answer submitted below :

PPP has been complied with. Proof will be issued with the Final BAR.

As stated above, a proper site inspection was not possible and we could not complete a full inspection of the property. This was due to the fact that, by not fulfilling the requirements of the DFFE directive, to clear all the illegal invasive alien vegetation, that has resulted in a heavy infestation of impenetrable vegetation on the property. Had the owner performed and complied with this directive, a full and proper site assessment would have been possible, and the impact of the proposal accurately determined.

On page 35, Ecoroute, when discussing the “No Go” option, states :

The No-Go alternative would see the continuation of the unproductive land, no additional crop production, and a potential for the increased spread of AIPs.

It may result in the surrounding land not being rehabilitated to encourage the flourishing of fynbos and other indigenous vegetation, which would eventually threaten the long-term viability of several SCC found in the current undisturbed habitats.

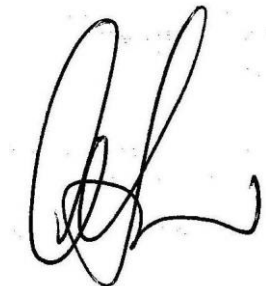
If the No-Go option was actually considered as an option, and the illegal invasive alien vegetation was cleared in terms of the DFFE directive, there would be no “*potential for the increased spread of AIPs*”, and threatening “*.....the long-term viability of several SCC found in the current undisturbed habitats.*”

On page 39, we question why, when discussing the **Degradation of wetland habitat caused by upgrading the access road**, Ecoroute has totally **dismissed the “No-Go’ option**.

As a result of the aforementioned comments, WALEAF **objects** to any type of development taking place on this property, until such time as all the illegal alien vegetation has been cleared in terms of the directive issued by DFFE previously. We again state that our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.

Once this property has been cleared of this alien vegetation, we will then be in a better position to properly inspect the areas cleared of the alien vegetation, and then submit a proper input into a new draft BAR proposal. At this point we **oppose** the proposed cultivation of these macadamia and avocado trees

Yours faithfully,

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a cursive name, likely 'A. L. ...'.

Secretary,  
for WALEAF

## **ANNEXURE 1**

**From:** Harriet J Van SchalkWyk [mailto:Harriet.vanSchalkwyk@westerncape.gov.za]  
**Sent:** 20 August 2025 12:07  
**To:** Diana Mouton; waleaf@langvlei.co.za  
**Subject:** RE: RE: Erf 385 Hoekwil

Dear Mr Scott

I went through my records on the case and see that there is an Alien Invasive species control plan granted on that property. The DFFE (National Department) issued notices too.

Our office referred the case to the National Department because it falls within their mandate and they monitor these plans and their own notices.

The persons below are from the National Department who will be able to assist and were involved in the case.

Bernard Ndou <[bndou@dff.gov.za](mailto:bndou@dff.gov.za)>  
Sonja Meintjes <[smeintjes@dff.gov.za](mailto:smeintjes@dff.gov.za)>  
Stiaan Kotze <[skotze@dff.gov.za](mailto:skotze@dff.gov.za)>

Kind regards  
Harriet

H Lizelle

I am battling to access The Bar Documents but will give you a brief overview of my opinion after viewing the site. Perhaps you could find it useful to put into your report

A site visit by various stake holders was initiated at ERF 385 Hoekwil and I attended this site visit. The farm manager was present and indicated to all the intentions to develop said area for macadamia and avocado production. When taken to the area I was astounded by the volume and density of invasive tree species presenting as a wall in front of us. It was then determined that in order to give opinions on the said area we would need to work through the bush and riverine area to properly assess the area. For some members of the group this was a difficult task but I persevered down the slope and into the marsh riverine area. All the way was heavily infested with wattle, eucalyptus and black wood trees and prolific bug weed down in the riverine area. I then proceeded up slope and into the actual proposed area noting that all the way the vegetation was an estimated 95% full canopy exotic invasive weeds. I continued all the way to the eastern boundary of the proposed area which was also defined by another wetland marsh area. I took video and pictures along the way and was once again surprised by how infested the area was with invasive species. I then returned to the group and explained my findings and my suggestions were the following.

The said area as it stands is in a shocking state with a predicted full canopy of at least 95% alien plants in the way of eucalyptus, black wattle, blackwood and bug weed.

Because of this anything done to develop this land for agriculture will be better than leaving the area in the state it is in. Especially considering this is the top of a drainage area and mature trees will seed the downstream valley.

In doing so special attention should be given to the two riparian areas and all alien vegetation removed and new indigenous species be given opportunity to germinate and grow but also indigenous trees should be planted in these two riparian areas and be allowed to connect with the existing mature indigenous zone to the north west which then goes on to connect with the very important ecological zone of Groeneweide.

I witnessed many bush pig droppings and foraging turn over areas in the marshes as well as bushbuck droppings.

The farmer could showcase this area as an example of how one can convert a heavily infested exotic species area into a functioning riparian zone and at the same time benefit from agricultural production. This could be used to promote the same concepts in similar situations in the area.

We must consider that the farmer by law has to deal with these exotic infestations and perhaps this example could be an indicator for the region.

Regards

Guy

-----Original Message-----

From: [lizelle@ecoroute.co.za](mailto:lizelle@ecoroute.co.za) <[lizelle@ecoroute.co.za](mailto:lizelle@ecoroute.co.za)>

Sent: Wednesday, 03 September 2025 11:20

To: [Guy@golnix.co.za](mailto:Guy@golnix.co.za)

Cc: 'Samantha Teeluckdhari' <[samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za)>

Subject: Re: ERF 385 Hoekwil. Comment required on proposed development and site visit

Hi Guy

No problem, I understand.

Please find attached the BAR for your review. Should you wish to see any specialist reports, comments, or additional information, I will gladly forward them.

As the complete set of documents is a large file, I can only provide the full package via WeTransfer.


Please let me know if you require any further information.

Kind regards,  
Lizelle Genade  
Eco Route

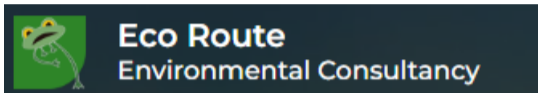
On 2025-09-03 06:34, [Guy@golnix.co.za](mailto:Guy@golnix.co.za) wrote:

Hi Lizelle

## Fw: Notification of Public Participation: DEA&DP Ref: 16/3/3/1/D2/30/0006/25 - Draft Basic Assessment Report - Proposed Cultivation of 11 Hectares of Land on Erf 385, Seven Passes Road, Hoekwil, George Municipality, Western Cape

 **From** admin@ecoroute.co.za <admin@ecoroute.co.za>  
**To** Samantha Teeluckdhari <samantha@ecoroute.co.za>  
**Date** 09/07/2025 15:15

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



---

**From:** Jenny van Niekerk <jennyandjac@gmail.com>  
**Sent:** Sunday, 29 June 2025 05:44  
**To:** admin@ecoroute.co.za <admin@ecoroute.co.za>  
**Subject:** Re: Notification of Public Participation: DEA&DP Ref: 16/3/3/1/D2/30/0006/25 - Draft Basic Assessment Report - Proposed Cultivation of 11 Hectares of Land on Erf 385, Seven Passes Road, Hoekwil, George Municipality, Western Cape

Good morning,

I live right opposite Wilderness Fruit Farm, & have absolutely no objection to them clearing & utilising more land on their property.

