



**REFERENCE:** 16/3/3/2/E3/10/1005/17

**ENQUIRIES:** Lorretta Osborne

**DATE:** 26.10.2017

The Trustees  
Sangasdrift Trust  
PO Box 15  
**BONNIEVALE**  
6730

**Attention: Ms O Jonker**

Tel: (023) 616 2143  
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Dear Madam

**COMMENT ON THE DRAFT SCOPING REPORT FOR THE PROPOSED CONSTRUCTION OF HUT DAM ON PORTIONS 3 AND 5 OF FARM VAN DER WATSKRAAL NO. 394 AND THE RECONSTRUCTION OF AN EXISTING WEIR ON REMAINDER OF FARM NO. 234, SWELLENDAM**

1. The draft Scoping Report submitted to the Department on 22 September 2017 and the Departmental letter issued on 3 October 2017, refer.
2. The following is the Department's provisional comment and must be addressed in the final Scoping Report:
  - 2.1. Since water will be abstracted from the watercourse where the Eksteenkloof weir is located, you are requested to provide this office with written proof that the watercourse has sufficient capacity to provide the necessary water to the proposed dam. Confirmation of the availability of water must be provided together with the final EIR.
  - 2.2. The Department notes that the Department of Water and Sanitation ("DWS") has been consulted with respect to the requirement for a Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). In terms of the Agreement for the One Environmental System (section 50A of the NEMA and sections 41(5) and 163A of the NWA) the processes for a WULA and for an EIA must be aligned and integrated with respect to the fixed and synchronised timeframes, as prescribed in the EIA Regulations, 2014 (as amended), as well as the 2017 WULA Regulations.

- 2.3. As mentioned in the draft Scoping Report, the vegetation type, Greyton Shale Fynbos, is classified as Vulnerable as per Section 52 of the National Environmental Management: Biodiversity Act (Act No. 10 of 2004). The statement is incorrect and the final EIA Report must be amended to include the correct classification.
  - 2.4. You are requested to confirm whether the weir will be expanded. Should it be expanded, Activity 48 of Listing Notice No. 327 and Activity 23 of Listing Notice No. 324 will be triggered by the expansion of the weir.
  - 2.5. Note that since Activity 14 of Listing Notice No. 324 is triggered, Activity 12 of Listing Notice No. 327 will not be applicable to the proposed development.
  - 2.6. The co-ordinates of the weir are further north-west than the proposed site. This must be corrected prior to submission of the final Scoping Report.
  - 2.7. The draft Scoping Report refers to the cultivation of 55ha of soil for nut orchards. You are required to provide more details with regards to the abovementioned activity.
  - 2.8. Note that in line with the requirements of Regulation 26(d)(ii) and Appendix 1(3)(a) of GN No. 326 of the EIA Regulations, 2014 (as amended), the Department requires the inclusion of a start and completion date where operational aspects are not covered in the listed activities applied for as part of the environmental authorisation. In other words, in addition to the period for which the environmental authorisation is required (i.e. the date by when the listed activity/ies will be commenced with), an indication of the date on which the activity will be concluded must also be supplied. In the event listed activities relating to both development and operational activities are triggered, please indicate separately the appropriate timeframes relevant to the listed activities where no operational aspects apply only.
  - 2.9. Comments from the relevant authorities must be obtained, included and addressed.
  - 2.10. Comments received during the Scoping Public Participation Process from the Interested and Affected Parties and a Comments and Response Report that adequately addresses any highlighted issues must be included in the final Scoping Report.
3. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
  4. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.

5. The Department reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

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**HEAD OF COMPONENT  
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Ms I Erasmus (EnviroAfrica CC)  
(2) Mr R Brunnings (Swellendam Municipality)

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