

## Appendix F

### DRAFT COMMENTS AND RESPONSE REPORT #1

**Basic Assessment Process for the Proposed Development  
of a “New Retreat” on a portion of Portion 11 of Farm 1674,  
Paarl**

**DEA&DP Pre-app reference: 16/3/3/6/7/1/B4/12/1086/20**

**DEA&DP App reference: *Pending***

**Heritage Western Cape Case Number: 20032005SB0331E**

**DWS reference: WU17609**

October 2020

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*Further Annexures will be added to updated versions of this report as the Basic Assessment process progresses*

# 1. INTRODUCTION

This document is the draft Comments and Response Report, appended to the pre-application draft Basic Assessment Report (BAR), for the proposed development of a "New Retreat" on a portion of Portion 11 of Farm 1674, Paarl. The pre-application draft BAR is currently being subjected to a 35-day public review period and, by virtue of being appended to the BAR, this report is also under the 35-day review period. It is aligned with the Revised PPP Plan (refer to **Annexure 2**) approved by the Department of Environmental Affairs and Development Planning (DEA&DP) on 13 October 2020 (refer to **Annexure 3**). Note that the I&AP database appended to the PPP Plan and submitted to the DEA&DP had contained contact information of I&APs and, to protect the contact information, this has not been made public, but the I&AP database exclusive of the contact information is included in **Annexure 1**.

All comments raised in relation to the draft BAR will be considered, and where appropriate, changes will be incorporated into the final BAR for submission to the competent authority (the DEA&DP) for their final decision-making.

This report describes the process used to identify and notify potential Interested and Affected Parties (I&APs) of the proposal, BAR and associated public review and comment periods.

This report will be updated following the public review period of the pre-application draft BAR and would incorporate the following:

- Evidence of distribution of notification letters/ emails of the pre-application Draft BAR to potential I&APs;
- Evidence of notification notice placement including a map of the location of notices for the pre-application draft BAR;
- Evidence of distribution and delivery of hardcopies of the pre-application draft BAR to Pniel Museum and Pniel and Stellenbosch Public Libraries (as well as any other deliveries if requested);
- Evidence of placement of executive summary, comment sheets and comment boxes at the Pniel Museum and Pniel Public Library;
- Evidence of uploading the pre-application draft BAR and Executive Summary to Chand's website for the duration of the public review period;
- Updated I&AP Database (following registration of I&APs);
- Comments received from I&APs on the pre-application draft BAR;
- Responses to the comments received from I&APs on the pre-application draft BAR; and
- Minutes of any meeting held, if applicable.

## 1.1 Potential I&AP Database Compilation

Chand has conducted research in the area and has also used the I&AP database for the recent Agterdam development (Environmental Authorisation was granted in March 2020, so it is a recent database) as a base because the Agterdam development is similar to the proposed development in that it is also a redevelopment of existing structures to tourist accommodation on Boschendal Estate. As a result, the following parties as required in Regulation 41 (2) (b) of the EIA Regulations, 2014 (as amended) are included in the preliminary I&AP database:

- Owners and Occupiers of the site where the activity is to be undertaken (noting that the Applicant is the landowner and that there are no occupiers of the site);

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- Owners and Occupiers of the land adjacent to the site where the activity is to be undertaken. This includes Boschendal (Pty) Ltd, Applemint Properties 99 (Pty) Ltd (there is a physical and postal address), and Transnet SOC Ltd (there is a postal and email address);
- The Municipal Ward Councillor and Sub-Council Manager (the latest contact information has been obtained from the Agterdam Basic Assessment I&AP database, the Ward Councillor would also serve as the point of contact with the local community, particularly those who may not have access to internet/documents for download);
- Organs of the State having jurisdiction in respect of any aspect of the activity (these include Stellenbosch Municipality, Department of Human Settlements, Water and Sanitation-DHSWS, HWC, Department of Agriculture, and CapeNature);
- Registered Heritage Conservation Bodies (i.e. Stellenbosch Interest Group, Stellenbosch Heritage Foundation, Stellenbosch Municipality, Pniel Heritage and Cultural Trust, the former York Farm residents who were interviewed by Bertha, Heritage Western Cape, and the Pniel Museum- note the relevant bodies have been included on the advice of the Heritage Practitioner who is conducting the Heritage Impact Assessment);
- Local Ratepayers' Associations (i.e. the Stellenbosch Ratepayers Association);
- Boschendal Worker Forum (in order to ensure farm workers on Boschendal are aware of projects on the farm); and
- Local groups which could facilitate community engagement (i.e. Groot Drakenstein Community Policing Forum, Dwars River Valley Community Development Trust, the Community Advice Office, the Pniel Museum) (in order to reach I&APs who may not have access to email, but to also adhere to social distancing requirements to slow the spread of the COVID-19 virus).

Note that no specific environmental or civic associations other than those mentioned above have come to light yet, but these may emerge through the process.

The I&AP database would be updated as comments are received from I&APs during the Basic Assessment process.

The potential I&AP database is included in **Annexure 1**. Note that, to protect privacy, the contact information of these parties has not been made publically available. However, the full database, which would contain contact details, will be included in the final submission to the DEA&DP.