It will continue to keep the alien vegetation at bay.

Kind regards,

Jenny van Niekerk

On Fri, Jun 27, 2025, 10:56 [admin@ecoroute.co.za](mailto:admin@ecoroute.co.za) <[admin@ecoroute.co.za](mailto:admin@ecoroute.co.za)> wrote:

Good day,

Kindly find below link to our website to view the Draft BAR and relevant appendices -

[Draft Basic Assessment Report - The Proposed Cultivation of 11 Hectares of Land on Erf 385, Seven Passes Road, Hoekwil, George Municipality, Western Cape - 16/3/3/1/D2/30/0006/25 | Eco Route](#)

[Draft Basic Assessment Report - The Proposed Cultivation of 11 Hectares of Land on Erf 385, Seven Passes Road, Hoekwil - 16/3/3/1/D2/30/0006/25 | Eco Route](#)

The property is zoned Agricultural I. Wilderness Fruit (Pty) Ltd is applying for an additional 11 hectares of cultivated land to practise their existing rights to plant Macadamia and Avocado Trees on Erf 385, Hoekwil. Historically, the agricultural lands have been utilised for farming practises; however, the project area of interest (PAOI) is currently heavily infested with alien invasive ...

[www.ecoroute.co.za](http://www.ecoroute.co.za)

A 30-day public participation for the Draft BAR will be held from **27/06/2025 – 28/07/2025**.

Please submit your comments to the EAP undersigned in this time.

**ECO-ROUTE  
ENVIRONMENTAL CONSULTANCY**



**EIA PROCESS**

**Notification of Public Participation:**

**PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA  
AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE  
MUNICIPALITY, WESTERN CAPE**

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP) reference: 16/3/3/1/D2/30/0006/25. The Public Participation Process will run from 27 June 2025 - 28 July 2025.

**The following EIA Listed Activities are applicable:**

**Government Notice No. R327 (Listing Notice 1):** Activity 12 (ii) (a)  
Activity 19  
Activity 27  
**Government Notice No. R324 (Listing Notice 3):** Activity 4 i (ii) (aa)  
Activity 12 a (i) (ii)  
Activity 14 ii (a) (a) (i) (ff)

A Draft Basic Assessment Report and relevant appendices will be sent via email to all registered Interested and Affected Parties/ I&APs for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

**Environmental Assessment Practitioner:** Samantha Teeluckdhari (EAPASA Reg 2023/6443)

www.ecoroute.co.za  
P.O. Box 1252, Sedgfield, 6573  
Email: samantha@ecoroute.co.za

Kind regards,

**Samantha Teeluckdhari**



Eco Route Environmental Consultancy

072 773 5397

EAPASA registration: 2023/6443



## **REVISED BAR COMMENTS**



**REFERENCE:** 16/3/3/1/D2/30/0006/25  
**DATE OF ISSUE:** 27 October 2025

The Managing Director  
WILDERNESS FRUIT (PTY) LTD  
Postnet Suite MW313  
Private Bag X1828  
**MIDDELBURG**  
1050

**Attention:** Mr. Basil Jacobs

E-mail: [basil@wildernessfruit.co.za](mailto:basil@wildernessfruit.co.za)

Dear Sir

**COMMENT ON THE REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CULTIVATION OF LAND FOR THE PRODUCTION OF MACADAMIA NUTS AND AVOCADO TREES ON ERF 385, HOEKWIL**

1. The Revised Draft Basic Assessment Report ('RBAR') dated September 2025 submitted on your behalf by your appointed registered Environmental Assessment Practitioner ('EAP'), Ms. Samantha Teeluckdhari (EAPASA No: 2023/6443), and assisted by Candidate EAP, Ms. Lizelle Genade (EAPASA No: 2023/7793) of Eco Route Environmental Consulting, ('Eco Route') as received by the Department on 26 September 2025, refers.
2. This Directorate: Development Management (Region 3) ('this Directorate') has reviewed the Revised Draft Basic Assessment Report ('RBAR') and provides the following comment:

*2.1. BAR Requirements*

The BAR must comply with the requirements of the Environmental Impact Assessment Regulations, 2014 ('EIA Regulations, 2014') (Government Notice No. R. 982 of 4 December 2014, as amended) and contain all the information outlined in Appendix 1 of the EIA Regulations, 2014, along with the information requested in this letter and any previous correspondence in respect of this matter.

*2.2. Validation and Verification application process*

This Directorate notes the response from the EAP regarding the Validation and Verification ('V&V') application process. According to the National Register of Water Use Registration Record 29018660, issued by the Department of Water and Sanitation on 5 July 2025, the Existing Lawful Use ('ELU') in terms of Section 21(a) of the National Water Act, Act 36 of 1998 ('NWA') for the property is 133 770m<sup>3</sup> per year. Furthermore, a review of the document suggests that only one dam (Dam name: 385-D1), with a storage capacity of 51 330m<sup>3</sup>, has been registered on the property.

Aerial imagery of the property suggests that there are two dams on the property. However, the dam located at approximate coordinates 33°57'11.11"S; 22°35'09.69"E has not been listed on the water use register 29018660. This Directorate notes the historic aerial imagery provided in the RBAR; however, it appears that the dam may have been enlarged during year-2022 and according to the information provided in Appendix L has a storage capacity of 4 100m<sup>3</sup>.

In light of the above, you are required to consult the Breede-Olifants Catchment Management Agency regarding the lawfulness of the dam located at approximate coordinates 33°57'11.11"S; 22°35'09.69"E and include comment from the BOCMA regarding this aspect in the BAR.

It must also be demonstrated how this dam is utilised, especially as it relates to the irrigation of the existing and the proposed cultivated area on Erf 385, Hoekwil. The BAR must also clearly demonstrate how a water balance will/can be achieved between water abstraction (i.e., combined surface and groundwater abstraction), water storage and the utilisation of the water (i.e., by means of irrigation) specifically with the addition of cultivated lands.

Failure to include the information may prejudice the success of the application for environmental authorisation.

### 2.3. *Management and eradication of invasive alien species*

With reference to Point 2.5 of this Directorate's letter dated 25 July 2025 it is noted that a new Invasive Species Monitoring, Control and Eradication Plan for the property has been submitted and to and subsequently approved by the National Department of Forestry, Fisheries and the Environment Branch: Regulatory Compliance and Monitoring ('DFFE') on 4 August 2025 (Ref: 14/7/8/2/4/94). It must be ensured that plan is strictly implemented and adhered to. Furthermore, it must be ensured that the reporting requirements as per Point 4 of the DFFE letter (Ref: 14/7/8/2/4/94) are strictly adhered to.

