



REFERENCE NUMBER: 15/4/2/3
ENQUIRIES: Gavin Benjamin
DATE OF ISSUE: 6 December 2022

Planning Space (Lizemarie Botha)

23 Bowtie Drive

PLETTENBERG BAY

6600

Attention: Lizemarie Botha

Email: lizemarie@planningspace.co.za

Dear Sir/Madam

SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970): CONFIRMATION OF THE DESIGNATION OF PORTION 91 OF THE FARM MATJES FONTEIN NR 304, PLETTENBERG BAY OF THE KNYSNA, WILDERNESS AND PLETTENBERG BAY REGIONAL STRUCTURE PLAN

1. The Department has received your request for confirmation of the status and designation of the above-mentioned property in terms of the above Regional Structure Plan, which was originally approved as a Guide Plan in Government Notice No. 1708 of 5 August 1983, but later declared as a Regional Structure Plan in Government Notice No. 170 of 9 February 1996.
2. I hereby confirm that Portion 91 of the Farm Matjes Fontein Nr 304, Plettenberg Bay was indeed included in the Knysna, Wilderness and Plettenberg Bay Regional Structure Plan. This portion was designated as '**Recreational**'.
3. Based on the above information, it is therefore the view of this Department that the property mentioned above **is** exempt from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).

4. We trust that the above would assist you to finalise the General Plans, received for this property. Should you require any further information, please do not hesitate to contact Elma Vreken from my office on 044 – 814 2010 or on e-mail: elma.vreken@westerncape.gov.za

Yours faithfully

Gavin Benjamin
Digitally signed by
Gavin Benjamin
Date: 2022.12.07
10:33:57 +02'00'

MR. GAVIN BENJAMIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION3)

WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 07 DECEMBER 2022

Copies to:

Director: Land Use and Soil Management

Department of Agriculture, Forestry and Fisheries

Private Bag X120

PRETORIA

0001

Attention: Ms. Annette Geertsema (e-mail: AnnetteS@dalrrd.gov.za)

Director Land Use Management

Western Cape: Department of Agriculture

Private Bag X1

ELSENBURG

7607

Attention: Mr Cor van der Walt (e-mail: corvdw@elsenburg.com)

The Surveyor General

Western Cape: Department of Rural Development and Land Reform

Private Bag X9073

CAPE TOWN

8000

Attention: Mr J Williamson (e-mail: julian.williamson@dalrrd.gov.za)

The Surveyor General

Western Cape: Department of Rural Development and Land Reform

Private Bag X9073

CAPE TOWN

8000

Attention: Mr Andrew Ballantyne (e-mail: andrew.ballantyne@dalrrd.gov.za)



OUR REFERENCE : 20/9/2/4/6/690
YOUR REFERENCE :
ENQUIRIES : Cor van der Walt/David Lakey

Eco Route Environmental Consultancy
Email: joclyn@ecoroute.co.za

Att: Joclyn Marshall

SCREENING TOOL REPORT
PROPOSED HOUSING DEVELOPMENT: DIVISION KNYSNA
PORTION 91 OF FARM MATJES FONTEIN NO 304

Your email of 08 December 2022 has reference.

Eco Route Environmental Consultancy have been appointed to submit a Screening Tool Report for a housing development on the above-mentioned 14.72ha farm portion. Agriculture is a high sensitivity according to the report, however, no agriculture occurs on the subject portion nor within the surrounding landscape and is earmarked for "recreation".

The Western Cape Department of Agriculture: Land Use Management deems that an Agricultural Impact Assessment will not be necessary for the proposed development. The farm portion must be rezoned out of agriculture to the appropriate zoning scheme under the relevant Local Municipality.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2023-02-13

Copy:

Department of Environmental Affairs & Development Planning

Private Bag X 6509

George

6530



OUR REFERENCE : 20/9/2/4/6/690
YOUR REFERENCE :
ENQUIRIES : Cor van der Walt

Eco Route Environmental Consultancy
Email: joclyn@ecoroute.co.za

Att: Joclyn Marshall

SCREENING TOOL REPORT
PROPOSED HOUSING DEVELOPMENT: DIVISION KNYSNA
PORTION 91 OF FARM MATJES FONTEIN NO 304

PROTOCOL FOR THE ASSESSMENT AND MINIMUM REPORT CONTENT REQUIREMNET FOR ENVIRONMENTAL IMPACTS ON AGRICULTURAL RESOURCES

After consultation with other departments with regards to the applicability of the above protocol, the Western Cape Department of Agriculture (WCDa) agreed to the following;

- a) As the Conservation of Agricultural Resources Act No. 43 of 1983 or the Subdivision Act No. 70 of 1970 is not mentioned in the PROTOCOL FOR THE ASSESSMENT AND MINIMUM REPORT CONTENT REQUIREMNET FOR ENVIRONMENTAL IMPACTS ON AGRICULTURAL RESOURCES the WCDa cannot dismiss the requirement for following the protocol.
- b) The National Environmental Management Act no 107 of 1998 is the basis for the protocol and the Department of Environmental Affairs the delegated authority. The National Department of Agriculture, Land Reform and Rural Development only developed the Land Capability criteria.
- c) That all properties being flagged by the screening tool must undergo the process or prescribed in the PROTOCOL to adhere to minimum requirements.

Therefore, the WCDoA cannot authorise deviation from the requirements as set out in the PROTOCOL.

With that the WCDoA withdraws its previous letter dated 2023-02-13 that an Agricultural Impact Assessment will not be necessary and that it will therefore indeed be required.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2023-03-07

Copy:

Department of Environmental Affairs & Development Planning

Private Bag X 6509

George

6530