



BREED-OLIFANTS
CATCHMENT MANAGEMENT AGENCY

101 York Street 3rd Floor Room 302 George 6530, P.O Box 1205 George 6530

Enquiries: SI Ndlovu Tel: 023 346 8000 Fax: 044 873 2199 E-mail: sndlovu@bocma.co.za

REFERENCE: 4/10/2/K30D/ERF 1058, HOEKWIL

DATE: 23 OCTOBER 2023

ECO ROUTE
PO BOX 1252
SEDFIELD
6573

Attention: Ms C. Leslie

RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY, WESTERN CAPE.

Reference is made to the above mentioned Pre-Application Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to the Pre-Application Basic Assessment Report, which should be adhered to:

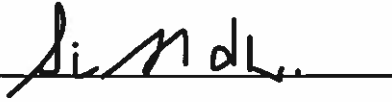
1. The the proposed development occurs adjacent to a drainage line, regulated area of a watercourse, therefore it triggers water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:
 - a) *The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;*
 - b) *In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act); or*
 - c) *A 500 m radius from the delineated boundary (extent) of any wetland or pan.*

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2. The drilling of a borehole and abstract groundwater from the borehole trigger water use(s) in terms of section 21(a) of the National Water Act, 1998 (Act No. 36 of 1998) which refers to taking water from a water resource and must be authorised by means of a water use authorisation.
3. The rainwater harvesting and storage of rainwater in tanks does not trigger any water use(s) and it doesn't require any water use authorisation.
4. For water that will be supplied by a Water Services Provider (WSP) i.e. Municipality, there must be an agreement between the developer and the municipality and water charges/tariffs must be paid directly to the municipality.
5. Please note that no water shall be derived from any water resource and used for any purposes on Erf 1058 during the construction and operational phase of the development without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998).
6. The applicant is advised to conclude the investigation of sewer services and include the information in the final draft basic assessment prior the commencement of the construction of the development. BOCMA will advise whether the proposed sewer services trigger water uses or not.
7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
8. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.
9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
11. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <http://www.dws.gov.za/e-WULAAS>.
12. Should you have further enquiries, the office can be contacted or alternatively contact Mr. Si Ndlovu at the above-mentioned contact number or on sndlovu@bocma.co.za

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Yours faithfully,

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**MR. JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)**