### 2.4. *Access road to the proposed new orchard*

This Directorate notes the location of proposed access road as provided in the Keyhole Markup Language file (.kml) submitted as part of the electronic Site Development Plan. In this regard, you are required to fill out and complete the relevant section of the BAR including the coordinates (i.e. start, middle and end) of the proposed access road.

3. Please be reminded that in accordance with Regulation 19(1)(b) of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within **140 days** from the date of receipt of the application by the Department. With reference to this Directorate's letter of 18 February 2025, the 140-day period is reckoned to be until **31 October 2025**. If the BAR is not submitted within 140 days (**i.e. by 31 October 2025**), the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted.

**NOTE:** Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.

4. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental

Management Act, 1998 (Act no. 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 in terms of the above 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 imprisonment.

5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

**Francois Naudé** Digitally signed by Francois Naudé  
Date: 2025.10.27 11:40:43 +02'00'

pp \_\_\_\_\_

**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Ref.: 16/3/3/1/D2/30/0006/25

Copied to:

**Eco Route Environmental Consultancy**

- (1) EAP: Ms. Samantha Teeluckdhari
- (2) Candidate EAP: Ms. Lizelle Genade
- (3) Administrative officer

E-mail: [samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za)

E-mail: [lizelle@ecoroute.co.za](mailto:lizelle@ecoroute.co.za)

E-mail: [admin@ecoroute.co.za](mailto:admin@ecoroute.co.za)

**Wilderness Fruit (Pty) Ltd**

- (4) Administrative officer

E-mail: [admin@wildernessfruit.co.za](mailto:admin@wildernessfruit.co.za)

**Breede-Olifants Catchment Management Agency**

- (5) Carlo Abrahams

E-mail: [cabrahams@bocma.co.za](mailto:cabrahams@bocma.co.za)



REFERENCE: 4/10/2/K30D/ERF 385, HOEKWIL

DATE: 07 OCTOBER 2025

ECOROUTE ENVIRONMENTAL CONSULTANCY  
PO BOX 9187  
**GEORGE**  
6530

Attention: Ms S. Teeluckdhari

**RE: REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE MUNICIPALITY, WESTERN CAPE**

Reference is made to the above mentioned Revised Draft Basic Assessment Report made available to Breed-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to Revised Draft Basic Assessment Report for the proposed cultivation of eleven (11) hectares of land to plant macadamia and avocado trees on Erf 385, which should be adhered to:

1. The Breed-Olifants Catchment Management Agency has reviewed the Revised Draft Basic Assessment Report and notes the responses to some of the comments issued on 25 July 2025.
2. Please note that the comments dated 25 July 2025 issued by BOCMA are still relevant and must be adhered to as indicated on the Revised Draft Basic Assessment Report.
3. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
4. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.
5. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.



6. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
7. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <http://www.dws.gov.za/e-WULAAS>
8. Should you have further enquiries, the office can be contacted or alternatively contact Mr. SI Ndlovu at the above-mentioned contact number or on [sndlovu@bocma.co.za](mailto:sndlovu@bocma.co.za)

Yours faithfully,

pp Ain d L.

**MR. JAN VAN STADEN**  
**CHIEF EXECUTIVE OFFICER (ACTING)**

Department of Environmental Affairs and Development Planning  
Directorate: Development Management (Region 3):  
Garden Route District Municipal area and Central Karoo District Municipal Area  
[DEADPEIAAdmin.George@westerncape.gov.za](mailto:DEADPEIAAdmin.George@westerncape.gov.za)

Eco Route Environmental Consultancy  
Samantha Teeluckdhari : [samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za)  
Lizelle Genade : [lizelle@ecoroute.co.za](mailto:lizelle@ecoroute.co.za)  
Janet Ebersohn : [janet@ecoroute.co.za](mailto:janet@ecoroute.co.za)

Dear Sirs,

**REVISED DRAFT BASIC ASSESSMENT REPORT : PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE MUNICIPALITY, WESTERN CAPE : DEA&DP Reference: 16/3/3/1/D2/30/0006/25**

We refer to our comments of 2025-08-21 attached below as an annexure, and in response to receiving the revised dBAR documents from Eco Route, we append below our additional comments on these new documents. (Direct quotations from these documents are in italics.)

**“1. Revised DBAR Erf 385 Hoekwil Sept 2025”**

**Pages 2, 11,12,18**

It is noted that there is only mention made of “Preferred Alternative” and “Alternative 2”. No mention is made of the No-Go Alternative.

**Page 21**

*There are cross cutting local and regional environmental challenges and opportunities recognised in the MSDF.*

*These include: Ensuring water and food security, agriculture and forestry preservation.*

This proposed farming operation contradicts “ensuring water .... security”, as with utilising fertilisers, herbicides and pesticides, the Touw River, which supplies drinking water to Wilderness, will become contaminated.

*George Municipal Spatial Development Framework 2023/27:*

• *agriculture footprint (% of area used) and impact on the protection of natural/heritage areas and natural systems (corridors, water security, etc) to be rationalized.*

*The natural systems (primary, secondary, and localized) found in agriculture areas are often degraded in parts and must be reinstated to assist water security and restore ecological functioning to ensure adaptation to impacts of climate change and the continued sustainable functioning of the rural assets.*

This application appears to contradict the George SDF.

### **Page 23**

*10. Explain how the proposed development will optimise the use of existing resources and infrastructure.*

*1. Utilisation of Existing Agricultural Zoning and Land Use Rights The property is already zoned Agricultural Zone 1, and agricultural activities are a primary right.*

*This eliminates the need for rezoning or land use change applications, allowing optimal use of existing land use permissions.*

While the property is indeed zoned Agriculture Zone 1, it doesn't necessarily allow for only farming activities to take place. Other laws, such as NEMA, NEMBA, etc, also need to be considered when deciding how to manage the property.

### **Page 24**

*3. Access Road*

*The proposal includes the upgrade of an existing access road alignment (Alternative B), rather than constructing an entirely new route.*

*This reduces the environmental footprint and makes use of already-disturbed pathways.*

As the "existing road" has probably been overgrown for in excess of 10 years, the upgrading thereof will most likely trigger a listed activity. (Listing Notice 1 Activity 4.)

*4. Low-Energy, Low-Input Farming*

*The development proposes a dryland farming approach which will minimise energy and water use. Any supplemental irrigation or equipment will use low-energy systems (gravity-fed or low-pressure pumps), making efficient use of the existing energy footprint.*

If this proposal is for "dryland farming", why is irrigation even being considered?

### **Page 31**

*Provide a description of any other activity alternatives investigated.*

*No other activity alternatives were investigated. The EIA was commissioned for the sole purpose of developing an agricultural field for crop production.*

*Provide a detailed motivation if no activity alternatives exist.*

*The EIA was commissioned for the sole purpose of developing an agricultural field for crop production.*

We feel that the No-Go Option should be considered.

