



REFERENCE NUMBER: 16/3/3/6/7/1/F4/23/3220/23
DATE OF ISSUE: 15 MAY 2025

The Municipal Manager
Saldanha Bay Municipality
Private Bag X12
VREDENBURG
7380

For Attention: Mr. H. Mettler / Mr. M. Langa

Tel: (022) 701 7098
Email: Monwabisi.Langa@sbm.gov.za

Dear Sir

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 8270 AND A PORTION OF PORTION 4 OF FARM ONGEGUND NO. 132, VREDENBURG.

1. The Notice of Intent ("NOI") dated 07 November 2023 and received by this Department via electronic mail correspondence on 21 November 2023, this Directorate's correspondence dated 01 December 2023, the additional information received by this Department via electronic mail correspondence on 23 January 2024, this Directorate's acknowledgment thereof dated 02 February 2024, this Directorate's correspondence dated 19 February 2024, the pre-application BAR dated and received by this Directorate via electronic mail correspondence on 17 April 2025 and this Directorate's acknowledgment thereof dated 25 April 2025, refer.
2. This letter serves as a comment on the pre-application BAR by this Directorate.
3. Comment on the pre-application BAR is as follows:
 - 3.1. Activity description
 - 3.1.1. The pre-application BAR indicates that the proposed development footprint will be approximately 7.2575ha in extent whereas the Site Development Plan ("SDP") indicates that the development footprint will be approximately 8.2575ha. Confirmation of the correct development footprint is therefore required.
 - 3.1.1.1. Please note that in the event that the development footprint (as indicated on the SDP) is incorrect, an amended SDP must be provided.
 - 3.1.2. A detailed description of the proposed internal roads and road reserve (i.e. width and length) must be included in the activity description.
 - 3.2. Applicable listed activities
 - 3.2.1. In the absence of a detailed description of the proposed internal roads and road reserve, the applicability of Activity 24 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended) cannot be confirmed at this stage. Further detail is therefore required.

- 3.2.2. Page 16 of the pre-application BAR indicates that *"It is unlikely that 1 hectare or more of indigenous vegetation will be removed as part of this development."* It is therefore unclear as to how Activity 27 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended) is triggered by the proposed development.
 - 3.2.3. Based on the information provided in the pre-application BAR, this Directorate notes the proposed site has been previously used for agricultural purposes after 01 April 1998. Therefore, the proposed development will trigger Activity 28 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended).
 - 3.2.4. Based on this Directorate's correspondence dated 19 February 2024, it was advised that should the proposed site contain indigenous vegetation, the proposed development will trigger Activity 4 of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended). The aforementioned listed activity has not been included in the pre-application BAR and the pre-application BAR does not contain sufficient information to confirm the applicability of the aforementioned listed activity. You are therefore required to provide clarity in this regard.
 - 3.2.5. According to the Plant Species Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated January 2024), the vegetation structures and species diversity associated with the Saldanha Flats Strandveld vegetation type is not present on the proposed site. It is therefore unclear as to whether Activity 12 of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended) will be triggered. Further clarification is therefore required.
- 3.3. Site Sensitivity Verification Report ("SSVR") (compiled by Sillito Environmental Consulting and dated January 2025):
 - 3.3.1. The SSVR refers to the pre-application BAR as the post-application draft BAR. Please correct this error.
 - 3.3.2. The SSVR does not include Activity 27 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended). Please ensure that the relevant listed activities are included in the SSVR.
 - 3.3.3. The SSVR refers to the Screening Report dated 20 October 2023. Please correct this error.
 - 3.4. Specialist Inputs
 - 3.4.1. Plant Species Compliance Statement (dated January 2024):
 - 3.4.1.1. The Plant Species Compliance Statement must be amended to indicate what vegetation type is present on the site and whether the vegetation occurring on site meets the definition of indigenous vegetation as defined in the NEMA EIA Regulations, 2014 (as amended) (i.e. *"vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years"*).
 - 3.4.1.2. The extent of indigenous vegetation and the classification of the type of ecosystem of the indigenous vegetation (where applicable) that will potentially be impacted by the proposed development must be provided.

