

## Emile Esquire

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**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** 05 July 2017 05:00 PM  
**To:** 'Towell Jolene (UPN)'  
**Subject:** RE: PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Dear Jolene,

Thank you very much.

Kind regards,

Emile Esquire



mobile: +27 82 4489991  
Direct fax 0866203308  
Office: tel +27 21 851 1616, fax 0865120154  
P. O. Box 5367, Helderberg, 7135  
29 St James St, Somerset West

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**From:** Towell Jolene (UPN) [mailto:TowellJ@dws.gov.za]  
**Sent:** 05 July 2017 04:26 PM  
**To:** Emile Esquire  
**Subject:** RE: PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Dear Emile,

Please courier to:

Department Water and Sanitation  
Louisvale Road  
Upington  
8800

Contact: 0543385800

Kind Regards,

Jolene van Wyk-Towell  
Water Control  
Private Bag X5912  
Upington  
8800  
Tel.: 0543385800  
Fax: 0866992007

# Almost empty

what if it was the last drop



water & sanitation  
Department of Water and Sanitation  
REPUBLIC OF SOUTH AFRICA



#savewater

---

**From:** Emile Esquire [<mailto:emile@enviroafrica.co.za>]

**Sent:** 05 July 2017 03:46 PM

**To:** Towell Jolene (UPN)

**Subject:** RE: PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Dear Jolene,

Do you perhaps have the physical address of DWS in Upington so that I can courier the report to your office?

Kind regards,

Emile Esquire



mobile: +27 82 4489991

Direct fax 0866203308

Office: tel +27 21 851 1616, fax 0865120154

P. O. Box 5367, Helderberg, 7135

29 St James St, Somerset West

---

**From:** Emile Esquire [<mailto:emile@enviroafrica.co.za>]

**Sent:** 05 July 2017 02:19 PM

**To:** 'Towell Jolene (UPN)'

**Subject:** RE: PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Dear Jolene,

It is a pleasure.

Kind regards,

Emile Esquire



mobile: +27 82 4489991

Direct fax 0866203308

Office: tel +27 21 851 1616, fax 0865120154  
P. O. Box 5367, Helderberg, 7135  
29 St James St, Somerset West

---

**From:** Towell Jolene (UPN) [<mailto:TowellJ@dws.gov.za>]

**Sent:** 05 July 2017 01:35 PM

**To:** Emile Esquire

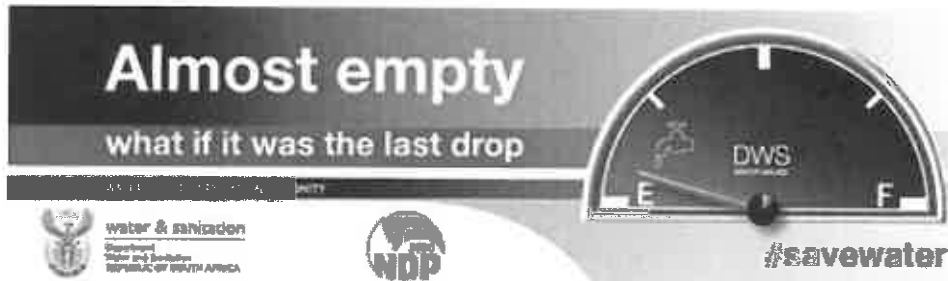
**Subject:** RE: PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Dear Emile,

Thank you very much.

Kind Regards,

Jolene van Wyk-Towell  
Water Control  
Private Bag X5912  
Upington  
8800  
Tel.: 0543385800  
Fax: 0866992007



---

**From:** Emile Esquire [<mailto:emile@enviroafrica.co.za>]

**Sent:** 05 July 2017 12:50 PM

**To:** Towell Jolene (UPN)

**Cc:** 'EnviroAfrica :Admin'

**Subject:** RE: PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Dear Jolene,

Your response is hereby acknowledged.

Please note that I will bind the report and send it to your Upington Office for Pabalelo Olifant's attention.

Please don't hesitate to contact me should you require additional information.

Kind regards,

Emile Esquire



Direct fax 0866203308  
Office: tel +27 21 851 1616, fax 0865120154  
P. O. Box 5367, Helderberg, 7135  
29 St James St, Somerset West

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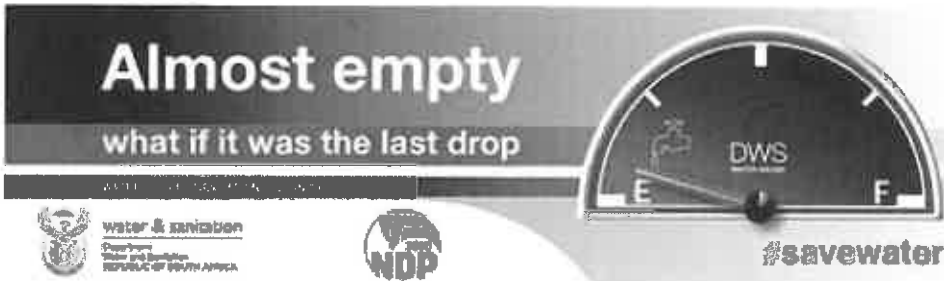
**From:** Towell Jolene (UPN) [<mailto:TowellJ@dws.gov.za>]  
**Sent:** 05 July 2017 12:31 PM  
**To:** Emile Esquire  
**Subject:** RE:PPP: S24G Rectification for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape (DENC Reference No: 01/04/2017)

Good day,

Kindly note that the project falls under the Upington Office of the Department of Water and Sanitation. You need to print and bind the documentation and send it to the admin officer at DWS, Upington Office for attention: Pabalelo Olifant. The e-mail address in you contact list is that of an official in Head Office. Please use the postal address below.