*Positive impacts:*

- *Carbon removal - Both macadamia and avocado trees are perennial crops, meaning they live for decades; leading to long-term carbon absorption.*

If the NATURAL ENDEMIC vegetation was promoted, there would also be carbon removal.

- *Soil health improvement - crops can improve soil structure and organic matter through leaf litter and root biomass.*

If the NATURAL ENDEMIC vegetation was promoted, there would also be soil health improvement.

- *Management of soil erosion and surface water runoff - orchards reduce surface runoff and promote groundwater recharge.*



If the NATURAL ENDEMIC vegetation was promoted, there would be no soil erosion and surface water runoff.

### **Page 32**

*Positive impacts:*

- *Reduced soil erosion.*

We cannot agree with this statement as there is currently no sign of any soil erosion.

### **Page 33**

*List the positive and negative impacts that the technology alternatives will have on the environment.*

*Positive impacts:*

- *Water conservation*
- *Reduced soil erosion*
- *Efficient fertiliser use.*
- *Increased plant health*

We challenge all of the above “positive impacts”.

*Provide an explanation as to why the ‘No-Go’ Option is not preferred.*

*\*Amended Section\**

*Should the No-Go Alternative be selected, the land would remain zoned for agriculture but would not be developed for macadamia and avocado orchards.*

*The landowner would still be legally obligated to implement alien clearing programmes, and as such, the potential exists for natural fynbos vegetation to re-establish over time, particularly given the surrounding intact natural areas that could provide seed sources.*

*This outcome would provide positive ecological benefits in terms of biodiversity recovery, wetland functioning, and ecological connectivity.*

This No-Go option would be preferable to establishing orchards.

#### *No-Go vs. Development*

*The No-Go Alternative may result in a net ecological gain (through fynbos recovery and reduced disturbance). However, it would forgo the socio-economic benefits associated with agricultural development (employment creation, local food production, and economic contribution).*

If one weighs up “ecological gain” against “socio-economic benefits”, WALEAF feels that the former should take preference.

### **Page 55**

*2.4. Provide a description of any assumptions, uncertainties and gaps in knowledge that relate to the assessment and mitigation measures proposed.*

#### *1. Timing of Biodiversity Surveys*

*Assumption: The vegetation and fauna assessments conducted during autumn are sufficiently representative.*

*Uncertainty: Many geophytes and annual plant species flower in spring, meaning some species of conservation concern may have been missed or under-represented.*

WALEAF feels that proper study covering a full year for the Biodiversity Survey should be conducted.

## **“ COMMENTS AND RESPONSE REPORT”**

### **“Draft Bar Comments”**

**DEA&DP** in a letter dated 25<sup>th</sup> July 2025 stated :

#### *2.5. Management and eradication of invasive alien species*

*This Directorate notes the Alien Invasive Species Monitoring, Control and Eradication Plan (“Control Plan”) included Appendix C of the Environmental Management Programme (“EMPr”). In this regard, it is understood that the previous owner of Erf 385 received a pre-directive from the National Department of Forestry, Fisheries and the Environment (“DFFE”) on 30 November 2016. The alien species were cleared in 2019 in accordance with an approved Environmental Management Plan for the control of alien invasive vegetation species. It is understood that a close-out letter was issued by the DFFE on 29 May 2019 which states that the control and eradication of listed alien invasive species on Erf 385 have been completed. However, the abovementioned correspondence has not been included in the DBAR or the Control Plan.*

*Notwithstanding the above and with reference to 2.4.1 above, you are required to continue with the implementation of the Control Plan for the remainder of Erf 385. In accordance with Regulation 7, you must ensure the EAP consults the DFFE: Biosecurity - Alien Invasive Species Compliance (% Mr. Stiaan Kotze) at Tel: 021 441 2816; Email: SKotze@dffe.gov.za regarding the suitability of the plan and continuation of the control plan for the remainder of Erf 385.*

Our understanding of the NEMBA is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation **ad infinitum**, even if the ownership of the property changes. WALEAF recommends that before this Draft BAR is even considered, that the terms of the directive issued by DFFE should be strictly enforced, and the property cleared of all invasive alien vegetation. Once the area has been cleared, we can then revisit the property, and see whether any further farming should be considered on this portion of the farm. Presently, there is no way to determine if further farming is viable, seeing that the area is so heavily infested with alien vegetation.

**BOCMA** in a letter dated 25<sup>th</sup> July 2025 stated :

5. The activities that occurs within a regulated area e.g. infilling of wetland habitat or cultivation will trigger water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:

- a) *The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;*
- b) *In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act);*  
or
- c) *A 500 m radius from the delineated boundary (extent) of any wetland or pan.*

Does the above BOCMA condition not contradict the statements which appear in this dBAR application where it is stated that farming can take place within 30 metres of a river?

**SANParks** in a letter dated 28<sup>th</sup> July 2025 stated :

*SANParks is concerned about non-point source pollution from fertilizers, pesticides and herbicides, particularly considering that the proposed orchard expansion area will occur adjacent to two streams with associated wetlands, that feed into the Touw River, which joins the Serpentine River, which may*

*ultimately affect the health and well-being of the Wilderness Lakes Ramsar site (site no. 524) of international conservation importance, as designated in 1991, and the Touw Estuary (Fig. 7). It is likely that water quality may adversely be affected. Soil erosion from exposed soil areas and cultivation on hillslopes is an added concern, which may result in siltation and further changes to water flow. The property is mapped as being highly erodible, making it potentially vulnerable to sedimentation impacts (Fig. 9). Infilling of wetlands for road construction would further exacerbate impacts.*

WALEAF is also concerned that water from these wetlands feed into the Touw River, which is the source of the **drinking water for Wilderness**. The fertilising of the orchards and the use of herbicides pesticides will most certainly affect the quality of the drinking water in Wilderness.

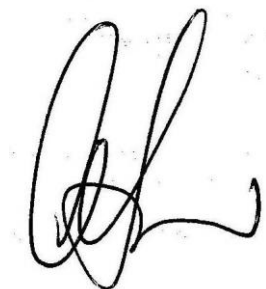
### **CapeNature**

We notice that there is no reference made to any comments from CapeNature. If they did in fact submit comments, which have not been included in this revised draft BAR, we reserve our rights to comment on them at a later date.

As a result of our comments above and previously, WALEAF **objects** to any type of development taking place on this property, until such time as all the illegal alien vegetation has been cleared in terms of the directive issued by DFFE previously. We again state that our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.