3.4.2. Visual Impact Assessment ("VIA") (compiled by New World Associated Las and dated 01 April 2025):

3.4.2.1. This Directorate notes that the recommendations of the specialist will be implemented where possible. In the event that the recommendations (i.e. tree planting, green corridors, retention of existing vegetation and vertical greening) are not possible, the significance rating of the potential visual impacts must be reported on. In addition, an indication as to whether the potential visual impacts (in the event that the recommendations are not possible) are acceptable from a visual perspective must be provided.

3.4.3. The Motivational Report: Revision 1 (compiled by CK Rumboll and dated February 2025) attached as Appendix K of the pre-application BAR states that "A *Traffic Impact Assessment (TIA)* was done by UDS Development Solutions and attached as Annexure I". Please ensure that a copy of the aforementioned Traffic Impact Assessment is included in the BAR.

3.4.4. Section 7.5 of the Geotechnical Investigation Report (compiled by Casper Badenhorst dated 23 January 2024) states that "*Most sidewalls collapsed, while some remained stable. Excavations on site needs to be battered or protected to avoid injuries during construction*" whereas section 8.5 of the Geotechnical Investigation Report states that "*Excavations were all stable and no side walls collapsed*". Clarity is therefore required.

3.5. Need and Desirability

3.5.1. The pre-application BAR indicates that there is no Environmental Management Framework ("EMF") applicable to the proposed site. Please note that the EMF for the Greater Saldanha Area (2021) is applicable and must be considered and reported on in the BAR.

3.5.2. In addition, the pre-application BAR refers to the Provincial Spatial Development Framework ("PSDF") (2009). Please ensure that the latest PSDF and related planning policies and guidelines are referred to in the BAR.

3.6. Alternatives

3.6.1. This Directorate notes that the Animal Species Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated December 2023), the Plant Species Compliance Statement (dated January 2024) and the Terrestrial Biodiversity Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated December 2023) describe the proposed development as a "*low-income housing development consisting of approximately 600 residential erven and associated road and service infrastructure*". However, an alternative related to the proposed development of 600 residential erven has not been described in the pre-application BAR. Please provide a description of the relevant alternative and provide reasons as to why the alternative is not deemed the Preferred Alternative.

3.6.2. The pre-application BAR states that no layout alternatives were considered. However, Section H.1.3 indicates that several revisions to the SDP were undertaken. Clarity is therefore required in respect of whether other layout alternatives were considered.

3.6.3. This Directorate notes that the preferred layout depicts residential erven on the edge of the site and toward undeveloped land. An indication as to how the preferred layout limits urban sprawl must be provided.

3.7. BAR considerations

3.7.1. Section G of the pre-application BAR indicates that a groundwater specialist study was undertaken, but no further reference to such study is provided. Clarity is therefore required.

3.7.2. Section 6 of the pre-application BAR (i.e. Protocols) is incomplete and does not explain how the proposed development complies with the requirements of the Protocols. Please complete section 6 accordingly.

3.8. Confirmation of services

3.8.1. This Directorate notes that confirmation of 750kVA of electricity supply has been confirmed by the Saldanha Bay Municipality (in their correspondence dated 06 August 2024) and is available until 30 June 2025. Please note that an updated confirmation of the electricity supply for the number of residential erven proposed must be included in the BAR.

3.8.2. This Directorate notes that confirmation of solid waste management services in respect of the proposed development has been provided by the Saldanha Bay Municipality (in their correspondence date 14 August 2024).

3.8.3. Be advised that confirmation of services for water supply, stormwater management and sewage treatment and disposal must be obtained and included in the BAR.

3.9. Public Participation

3.9.1. Kindly note that the correct contact person for this Department's Directorate: Waste Management is Mr. Saliem Haider. Accordingly, all waste management queries must be directed to Saliem.Haider@westerncape.gov.za.

