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Our Ref.: 2008

14 June 2021

**ATTENTION: INTERESTED AND/OR AFFECTED PARTY**

**RE: Notice of Application in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) for the Proposed Glen Ives Farm Irrigation Supply Dam, Ugu District Municipality**

Dear Sir/ Madam,

**1. Introduction**

iNhlaba Consulting has been appointed by the Jon MacKenzie Family Trust to act as the Environmental Assessment Practitioner for the proposed development of the Glen Ives Farm Irrigation Supply Dam (refer to Figure 1 for a locality map).

As part of this appointment, iNhlaba Consulting is to compile an application in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA).

**2. Project Description**

The Jon Mackenzie Family Trust currently own and operate several commercial timber farms in the Harding region of the Ugu District Municipality, including the Glen Ives Farm. As part of the proponent's approach to diversifying their operation, they have decided to introduce avocado pear farming. The first phase of 10 ha is planned to be rolled out in 2022, with the intention of incrementally increasing the size of the avocado pear orchard to 50 ha in the subsequent five years.

To meet the water supply demands of avocado pears, the Jon MacKenzie Family Trust has identified a dam site on a perennial stream, which drains into the Weza River. Both the design and Water Use License Application, as required by the National Water Act, 1998 (Act No. 36 of 1998), have been submitted (with the decision on the Water Use License Application pending).

The earth embankment dam will have a toe-crest-height of 4.9 m, a footprint of < 3 ha and will enable an irrigation requirement of 2 500m<sup>3</sup>/ha/annum (refer to Figure 2 for dam basin plan).

**3. Applicable Legislation**

**3.1 National Environmental Management Act, 1998 (Act. No 107 of 1998)**

The NEMA contains a set of principles that govern environmental management and against which Environmental Impact Assessment (EIA) and all Environmental Management Programmes (EMPrs) and actions are measured. These principles include sustainable development, protection of the natural environment, waste minimisation, public consultation, and the right to a clean and healthy environment and a general duty of care.

The NEMA allows for the listing of activities<sup>1</sup> considered to present an inherent risk to the environment along with the procedural requirements<sup>2</sup> should someone wish to undertake one of these activities. Table 1 below provides a description of the listed activities in EIA Regulation Listing Notice 1 of 2014 (as amended) triggered by the proposed development of the Glen Ives Farm Irrigation Supply Dam.

**Table 1: Applicable activity relevant to project**

<i>EIA Regulation Listing Notice 1 of 2014</i>	
<i>Activity 12</i>	<i>The development of dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100m<sup>2</sup> (a) within a watercourse.</i>
<i>Activity 19</i>	<i>The infilling or depositing of any material of more than 10m<sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m<sup>3</sup> from a watercourse.</i>

Undertaking one or more activities listed in Listing Notice 1 is subject to assessment in terms of a Basic Assessment process, as outlined in Sections 19 and 20 of the EIA Regulations, 2014 and the Department of Economic Development, Tourism and Environmental Affairs (EDTEA) granting Environmental Authorisation prior to commencement.

#### 4. Opportunity to participate

As part of the application process, iNhlaba Consulting is conducting a public participation process. This includes notifying potentially Interested and Affected Parties (I&APs) of the proposed development and inviting them to register on the I&AP database. Registered I&APs will then be afforded the opportunity to comment and provide input into the NEMA application, informing the EDTEAs' decision-making process.

Should you wish to register as an I&AP and receive further information regarding the application or provide comment, please forward the following information to iNhlaba Consulting:

- Your name,
- Contact telephone number,
- Email address, and
- Postal Address.

Should you wish to make any initial representations, please ensure that these are submitted to iNhlaba Consulting by no later than **5 July 2021**.

#### 5. Conclusion

Thank you for your consideration of this notice.

Yours faithfully



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 Trading as: iNhlaba Consulting

<sup>1</sup> EIA Regulation Listing Notices 1, 2 and 3 of 2014 (as amended).

<sup>2</sup> EIA Regulations, 2014 (as amended).



