

**FINAL PUBLIC PARTICIPATION PROCESS REPORT**

In terms of the National Environmental Management Act (NEMA Act No 107 of 1998, as amended) and Environmental Impact Regulations, 2014 (as amended)

**AMENDMENT OF ENVIRONMENTAL AUTHORISATION (EA):  
CAIRNBROGIE**

<b>Compiled by</b>	HilLand Environmental
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**ISSUED BY:**

HillLand Environmental  
P.O. Box 590  
George, 6530

Tel: 044 889 0229

Fax: 086 542 5248

E-mail: admin@hilland.co.za / cathy@hilland.co.za / environmental2@hilland.co.za

Web site: www.hilland.co.za

**PROPOSED AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION (EA) OF CAIRNBROGIE****Submitted for:**

**DEADP decision making purposes – submission with the FINAL BAR**

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## INTRODUCTION

**HillLand Environmental**, independent Environmental Assessment Practitioners (EAPs), have been appointed by the applicant, **Cairnbrogie Farms (Pty) Ltd**, to ensure compliance with the National Environmental Management Act (NEMA, No 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2014 (as amended) for the proposed amendment of the Environmental Authorisation (EA) that is in place for Cairnbrogie.

The draft EIR was subject to a 30-day commenting period: **7 February 2025 – 10 March 2025**

This report serves as a record of the public participation process that incorporates all the public participation undertaken in terms of the NEMA for the amendment of the EA.

## REQUIREMENT OF THE PUBLIC PARTICIPATION PROCESS

Section 41 of NEMA specifies that a person conducting a public participation process must comply with the following minimum requirements as stipulated in the Regulations:

- (a) fixing a notice board (of a size at least 60cm by 42cm; and must display the required information in lettering and in a format as may be determined by the competent authority) at a place conspicuous to the public at the **boundary or on the fence** of:
  - (i) **the site where the activity to which the application relates is or is to be undertaken**;  
**One (1) site notice was placed up at the entrance to Cairnbrogie – 30 January 2025**
  - (ii) *any alternative site mentioned in the application*; **(Annexure C – please note that there are no site alternatives for this application).**
- (b) giving written notice, in any of the manners provided for in section 47D of the Act, to:
  - (i) the owner or person in control of that land if the applicant is not the owner or person in control of the land; the occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken - **(the landowner is the applicant)**
  - (ii) owners and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken  
**As requested by DEADP (acknowledgement of Application), only previously registered I&AP's were notified on 6 February 2025 of the availability of the EIR and associated appendices. Registered neighbouring landowners include –SANParks, RCCPE and 38/432.**  
  
**See Annexure A.**
  - (iii) the municipal councilor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area - **The ward councilor was notified on 6 February 2025. See Annexure A.**

- (iv) the municipality which has jurisdiction in the area –**Bitou Municipality were notified on 6 February 2025 - Annexure A**
- (v) any organ of state having jurisdiction in respect of any aspect of the activity; - **All persons listed in the register of Interested and Affected Parties, State Departments and Organs of State were notified, 6 February 2025.**
- (vi) any other party as required by the competent authority;
- (c) placing an advertisement in (i)**one local newspaper**; or (ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;  
**An advert was placed in the Knysna-Plett Herald – 6 February 2025.**
- (d) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to (i)illiteracy; (ii) disability; or (iii)any other disadvantage – **the competent authority has not requested any specific reasonable alternative methods of public participation.**

**Proof of website:** <https://hilland.co.za/public-processes/>

The screenshot shows a web browser window with the URL <https://hilland.co.za/public-processes/cairnbrogie-amendment/>. The page content is as follows:

**HillLand Environmental**, independent Environmental Assessment Practitioners (EAPs), have been appointed by the Holder, **Cairnbrogie Farms (Pty) Ltd**, to ensure compliance with the National Environmental Management Act (NEMA, No 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2014 (as amended) for the proposed amendment of the Environmental Authorisation (EA) that is in place for the resort development on Cairnbrogie.