3.9.2. Section G of the pre-application BAR indicates that a NID was submitted to Heritage Western Cape ("HWC") and further indicates that HWC confirmed that no further assessment is required. However, this Directorate notes that a copy of HWC's response to the NID was not provided in the pre-application BAR. Be advised that a copy of HWC's correspondence must be included in the BAR.

3.9.3. Please be reminded that comments from the Department of Water and Sanitation, the Western Cape Department of Agriculture and Cape Nature.

3.9.4. Please be reminded that the Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended), and must take into account any applicable guidelines published in terms of Section 24J of the National Environmental Management Act, 1998 (Act No. 107 of 1998), this Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended), as well as any other guidance provided by this Department.

3.9.5. You are reminded that all comments received on the pre-application BAR must be adequately addressed, responded to and included in the BAR.

3.10. Environmental Management Programme

3.10.1. Maintenance management activities for the management of the open space areas must be included in the EMPr.

3.10.2. Please be reminded that the contents of the EMPr must meet the requirements outlined in Section 24N of the NEMA (as amended) and Appendix 4 of the EIA Regulations, 2014 (as amended). The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing).

3.10.3. All specialists' recommendations must be included in the EMPr.

3.11. General

- 3.11.1. The site co-ordinates depicted in the pre-application BAR are incorrect. Be advised that the correct co-ordinates must be provided in the BAR.
- 3.11.2. In addition to the above requirements, you must clearly show how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.
- 3.11.3. You are hereby advised that the BAR must contain all the information outlined in Appendix 1 of the NEMA EIA Regulations, 2014 (as amended), and must also include the information requested in this letter. Omission of any of the said information may result in the refusal of Environmental Authorisation.

4. This Directorate awaits the submission of application for environmental authorisation.
5. Please note that the activity may not commence prior to obtaining an Environmental Authorisation. It is an offence for a person to commence with a listed activity unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.

This Department reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

Keagan-Leigh
Adriaanse
p.p. **MR. ZAAHIR TOEFY**
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Digitally signed by
Keagan-Leigh Adriaanse
Date: 2025.05.15
14:10:18 +02'00'

Copies to: (1) Ms. N. Duarte (Saldanha Bay Municipality)
(2) Mr. A. Oosthuizen (DEA&DP: Development Facilitation)
(3) Ms. C. Muller (Sillito Environmental Consulting)

Email: Nazeema.Duarte@sbm.gov.za
Email: Andre.Oosthuizen@westerncape.gov.za
Email: Chantel@environmentalconsultants.co.za



REFERENCE NUMBER: 16/3/3/1/F4/23/3036/25
DATE OF ISSUE: 28 JULY 2025

The Municipal Manager
Saldanha Bay Municipality
Private Bag X12
VREDENBURG
7380

For Attention: Mr. L. Khuselo

Tel: (022) 701 7000
Email: luvuyo.khuselo@sbm.gov.za

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM FOR BASIC ASSESSMENT AND DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 8270 AND A PORTION OF PORTION 4 OF FARM ONGEGUND NO. 132, VREDENBURG.

1. The application form dated 30 June 2025, and the draft Basic Assessment Report dated June 2025 and received by this Directorate via electronic mail correspondence on 17 July 2025, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned documents by this Directorate.
3. Activity description
 - 3.1. A detailed description of the proposed associated service infrastructure must be provided.
4. Applicable listed activities
 - 4.1. Since the proposed site is zoned agriculture and is not serviced, the proposed site is considered to be outside an urban area. The following listed activities may be applicable:
 - 4.1.1. Activities 9 and 10 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended).
 - 4.2. You are reminded that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all of the applicable listed activities are applied for and assessed as part of the EIA process. Failure to include any applicable listed activities may invalidate the application.
5. Screening Report, Protocols and Specialist Assessments
 - 5.1. This Directorate notes that a Screening Report (dated 17 February 2025) has been submitted as part of the application form.

