

To: Potential Interested and Affected Party

NOTIFICATION OF THE PUBLIC PARTICIPATION PROCESS (PPP) AND AVAILABILITY OF A PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR), INCLUDING THE DRAFT HERITAGE IMPACT ASSESSMENT REPORT, AND EXECUTIVE SUMMARY FOR PUBLIC REVIEW AND COMMENT AS PART OF THE BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF A "NEW RETREAT" ON A PORTION OF PORTION 11 OF FARM 1674, PAARL

DEA&DP Application Reference Number:	Pending - process still in pre-application phase
DEA&DP Pre-Application Reference Number:	16/3/3/6/7/1/B4/12/1086/20
Heritage Western Cape Case Number:	20032005SB0331E
DHSWS Reference Number:	WU17609
Chand Reference Number:	03005

Date: 5 November 2020

Dear Sir / Madam

Notice is hereby given of a combined public participation process in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as amended, the National Heritage Resources Act (Act No. 25 of 1999) (NHRA), as well as the National Water Act (No. 36 of 1998) (NWA). The public participation process for this particular proposed development and associated Basic Assessment process is also undertaken in accordance with the Public Participation Plan approved by the Department of Environmental Affairs and Development Planning (DEA&DP) on 13 October 2020.

The proposed development entails the development of a "New Retreat", for the Bertha Foundation which would have the capacity to accommodate up to approximately up to 34 overnight guests/attendees. Up to approximately 24 parking bays (which includes 7 visitors parking bays) would be included. The site would be accessed from the existing ou wapad, with the current access-controlled gate remaining as is.

The existing building footprints of the remnant cottages on site would be used, where possible and the proposed development would comprise of the following buildings:

- Accommodation buildings to accommodate up to 34 overnight guests/attendees, which include bedrooms, bathrooms, a lounge/communal living area and covered outdoor areas/deck space;
- A conference facility which includes a small conference venue and up to approximately two breakaway areas;
- A communal dining and lounge area;
- An administration building with a reception and waiting lounge / library;
- Meeting room(s) for community programmes and a communal library; and
- A kitchen area, with space for staff dining, lockers, and ablution facilities.

The proposed additions and alterations would expand upon the existing built footprint and there would also be a large landscaping component with a combination of hard- and soft-landscaping interventions, which also includes a relatively large fynbos rehabilitation component.

Refer to **Appendix A** for a map showing the location of the site and to **Appendix B** for a Draft Site Development Plan.

The proposed development triggers, as a minimum, the listed activities in terms of the Environmental Impact Assessment Regulations as amended on the 7 April 2017 as well as the abovementioned NHRA and NWA indicated in Table 1.

Note that a final list of listed activities triggered in terms of the EIA Regulations, as amended will be submitted with the application and made publicly available with the post-application draft BAR.

Table 1 Environmental Legislation Triggered by the Proposed Development

Applicable Legislation	Applicable Section	Details of Listed Activity
NEMA and EIA Regulations, as amended	Activity Number 19 of Listing Notice 1 (GN No. R. 327)	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 10 cubic metres from a watercourse...
	Activity Number 48 of Listing Notice 1 (GN No. R. 327)	The expansion of <ol style="list-style-type: none"> i. Infrastructure or structures where the physical footprint is expanded by 100 square metres or more; ii. Dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more; or iii. Where such expansion occurs <ol style="list-style-type: none"> a. Within a watercourse; b. In front of a development setback; or c. If no such development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse...
	Activity Number 6 of Listing Notice 3 (GN No. R. 324)	The development of resorts, lodges, hotels, and tourism or hospitality facilities that sleeps 15 people or more. <p>i. Western Cape</p> <ol style="list-style-type: none"> i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas; <ol style="list-style-type: none"> (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - <p>excluding the conversion of existing buildings where the development footprint will not be increased.</p>
	Activity Number 12 (i)(i) of Listing Notice 3 (GN No. R. 324)	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan Within the Western Cape Within any critically endangered or endangered ecosystem listed in terms of section 52 of NEMBA or prior to the publication of such a list, within that area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.
NWA*	Section 21 (e)	Engaging in a controlled activity identified as such in section 37 (1) or declared under section 38 (1)
	Section 21 (g)	Disposing of waste in a manner which may detrimentally impact on a water resource
	Section 21 (i)	altering the bed, banks, course, or characteristics of a watercourse
*Feedback from the Department of Human Settlements, Water and Sanitation (DHSWS) is awaited. It should, however, be noted that with mitigation, development Alternative 2 poses at worst a low risk to the characteristics of the inland aquatic ecosystems affected by the development, and it is recommended by the freshwater ecologist that the development be generally authorised in terms of a Section 21 (i) water uses. The freshwater ecologist also suggests that use of treated effluent for toilet flushing and on-site containment and infiltration of stormwater, would also avoid the need for Section 21 (e) and (g) water uses.		
NHRA	Section 38 (1) (c)	any development or other activity which will change the character of a site— <ol style="list-style-type: none"> (i) exceeding 5 000 m² in extent; or (ii) involving three or more existing erven or subdivisions thereof; or (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years

Chand Environmental Consultants has been appointed by the applicant as the independent Environmental Assessment Practitioner (EAP) to undertake this Basic Assessment process. This letter serves to:

- 1) Notify you of the proposed development;
- 2) Invite you to register as an Interested and Affected Party (I&AP); and
- 3) Advise you that a pre-application draft Basic Assessment Report (BAR), including the draft Heritage Impact Assessment Report, is available for a statutory **35-day public review period** from **6 November 2020 to 10 December 2020**.