Once this property has been totally cleared of all invasive alien vegetation, we will then be in a better position to properly inspect the areas that have been cleared, and we shall then be in a better position to submit a proper input into a new draft BAR proposal. At this point we **oppose** the proposed cultivation of these macadamia and avocado trees

Yours faithfully,



Secretary,  
for WALEAF



P O Box 791  
6560 WILDERNESS  
Email : [waleaf@langvlei.co.za](mailto:waleaf@langvlei.co.za)  
2025-08-21

Department of Environmental Affairs and Development Planning  
Directorate: Development Management (Region 3):  
Garden Route District Municipal area and Central Karoo District Municipal Area  
[DEADPEIAAdmin.George@westerncape.gov.za](mailto:DEADPEIAAdmin.George@westerncape.gov.za)

Eco Route Environmental Consultancy  
Samantha Teeluckdhari : [samantha@ecoroute.co.za](mailto:samantha@ecoroute.co.za)  
Lizelle Genade : [lizelle@ecoroute.co.za](mailto:lizelle@ecoroute.co.za)  
Janet Ebersohn : [janet@ecoroute.co.za](mailto:janet@ecoroute.co.za)

Dear Sirs,

**DRAFT BASIC ASSESSMENT REPORT : PROPOSED CULTIVATION OF 11 HECTARES OF LAND TO PLANT MACADAMIA AND AVOCADO TREES ON ERF 385, SEVEN PASSES ROAD, HOEKWIL, GEORGE MUNICIPALITY, WESTERN CAPE : DEA&DP Reference: 16/3/3/1/D2/30/0006/25**

This application was originally sent by Ecoroute to us for our comments on 27<sup>th</sup> June 2025. On 29<sup>th</sup> June 2025 WALEAF requested a site visit to enable us to carefully view and inspect the area on which the owners have proposed to cultivate avocado and macadamia trees. Unfortunately, due to various delays, a site visit was only conducted on 7<sup>th</sup> August 2025. As the 30 day commenting period had already elapsed due to no fault of WALEAF, we requested that the commenting period be extended accordingly.

At the time of the site visit we were not able to inspect the area that has been earmarked for the planting of the avocado and macadamia trees, due to the fact that this entire area was totally overgrown with illegal invasive black wattle trees. The area was so heavily invaded by these wattle trees that we lost our way many times, and were unable to see where these avocado and macadamia trees were going to be planted. Additionally, the position of the proposed new access road was not shown to us. We feel that this site visit was fruitless and a total waste of time.

In 2020 WALEAF had discussions with Janet Ebersohn of ECOROUTE, wherein we were informed that the owners of the property were given a directive by DFFE (DEA in 2020) in Pretoria to clear all the alien vegetation on the property, which we understand they then did. (See Annexure A, which is an email from DEA&DP confirming this.) Our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.

**WALEAF recommends that before this Draft BAR is even considered, that the terms of the directive issued by DFFE should be strictly enforced, and the property cleared of all alien vegetation. Once the area has been cleared, we can then revisit the property, and see whether any further farming should be considered on this portion of the farm. Presently, there is no way to determine if further farming is viable, seeing that the area is so heavily infested with alien vegetation.**

## **PROPOSED APPLICATION**

The applicant states that “*the property is zoned Agricultural I. Wilderness Fruit (Pty) Ltd is applying to cultivate 11 hectares of land to plant Macadamia and Avocado Trees on Erf 385, Hoekwil. This is an expansion of their current agricultural practice on the property. The property has a dam on site with existing water use rights. Irrigation pipes will be laid within the area; however, the proponent will manage the field as ‘dryland’, with some water from the dam to be used when fertilizer is required (approximately 10 000m<sup>3</sup> per year). The proponent would make use of the existing pipeline that is feeding the blocks adjacent to the proposed new fields. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees. The laying of irrigation pipes and proposed access road requires a General Authorisation in terms of Section 39 of the National Water Act, Act 36 of 1998.*”

## **PROPOSED ALTERNATIVES**

**There appears to be some confusion regarding the Preferred Alternative, Alternative 1, Alternative 2, Alternative A, and Alternative B. The numbering system does not make sense, and appears to have conflicting preferred alternatives.**

In the **Appendix H1 EMPr 2**, page 6, it states :

### Alternative 1 (Preferred Alternative) –

The clearance of indigenous vegetation (heavily alien plant infested) for the development of a further 11 hectares of agricultural land for the purpose of planting Avocado trees and Macadamia nuts. The property has water rights and a dam on site. Irrigation pipes will be laid within the area; however, the proponent will manage the field as ‘dryland’ and some water will be used when fertilizer is required. The crops will be watered mainly by rainwater as the area receives sufficient annual rainfall for the proposed trees.

On page 11, reference is made to an Alternative 2.

Also on page 11, reference is made to Alternative A and Alternative B (now the Preferred Alternative).

On page 13, reference is made to Preferred Alternative and Alternative 2.

On page 15, reference is made to Alternative A and Alternative B (now the Preferred Alternative).

On page 16, reference is made to Preferred Alternative and Alternative 2.

In the **Draft BAR**, page 14

### Alternative 1:

“Alternative 1 would be to apply for an additional 15 hectares of cultivated land to practise their existing rights to plant Macadamia and Avocado Trees on Erf 385 Hoekwil.”

In **Appendix H1 EMPr 2**, the consultants for this application state the following :

## **“8. SPECIALIST RECOMMENDATIONS/MITIGATION MEASURES**

### **8.1 TERRESTRIAL BIODIVERSITY ASSESSMENT (GREG NICOLSON, CAPENSIS ECOLOGICAL CONSULTING, MAY 2024) –**

*Mitigation options are generally considered in terms of the following mitigation hierarchy: (1) avoidance, (2) minimization, (3) restoration and (4) offsets. A distinction is also made between essential mitigation (non-negotiable mitigation measures that lower the impact significance) and non-essential mitigation (best practise measures that do not lower the impact significance). In this instance, a number of essential mitigation measures are necessary to reduce the impact of the development.*

- 1. Avoidance of the Intact forest (including a 50m buffer), Semi-intact fynbos and Degraded fynbos habitats which are of High and Medium sensitivity.*
- 2. Avoidance of the subpopulation of *Leucospermum glabrum* (including a 100m buffer) and Sensitive species 419 on the eastern side of the site.*
- 3. Ensure that natural fire cycles can occur within this area.*
- 4. Avoidance of the freshwater features (including a 30m buffer) to ensure connectivity of lowland and upland habitat.*
- 5. The ‘search and rescue’ of the Sensitive species 419 from the western side of the site.*
- 6. The vegetation from the fynbos habitat that is not developed must be rehabilitated to a state where it is representative of the original fynbos ecosystem and supports ecological functioning to a moderate or high level.*
- 7. The rehabilitation must be undertaken in a phased approach, according to a rehabilitation plan and undertaken by a qualified botanist or restoration ecologist.*
- 8. The initial step will require the removal and control of all IAPs on the property and erosion control if necessary. Passive rehabilitation on the parts of the site where no earthworks have taken place can be allowed for one winter season following the removal of IAPs. Thereafter the site must be assessed by the restoration contractor to determine the level of active rehabilitation input. Active rehabilitation will be required for areas where topsoil has been disturbed, and areas that do not naturally recover from stored soil seedbank.*
- 9. The restoration contractor should monitor the populations of SCC to ensure that they persist on the site, and additional propagation of these species may be required.*
- 10. Follow-up clearing of all exotic and listed IAPs is required every 6 months for the first three years, and annually thereafter to ensure that the IAPs do not dominate the fynbos.”*