Kind Regards,

Jolene van Wyk-Towell  
Water Control  
Private Bag X5912  
Upington  
8800  
Tel.: 0543385800  
Fax: 0866992007



**From:** Emile Esquire <[emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)>  
**Date:** Tuesday, 04 July 2017 at 15:19  
**To:** <[mayor@kaigarib.gov.za](mailto:mayor@kaigarib.gov.za)>, <[mm@kaigarib.gov.za](mailto:mm@kaigarib.gov.za)>, <[JacolineMa@daff.gov.za](mailto:JacolineMa@daff.gov.za)>, Ordain Riba <[oriba.denc@gmail.com](mailto:oriba.denc@gmail.com)>, <[ORiba@ncpg.gov.za](mailto:ORiba@ncpg.gov.za)>, <[sylvia.moholo@dpw.gov.za](mailto:sylvia.moholo@dpw.gov.za)>, <[cscheermeyer@sahra.org.za](mailto:cscheermeyer@sahra.org.za)>, <[acpakstoor@lantic.net](mailto:acpakstoor@lantic.net)>, <[tswiegers.dole@gmail.com](mailto:tswiegers.dole@gmail.com)>, <[admin@aaatrust.co.za](mailto:admin@aaatrust.co.za)>, Stephan Pieterse <[stephan@csfarms.co.za](mailto:stephan@csfarms.co.za)>, <[jeremy@rkoosthuizen.co.za](mailto:jeremy@rkoosthuizen.co.za)>, <[brabeesmondbdy@gmail.com](mailto:brabeesmondbdy@gmail.com)>, <[marinakwgv@isat.co.za](mailto:marinakwgv@isat.co.za)>, <[pbps@iafrica.com](mailto:pbps@iafrica.com)>, <[MazwiR@dwa.gov.za](mailto:MazwiR@dwa.gov.za)>  
**Subject:**

Dear Interested and Affected Parties ("I&APs"),

EnviroAfrica cc has been appointed by The Lair Trust, to conduct the S24G environmental impact assessment process as part of the environmental authorisation (EA) application for the above development.

As part of the S24G rectification application process, a post-application S24G Environmental Impact Report has been compiled, as well as a draft Environmental Management Programme (“EMPr”) for the project.

Interested and Affected Parties (I&APs) are hereby notified of the availability of the post-application S24G EIR at [www.EnviroAfrica.co.za](http://www.EnviroAfrica.co.za) (under Projects/For public participation). I&APs are invited to register in writing (if this has not been done as yet) and/or provide comments/ queries relating to the post-application S24G EIR. Please note that a CD copy of the S24G EIR was also posted to you.

**Please note:** Comments must reach EnviroAfrica in writing, on or before **04 August 2017** for response and inclusion in the final S24G EIR to be submitted to the DENC.

Kind regards,

Emile Esquire



mobile: +27 82 4489991

Direct fax 0866203308

Office: tel +27 21 851 1616, fax 0865120154

P. O. Box 5367, Helderberg, 7135

29 St James St, Somerset West

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## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** 21 July 2017 08:53 AM  
**To:** 'Willie Swart'  
**Cc:** 'EnviroAfrica :Admin'  
**Subject:** RE: RECTIFICATION FOR THE UNLAWFULCONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD

Dear Mr. Willie,

I hereby acknowledge receipt of your comment.

Please note that your comment is duly noted.

Adjacent land owners has also been notified of the proposed development.

Thank you for your comment.

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

p: +27 21 851 1616 m: +27 74 587 2399

f: +27 86 512 0154

a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130  
P.O. Box 5367, Helderberg, 7135

w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

---

**From:** Willie Swart [<mailto:swartw@kaigarib.gov.za>]

**Sent:** 20 July 2017 09:39 AM

**To:** [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

**Subject:** RECTIFICATION FOR THE UNLAWFULCONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD

Goeie more Emile,

Hiermee ons skrywe rakende hierdie aangeleentheid.

Groete

Willie Swart

Your message is ready to be sent with the following file or link attachments:

SWW2

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# Munisipaliteit Kai !Garib Municipality

Munisipale Gebou  
11<sup>de</sup> Laan  
Tel 054 461 6700  
Faks 054 461 6401  
E-Pos: [admin@kaiagarib.gov.za](mailto:admin@kaiagarib.gov.za)  
Privaatsak X 6  
KAKAMAS  
8870  
BTW Reg Nr. 4170193371



Municipal Building  
11<sup>th</sup> Avenue  
Tel 054 461 6700  
Fax 054 461 6401  
E-Mail: [admin@kaiagarib.gov.za](mailto:admin@kaiagarib.gov.za)  
Private Bag X 6  
KAKAMAS  
8870  
VAT Reg No. 4170193371

14 July 2017

Ref. No. 14.5.1.6

Emile Esquire  
EnviroAfrica CC  
P.O. Box 5367  
HELDERBERG  
7135

## RECTIFICATION FOR THE UNLAWFUL CONSTRUCTION FOR THE EXPANSION OF A VINEYARD ON PORTION 13 OF ORANGE FALLS FARM NO. 16 AUGRABIES FALLS WAY, NORTHERN CAPE

Your letter dated 28 June 2017 refer.

This office has no objections or comments on the abovementioned proposal on condition that all regulations and terms of the Spatial Planning and Land Management Act (Act 16 of 2013) as well as the Town Planning Scheme Regulations for Kai !Garib Municipality are comply with.

Please also make sure that the proposal will not be detrimental to any other property or landowner.

