



REFERENCE: 16/3/3/1/F5/16/2002/21

DATE: 06/04/2021

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

Attention: Ms. Mine van Wyk

Tel.: (021) 421 2129

E-mail: Mine.van.wyk@uff.co.za

Dear Madam

ACKNOWLEDGEMENT OF RECEIPT OF THE NOTIFICATION THAT THE FINAL BASIC ASSESSMENT REPORT WILL BE SUBMITTED WITHIN A PERIOD OF 140 DAYS IN ACCORDANCE WITH REGULATION 19 (1) (b) OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF AN INSTREAM DAM ON THE REMAINDER OF FARM ZWARTFONTEIN NO. 792 AND PORTION 8 OF THE FARM ZWARTFONTEIN NO. 792, ZWARTFONTEIN, MALMESBURY.

1. The electronic correspondence Mr. Anthony Mader of EnviroAfrica, as received by this Department on 26 March 2021 and 1 April 2021, refer.
2. This letter serves as an acknowledgement of receipt of the aforementioned correspondence by this Department.
3. This Department has reviewed the correspondence and noted the following:
 - 3.1 The "Draft" Basic Assessment Report ("BAR") was circulated for comment for a period of 30 days during the application phase of the Public Participation Process.
 - 3.2 Based on the comments provided on the Draft BAR, it is required that a Maintenance Management Plan ("MMP") forms part of the basis assessment process. As such, the MMP must be finalised and circulated to Interested and Affected Parties.
 - 3.3 A further round of Public Participation of at least 30 days will therefore be undertaken.

4. Your attention is drawn to Regulation 19(1)(b) of the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), wherein the following is stated:

"Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority—

a notification in writing that the basic assessment report, inclusive of specialist reports, an EMPr and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days".

5. You are hereby reminded that the Final BAR must be submitted within a period of 140 days of the date of receipt of your application by the competent authority, counted as from 11 January 2021.
6. Please be reminded that it is prohibited in terms of the National Environmental Management Act, 1998 (Act No. 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 Law Enforcement 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 R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
7. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
8. 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

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MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copied to: (1) Mr. Anthony Mader (EnviroAfrica)
(2) Mr. Alwyn Zaayman (Swartland Municipality)

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Email: swartlandmun@swartland.org.za