An EA was issued in 2020 for the construction of Cairnbrogie Resort on the Remainder of Farm 432.

Following the implications of the COVID-19 pandemic, financial constraints and various unforeseen delays resulted in the holder being unable to complete the construction process for the resort and has necessitated the application for an extension of time to complete the development.

Activities commenced on site in compliance with the EA before 31 March 2023, however the Holder is unable to complete the development and the post construction rehabilitation requirements by the 31st March 2025.

To avoid the lapsing of the EA, a Part 2 amendment application has been submitted to the Competent Authority, DEADP, on the 3rd December 2024.

The proposal is to extend the conclusion date and validity period by another five (5) years. The new dates to be specified in the Addendum to the EA, should the application be approved, are as follows:

- **The EA is valid until 31 March 2030.**
- **The post construction rehabilitation and monitoring requirements to be concluded by no later than: 15 December 2029**

All the other information contained in the original process and Final Basic Assessment Report (BAR) and subsequent EA remain valid and unchanged.

No new listed activities in terms of the NEMA EIA Regulations (2014, as amended) (not previously assessed and approved in the original EA) will be triggered by the request to extend the conclusion date for the development. All the listed activities applied for and approved in the current EA remain valid and unchanged.

In terms of Regulations 3(4) & 40 of the NEMA EIA Regulations (2014, as amended) to notify you of the availability of the Amendment Environmental Impact Report (EIR) and associated appendices for its 30-day commenting period (**7 February 2025 -10 March 2025**).

In terms of public participation Regulations of the NEMA, you are hereby advised that you have 30 days from **7 February 2025** to submit any comments on the EIR.

Please provide us with your comments / concerns relating to the proposal during the aforementioned timeframes in written format via email. Please note that your comments on the above matter will form part of the public record in terms of **POPIA**.

## Documents

(To download images, please select the link to open, then right click and select "Save As")

[01. PLE24.955.42 – Environmental Impact Assessment \(EIR\) for Amendment](#)

[Appendix A – Locality Map](#)

[Appendix B – Approved SDPs](#)

[Appendix C – Environmental Authorisation – 03 March 2020](#)

[Appendix D – Final Environmental Management Programme \(EMPr\)](#)

[Appendix E – Screening tool report](#)

[Appendix E – Site sensitivity verification report](#)

[Appendix F – a. Public Participation Process Report](#)

[Appendix F – Annexure A – Notification letter](#)

[Appendix F – Annexure B – Site notice](#)

[Appendix F – Annexure C – List of registered I&APs](#)

[Appendix G – CV of EAPs](#)

Appendix H – Original final Basic Assessment Report and associated Appendices:

[PLE19.955.20 Final BAR](#)

[Appendix A – Locality Map](#)

## ROLES OF THE INTERESTED AND AFFECTED PARTY (I&APS)

In terms of Sections 42, 43 & 44 of NEMA EIA Regulations, a registered interested & affected party (I&AP) is entitled to comment, in writing, on all written submissions, including draft reports made to the competent authority by the applicant or the Environmental Assessment Practitioner (EAP) managing an application, and to bring to the attention of the competent authority any issues which that party believes may be of significance to the consideration of the application, provided that **(All comments on the reports are included and attached to this final PPP report)**–

- (a) comments are submitted within (i) the timeframes that have been approved or set by the competent authority; (ii) any extensions of a timeframe agreed to by the Applicant or EAP.
- (b) A copy of comments submitted directly to the competent authority is served on the Applicant or EAP; and
- (c) The I&AP discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application, via an advert in the local press.

Sections 43 & 44 of NEMA further specify that all written comments received by the EAP from a registered I&AP must accompany the (public participation) report when the report is submitted to the competent authority with the final EIR.

The EIR was available for a 30-day commenting period (**7 February 2025 – 10 March 2025**)

All comments received were included and responded to in this report that accompanies the final EIR.