- 5.2. Based on the aforementioned Screening Report (dated 17 February 2025), it is noted that the proposed site is located within a medium sensitivity area from an agricultural perspective, a low sensitivity area from an animal species perspective, a low sensitivity area from an aquatic biodiversity perspective, a low sensitivity area from an archaeological and cultural heritage perspective, a high sensitivity area from a civil aviation perspective, a medium sensitivity area from a defence perspective, a very high sensitivity area from a palaeontology perspective, a medium sensitivity area from a plant species perspective and a very high sensitivity area from a terrestrial biodiversity perspective.
 - 5.3. In addition, the Screening Report further identified the following specialist studies to be undertaken:
 - 5.3.1. A Landscape/ Visual Impact Assessment;
 - 5.3.2. An Agricultural Impact Assessment;
 - 5.3.3. An Archaeological and Cultural Heritage Impact Assessment;
 - 5.3.4. A Palaeontology Impact Assessment;
 - 5.3.5. A Terrestrial Biodiversity Impact Assessment;
 - 5.3.6. An Aquatic Biodiversity Impact Assessment;
 - 5.3.7. A Hydrology Assessment;
 - 5.3.8. A Socio-Economic Assessment;
 - 5.3.9. A Plant Species Assessment; and,
 - 5.3.10. An Animal Species Assessment.
 - 5.4. This Directorate notes that a Site Sensitivity Verification Report ("SSVR") (dated June 2025) has been submitted as part of the application form on 17 July 2025.
 - 5.5. This Directorate notes that a Geotechnical Assessment, Traffic Impact Assessment, Visual Impact Assessment, Agricultural Compliance Statement, Aquatic Biodiversity Assessment, Terrestrial Biodiversity Compliance Statement, Plant Species Compliance Statement and Animal Species Compliance Statement have been conducted and were included with the application form. Please be advised that copies of the above specialist studies must be included in the BAR.
 - 5.6. Please note that where a specialist assessment is required, but no specific environmental theme protocol has been prescribed, the level of assessment must be based on the findings of the SSVR and must comply with Appendix 6 of the EIA Regulations, 2014 (as amended).
6. Exemptions
 - 6.1. It is evident that you do not intend to apply for exemption from any provisions contained in the NEMA or the EIA Regulations, 2014 (as amended).
 7. Content of a Basic Assessment Report ("BAR")
 - 7.1. You are referred to Appendix 1 of the NEMA EIA Regulations, 2014 (as amended) for the requirements with respect to the 'Content of basic assessment reports'.
 8. Alternatives
 - 8.1. Be advised that in terms of the NEMA EIA Regulations, 2014 (as amended) and the NEMA the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it has been applied for or may grant authorisation in respect of all or part of the activity applied for as specified in Regulation 20 of the NEMA EIA Regulations, 2014 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, activity, operational and technology alternatives. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed.

8.2. If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the "no-go" alternative, is required during the assessment. What would, however, be required in this instance is that proof of the investigation undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred and the "no-go" alternatives exist must be provided to the Directorate.

9. Public Participation

9.1. Heritage Western Cape's ("HWC's") response to the Notice of Intent to Develop only refers to Portion 4 of Farm No. 132, Vredenburg and not a portion of Erf 8270, Vredenburg. Please obtain a revised comment from HWC in this regard.

9.2. Please be advised that the requirements of the Public Participation Process ("PPP") are specified in Regulation 41(2) of the NEMA EIA Regulations, 2014 (as amended).

9.3. The BAR must be made available to the Interested and Affected Parties ("I&APs"), including all the relevant State Departments that administer laws relating to a matter affecting the environment, for comment for a period of 30 days. The applicant/EAP is required to inform this Directorate in writing upon submission of the report to the relevant State Departments. This Directorate notes that a copy of the draft BAR has been provided to this Directorate for commenting purposes.

9.4. Please note that all proof of having conducted the Public Participation Process in terms of Chapter 6 of the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) must be supplied to this Department.