**From the above specialist report, it appears to WALEAF that due to the sensitivity of this portion of the property, that no farming should be allowed, and that it be restored to natural vegetation.**

### **“8.3. SPECIALIST AQUATIC BIODIVERSITY ASSESSMENT (DR. JAMES DABROWSKI, CONFLUENT ENVIRONMENTAL, MAY 2025) –**

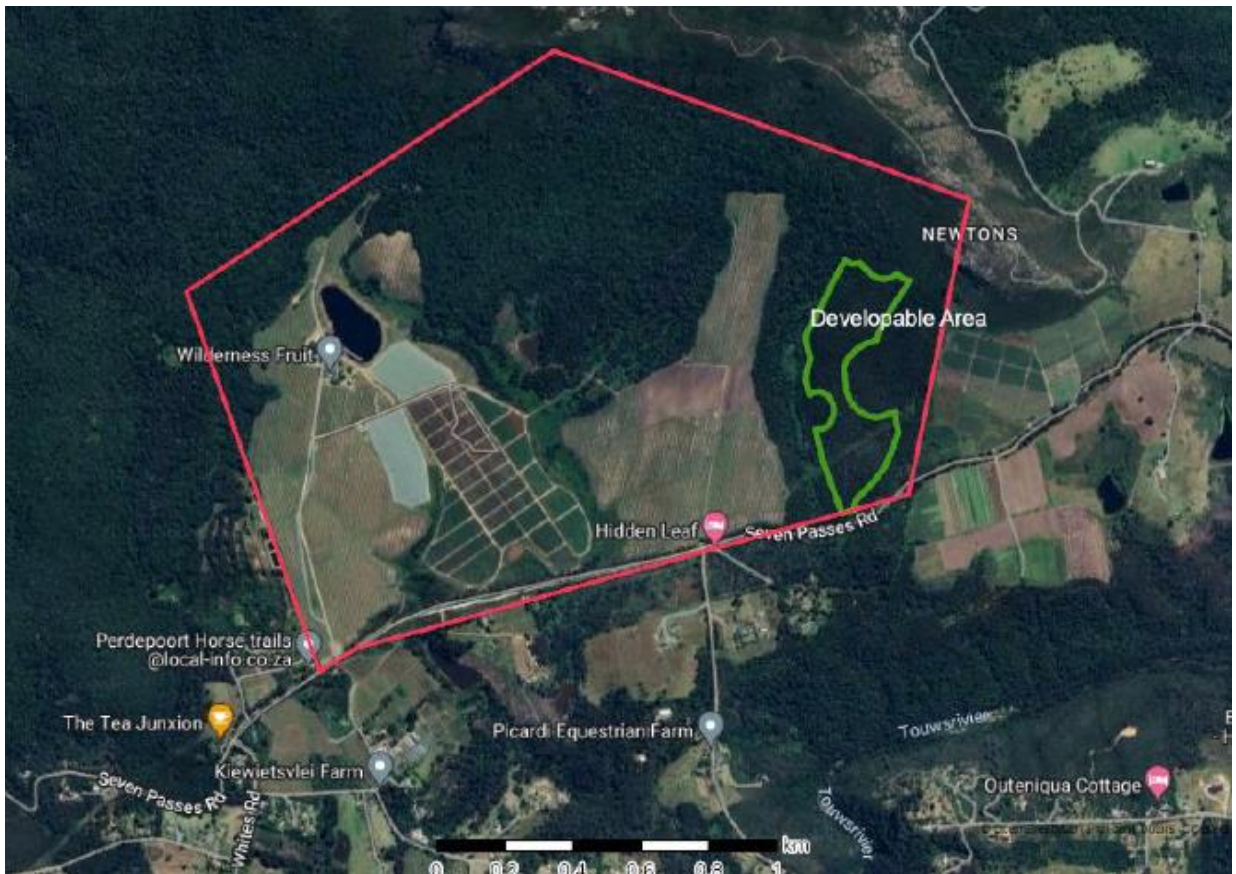
*Two wetlands and associated streams were identified either side of the proposed cultivated area on Erf 385. These wetlands occur within a catchment area that has been classified as a FEPA and a SWSA. Any further development in the catchment area must therefore be done in a sensitive manner so as to maintain watercourses and the larger Touws River catchment in a good ecological condition. Extensive agricultural activities are one of the main threats to aquatic biodiversity that have been identified in the broader catchment area. Impacts associated with agriculture are primarily related to loss of aquatic habitat due to encroachment of cultivated areas into riparian zones and wetlands and nonpoint source pollution of watercourses by nutrients, sediment and pesticides.”*

**WALEAF is concerned that, as mentioned above, water from these wetlands feed into the Touw River, which is the source of the drinking water for Wilderness. The fertilising of the orchards and the use of pesticides will most certainly affect the quality of the drinking water in Wilderness. Likewise, the use of fertilisers and pesticides will also be detrimental to the internationally recognised RAMSAR site, which is also fed by the Touw River.**