## LIST OF INTERESTED AND AFFECTED PARTIES (I&APs)

The following previously registered I&APs were notified:

Steve Kleinhans	Department of Environmental Affairs and Development Planning (DEADP)	State Departments
Nina Viljoen	Garden Route District Municipality	Regional Authority
Cor van der Walt / Clyde Lamberts	Department of Agriculture	State Department
Lwazi Bhengu	Heritage Western Cape	State Department
Chris Schliemann / Anje Minne	Bitou Municipality	Local Authority
Megan Simons	Cape Nature	Organ of State
PBCEF	Plettenberg Bay Community Environmental Forum	NGO
38/432 - Chris von Christienson	Fynbos Nature Reserve - Neighbouring Property	I&AP - Neighbouring Property
Joan Berning	Eden to Addo Corridor Initiative	NGO
Annabelle Conyngham	Robberg Coastal Corridor Protected Environment (RCCPE)	NGO and Neighbouring Property
Carlo Abrahams / Philisiwe Ntanz / Thembela Bushula	BOCMA	Organ of State
Vanessa Weyer	SANParks	Organ of State and Neighbouring Property
Melanie Koen	Department of Forestry	State Department
Paul Gerber	Department of Forestry: Fire Advisor	State Department
N Jacobs	Department of Health	State Department
Annelise Olivier	Ward Counsellor	I&AP
Steve Myburgh	Plett South Fire Protection Association / Management Unit	I&AP

New registrations:

- Plettenberg Bay Ratepayers and Residents Association, Stuart Comline – 10 February 2025

## COMMENTS RECEIVED

The following comments were received in response to the availability of EIR:

Comment	Response
<p><b>Garden Route District Municipality, GJ Vox, 3 March 2025</b></p> <p>This office subjected to the following condition has no objection to the proposed activity,</p> <ul style="list-style-type: none"> <li>➤ Purified Borehole water for domestic use must comply with the bacteriological and chemical standards in terms of SANS 241-1: 2015-Edition 2 for drinking water.</li> <li>➤ The purified water must be monitored for bacteriological and chemical quality on a regular basis.</li> <li>➤ Results of such samples must be kept on record and available on request.</li> <li>➤ All water supply lines must be completed before commencement of the development.</li> <li>➤ Installation of Conservancy tanks and ancillary appliances for retention of final effluent, shall comply with National Building Regulations and Bitou Municipality By-Laws</li> <li>➤ Proposed sewage system must be completed before commencement of the development.</li> <li>➤ The utilisation of grey water is subjected to the General Authorisation in terms of Section 39 G.N 655 of 6 September 2013: Government Gazette No. 36820, and approved by Bitou Municipality.</li> <li>➤ Solid waste stored on-site in a designated area approved by Bitou Municipality.</li> <li>➤ Refuse collection area enclosed with no rainwater or stormwater run-off, water point for proper cleaning and gully connected to sewer on lowest point of concrete floor.</li> <li>➤ All stormwater run-offs must include a best management practical approach to trap pollutants and minimise impacts on the nearby river system (no wash away).</li> <li>➤ All non-recoverable refuse is to be incorporated into the Bitou Municipality solid waste stream.</li> <li>➤ All service agreements between developer and Bitou Municipality must be in place.</li> </ul>	<p><b>These comments are not specific to the application made – extension of time in order to complete the development, however, the have been responded to accordingly</b></p> <p><b>No objection noted</b></p> <p><b>The borehole water quality standards for domestic use will be complied with</b></p> <p><b>To be monitored by the landowner and results available on request.</b></p> <p><b>Services will be completed before the occupation of the units</b></p> <p><b>The tanks will comply accordingly and plans submitted to Bitou for approval.</b></p> <p><b>Dam site area – sewer system already installed – no occupation to date. The coastal site is yet to be installed</b></p> <p><b>Grey water use not proposed</b></p> <p><b>Noted and as included in the EMPr</b></p> <p><b>Noted and as included in the EMPr</b></p> <p><b>Noted and as included in the EMPr</b></p> <p><b>Noted and as included in the EMPr</b></p> <p><b>Agreement is in place</b></p>