## 2. NOTIFICATION METHODOLOGY

### 2.1 Pre-Application Draft BAR

The following public participation activities have been undertaken in support of the 35-day public review period of the pre-application draft BAR:

- Notification of project and pre-application draft BAR via email and regular post (to those I&APs who do not have email addresses) to the preliminary I&AP database;
- Uploading of the pre-application draft BAR and executive summary to the Chand website for the duration of the public comment period;
- Placement of the pre-application draft BAR at the Pniel Museum, as well as the Pniel and Stellenbosch Public Libraries;
- Placement of executive summaries, comment sheets and a comment box at Pniel Museum and Pniel Public Library for I&APs to deposit written comment; and
- Placement of notices for notification of the project and availability of documentation for review at local public places.

Evidence of the above will be included in the next iteration of this report.

### 2.2 Post-Application Draft BAR

Following the public review period of the pre-application draft BAR, the reports would be updated to respond to the comments received from I&APs. The Application for Environmental Authorisation (as well as a water use license, if necessary) will be submitted. Then the post-application draft BAR will be circulated for public comment.

The following public participation activities will be undertaken in support of the public review period of the post-application draft BAR:

- Maintenance of the I&AP database which is included as **Annexure 1**;
- Placement of an advertisement in the Eikestad Nuus and the Cape Times;
- Circulation of notification letters to all registered I&APs via email and post;
- Placement of site notice at the site boundary, as well as a second notice board at the main entrance to the farm, facing Helshoogte Road;
- Placement of hardcopies of the post-application draft BAR (and comment sheets for I&APs to fill in, if they desired) at the following locations (note that evidence of placement will be appended to the final version of this report):
  - Pniel Museum;
  - Pniel Public Library; and
  - Stellenbosch Public Library.
- The BAR and executive summary would also be made available for download during the comment period, from Chand's website (note that evidence of placement will be included in the final version of this report);
- The executive summary, comment sheets and a comment box will also be located at the following venues:
  - Pniel Museum; and
  - Pniel Public Library.
- Notification of the post-application draft BAR would also be distributed to the following state departments:
  - Stellenbosch Municipality: Environmental Management;
  - CapeNature;
  - Department of Human Settlements, Water & Sanitation;
  - Heritage Western Cape;
  - Department of Environmental Affairs and Development Planning: Planning;

- o Department of Environmental Affairs and Development Planning: Pollution Management;
- o Department of Environmental Affairs and Development Planning: Waste Management;
- o Department of Environmental Affairs and Development Planning: Biodiversity;
- o Department of Environmental Affairs and Development Planning: Air Quality;
- o National Department of Environment, forestry, and fisheries (DEFF): Biodiversity and Conservation;
- o CapeNature;
- o SANParks;
- o National Department of Transport and Public Works; and
- o Department of Agriculture, Land Reform and Rural Development.

## **2.3 Decision**

Following the public review of the post-application draft BAR, comments received by I&APs during the 30-day public comment period will be considered and the BAR will be revised appropriately.

Comments received by I&APs will be captured in this Comments and Response Report, which will be appended to the final BAR submitted to the DEA&DP for decision-making.

Notification of the authorities' decision on the application for environmental authorisation, as well as information on the manner in which the decision may be appealed, will be distributed to all registered I&APs.

## **2.4 Engagement with State Departments**

To-date, Heritage Western Cape (HWC) and the Department of Human Settlements, Water and Sanitation (DHSWS) have been consulted, as it is important to obtain HWC comment in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA) and to confirm the triggers and requirements in terms of the National Water Act (No. 36 of 1998) (NWA) respectively.

HWC has provided a response to date which advised on the contents and nature of the HIA. The response to the NID is included in Appendix E1 of the BAR. HWC will, however, provide a response to the HIA appended to the BAR.

A pre-application submission has been made to the DHSWS via their online eWULAAS system (refer to Appendix M of the BAR for evidence thereof) and further engagement in that regard is anticipated.

Further engagement with State Departments would be carried out as indicated in section 2.2. Responses from all State Departments are anticipated from the public review of the pre-application draft BAR.

## **3. COMMENTS AND RESPONSES**

All relevant documentation related to the consultation process will be included in this section following the 35-day public review period of the pre-application draft BAR.

The issues and concerns raised during the consultation process will also be included in the post-application draft BAR as well as the final version of this report.

## **4. CONCLUSIONS**

The public participation process will follow the approved PPP Plan and there is currently a 35-day public review period of the draft pre-application BAR underway.

Engagement with State Departments to-date has confirmed assessment requirements for the HIA. Preliminary feedback from the DHSWS is awaited.

Evidence for the current public review period, comments made by I&APs during that time, as well as the responses to those comments will be included in the updated version of this report that will accompany the post-application draft BAR, and further updated related to the PPP for the post-application draft BAR will be included in the final version of this report, which would accompany the final BAR submitted for decision-making.

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## **ANNEXURES**

- ANNEXURE 1:** Database of Potential Interested and Affected Parties  
**ANNEXURE 2:** PPP Plan  
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