Yours sincerely

  
JG LATEGAN  
ACTING MUNICIPAL MANAGER



## Emile Esquire

---

**From:** Willie Swart <swartw@kaigarib.gov.za>  
**To:** 'Emile Esquire'  
**Sent:** 21 July 2017 09:07 AM  
**Subject:** Read: RECTIFICATION FOR THE UNLAWFULCONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD

Message was read on: 7/21/2017 9:06:53 AM

**Subject:** RE: RECTIFICATION FOR THE UNLAWFULCONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD  
**To:** 'Willie Swart'  
**Sent:** 7/21/2017 8:52:58 AM

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## Emile Esquire

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**From:** EnviroAfrica :Admin <admin@enviroafrica.co.za>  
**To:** 'Emile Esquire'  
**Sent:** 21 July 2017 09:20 AM  
**Subject:** Read: RECTIFICATION FOR THE UNLAWFULCONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD

### Your message

**To:** 'Willie Swart'  
**Cc:** 'EnviroAfrica :Admin'  
**Subject:** RE: RECTIFICATION FOR THE UNLAWFULCONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD  
**Sent:** 2017/07/21 08:52 AM

was read on 2017/07/21 09:19 AM.

## Emile Esquire

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**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** 18 July 2017 10:01 AM  
**To:** 'Natasha Higgitt'  
**Cc:** 'EnviroAfrica :Admin'  
**Subject:** FW: 24G Vineyard on Portion 13 of Orange Falls Farm No 16, Augrabies - SHARIS CASE ID: 11307

Hi Natasha,

The S24G EIR has been uploaded onto SAHRIS on 05 July 2017, and Case ID Number: 11307.

Please see the link to SAHRIS below:

<http://www.sahra.org.za/sahris/cases/rectification-unlawful-construction-infrastructure-expansion-vineyard-portion-13-orange-falls>

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

p: +27 21 851 1616 m: +27 74 587 2399

f: +27 86 512 0154

a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130  
P.O. Box 5367, Helderberg, 7135

w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

---

**From:** EnviroAfrica :Admin [<mailto:admin@enviroafrica.co.za>]

**Sent:** 18 July 2017 09:18 AM

**To:** 'Emile Esquire'

**Subject:** RE: 24G Vineyard on Portion 13 of Orange Falls Farm No 16, Augrabies

<http://www.sahra.org.za/sahris/cases/rectification-unlawful-construction-infrastructure-expansion-vineyard-portion-13-orange-falls>

Belinda Waters



**EnviroAfrica**

*Office Manager*

**EnviroAfrica cc**

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a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130  
P.O. Box 5367, Helderberg, 7135  
w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [admin@enviroafrica.co.za](mailto:admin@enviroafrica.co.za)

---

**From:** Emile Esquire [<mailto:emile@enviroafrica.co.za>]  
**Sent:** 18 July 2017 08:32 AM  
**To:** 'EnviroAfrica :Admin'  
**Subject:** FW: 24G Vineyard on Portion 13 of Orange Falls Farm No 16, Augrabies

Morning Belinda,

Please see email below.

I would like to know when the S24G EIR was uploaded onto SAHRIS.

Kind regards,

Emile Esquire



EnviroAfrica

*Environmental Consultant*

**EnviroAfrica cc**

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w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

---

**From:** Natasha Higgitt [<mailto:nhiggitt@sahra.org.za>]  
**Sent:** 18 July 2017 08:16 AM  
**To:** Emile Esquire  
**Subject:** 24G Vineyard on Portion 13 of Orange Falls Farm No 16, Augrabies

Good morning,

SAHRA has received via post a notification of the 24G Application for the unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm No 16, Augrabies, Northern Cape Province. Please note that SAHRA does not accept posted, hardcopy, emailed or website links as official submissions. Please create an application on the South African Heritage Information System (SAHRIS) and upload all documents to the case. Once completed, please change the status of the case from DRAFT to SUBMITTED and notify me, referencing the Case ID number.

Kind Regards,

Natasha Higgitt  
Heritage Officer: Archaeology, Palaeontology and Meteorites Unit

South African Heritage Resources Agency  
- A nation united through heritage -

T: +27 21 462 4502 | F: +27 21 462 4509 | C: +27 82 507 0378  
E: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za) | 111 Harrington Street | Cape Town

[www.sahra.org.za](http://www.sahra.org.za)

**Natasha Higgitt**

Heritage Officer: Archaeology, Palaeontology and Meteorites Unit

South African Heritage Resources Agency

- *A nation united through heritage* -

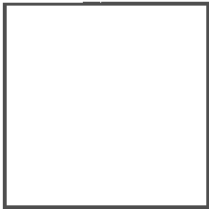
T: +27 21 462 4502 | C:+27 82 507 0378 | F:+27 21 462 4509

E: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za) | 111 Harrington Street | Cape Town | 8001

[www.sahra.org.za](http://www.sahra.org.za)



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## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** Friday, 11 August 2017 5:02 PM  
**To:** 'Pieter Badenhorst (iafrica)'  
**Cc:** 'Bernard de witt'  
**Subject:** RE: S24G Lair Trust

Dear Pieter,

Your comment is duly noted.

Please note that your concerns will be addressed during the compilation of the final S24G EIR.

We are consulting with DENC to include the additional listed activity.

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

p: +27 21 851 1616 m: +27 74 587 2399

f: +27 86 512 0154

a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130

P.O. Box 5367, Helderberg, 7135

w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

**From:** Pieter Badenhorst (iafrica) [mailto:pbps@iafrica.com]

**Sent:** Wednesday, 09 August 2017 7:54 PM

**To:** emile@enviroafrica.co.za

**Cc:** Floyd Fox <thelair@lantic.net>; Tshepiso (Sharon) Tsimakwane <Ttsimakwane@ncpg.gov.za>

**Subject:** S24G Lair Trust

Dear Emile – My apologies for only responding now. However, the CD with information was only received recently via normal post and long after the commenting period commencement date.

