

REFERENCE: 16/3/3/1/D6/29/0031/24
DATE OF ISSUE: 16 September 2024

The Managing Director
DREAM SUPREME PROPERTIES 14 CC
PO Box 834
HARTENBOS
6520

Attention: Mr. Nicolaas Christiaan Badenhorst

E-mail: nbaden@lantic.net

Dear Sir

ACKNOWLEDGMENT OF RECEIPT OF THE APPLICATION FORM FOR BASIC ASSESSMENT IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, FOR THE PROPOSED LIGHT INDUSTRIAL DEVELOPMENT (STORAGE FACILITY) ON A PORTION OF ERF 21277 AALWYNDAL, MOSSEL BAY

1. The undated application form as received by the Directorate: Development Management (Region 3) ("this Directorate") on 6 September 2024, refers.
2. The application form appears to be in order in accordance with regulation 16. This letter serves as an acknowledgment of receipt of the aforementioned document by this Directorate on **6 September 2024**.
3. Please remind your EAP that the requirements in terms of the Environmental Management Act (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") must be complied with in respect of the application for Environmental Authorisation.
4. *BAR Requirements*

The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended) and must also include and address any information requested in any correspondence in respect of this matter. Case 16/3/3/6/7/1/D6/29/0075/21 refers in this regard.

In accordance with Regulation 19 of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (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 by the Department. 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.

If the BAR 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 application again, a new application process would have to be initiated. A new Application Form would have to be submitted.

5. *Government Policies and Plans, Guidelines, Environmental Management Instruments:*

You are advised that when undertaking the EIA process, it is the responsibility of the EAP and Specialists to take into account all the government policies and plans, guidelines, environmental management instruments and other decision making instruments in respect of the application process or the kind of activity which will be the subject of the application, including the guidelines, information documents or circulars developed by this Department which include *inter alia*, the following:

- National Department of Forestry Fisheries and the Environment's Guideline on Need and Desirability (2017).
- Guideline for determining the scope of specialist involvement in EIA processes, June 2005.
- Guideline for involving biodiversity specialists in the EIA process, June 2005.
- Guideline for Environmental Management Plans (June 2005).

6. *Consideration of alternatives*

This Directorate is aware that the Mossel Bay Municipality is in the process of reviewing the Aalwyndal Precinct Plan and specifically the biodiversity considerations of the precinct in order to conserve the sensitive vegetation that will be lost due to the development of Aalwyndal as envisaged by the Mossel Bay Municipality. Therefore, you are strongly advised to investigate and assess various site alternatives within the boundary of the property to avoid or minimise the impact on the sensitive vegetation on the property.

7. *Applicable listed activities*

Please be reminded that the onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

8. *Public Participation Process*

This Directorate is aware that the EAP conducted a pre-application public participation process.

In light of the above, proof of compliance with Regulation 41 of the EIA Regulations, 2014 must be included in the BAR. In the event where the requirements of Regulation 41 have not been complied with simultaneously, the EAP is advised to do so during the application phase of the process.

9. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("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. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

10. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.

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

Yours faithfully

pp_____

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Ref.: 16/3/3/1/D6/29/0031/24

Copied to: **Kapp Environmental Consultants (Pty) Ltd:**
Mr. Renier Kapp

E-mail: renier@kappec.co.za