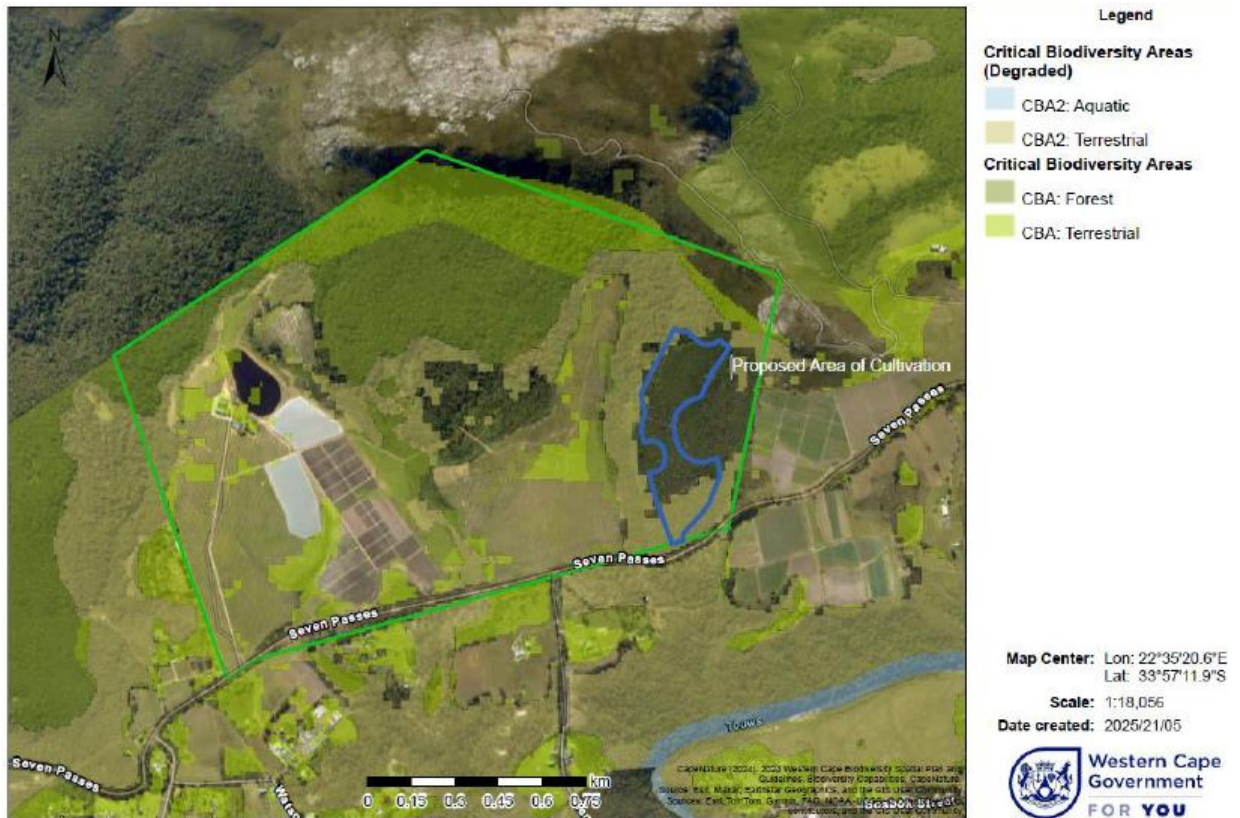


CFM image showing the 11ha proposed farming area (centre north) with 2 streams feeding into the Touw River