Since I am responsible for the required WULA and Plow certificate I will not make detailed comments on your report but only lift out the serious flaw in the report.

Note that both DENC and DWS were already on site and emphasized the fact that operations on the farm is taking place without the required environmental authorisation and water licences. The water licences include the shortage of water rights and the fact that development took place over watercourses. I have submitted a temporary transfer application with the aim to temporary solve the shortage of water.

The fact that you did not include the necessary listed activities for work near and over watercourses is surprising. Especially, since I have pointed this out to the applicant and in my comment on the application form.

This means that I cannot complete the WULA and Plow Certificate because environmental authorisation is required for the development near and over water courses.

It is also surprising that you are not clear on the lack of water rights for the property.

At this stage I am not clear whether the additional water could be sourced from the canal – it is therefore also possible that a pumpstation at the river would be required.

Lastly –just a general question – why is the report written as if the development is still to be undertaken?

Regards/Groete  
Pieter Badenhorst  
PBPS – Environmental and Water License Consultants  
PO Box 1058  
Wellington 7654  
Cel: 0827763422  
Fax: 0866721916

## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** Friday, 11 August 2017 4:35 PM  
**To:** 'Towell Jolene (UPN)'  
**Cc:** 'Ttsimakwane@ncpg.gov.za'; 'Bernard de witt'  
**Subject:** RE: S24G Lair Trust  
**Attachments:** S24G Rectification application: Construction of infrastructure for the unlawful expansion of a vineyard on Portion 13 of Orange Farm No. 16, Augrabies Falls Way, Kai !Garib Local Municipality, Northern Cape

Dear Jolene,

Thank you for your comment dated 10 August 2017, which is duly noted.

Please note that in response, EnviroAfrica has approached DENC as the competent authority to address the issue of the inclusion of listed activity 14 under Listing Notice 1 (GN. R. 327) of NEMA in our current application process. We would like your Department to be aware of our best attention to issues of environmental concern and appreciate your input to the robustness of this application process. If there are any additional concerns from the Department of Water and Sanitation (DWS), please do not hesitate to contact our offices.

To this end, I will forward you the correspondence as sent to DENC earlier today (11 August 2017).

Please note that when EnviroAfrica initiates a Public Participation Process (PPP), all documentation is available on our website ( [www.enviroafrica.co.za](http://www.enviroafrica.co.za)) under "For public participation", in addition to the hardcopy information letter sent to I&APs.

Since I&APs are informed of such, any I&AP request for additional electronic copies of the documentation submitted does not absolve the I&AP's responsibility to adhere to the legislated timeframes of the PPP.

A hard copy of the S24G EIR was posted to DWS (Kimberly) office on 30 June 2017. EnviroAfrica was informed by yourself, on 05 July 2017, that a hardcopy of the S24G EIR have to be submitted to DWS's Upington office. Subsequently, a copy of the S24G EIR was couriered to the DWA's Upington Office and received by your office on 17 July 2017. In addition, please note that if required by the competent authority the final S24G EIR; with an updated comments and response report, will be sent to registered I&APs for commenting.

Please be assured (as always) of our commitment to a sustainable environment and the protection of our natural resources.

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

p: +27 21 851 1616 m: +27 74 587 2399

f: +27 86 512 0154

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P.O. Box 5367, Helderberg, 7135

w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)



**From:** Towell Jolene (UPN) [mailto:TowellJ@dws.gov.za]  
**Sent:** Thursday, 10 August 2017 8:34 AM  
**To:** Pieter Badenhorst (iafrica) <pbps@iafrica.com>; emile@enviroafrica.co.za  
**Cc:** Floyd Fox <thelair@lantic.net>; Tshepiso (Sharon) Tsimakwane <Ttsimakwane@ncpg.gov.za>  
**Subject:** RE: S24G Lair Trust

Good day,

Please take note that the temporary transfer cannot go through without all the issues below be addressed. Please take note that the Department will consider issuing a directive regarding the unlawful water use should the water user not adhere to all legislation and meet the requirements thereof.

Kind Regards,

Jolene van Wyk-Towell  
Water Control  
Private Bag X5912  
Uppington  
8800

Tel.: 054 338 5819  
Fax: 054 334 0205  
Cell: 082 887 8866



**From:** Pieter Badenhorst (iafrica) [mailto:pbps@iafrica.com]  
**Sent:** 09 August 2017 07:54 PM  
**To:** [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)  
**Cc:** Floyd Fox; Tshepiso (Sharon) Tsimakwane  
**Subject:** S24G Lair Trust

Dear Emile – My apologies for only responding now. However, the CD with information was only received recently via normal post and long after the commenting period commencement date.

Since I am responsible for the required WULA and Plow certificate I will not make detailed comments on your report but only lift out the serious flaw in the report.

Note that both DENC and DWS were already on site and emphasized the fact that operations on the farm is taking place without the required environmental authorisation and water licences. The water licences include the shortage of water rights and the fact that development took place over watercourses. I have submitted a temporary transfer application with the aim to temporary solve the shortage of water.

The fact that you did not include the necessary listed activities for work near and over watercourses is surprising. Especially, since I have pointed this out to the applicant and in my comment on the application form.

This means that I cannot complete the WULA and Plow Certificate because environmental authorisation is required for the development near and over water courses.

It is also surprising that you are not clear on the lack of water rights for the property.

At this stage I am not clear whether the additional water could be sourced from the canal – it is therefore also possible that a pumpstation at the river would be required.