Details of the availability of the BAR are tabled below.

YOUR INVITATION TO PARTAKE IN THE PUBLIC REVIEW PERIOD OF THE DRAFT BASIC ASSESSMENT REPORT, INCLUDING THE DRAFT HERITAGE IMPACT ASSESSMENT REPORT:	
DATE:	6 November 2020 to 10 December 2020
VENUE:	<ol style="list-style-type: none">1) Pniel Public Library, Main Road, Pniel, Stellenbosch2) Pniel Museum, River Street (off Main Road), Pniel, Stellenbosch3) Stellenbosch Public Library, Plein Street, Stellenbosch
COMMENT BOXES:	<p>To submit hardcopies of comments, comment boxes will be located at the following venues until 10 December 2020:</p> <ol style="list-style-type: none">1) Pniel Public Library, Main Road, Pniel, Stellenbosch2) Pniel Museum, River Street (off Main Road), Pniel, Stellenbosch
EXECUTIVE SUMMARY:	<p>Copies of the Executive Summary are available in English and Afrikaans, in hardcopy, for collection from the following venues until 10 December 2020:</p> <ol style="list-style-type: none">1) Pniel Public Library, Main Road, Pniel, Stellenbosch2) Pniel Museum, River Street (off Main Road), Pniel, Stellenbosch
<p>An electronic copy of the documentation will also be made available for download on the website of Chand Environmental Consultants (http://www.chand.co.za/projects.asp) for the duration of the comment period. There is also a stand-alone Executive Summary Available for download, which requires less data.</p>	

Should you or your organisation have any comments or queries regarding this project or the documentation, or if you would like to participate in the process and be notified of further documentation for review, please ensure that you register as an I&AP by writing to **Marielle Penwarden** by no later than **10 December 2020**:

Postal Address: PO Box 238, Plumstead, 7801

Fax: 086 665 7430

Tel: 021 762 3050

Email: info@chand.co.za

Comment Boxes: Place hardcopies of comments in one of the comment boxes at either Pniel Public Library or Pniel Museum

Please note that I&APs must provide their name, contact details (postal address, telephone, fax numbers and email address) and an indication of any direct business, financial, personal, or other interest they may have in the approval or refusal of this application. The DEA&DP's pre-application reference number, **16/3/3/6/7/1/B4/12/1086/20**, should be quoted in response to this correspondence. Also note that this is a public process and your name and comments submitted through this process could be made public as part of the Basic Assessment process.

In a Nutshell...

- Boschendal proposes to redevelop certain cottages on their farm for a “New Retreat”, which would serve as tourism accommodation.
- The proposed development, as described above, triggers environmental and heritage legislation and, therefore, needs Environmental Authorisation and a Heritage Impact Assessment and resultant comment from Heritage Western Cape in order to be developed.
- A specific process must be carried out in order to get Environmental Authorisation for a development and, in this case, the process is called a Basic Assessment process. The Basic Assessment process must include public engagement.
- This letter is part of the Basic Assessment process and we consider **you** to be an Interested and Affected Party (I&AP). **That is why you have received this letter.**
- Application for Environmental Authorisation has not been made yet.
- A pre-application draft Basic Assessment Report (BAR), including the draft Heritage Impact Assessment has been made available to you, as a potential I&AP, and includes information on the proposal, context, anticipated impacts and mitigation measures in order for you to determine how it would affect you and for you to share your comments and thoughts with us, as part of this Basic Assessment process. Please peruse the BAR and, if you wish to, provide us with your comments thereon by 10 December 2020. We will address your comment as part of this process and the BAR will be updated to include and respond to comments provided by I&APs during this time. The BAR will then be published again for a final round of public comment.
- There is also an Executive Summary of the BAR, in English and Afrikaans, available for download from Chand's website or collection from the Pniel Public Library and Pniel Museum.
- If you do not wish to, or cannot, submit comments via internet, you can deposit your hand-written submissions in the comment boxes located either at Pniel Public Library or Pniel Museum.
- As an I&AP, we welcome you to engage in this process and will keep you abreast of progress and the availability of documentation for review, unless you tell us to stop contacting you.