9.5. Please be reminded that the Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended), and must take into account any applicable guidelines published in terms of Section 24J of the National Environmental Management Act, 1998 (Act No. 107 of 1998), this Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended), as well as any other guidance provided by this Department.

10. Guidelines

10.1. When undertaking the EIA process, the EAP must take into account all applicable guidelines, including the guidelines developed by this Department. These can be downloaded from the Department's website (<http://www.westerncape.gov.za/eadp>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:

- Guideline for Environmental Management Plans.
- Guideline on Alternatives.
- Guideline on Need and Desirability.

11. Need and Desirability

11.1. In terms of the NEMA EIA Regulations, 2014 (as amended), when considering an application, the Directorate must take into account a number of specific considerations including, inter alia, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability.

12. Environmental Management Programme ("EMPr")

12.1. In accordance with Section 24N of the NEMA and Regulation 19 of the NEMA EIA Regulations, 2014 (as amended) the Directorate requires the submission of an EMPr. The contents of such an EMPr must meet the requirements outlined in Section 24N of the NEMA (as amended) and Appendix 4 of the NEMA EIA Regulations, 2014 (as amended). The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The EMPr must be submitted together with the BAR.

13. Social and Gender Considerations

13.1. You are reminded that the social context of the proposed development must always be considered. This includes the impact that the development proposal may have on the prevalence of HIV/AIDS, sexually transmitted infections ("STI") and Tuberculosis ("TB"), as well as equity and gender related concerns.

14. General

14.1. In addition to the above requirements, you must clearly show how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

14.2. In accordance with Regulation 19(1) of the NEMA EIA Regulations, 2014 (as amended), the final BAR must be submitted within **90 days** of receipt of the application by the Department, calculated from 17 July 2025. Further note, in terms of Regulation 45 of the NEMA EIA Regulations, 2014 (as amended), an application in terms of the NEMA 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, unless extension has been granted in terms of Regulation 3(7).

14.3. Please note that the activity may not commence prior to obtaining an Environmental Authorisation. It is an offence for a person to commence with a listed activity unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.

Kindly quote the above-mentioned reference number in any future correspondence regarding this application.

The Directorate reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

Keagan-Leigh Digitally signed by
Keagan-Leigh Adriaanse
Date: 2025.07.28
07:47:36 +02'00'
Adriaanse
p.p. **MR ZAAHIR TOEFY**
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to: (1) Ms. C. Muller/ Mr. J. Lassen (Sillito Environmental Consulting)
(2) Ms. N. Duarte (Saldanha Bay Municipality)

Email: chantel@environmentalconsultants.co.za/
jonathan@environmentalconsultants.co.za
Email: nazeema.duarte@sbm.gov.za



REFERENCE NUMBER: 16/3/3/1/F4/23/3036/25
DATE OF ISSUE: 18 AUGUST 2025

The Municipal Manager
Saldanha Bay Municipality
Private Bag X12
VREDENBURG
7380

For Attention: Mr. L. Khuselo

Tel: (022) 701 7000
Email: luvuyo.khuselo@sbm.gov.za

Dear Sir

COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED HOUSING DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 8270 AND A PORTION OF PORTION 4 OF FARM ONGEGUND NO. 132, VREDENBURG.

1. The application form dated 30 June 2025 and the draft Basic Assessment Report ("BAR") dated June 2025 and received by this Directorate via electronic mail correspondence on 17 July 2025 and this Directorate's correspondence dated 28 July 2025, refer.
2. Comment on the draft BAR is as follows:
 - 2.1. Activity description
 - 2.1.1. The comments and responses report indicates that the proposed development footprint will be approximately 8.2575ha in extent. However, the Site Development Plan ("SDP") still reflects the proposed development footprint as 7.2575ha. It is therefore re-iterated that the development footprint as depicted on the SDP is amended accordingly.
 - 2.2. Applicable listed activities
 - 2.2.1. This Directorate notes that according to the Plant Species Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated May 2025), the proposed site does not contain indigenous vegetation. As such, the following listed activities are not triggered by the proposed development:
 - 2.2.1.1. Activities 24 and 27 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended); and
 - 2.2.1.2. Activities 4 and 12 of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended).
 - 2.2.2. Be advised that the listed activities not triggered by the proposed development must be excluded from the BAR.

2.2.3. You are further reminded that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all of the applicable listed activities are applied for and assessed as part of the EIA process. Failure to include any applicable listed activities may invalidate the application.

2.3. Need and Desirability

2.3.1. Page 19 of the draft BAR indicates "*The following PSDF's key transitions are complied with by the proposed development of St Helena Bay:*" Please correct this error.

2.3.2. The draft BAR refers to the Provincial Spatial Development Framework ("PSDF") (2009). Please ensure that the latest PSDF and related planning policies and guidelines, inclusive of the dates, are referred to in the BAR.

2.4. Specialist Inputs

2.4.1. Aquatic Biodiversity Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated May 2025):

2.4.1.1. Based on the "Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Section 24(5) (a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation" ("the Protocols") (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020, which came into effect on 09 May 2020 and Government Notice No. 1150 as published in Government Gazette No. 43855 on 30 October 2020, which came into effect on the same date), the protocols require that an aquatic biodiversity compliance statement must be prepared by a suitably qualified specialist registered with SACNASP, with expertise in the field of aquatic sciences. This Directorate notes that the specialist is registered with SACNASP in the field of Ecology. Furthermore, it is noted that the specialist is registered as a candidate scientist in the field of aquatic science and conservation science. It is unclear as to whether the specialist has expertise within the field of aquatic sciences to compile the aforementioned compliance statement. Clarity is therefore required in this regard.

2.4.1.2. It is unclear as to why an Aquatic Biodiversity Compliance Statement was undertaken as the proposed site contains no aquatic resources. Clarity is therefore required.

2.4.1.3. This Directorate notes that there is a 2-year gap between when the site visit was conducted and when the report was compiled. It is unclear as to why the site was not recently visited as it appears that the need for an Aquatic Biodiversity Compliance Statement was required after the site visit was conducted in December 2023. Clarity is therefore required.

2.4.1.4. The "*description of the assumptions made and any uncertainties or gaps in knowledge or data*" as presented in the Aquatic Biodiversity Compliance Statement refers to botanical information such as botanical species, timing of survey and accuracy of botanical findings. Please correct this error.

2.4.1.5. This Directorate notes that the Aquatic Biodiversity Compliance Statement contains no findings or recommendations with respect to the potential impacts (both direct and indirect) on freshwater resources. The Aquatic Biodiversity Compliance Statement must therefore be revised to incorporate these aspects.

2.4.2. Traffic Impact Assessment ("TIA") (compiled by UDS dated 21 August 2024):

2.4.2.1. This Directorate notes that the aforementioned TIA is based on 284 residential units being developed. An updated Traffic Impact Assessment based on 325 residential units must be compiled and appended to the BAR.

2.4.2.2. It is unclear as to which recommendations of the TIA will be implemented. Clarification is therefore required.

2.4.3. You are reminded that where a specialist assessment is required, but no specific environmental theme protocol has been prescribed, the level of assessment must be based on the findings of the site sensitivity verification and must comply with Appendix 6 of the NEMA EIA Regulations, 2014 (as amended).

2.5. Confirmation of services

2.5.1. This Directorate notes that confirmation of 750kVA of electricity supply has been confirmed by the Saldanha Bay Municipality (in their correspondence dated 16 June 2025) for a total of 292 erven and is available until 30 June 2026. Please note that a revised confirmation of the electricity supply for the total number of residential erven proposed must be included in the BAR.

2.5.2. This Directorate notes that confirmation of solid waste management services in respect of the proposed development has been provided by the Saldanha Bay Municipality (in their correspondence date 16 June 2025).