Lastly –just a general question – why is the report written as if the development is still to be undertaken?

Regards/Groete  
Pieter Badenhorst  
PBPS – Environmental and Water License Consultants  
PO Box 1058  
Wellington 7654  
Cel: 0827763422  
Fax: 0866721916

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## Emile Esquire

---

**From:** Stephan Pieterse <Stephan@csfarms.co.za>  
**Sent:** Friday, 15 September 2017 9:36 AM  
**To:** Emile Esquire  
**Subject:** RE: Dormell S24G Enviromental impact assessment

Thank you Emile.

I appreciate your feedback.

Regards

### Stephan Pieterse | Financial Manager: Grapes

8 1<sup>st</sup> Avenue, Kakamas  
PO Box 21, Kakamas, 8870

CAPESPAN  
FARMS

 OUTSPAN Goldland

**E-mail:** [stephan@csfarms.co.za](mailto:stephan@csfarms.co.za)

**Tel:** +27 54 431 0568

**Mobile:** +27 (083) 415 6821



**From:** Emile Esquire [mailto:emile@enviroafrica.co.za]  
**Sent:** Thursday, September 14, 2017 12:27 PM  
**To:** Stephan Pieterse <Stephan@csfarms.co.za>  
**Cc:** 'Ttshimakwane' <Ttsimakwane@ncpg.gov.za>  
**Subject:** RE: Dormell S24G Enviromental impact assessment

Hi Stephan,

Your comment is noted.

Please note that S24G application form has been amended and includes the additional watercourse related listed activities.

Please note that a WULA application will be submitted in due course.

The final S24G Environmental Impact Report (EIR) will go out for a 30 day commenting period in due course. The watercourse related concerns will be addressed in the EIR.

Kind regards,

Emile Esquire



**EnviroAfrica**  
Environmental Consultant  
EnviroAfrica cc

p: +27 21 851 1616 m: +27 74 587 2399  
f: +27 86 512 0154  
a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130  
P.O. Box 5367, Helderberg, 7135  
w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

**From:** Stephan Pieterse [<mailto:Stephan@csfarms.co.za>]  
**Sent:** Friday, 11 August 2017 3:40 PM  
**To:** [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)  
**Cc:** [Ttsimakwane@ncpg.gov.za](mailto:Ttsimakwane@ncpg.gov.za)  
**Subject:** Dormell S24G Enviromental impact assessment  
**Importance:** High

Hi Emile,

Please find attached a letter for your perusal.

Regards

**Stephan Pieterse | Financial Manager: Grapes**

8 1<sup>st</sup> Avenue, Kakamas  
PO Box 21, Kakamas, 8870

**CAPESPAN  
FARMS**

**OUTSPAN** Orchards

**E-mail:** [stephan@csfarms.co.za](mailto:stephan@csfarms.co.za)

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# DORMELL PROPERTIES 485 (PTY) LTD

REG NO: 2005/017997/07

Tel : 054 - 431 0568  
Faks: 054 - 431 0565  
Email: stephan@csfarms.co.za

Eerste laan no 8  
Kakamas  
8870

Posbus 21  
Kakamas  
8870

---

11 August 2017

EnviroAfrica CC  
PO Box 5367  
Helderberg  
7135

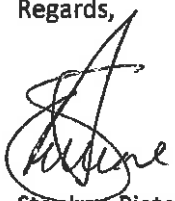
ATT: Emile

**RECTIFICATION FOR THE UNLAWFUL CONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD ON PORTION 13 OF ORANGE FALLS FARM NO 16, AUGRABIES FALLS WAY, AUGRABIES, NORTHERN CAPE**

Since I am not experienced with the EIA Regulations please find these general comments:

1. The report and EMP is written in a way as if the development is still to take place whereas final earthworks were already completed in 2016.
2. The application is for 10ha where more than 10ha was already developed by July 2010.
3. It is indicated that the streams are not important which is surprising since those same streams that run over the Noudonsies property were deemed to be watercourses by DWS when assessing the development. In my view, the absence of the relevant listed activities serves as a fatal flaw for the report presented.
4. It is fact that the development does not have adequate water rights for the 20ha. Why is this point not raised specifically with indication on whether the necessary applications will be made to DWS?
5. No mention is made of the drainage water from the development that is causing serious problems for Noudonsies which lies immediately downstream.

Regards,



Stephan Pieterse

## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** Friday, 11 August 2017 8:54 AM  
**To:** 'Stephan Pieterse'  
**Cc:** 'Ttsimakwane@ncpg.gov.za'; 'Bernard@enviroafrica.co.za'  
**Subject:** RE: Dormell S24G Environmental impact assessment

Dear Stephan,

Your response is noted.

I am awaiting your comment on 14 August 2017.

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

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w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

**From:** Stephan Pieterse [mailto:Stephan@csfarms.co.za]  
**Sent:** Friday, 11 August 2017 8:01 AM  
**To:** emile@enviroafrica.co.za  
**Cc:** Ttsimakwane@ncpg.gov.za  
**Subject:** Dormell S24G Environmental impact assessment  
**Importance:** High

Dear Emile – your letter dated 28 June 2017 has reference:

**RECTIFICATION FOR THE UNLAWFUL CONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD ON PORTION 13 OF ORANGE FALLS FARM NO 16, AUGRABIES FALLS WAY, AUGRABIES, NORTHERN CAPE**

Please note that the letter was received via normal post on 28 July 2017. The final date for comment of 3 Augustus 2017 is therefore totally unreasonable. You should ensure that I&APs receive your notification before commencement of the commenting period.

We wish to submit comments on the report and will do so by 14 August 2017.