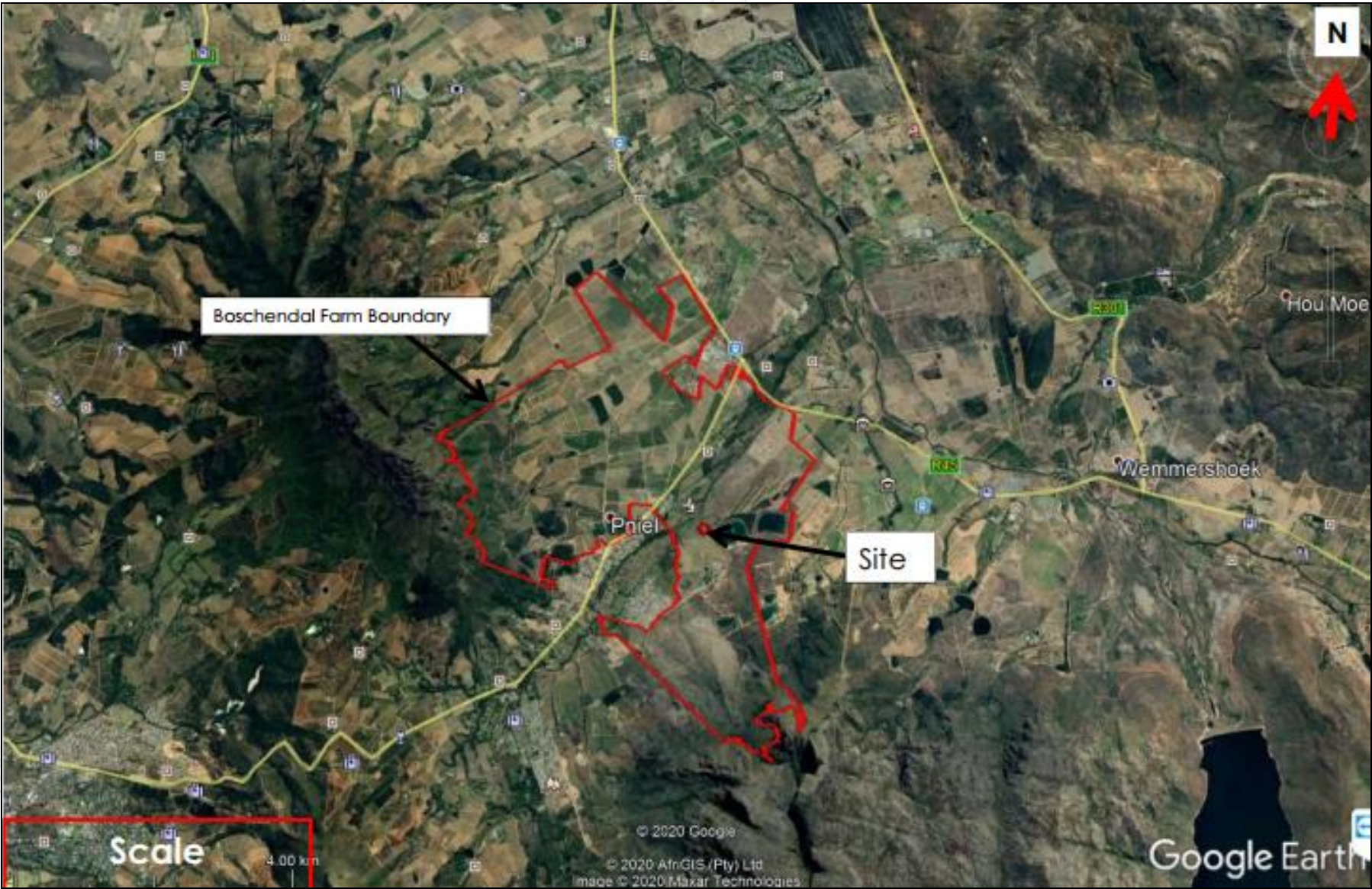
Kind regards



Marielle Penwarden

Chand Environmental Consultants

APPENDIX A: LOCALITY MAP



NOTIFICATION OF THE PUBLIC PARTICIPATION PROCESS (PPP) AND AVAILABILITY OF A PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR), INCLUDING THE DRAFT HERITAGE IMPACT ASSESSMENT REPORT, AND EXECUTIVE SUMMARY FOR PUBLIC REVIEW AND COMMENT AS PART OF THE BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF A "NEW RETREAT" ON A PORTION OF PORTION 11 OF FARM 1674, PAARL

We appreciate your interest and participation in this process. If you have any issues, questions, or concerns regarding this project specifically, please ensure to have your comments returned to us by **10 December 2020**.

Please note that this is a public process and your name and comments submitted through this process would be made public as part of the post-application draft Basic Assessment Report.

**Marielle Penwarden
CHAND ENVIRONMENTAL CONSULTANTS**

PO Box 238
Plumstead
7801

Tel: 021 762 3050

Fax: 086 665 7430

Email: info@chand.co.za

Comment Boxes: Place hardcopies of comments in one of the comment boxes at either Pniel Public Library or Pniel Museum

SHOULD YOU WISH TO REGISTER AS AN I&AP PLEASE COMPLETE YOUR CONTACT DETAILS BELOW. ENSURE TO WRITE CLEARLY AND LEGIBLY AND TO USE EXTRA PAPER IF NEEDED.

NAME:

ORGANISATION:

POSTAL ADDRESS:

TELEPHONE NUMBER:

FAX NUMBER:

E-MAIL ADDRESS:

CELLPHONE NUMBER:

COMMENTS:
