

# Background Information Document

Section 24G Rectification Process, Farm No. 4, Murraysburg, Beaufort West Municipality,  
Western Cape

4 November 2019

## CEN Integrated Environmental Management Unit

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### Purpose of the Background Information Document

The purpose of this Background Information Document (BID) is to provide stakeholders with the opportunity to register as interested and affected parties in the Section 24G Rectification Process and to obtain their initial comments on the rectification of unauthorised activities on Portion 2 of Farm No. 4 and the Remainder Portion of Farm No. 4 located approximately 30 km from Murraysburg.

CEN Integrated Environmental Management Unit (CEN IEM Unit) was appointed by the Mr J Theron (the Applicant), as the independent Environmental Assessment Practitioner (EAP) to apply for an Environmental Authorisation (EA) rectification in terms of Section 24G of NEMA (No. 107 of 1998) to authorise the activity which have commended on Portion 2 of Farm No. 4 and the Remainder Portion of Farm No. 4.

This application is done in terms of activities listed in GNR 327 and GNR 324, 2014, published in terms of Section 24 of the National Environmental Management Act, 1998 (Act No. 107, 1998). The listed activities are GNR 327 Activities 19, 27 and GNR 324 Activity 4.

A retrospective environmental assessment will be done in terms of Section 24G of NEMA to rectify the activities in terms of the EIA Regulations, 2014. The S24G Application will be submitted to the Western Cape Provincial Department of Environmental Affairs and Development Planning (DEA&DP).

If you would like to participate in the public participation process please register yourself and or your organization as an interested and affected party. Submit issues that you feel need to be addressed in the assessment by completing the response form or in a letter or by email to:

**Dr Mike Cohen / Irma van der Merwe**  
**CEN IEM Unit**  
**36 River Road**  
**Walmer**  
**Port Elizabeth**  
**6070**

[steenbok@aerosat.co.za](mailto:steenbok@aerosat.co.za) / [irma@environmentcen.co.za](mailto:irma@environmentcen.co.za)

**All comments must be submitted within 30 days of the date of this notice**

## 1. Proposed Project

### 1.1 Description of Activities

Portion 2 of Farm No. 4 and the Remainder Portion of Farm No. 4 is situated approximately 30 kilometres north west of the town Murraysburg and falls within the Beaufort West Local Municipality.

Late in 2013, the applicant commenced with the clearance of approximately 5.8 ha indigenous vegetation on Portion 2 of Farm No. 4 and the Remainder Portion of Farm No. 4 in order to cultivate lucerne pasture under a center pivot irrigation system.

The old gravel road was moved in order to accommodate the footprint of the lucerne pasture.



Figure 1: Farm No. 4 prior to vegetation clearance, Google Earth, 2013



**Figure 2: Farm No.4 after commencement of vegetation clearance, Google Earth, 2019**

## **1.2 Locality**

The property, Farm No. 4, is located in Ward 1 of the Beaufort West Local Municipality, Central Karoo District Municipality in the Western Cape. The farm is situated approximately 30 km north-west of Murraysburg.

**Refer to Figure 3: Locality Map.**



Figure 3: Locality Map

## 2. Environmental Assessment Process

### 2.1 Identified Listed Activities in Terms of the EIA Regulations

The Minister of Environmental Affairs has in terms of sections 24 and 24D of the National Environmental Management Act, 1998 (Act No. 107 of 1998, NEMA), listed the activities that require an environmental assessment.

In terms of the Environmental Impact Assessment Regulations, 2014, made under section 24(5) and 44 of the National Environmental Act and published in Government Notice No. R. 983 of 2014 the following activities require to be subjected to an assessment.

2014 NEMA Listed Activities	Description of Activities
<p><b>GNR327 Listing Notice 1: Activity 19</b>            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;            But excluding where such infilling, depositing, dredging, excavating, removal or moving-</p> <ul style="list-style-type: none"> <li>(a) Will occur behind a development setback;</li> <li>(b) Is for maintenance purposes undertaken in accordance with a maintenance management plan;</li> <li>(c) Falls within the ambit of activity 21 of the Notice, in which case that activity applies;</li> <li>(d) Occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(e) Where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</li> </ul>	<p>More than 10 cubic metres of sediment was moved in an earth lined man made dam in order to accommodate the footprint of the lucerne pasture.</p>
<p><b>GNR327 Listing Notice 1: Activity 27</b>            The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</p> <ul style="list-style-type: none"> <li>(i) the undertaking of a linear activity; or</li> </ul>	<p>Approximately 5.8 ha of indigenous vegetation have been cleared by cultivating virgin soil prior to obtaining an Environmental Authorisation.</p>

(ii) Maintenance purposes undertaken in accordance with a maintenance management plan.	
<p><b>GNR324 Listing Notice 3: Activity</b>  The development of a road wider than 4 metres with a reserve less than 13.5 metres.</p> <p>i. Western Cape  ii. Areas outside urban areas;  (aa) areas containing indigenous vegetation</p>	<p>A gravel road was moved to accommodate the footprint of the lucerne pasture.</p>

### 3. Basic Assessment Process

A retrospective Environmental Impact assessment is proposed to be carried out in order to identify the impacts associated with the construction of these facilities and to recommend measures to remedy any construction impacts. Operational phase impacts will also be identified and measures recommended to ensure operational impacts are avoided or reduced and any beneficial impacts are enhanced.

A public participation process will be conducted according to NEMA Regulation 41 of GN R.982, 2014. All interested and affected parties (IAPs) are encouraged to participate.

#### 3.1 Some Identified Potential Issues/Impacts

Potential beneficial and adverse impacts will be identified as the environmental investigation progresses. All identified issues will be subjected to an assessment in order to determine its significance and whether additional investigation will be required. The following issues have been identified during a preliminary investigation.

- Soil erosion
- Ecological Biodiversity impacts

#### 3.2 Description of Tasks in Basic Assessment Process

- Notification of the intended application for Environmental Rectification are sent to identified stakeholders, landowners and adjacent landowners prior to submission of the application for Environmental Rectification to the competent authority, namely the DEA&DP for this project. (We are here in the process)
- Public participation starts announcing the proposed project. Newspaper advertisements are placed and site notices are placed. Registration of IAPs begins. (We are here in the process)
- Background information documents are also sent to identified stakeholders and registered IAPs (We are here in the process)
- An application for Environmental Rectification is submitted to the competent authority.
- An Environmental Assessment Report is compiled that considers inputs from stakeholders, IAPs and specialists, in terms of:

- impacts of the activity on the environment;
- Whether the impacts can be mitigated, and if so to what extent; and,
- Whether there are any other significant issues/impacts to be investigated.
- Once the Draft Report is compiled, it is then submitted for a 30 day review period to registered IAPs and stakeholders. This enables you to comment on the Basic Assessment Report.
- Your comments are incorporated and the reports are then finalised.
- These final reports are submitted to the DEA&DP for consideration.
- The DEA&DP reviews the documents and decides whether the project can proceed or not, their decision is known as an Environmental Authorisation.
- A copy of the EA is made available to you to consider, along with the reasons for the decision made. If you disagree with the decision, you are provided with information on how to lodge an appeal.

### **3.3 How do You Participate**

Every proposed project and/or development has the potential to significantly affect the natural and social environments, both at, as well as surrounding the proposed development site. While some of the impacts will have an adverse impact on the environment others will have a beneficial impact.

For this reason it is imperative that you as an interested and/or affected party (I&AP) comment on the proposed development and raise issues or concerns that you feel need to be considered during the proposed planning and implementation process. This can be done by completing the attached registration form and submitting it to the contact details below. All of your comments will be addressed and included in the Environmental Assessment Report.

Upon submission of the registration form to CEN IEM Unit, you will be registered as an I&AP, and be included on an I&APs database which will ensure that you receive future project information.

**Please provide comments on the BID within 30 days of its distribution. Registered IAPs will also be given 30 days to review the Draft Environmental Assessment Report and provide comments.**



# CEN IEM UNIT

36 River Road, Walmer, Port Elizabeth 6070

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## Registration / Comment Sheet

**S24G Application, Farm No. 4, Beaufort West Municipality, Western  
Cape**

**4 November 2019**

I wish to register as an Interested and / or Affected Party and request that the following issues receive attention during the assessment process

**Closing date for registration / comments: 4 December 2019**

Name of Respondent: \_\_\_\_\_

Organisation / Company: \_\_\_\_\_

Address: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Tel Number: \_\_\_\_\_

Email: \_\_\_\_\_

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Please use additional sheets as necessary

Signature: \_\_\_\_\_

Date: \_\_\_\_\_