



REFERENCE: 16/3/3/6/7/1/F3/10/3044/25

DATE: 5 AUGUST 2025

The Board of Directors
Agrimark (Pty) Ltd
1 Westhoven
CHARLESTON HILLS
8135

For Attention: Messrs. Graeme Wayne Sim and Tiaan Lessing

Tel: (021) 860 3227

Email: Tiaan.lessing@agrimark.co.za

Dear Sirs

COMMENTS ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT ("BAR") AND THE ENVIRONMENTAL MANAGEMENT PROGRAMME ("EMPR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED PROPOSED INSTALLATION OF ADDITIONAL FUEL STORAGE TANKS AND ASSOCIATED INFRASTRUCTURE ON PLOT 601 (A PART OF PLOT 553), OLIFANTSRIVER SETTLEMENT, LUTZVILLE

1. The pre-application BAR, EMPr and supporting documentation, received by this Directorate via electronic mail correspondence on 10 July 2025, and this Directorate's acknowledgement thereafter (dated 16 July 2025), refer.
2. This Directorate has considered the information contained in the pre-application BAR and has the following comments:

2.1. Listed Activity

This Directorate confirms that Listed Activity 51 of Listing Notice 1 of the EIA Regulations, 2014 (as amended) is applicable to the proposed installation of additional fuel storage tanks and associated infrastructure on Plot 601 (a part of Plot 553), Olifantsriver Settlement, Lutzville.

2.2. Public Participation Process

You are required to submit proof of the Public Participation Process being conducted for the draft BAR. This will include, *inter alia*, the following:

- 2.2.1. Proof that the pre-application BAR was made available to all relevant and registered Interested and Affected Parties ("I&APs"), which include the following relevant authorities:
 - 2.2.1.1. CapeNature;
 - 2.2.1.2. Heritage Western Cape;
 - 2.2.1.3. Saldanha Local Municipality;
 - 2.2.1.4. West Coast District Municipality;
 - 2.2.1.5. National Department of Water and Sanitation;
 - 2.2.1.6. The Department's Directorate: Pollution and Chemicals Management;
 - 2.2.1.7. The Department's Directorate: Waste Management; and
 - 2.2.1.8. Western Cape Government: Infrastructure.

- 2.2.2. Please be advised to obtain comments from CapeNature and provide those comments to this Directorate during the Basic Assessment process.
 - 2.2.3. A complete list of registered I&APs and the Comments and Response Report, indicating all the comments received from I&APs on the pre-application BAR and the responses thereto; and
 - 2.2.4. Please ensure that all comments are adequately addressed, prior to the submission of the draft BAR for further comment.
- 2.3. Specialist Reports
- 2.3.1. The Aquatic Biodiversity Compliance Statement provided in the pre-application BAR was undertaken by an Ecological Specialist and not a Professional Aquatic Specialist. Kindly ensure that the specialist assessment is undertaken by a suitable and qualified Aquatic Specialist.
 - 2.3.2. Please ensure that all relevant specialist assessments required are undertaken and included in the draft BAR.
 - 2.3.3. The recommendations of specialist professionals contained in specialist reports must be transferred into the Environmental Management Programme ("EMPr") to be submitted with the draft BAR.
 - 2.3.4. Kindly be advised to ensure that the content of specialist reports complies with the relevant Protocol or Appendix 6 of the EIA Regulations, 2014 (as amended), where no Protocol exists.
- 2.4. Sense of Place
- You are reminded to ensure that all efforts are made and illustrated in the final BAR of how the proposed development will respect the surrounding area's unique agriculture and heritage value.
- 2.5. Prescribed Timeframes
- 2.5.1. Please be reminded that in accordance with Regulation 19(1) of the EIA Regulations, 2014 (as amended), the draft- and final BARs must be submitted within ninety (90) days of receipt of the application by the Competent Authority.
 - 2.5.2. In terms of Regulation 45 of the EIA Regulations, 2014 (as amended), an application in terms of the EIA Regulations, 2014 (as amended) lapses and the Competent Authority will deem the application as having lapsed, if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations.
 - 2.5.3. If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Competent Authority that an additional 50 days (i.e., 140 days from receipt of the Application Form for Environmental Authorisation) will be required for the submission of the final BAR for decision-making. The additional 50 days must include a minimum commenting period of thirty (30) days to allow I&APs to comment on the revised report/additional information.
- 2.6. General
- 2.6.1. Your attention is once more drawn to Appendix 1 of the EIA Regulations, 2014 (as amended), for the requirements with respect to the '*Content of basic assessment reports*'. Please ensure that these requirements are met.

2.6.2. Your attention is drawn to Appendix 4 of the EIA Regulations, 2014 (as amended), for the requirements with respect to the 'Content of Environmental Management Programme'. Please ensure that these requirements are met.

2.6.3. Please note that Documentation must be submitted via mail correspondence to the central email address (DEADPEIAAdmin@westerncape.gov.za), with attached pdf versions of the report or, if too large to attach to an email, to be made available via an electronic link to download the documents.

3. You are reminded that it is an offence in terms of Section 49A of the NEMA for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity.
4. Kindly quote the abovementioned reference number in any future correspondence regarding this application.
5. This Directorate reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

pp **MR. ZAAHIR TOEFY**
DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1

Copied to:

- (1) Chantel Muller (Sillito Environmental Consulting (Pty) Ltd)
- (2) Municipal Manager Matzikama Municipality

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