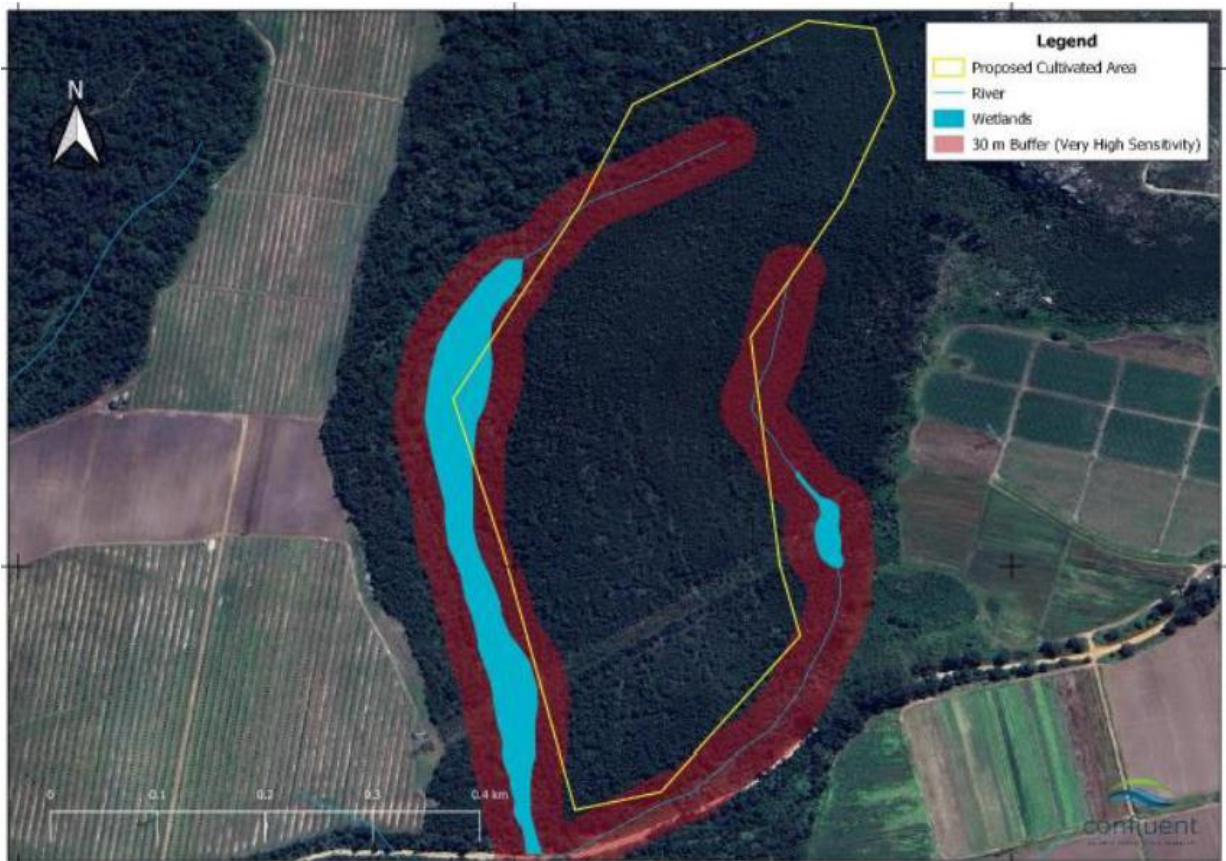


Position of Erf 385 Hoekwil in Wilderness Heights

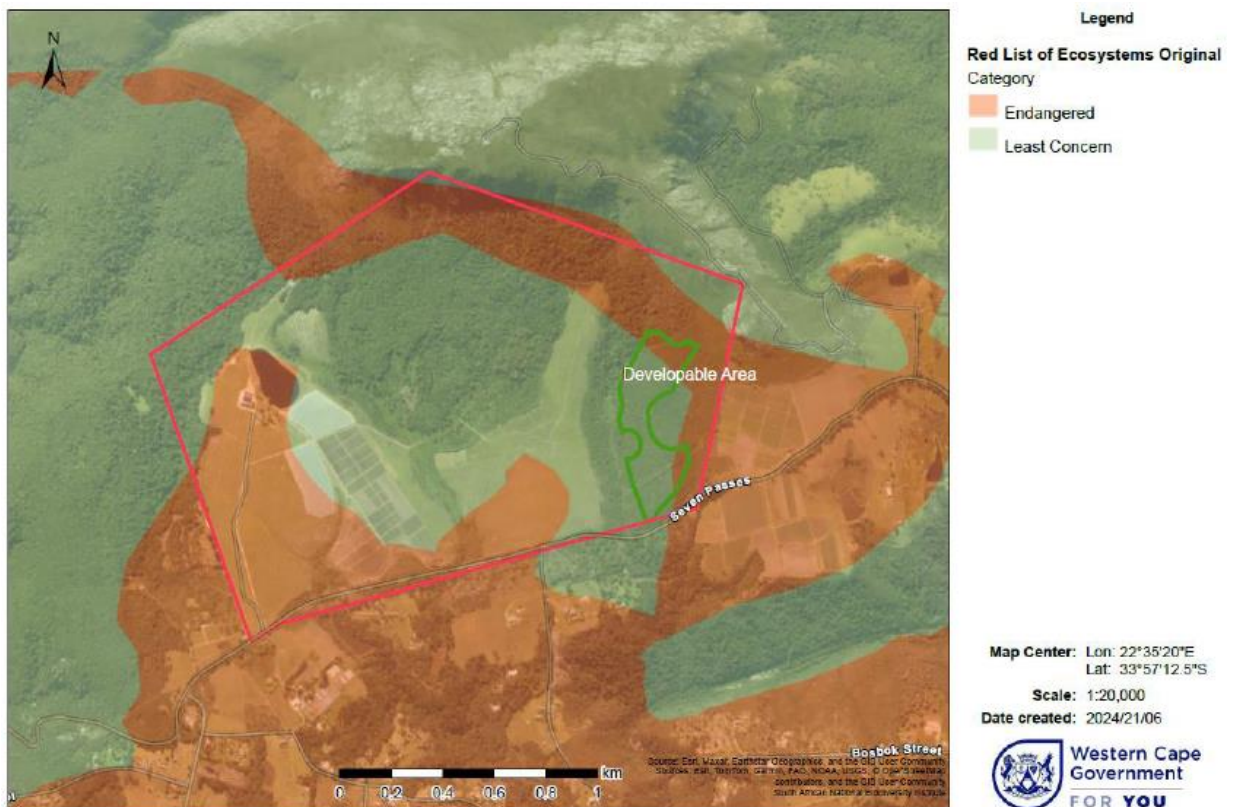


Critical Biodiversity Map – the proposed cultivation area will be partially within CBA2





Watercourse and 30m buffer area for Alternative 16ha option



SANBI Red List of Ecosystems

**DRAFT BAR DOCUMENT**

In terms of the **NEMA EIA Regulations**, Ecoroute have stated that the following **listed activities** have been triggered. Regarding the Activities 12, 19, 27 (Listing Notice 1) and 4, 12, 14 (Listing Notice 3), as presented in the tables below, **we are unable to comment on any of these, as, at our site visit, we were not shown where and how these listed activities were going to be affected on the property. We therefore reserve our rights to comment at a future date once all the alien vegetation has been cleared, so that we can determine how these listed activities will (possibly) affect the property.**

Activity No(s):	Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Listing Notice 1</b>	Describe the portion of the proposed development to which the applicable listed activity relates.
12	<p>The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p><b>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</b></p> <p>where such development occurs—</p> <p><b>(a) within a watercourse;</b></p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site.</p>
19	<p>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;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(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.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site.</p>
27	<p>The clearance of an area more than 1 hectare, but less than 20 hectares of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The clearance of indigenous vegetation to create additional agricultural land of 11 hectares for the planting of macadamia trees and avocado trees, including the necessary infrastructure required.</p>

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3	Describe the portion of the proposed development to which the applicable listed activity relates.
4	<p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>i. Western Cape</p> <p>i.Areas zoned for use as public open space or equivalent zoning;</p> <p><b>ii. Areas outside urban areas;</b></p> <p><b>(aa) Areas containing indigenous vegetation;</b>            (bb)Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or            (bb)Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>The proposed road surface will not be more than 4m wide; however, the road structure (to include culverts) may result in the road being wider than 4m overall.</p> <p>The area proposed for the road will be in an area which was previously disturbed and taken over by alien invasive plants; however, there may be some remnants of indigenous vegetation present.</p>
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p><b>a. Western Cape</b></p> <p><b>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</b></p> <p><b>ii. Within critical biodiversity areas identified in bioregional plans;</b></p> <p>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>The proposed cultivation will require the removal of approximately 11 ha of indigenous vegetation and will partially occur within an endangered ecosystem (Garden Route Shale Fynbos) and a CBA2: Terrestrial area on the southern portion.</p>

14	<p>The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p><b>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</b></p> <p>where such development occurs—</p> <p><b>(a) within a watercourse;</b></p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p><b>a. Western Cape</b></p> <p><b>i. Outside urban areas:</b></p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas listed in terms of an international convention;</p> <p><b>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</b></p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>	<p>The proposed activity will require the use of irrigation pipes and the construction of an access road which will cross the western wetland on site within a CBA2: Terrestrial.</p>
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Under **SECTION F: PUBLIC PARTICIPATION**, we refer to the answer submitted below :

PPP has been complied with. Proof will be issued with the Final BAR.

As stated above, a proper site inspection was not possible and we could not complete a full inspection of the property. This was due to the fact that, by not fulfilling the requirements of the DFFE directive, to clear all the illegal invasive alien vegetation, that has resulted in a heavy infestation of impenetrable vegetation on the property. Had the owner performed and complied with this directive, a full and proper site assessment would have been possible, and the impact of the proposal accurately determined.

On page 35, Ecoroute, when discussing the “No Go” option, states :

The No-Go alternative would see the continuation of the unproductive land, no additional crop production, and a potential for the increased spread of AIPs.

It may result in the surrounding land not being rehabilitated to encourage the flourishing of fynbos and other indigenous vegetation, which would eventually threaten the long-term viability of several SCC found in the current undisturbed habitats.

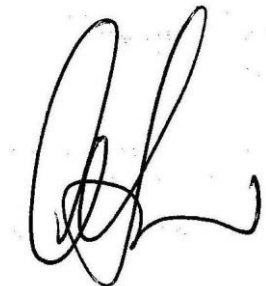
If the No-Go option was actually considered as an option, and the illegal invasive alien vegetation was cleared in terms of the DFFE directive, there would be no “*potential for the increased spread of AIPs*”, and threatening “*.....the long-term viability of several SCC found in the current undisturbed habitats.*”

On page 39, we question why, when discussing the **Degradation of wetland habitat caused by upgrading the access road**, Ecoroute has totally **dismissed the “No-Go’ option**.

As a result of the aforementioned comments, WALEAF **objects** to any type of development taking place on this property, until such time as all the illegal alien vegetation has been cleared in terms of the directive issued by DFFE previously. We again state that our understanding of the law is that when a directive has been given to clear invasive alien vegetation from a property, that the property must be kept clear of all invasive alien vegetation ad infinitum.

Once this property has been cleared of this alien vegetation, we will then be in a better position to properly inspect the areas cleared of the alien vegetation, and then submit a proper input into a new draft BAR proposal. At this point we **oppose** the proposed cultivation of these macadamia and avocado trees

Yours faithfully,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above the typed name.

Secretary,  
for WALEAF

## **ANNEXURE 1**

**From:** Harriet J Van SchalkWyk [mailto:Harriet.vanSchalkwyk@westerncape.gov.za]  
**Sent:** 20 August 2025 12:07  
**To:** Diana Mouton; waleaf@langvlei.co.za  
**Subject:** RE: RE: Erf 385 Hoekwil

Dear Mr Scott

I went through my records on the case and see that there is an Alien Invasive species control plan granted on that property. The DFFE (National Department) issued notices too.

Our office referred the case to the National Department because it falls within their mandate and they monitor these plans and their own notices.

The persons below are from the National Department who will be able to assist and were involved in the case.

Bernard Ndou <[bndou@dff.gov.za](mailto:bndou@dff.gov.za)>  
Sonja Meintjes <[smeintjes@dff.gov.za](mailto:smeintjes@dff.gov.za)>  
Stiaan Kotze <[skotze@dff.gov.za](mailto:skotze@dff.gov.za)>

Kind regards  
Harriet