2.5.3. This Directorate notes that confirmation of sufficient, spare and unallocated Bulk Water and Sewer capacity to service 284 residential erven has been provided by the Saldanha Bay Municipality (in their correspondence date 16 June 2025). Please note that an updated confirmation of sufficient, spare and unallocated Bulk Water and Sewer capacity for the total number of residential erven proposed must be included in the BAR.

2.6. Public Participation

2.6.1. Although proof of written notification letters via a site contact was included in the BAR, the BAR does not provide the following:

2.6.1.1. A list of the neighbours that were notified.

2.6.1.2. Confirmation from the site contact that the notices were hand delivered to the relevant neighbours.

2.6.1.3. The list of registered Interested and Affected Parties does not include a list of neighbours.

2.6.2. Please be advised that the location and date that the site notice was placed must be provided in the BAR.

2.6.3. Heritage Western Cape's ("HWC's") correspondence only refers to Portion 4 of Farm No. 132, Vredenburg. Be advised that HWC's comment on Erf 8270, Vredenburg must also be obtained.

2.6.4. This Directorate notes that an undated correspondence titled "*Eskom requirements for work in or near Eskom servitudes*" has been included in the draft BAR.

- 2.6.4.1. It is unclear as to whether the aforementioned correspondence has been provided by Eskom as the correspondence is not on Eskom's letterhead.
 - 2.6.4.2. It is further unclear as to whether the aforementioned correspondence is related to the proposed development as the draft BAR does not indicate work to be undertaken in or near an Eskom servitude. Clarification is therefore required.
 - 2.6.5. Please be reminded that comments from the Department of Water and Sanitation and the Western Cape Department of Agriculture should be obtained.
 - 2.6.6. Please be reminded that all proof of having conducted the Public Participation Process in terms of Chapter 6 of the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) must be supplied to this Department. This includes proof of the placing of the newspaper advertisement, proof of the placing of site notices and proof of the notification and engagement with Interested and Affected Parties and must be included in the BAR.
 - 2.6.7. Please be reminded that the Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended), and must take into account any applicable guidelines published in terms of Section 24J of the National Environmental Management Act, 1998 (Act No. 107 of 1998), this Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended), as well as any other guidance provided by this Department.
 - 2.6.8. You are reminded that all comments received on the draft BAR must be included in the BAR and adequately addressed and responded to.
- 2.7. Environmental Management Programme ("EMPr")
- 2.7.1. Please be reminded that the contents of the EMPr must meet the requirements outlined in Section 24N of the NEMA (as amended) and Appendix 4 of the NEMA EIA Regulations, 2014 (as amended). The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing).
 - 2.7.2. Be advised that the recommendations of the Geotechnical Investigation (compiled by Steyn-Wilson Laboratories and dated 29 May 2025) must be included in the EMPr.
3. The BAR to be submitted to the competent authority for decision making must be submitted via email to this Directorate (i.e. 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 provided in the email that is accessible by the Directorate.
 4. Please note that the final BAR must be submitted **within 90 days of receipt** of the application by the Department, calculated from 17 July 2025. Should the final BAR not be submitted within this timeframe your application will lapse and a new application in terms of the NEMA EIA Regulations, 2014 (as amended) will need to be submitted to this Directorate if you wish to pursue the proposed development.
 5. If however, significant changes have been made or significant new information has been added to the BAR, 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 BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.
 6. Please note that the activity may not commence prior to obtaining an Environmental Authorisation. It is an offence for a person to commence with a listed activity unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.

7. Kindly quote the above-mentioned reference number in any future correspondence regarding this application.

The Directorate reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

Keagan-Leigh
Adriaanse
p.p. **MR. ZAAHIR TOEFY**
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Digitally signed by
Keagan-Leigh Adriaanse
Date: 2025.08.18
17:32:02 +02'00'

Copies to: (1) Ms. C. Muller/ Mr. J. Lassman (Delron Consulting (Pty) Ltd)

(2) Ms. N. Duarte (Saldanha Bay Municipality)

Email: chantel@environmentalconsultants.co.za/

jonathan@environmentalconsultants.co.za

Email: nazeema.duarte@sbm.gov.za