Regards

**Stephan Pieterse | Financial Manager: Grapes**

8 1<sup>st</sup> Avenue, Kakamas

PO Box 21, Kakamas, 8870

CAPESPAN  
FARMS

 OUTSPAN Goldland

**E-mail:** [stephan@csfarms.co.za](mailto:stephan@csfarms.co.za)

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## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** Wednesday, 20 September 2017 9:48 AM  
**To:** 'Natasha Higgitt'  
**Cc:** 'info@sahra.org.za'; 'acrm@waccess.co.za'; 'EnviroAfrica :Admin'  
**Subject:** RE: Emailing: Case 11307 - SAHRIS Interim Comment Lair Trust

Dear Natasha,

Please note that the document was uploaded onto SAHRIS yesterday and the status changed to submitted.

Kind regards,

Emile Esquire

Environmental Consultant  
EnviroAfrica cc

p:  
+27 21 851 1616 m: +27 74 587 2399

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+27 86 512 0154

a:  
Unit 7, Pastorie Park, Reitz St, Somerset West, 7130

P.O. Box 5367, Helderberg, 7135

w:  
www.enviroafrica.co.za e: emile@enviroafrica.co.za

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

**From:** Natasha Higgitt [mailto:nhiggitt@sahra.org.za]  
**Sent:** Tuesday, 19 September 2017 4:11 PM  
**To:** Emile Esquire <emile@enviroafrica.co.za>  
**Cc:** info@sahra.org.za; acrm@waccess.co.za; EnviroAfrica :Admin <admin@enviroafrica.co.za>  
**Subject:** Re: Emailing: Case 11307 - SAHRIS Interim Comment Lair Trust

Good afternoon,

Thank you for the response. Please ensure that the document has been uploaded to the relevant SAHRIS case application, and the status of the case has been changed to submitted.

Kind Regards,

Natasha Higgitt  
Heritage Officer: Archaeology, Palaeontology and Meteorites Unit

South African Heritage Resources Agency  
- A nation united through heritage -

T: +27 21 462 4502 | F: +27 21 462 4509 | C: +27 82 507 0378  
E: nhiggitt@sahra.org.za | 111 Harrington Street | Cape Town

www.sahra.org.za



Kind Regards,

Natasha Higgitt  
Heritage Officer: Archaeology, Palaeontology and Meteorites Unit

South African Heritage Resources Agency  
- A nation united through heritage -

T: +27 21 462 4502 | C: +27 82 507 0378 | F: +27 21 462 4509  
E: nhiggitt@sahra.org.za | 111 Harrington Street | Cape Town

[www.sahra.org.za](http://www.sahra.org.za)

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

From: "Emile Esquire" <emile@enviroafrica.co.za>  
To: "Natasha Higgitt" <nhiggitt@sahra.org.za>  
Cc: info@sahra.org.za, acrm@wcaccess.co.za, "EnviroAfrica :Admin" <admin@enviroafrica.co.za>  
Sent: Tuesday, 19 September, 2017 4:09:03 PM  
Subject: FW: Emailing: Case 11307 - SAHRIS Interim Comment Lair Trust

Dear Natasha,

Your interim comment dated 30 August 2017 refers.

Please find attached response to your comment from Jonathan Kaplan dated 18 September 2017.

Kind regards,

Emile Esquire

Environmental Consultant  
EnviroAfrica cc

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[www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

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

From: EnviroAfrica :Admin [mailto:[admin@enviroafrica.co.za](mailto:admin@enviroafrica.co.za)]  
Sent: Wednesday, 30 August 2017 1:04 PM  
To: 'Emile Esquire' <[emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)>  
Subject: Emailing: Case 11307 - SAHRIS Interim Comment Lair Trust

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Case 11307 - Interim Comment Lair Trust

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**RECTIFICATION FOR THE UNLAWFUL CONSTRUCTION OF INFRASTRUCTURE  
FOR THE EXPANSION OF A VINEYARD ON PORTION 13 OF ORANGE FALLS  
FARM NO 16, AUGRABIES FALLS WAY, AUGRABIES, NORTHERN CAPE**

**Our Ref:**



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
www.sahra.org.za

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: nhiggitt@sahra.org.za  
CaseID: 11307

Date: Wednesday August 30, 2017  
Page No: 1

## **Interim Comment**

**In terms of Section 38(3) of the National Heritage Resources Act (Act 25 of 1999)**

**Attention:** Enviroafrica CC

PO Box 5367  
Heilderberg  
7135

**Project Description & Location:** The unlawful construction of infrastructure for the expansion of a vineyard on Portion 13 of Orange Falls Farm no 16, Augrabies Falls Way has commenced. The soil in which the grapes are planted gets ripped in order to create favorable conditions, no soil gets removed by this action. The 10ha area that is developed is done on previously grazed fields. The activity commenced in different time frames: 5ha were developed in 2010; 2.5ha were developed in 2012 and 2.5ha were developed in 2016. During this development there were no new roads constructed. The warehouse in which the grapes gets processed and packed was built in 2001. The site is approximately 9km north-west of Augrabies. The site co-ordinates are 28°39'30.16"S, 20°20'28.81"E.

EnviroAfrica CC was appointed by The Lair Trust to conduct an Environmental Impact Assessment (EIA) process in support of a Section 24G application for the rectification of the unlawful construction of infrastructure for the expansion of a vineyard on portion 14 of Orange Falls Farm No 16, Augrabies Falls Way, Augrabies, Northern Cape Province. A draft EIA has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the Environmental Impact Assessment (EIA) Regulations 2014. A total of 10 ha was developed which was previously used for grazing.

The Agency for Cultural Resource Management was appointed to conduct the heritage studies as part of the EIA.

