



REFERENCE: 16/3/3/6/7/1/F5/16/2037/19

ENQUIRIES: Natasha Bieding

DATE: 06/07/2020

The Board of Directors
Black Orchard (Pty) Ltd
P. O. Box 6100
ROGGEBAAI
8012

Attention: Ms. Hannah Young

Tel.: (021) 421 2129
Email: Hannah.young@uff.co.za

Dear Madam

CLOSURE OF THE PRE-APPLICATION FILE FOR THE PROPOSED EXPANSION OF AN INSTREAM DAM ON THE REMAINDER OF FARM NO. 792, ZWARTFONTEIN, MALMESBURY.

1. The 'Notice of Intent' and the correspondence from Ms. Inge Erasmus of EnviroAfrica dated and received by this Department on 4 April 2019, this Department's correspondence dated 15 April 2019 acknowledging receipt and commenting on the 'Notice of Intent', the pre-application Basic Assessment Report ("BAR") dated 28 November 2019 and the correspondence from Ms. Inge Erasmus of EnviroAfrica dated and received by this Department on 2 December 2019, this Department's correspondence dated 30 December 2019 acknowledging receipt of the pre-application BAR, the site inspection conducted by officials of this Department on 15 January 2020, this Department's correspondence dated 31 January 2020 providing comments on the pre-application BAR and the additional information provided by Mr. Emile Esquire of EnviroAfrica via email on 14 May 2020, 18 May 2020, 26 May 2020, 1 June 2020 and 30 June 2020, refer.
2. It is requested in the latest email received on 30 June 2020 that the pre-application file regarding the development proposal be closed, as an application will be submitted to this Department. As such, the Department has closed the case file for all administrative purposes with effect from the date of issue of this letter.

3. This Department awaits your application for environmental authorisation for the listed activities that your proposed development triggers in terms of the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended).
4. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act 107 of 1998) for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. Failure to comply in terms of this prohibition will result in the matter being referred to the Environmental Governance Directorate of this Department for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R5 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
5. This Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.

Yours faithfully

AP. 

HEAD OF DEPARTMENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: (1) Emile Esquire (EnviroAfrica)
(2) A Burger / A Alwyn (Swartland Municipality)

Email: emile@enviroafrica.co.za
Email: swartlandmun@swartland.org.za