<b>DEADP – Steve Kleinhans – 10 March 2025</b>	
<p>2. The Directorate: Development Management (Region 3) ("this Directorate") has reviewed the report and provides the following comments: 2.1. Declaration by the applicant</p> <p>This Directorate notes that the declaration from the applicant and included in the report was signed and dated on 5 June 2025. Although this may be a typographical error, the declaration is not in order. Therefore, you are required to include a recent duly signed and dated upon submission of the EIR to the competent authority for consideration.</p>	<p><b>Declaration dated 5 June 2024 when the amendment process was initiated. Declaration updated accordingly.</b></p>
<p>2.2. Compliance with the condition of the environmental authorization</p> <p>This Directorate has undertaken compliance monitoring audit in respect of the environmental authorisation and the approved Environmental Management Programme ("EMPr"). Although the development has not been concluded, it has been confirmed that the majority of the conditions have been complied with to date. There are conditions which still need to be complied with such as an ECO being appointed until all development activities are concluded and the post construction rehabilitation and monitoring requirements are finalised, and the environmental auditing.</p> <p>This Directorate encourages you to continue ensuring compliance with the conditions of the environmental authorisation ("EA") (Ref: 16/3/3/1/D1/8/0007/19) issued on 3 March 2020.</p>	<p><b>Noted and agreed, ECO to remain appointed until conclusion of the project including the required rehabilitation.</b></p>
<p>2.3. Implementation programme</p> <p>It is understood that the activities undertaken to date includes the installation of the conservancy tank and water services at Area 1 (Dam Camp) and the clearance of the footprint for one of the units at the Dam Camp. However, due to the implications of the COVID-19 Pandemic, financial constraints and various unforeseen delays, the holder would be unable to complete the construction on the resort development, including the rehabilitation measures within the validity period of the EA, namely by 31 March 2025.</p> <p>It is noted from the request that the validity period of the EA is extended by five (5) years i.e. the validity period extended until 31 March 2030.</p> <p>In light of the above and in accordance with Regulation 27(3) of the Environmental Impact</p>	<p><b>Noted activities to be concluded by March 2030, failure to conclude by this date will result in the requirement for a new NEMA submission for authorisation.</b></p>

<p>Assessment Regulations, 2014 ("EIA Regulations, 2014") please be advised that the validity period of the EA may only be extended further for a maximum period of 5-years. Therefore, should the requested extension be granted and the holder is again unable to conclude the proposed development within the extended validity period, such an EA shall lapse and a new application for environmental authorisation will need to be submitted to the competent authority to continue any of the relevant outstanding listed activities.</p>	
<p>3. Submission of Amendment Environmental Impact Report</p> <p>The amendment report must reflect the information requirements stipulated in Regulation 32(1)(a)(i)-(iv) of the EIA Regulations, 2014 and must also include and address any information requested in any previous correspondence in respect of this matter.</p> <p>Please be reminded that in accordance with Regulation 32 of the EIA Regulations, 2014, the Department hereby stipulates that the amendment report (which has been subjected to public participation) must be submitted to this Department for decision within 90 days from the date of receipt of the application for amendment by the Department. However, if significant changes have been made or significant new information has been added to the amendment report, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the amendment report. The additional 50 days must include a minimum 30-day commenting period to allow registered I&amp;APs to comment on the revised report/additional information.</p> <p>If the report is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the amendment application again, a new application process would have to be initiated.</p> <p>NOTE: Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FEIR and to make the document available to them. This will provide such</p>	<p><b>No additional extension required, final submission made 11 March 2025</b></p> <p><b>Registered I&amp;Aps have been notified of the submission of the final EIR and its availability for inspection.</b></p>

parties an opportunity to review the document and how their issues (if any) were addressed.	
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## CONCLUSION

The public participation process for the proposed amendment has come to an end. Based on the comments received during the process and responses provided in this report, there are no outstanding matters which would affect the decision making in this application for extension of the conclusion date for the development.

This report forms part of the submission of the Final EIR for DEADP's review and decision-making purposes.

DEADP is therefore now in a position to consider the application and make a decision in terms of the amendment of the environmental authorisation.