*Kaplan, J. 2017. Archaeological Screening Assessment, construction of illegal vineyards on portion 12 of Orange Falls Farm No 16, Augrabies, Northern Cape Province: Section 24G Rectification Process.*

No archaeological remains were encountered during the site inspection of the constructed vineyards. It was noted that several banded ironstone Middle Stone Age (MSA) tools immediately south of the developed area. No recommendations were provided.

**Interim Comment**

**RECTIFICATION FOR THE UNLAWFUL CONSTRUCTION OF INFRASTRUCTURE  
FOR THE EXPANSION OF A VINEYARD ON PORTION 13 OF ORANGE FALLS  
FARM NO 16, AUGRABIES FALLS WAY, AUGRABIES, NORTHERN CAPE**

**Our Ref:**



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto:info@sahra.org.za)  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape town | 8001  
[www.sahra.org.za](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 11307

Date: Wednesday August 30, 2017  
Page No: 2

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit does not accept the submitted report. A Heritage Impact Assessment (HIA) must be conducted for the development which will assess the potential heritage resources that may have been present within the development area, and what may still be uncovered during the operation of the vineyards. The HIA must assess all heritage as defined in section 3 of the National Heritage Resources Act, Act 25 of 1999 (NHRA) and comply with section 38(3) of the NHRA. Further comments will be issued on receipt of the above.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Natasha Higgitt', is written over a horizontal line.

Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

A handwritten signature in black ink, appearing to read 'John Gribble', is written over a horizontal line.

John Gribble  
Manager: Maritime and Underwater Cultural Heritage Unit / Acting Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/405438>  
(DENC, Ref: )



Agency for Cultural Resource Management  
Specialists in Archaeological Studies and Heritage Resource Management

18 September, 2017

Att: Ms Natasha Higgitt  
SAHRA  
PO Box 4637  
Cape Town  
8001

Dear Ms Higgitt,

**ARCHAEOLOGICAL SCREENING ASSESSMENT, CONSTRUCTION OF ILLEGAL VINEYARDS ON PORTION 13 OF ORANGE FALLS FARM NO. 16, AUGRABIES, NORTHERN CAPE PROVINCE: SECTION 24G RECTIFICATION PROCESS**

*CASE ID: 11307*

Your letter dated 30 August, 2017 (Interim Comment) refers:

Please note the following:

1. The affected portion of land is entirely transformed and degraded (refer to Figure 1).
2. The 'illegal' vineyard has been operational since 2010.
3. The affected landholdings were already grazed prior to development of the vineyards.
4. No archaeological remains were found during a screening assessment of the affected site.

However, relatively large numbers of Middle Stone Age tools in banded ironstone were recorded during an assessment of Farm No. 16/13 (refer to Figure 2). This study, separate from the Section 24G Rectification, was undertaken as part of a Basic Assessment Process for a proposed new vineyard development on the same farm, and is part of a separate application process being done by EnviroAfrica cc<sup>1</sup>. A desktop palaeontological study will also be undertaken by Dr John Almond (Nature Viva) as part of the new application.

I trust this clarifies matters.

Yours sincerely

Jonathan Kaplan

---

<sup>1</sup> Kaplan, J. 2017 in prep. Archaeological Impact Assessment proposed development of agricultural land on Portion 13 of Orange Falls Farm No. 16, Augrabies Falls Way, Augrabies, Northern Cape. Report prepared for EnviroAfrica cc. ACRM, Cape Town



Figure 1. Orange Falls Farm 16/13. Red polygon illustrates the Section24G Application area

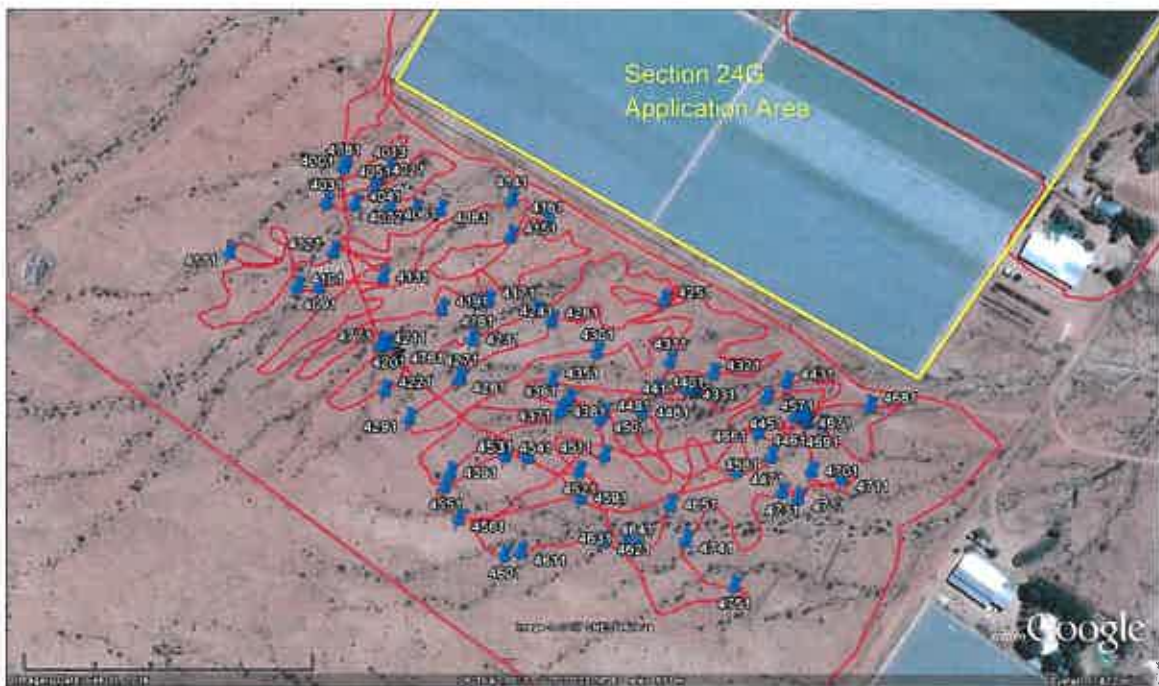


Figure 2. Orange Falls Farm No. 16/13. Archaeological survey for a separate application process. Track paths in red and waypoints of archaeological finds (blue pins).

## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** Friday, 22 September 2017 1:07 PM  
**To:** 'Schwartz Chantel (UPN)'  
**Cc:** 'Bernard de witt'; 'Towell Jolene (UPN)'  
**Subject:** RE: Comments: Orange Falls Farm  
**Attachments:** RIOOL AANVRAG ORANGE FALLS.pdf

Dear Chantel,

Please find attached letter from the Municipality dated 21 September 2017.

It was confirmed that the municipality is responsible for the removal of sewage on the farm.

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

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w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

---

**From:** Schwartz Chantel (UPN) [mailto:SchwartzC@dws.gov.za]

**Sent:** Friday, 08 September 2017 2:21 PM

**To:** Emile Esquire <emile@enviroafrica.co.za>

**Subject:** RE: Comments: Orange Falls Farm

Dear Emile

Noted. Please note that you can submit all of the information required by our office in one batch when you apply for a Water Use Licence. There is a DW755 form that needs to be completed in order to apply for a water use licence, I have attached the form.

With many thanks and kind regards,  
Chantel

---

**From:** Emile Esquire [mailto:[emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)]

**Sent:** Friday, 08 September 2017 12:04

**To:** Schwartz Chantel (UPN)

**Cc:** 'EnviroAfrica :Admin'

**Subject:** RE: Comments: Orange Falls Farm

Dear Chantel,

Your email with attached comment dated 30 August 2017 refers.

Your comment is duly noted.

The applicant indicated that a Water Use License Application will be submitted in due course.

A confirmation letter from the municipality, that sewage on the farm gets emptied by a local municipality, will be obtained from the applicant and will be forwarded to you.

Kind regards,

Emile Esquire



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

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f: +27 86 512 0154

a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130

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w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

---

**From:** Schwartz Chantel (UPN) [<mailto:SchwartzC@dws.gov.za>]

**Sent:** 30 August 2017 01:30 PM

**To:** [admin@enviroafrica.co.za](mailto:admin@enviroafrica.co.za)

**Subject:** Comments: Orange Falls Farm

Good Day Emile

Please find attached a copy of the comments on the Draft Environmental Impact Report for the rectification of the unlawful construction of infrastructure for the expansion of a vineyard. The original will be sent to you via post.

With many thanks and kind regards,  
Chantel

**Miss C. Schwartz**

**Environmental Officer**

**Department of Water and Sanitation**

**Orange Proto-CMA (Upington)**

**Tel: (054) 338-5836**

**Fax: (054) 334-0205**





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**water & sanitation**

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

Northern Cape Region  
Lower Orange Water Management Area  
Private Bag X5912, Upington, 8800  
Tel: (054) 338-5800, Fax: (054) 334-0205, [www.dwa.gov.za](http://www.dwa.gov.za)

F ☒ 054 334 0205

✉ C.Schwartz

E ☒ [SchwartzC@dws.gov.za](mailto:SchwartzC@dws.gov.za)

☎ 054 338 5800

✉ By Registered Mail

EnviroAfrica CC  
P.O. Box 5367  
Helderberg  
7135

Attention: Emile Esquire

**DARFT ENVIRONMENTAL IMPACT REPORT FOR THE RECTIFICATION OF THE UNLAWFUL CONSTRUCTION OF INFRASTRUCTURE FOR THE EXPANSION OF A VINEYARD ON PORTION 13 OF ORANGE FALLS FARM NO 16, AUGRABIES, NORTHERN CAPE.**

The Department of Water & Sanitation (DWS) hereby acknowledges receipt of the draft Environmental Impact Report for the rectification of the unlawful construction of infrastructure for the expansion of a vineyard on portion 13 of Orange Falls Farm no 16, Augrabies, Northern Cape.

The Department takes note of the proposed activity and therefore provides the following comments:

- Please note that transferring of water rights for the above mentioned development needs to be authorised by this department. Thus the applicant needs to submit a water use licence application to the Department.
- Page 4 of the report indicates that sewage on the farm gets emptied by a honey sucker by the Local Municipality. Please furnish this department with a copy of the agreement between the farm and the municipality.
- Please note that no development should take place within 100m horizontal distance from a water course or within 1:100 year flood line. Operation and storage of equipment within the riparian zone must be limited as far as possible.

Please feel free to contact this department, should there be any enquiries.

Yours sincerely,

PROVINCIAL HEAD: NORTHERN CAPE OPERATIONS

DATE: 30/08/2017

# Munisipaliteit Kai !Garib Municipality

11 de Laan  
Tel (054) 431 6332  
Faks 0864309953  
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**21 September 2017**

**Geagte Heer / Dame**

## **VIR WIE DIT MAG AANGAAN**

Hiermee bevestig ek, Otilia Tjilaba Senior Klerk (Inkomste) dat ons Munisipaliteit Kai ! Garib riool verwyder van De Lair Trust.

As u enige navrae het dan kan u my kontak.

By voorbaat dank

Die uwe

Senior Debiteure Klerk (Inkomste)

O Tjilaba