



BREED-GOURITZ

C A T C H M E N T M A N A G E M E N T A G E N C Y

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Reference No: 4/10/3/G40F/AVONTUUR 429/7, CALEDON

Date: 21st May 2021

Infinity Environmental

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Attention: Mr Jeremy Rose

COMMENT ON THE APPLICATION FOR S24G FOR RETROSPECTIVE ENVIRONMENTAL AUTHORISATION OF THE ENLARGEMENT OF TWO INSTREAM DAMS AND THE CULTIVATION OF NEW VINEYARDS ON PTN 7 FARM AVONTUUR 429, CALEDON. BOTRIVER HILLS TRADING (PTY) LTD.

With reference to the request for comment dated **07/04/2021**, please be advised as follows:

1. Section 21 Water Use:

The following Water Use in terms of Section 21 of the National Water Act, 1998 (Act 36 of 1998) are applicable:

Section 21 (a) – taking water from a water resource

Section 21 (b) – storing water

Section 21 (c) – impeding or diverting the flow of water in a watercourse

Section 21 (i) - altering the bed, banks, course or characteristics of a watercourse

2. Water Use Authorisation:

The above Water Uses require water use authorisation in terms of the National Water Act, 1998 (Act 36 of 1998) i.e. Water Use License.

The available information indicates that the water use do not have confirmed Water Use Authorisation and is therefore unlawful. The matter is therefore be referred for Compliance, Monitoring and Enforcement (CME).

It is noted that on the Electronic Water Use License and Authorisation Application System (e-WULAAS) there is Pre - Application Water Use License submission logged with reference number **WU19454**, which is part of the Phase 1 Water Use License Application process. The application date commences once a full application is received on the system.

Please note that Reference to proof of Water Use License Application dated 07/08/2020 (reference number WU16993) listed as Appendix F in the S24G report is incorrect. This application was terminated as not all the identified water uses were applied for.

Please note that only water with confirmed Water Use Entitlement may be stored in the dams.

Please note that the CME and Water Use License Application evaluation process will take place concurrently.

General Comments

3. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
4. No use of water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998) and/or formal authorization in terms of General Authorization issued under Section 39 (Government Notice 399 dated 26 March 2004), and/or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998) and/or if it is an Existing Lawful Water Use.
5. No pollution of surface water or ground water resources may occur due to any activity.
6. No storm water runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource.
7. All relevant sections and regulations of the National Environmental Management: Waste Act 2008 (Act 59 of 2008) regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorised solid waste facility in terms of above mentioned legislation.


Please be advised that all relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to. The use of water without the required authorization in terms of the National Water Act, 1998 (Act 36 of 1998) may be regarded as unlawful and a criminal offence.

The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorization for

Please do not hesitate to contact this office if you have any further queries.

Please ensure to quote the above reference in doing so.

Yours Faithfully



MR. JAN VAN STADEN

CHIEF EXECUTIVE OFFICER (ACTING)

CC:

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