

REFERENCE: 19/4/4/1/B3 – Boschendal (Pty) Ltd, New Retreat Development, Paarl

ENQUIRIES: Sibusiso Sinuka/Peter Harmse

Chand Environmental Consultants

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FOR ATTENTION: Marielle Penwarden

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COMMENT ON THE POST-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR) AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT (EMPr) FOR THE PROPOSED DEVELOPMENT OF A NEW RETREAT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF PORTION 11 OF FARM 1674, NEAR STELLENBOSCH IN THE DRAKENSTEIN LOCAL MUNICIPALITY, WESTERN CAPE PROVINCE.

The Post-Application draft BAR and EMPr for the above-mentioned project, dated November 2021 which was received by the Department of Environmental Affairs and Development Planning (DEA&DP), has reference.

The Directorate: Air Quality Management (D: AQM) has the following comments on the draft BAR and EMPr in terms of the National Environmental Management: Air Quality Act No. 39 of 2004 (NEM: AQA):

1. DUST CONTROL MANAGEMENT

- 1.1 It is noticed in the draft Bar that dust may be created from cleared, bare and excavated areas as well as from large vehicles and equipment traversing and operating on site during construction phase.
- 1.2 The D: AQM recommend that:
 - 1.2.1 measures to monitor and prevent fugitive dust emissions be implemented strictly as per the EMPr.
 - 1.2.2 construction activities be limited on days where there are high winds.
- 1.3 Dust generated from all the phases of the proposed activities must comply with the NEM: AQA, National Dust Control Regulations (Government Notice No. R. 827) of 1 November 2013.

1.3.1 These regulations prohibit a person from conducting any activity in such a way as to give rise to dust in such quantities and concentrations that the dust, or dust fallout, has a detrimental effect on the environment, including human health.

2. NOISE CONTROL MANAGEMENT

- 2.1 Operational activities on site in the form of large vehicles and machinery being used may cause significant noise on site during construction; these activities may become a noise nuisance and/or disturbance to the surrounding communities.
- 2.2 The D: AQM recommend the following:
- 2.2.1 noise monitoring be conducted during operations and measures put in place to minimise disturbing noise emissions; and
 - 2.2.2 construction activities be conducted during the day-time hours.
 - 2.2.3 measures stipulated in the EMPr of the proposed development must be implemented strictly during the construction phase.
- 2.3 Noise generated on site from all the proposed activities must comply with the Western Cape Noise Control Regulations Provincial Notice 200/2013.

3. AIR EMISSION IMPACT MANAGEMENT

- 3.1 Potential air emissions will be in the form of dust pollution, exhaust fumes from vehicles and machinery as well as potential noise pollution from the proposed new retreat construction.
- 3.2 All potential air pollutants on site need to be monitored and if causing significant emissions must be mitigated strictly as per the recommendations stipulated in the EMPr.

4. GENERAL

- 4.1 Kindly be advised that the Air Quality Officer (AQO) for the Stellenbosch Local Municipality (Mr. Martin van As) must also be engaged regarding the proposed activity as it falls within his jurisdictional area. Mr. Martin van As can be reached on 021 808 8679 or martin.vanas@stellenbosch.gov.za.
- 4.2 The Department would like to draw your attention to Section 28 of the National Environmental Management Act No. 107 of 1998 (NEMA), i.e. "Duty of Care" which states that:
- "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment."*
- 4.3 Please note that the above-mentioned recommendations do not pre-empt the outcome of the application.
- 4.4 No information provided, views expressed and/or comments made by the DEA&DP, D: AQM should in any way be seen as an indication or confirmation:
- 4.4.1 that additional information or documents will not be requested; or
 - 4.4.2 of the outcome of any application submitted to the authorities.

Kindly be informed that the D: AQM reserves the right to review the above-mentioned comments, should additional information come to light. Please contact Mr. Peter Harmse on 021 483 8343 or Peter.Harmse@westerncape.gov.za, should you have any further queries in this regard.

Yours faithfully,



PETER HARMSE

HEAD OF COMPONENT: AIR QUALITY REGULATORY SERVICES

DATE:

Copied to:

Cc: Mr. P. Harmse (DEA&DP: Air Quality Management)
Mr. M. van As (Stellenbosch Local Municipality)

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